

Polity Class Notes for IAS and PCS

Chapter 8- Citizenship

Citizenship
Right denies to Foreign (Art. 15, 16, 17, 19, 22, 29, 30)
<ul style="list-style-type: none"> ➤ Right to vote in election of LS & state legislature council ➤ Right to contest for Membership of Parliament & state legislature. ➤ Eligibility to hold Public office of President ,Vice President ,Judge of SC/HC , Governor , Attorney of India and advocate general of state
<ul style="list-style-type: none"> ➤ In India, both citizen by birth as well as naturalized citizen are eligible for office of President, while In USA, only citizen by birth & not naturalized citizen is eligible for office of President.
Article 5 to 11: Citizenship
<ul style="list-style-type: none"> ➤ Art. 5 to 11 related to citizenship. In this, not any permanent, not any elaborate Provisions in this regard. ➤ It is only defend that person who became citizenship of India at its commencement (on Jan 26, 1950). It does not deal with Problem of acquisition/ loss of citizenship. ➤ It empower the Parliament for its framing law. ➤ Articles 5, 6, 7 and 8, detail provisions regarding who will be the citizens of India at the commencement of the Constitution. ➤ Article 11 grants Parliament the authority to make any provision regarding the acquisition and termination of citizenship.
Citizenship (Part-2)
<p>A person become citizens of India at 25 Jan 1950</p> <ul style="list-style-type: none"> ➤ If he was born in India or if either of his parent born in India or If he ordinary resident for 5 years in India immediately before commencement of Constitution, became a citizen of India. ➤ A Person migrated to India from Pakistan became Indian Citizen if he or either his parent or any of his grandparents was born in undivided India & also fulfilled any one of two conditions via in case he migrated to India before July 19, 1948 he had to register as citizen but he can reside only after living 6 months preceding date of his application of registration. <p>Same they for – A person who migrated to Pakistan from India after 1 March, 1947, but later returned to India for resettlement could became an Indian citizen need line 6 month before application applied.</p>
Notes
<ul style="list-style-type: none"> ➤ No Person shall be citizen of India, If voluntary approved citizenship of any foreign country ➤ <u>Acquisition of Citizenship</u> <ul style="list-style-type: none"> • By Birth: A Person born in India on or after 26 Jan 1950 but before 1 July 1987 is citizen of India by Birth • A person born after 1 July 1987, is citizen, if either his parents is citizen of India at time of his Birth.

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- By descent: A Person born outside India on or after 26 Jan, 1950, but before 10 Dec, 1992 is citizen of India. If his father was citizen of India at time of Birth.
- But – citizen born after 1992, If his parent was citizen of India at time of Birth.
- By registration: Naturalization – Centre government, on application, grant a certificate of naturalization to any person (not being an illegal migrant).
- Loss of citizenship:
- By Renunciation: When a person renounce his India citizenship, every minor child of that Person loss Indian citizenship & reuse Indian citizenship after 18 year.
- By Termination: Voluntary acquiring citizenship of other country
- By Deprivation: By Centre Government



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