Bill Summary

The Citizenship (Amendment) Bill, 2011

- The Citizenship (Amendment) Bill, 2011 was introduced in the Rajya Sabha on December 8, 2011.
- The Citizenship Act, 1955 lays down the provisions relating to acquisition, renunciation and termination of Indian citizenship. Under the Act, Indian citizenship can be acquired by (a) birth; (b) descent; (c) registration; (d) naturalisation; and (d) incorporation of territory.
- The Bill substitutes the term ‘overseas citizen of India’ with the term ‘overseas Indian cardholder.’ It defines an overseas Indian cardholder as a ‘person registered as an overseas Indian cardholder’ by the Central Government under Section 7 A.’
- The Bill provides for registration of persons as ‘overseas Indian cardholder’ instead of registration of ‘overseas Indian citizen.’
- The Bill enlarges the categories of persons who are eligible for registration as ‘overseas Indian cardholder.’ The Bill proposes to include (i) a person who is a great grand child of any person who was a citizen of India at, or any time after the commencement of the Constitution; or (ii) a minor child of parents who are citizens of India or one of the parents is a citizen of India; or (iii) the spouse of an Indian citizen who has been married for at least two years before making the application for registration.
- Under the Act, certain rights were conferred upon an ‘overseas Indian Citizen of India’. The Bill proposes to confer those rights on an ‘overseas Indian cardholder.’
- If a person renounces his overseas Indian card, then his minor child shall also cease to be an overseas Indian cardholder.
- The registration of the spouse of an Indian citizen shall be cancelled if (i) the marriage has been dissolved by a competent court; or (ii) during the subsistence of such marriage, the spouse has married any other person.
- The central government may relax the requirement of being a resident in India for 12 months as one of the qualifications for being granted a certificate of naturalisation. The period cannot be extended beyond a period of 30 days.

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