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Renunciation of Indian Citizenship Simplified

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Why in News

The **Ministry of Home Affairs (MHA)** has simplified the process for Indians who want to renounce their citizenship.

Earlier, the **Central Government issued a notification** granting powers related to citizenship applications under existing rules to authorities of five states.

Key Points

- **About:**
 - Provisions have been made for applicants to **upload documents online**, with an **upper limit of 60 days** for the renunciation process to be completed.
 - **Over 6.7 lakh Indians renounced** their citizenship **between 2015-19**.
 - In 2018, MHA included a column on “**circumstances/reasons** due to which applicant intends to acquire foreign citizenship and renounce Indian citizenship” (under the Citizenship Rules, 2009).

- **Citizenship:**

- **Constitutional Provisions:**

- Citizenship is **listed in the Union List** under the Constitution and thus is under the exclusive jurisdiction of Parliament.
- The **Constitution does not define the term ‘citizen’** but details of various categories of persons who are entitled to citizenship are given in **Part 2 (Articles 5 to 11)**.

Unlike other provisions of the Constitution, which came into being on **26th January, 1950**, these articles were enforced on 26th November, 1949 itself, when the Constitution was adopted.

- **Acquisition of Indian Citizenship:**

The **Citizenship Act of 1955 prescribes five ways** of acquiring citizenship, viz, **birth, descent, registration, naturalisation and incorporation of territory**.

- **Citizenship (Amendment) Act, 2019:**

- The Act **amended** the law **to fast-track citizenship for religious minorities**, specifically Hindus, Sikhs, Buddhists, Jains, Parsis and Christians, from Afghanistan, Bangladesh and Pakistan who entered India prior to 2015.
- The requirement for them to stay in India for at least 11 years before applying for Indian citizenship **has been reduced to five years** (by naturalisation).

- **Ways to Renounce Citizenship in India:**

- **Voluntary Renunciation:**

- If an **Indian citizen wishes**, who is of full age and capacity, he can relinquish citizenship of India by his will.
- When a person relinquishes his citizenship, **every minor child of that person also loses Indian citizenship**. However, when such a child attains the age of 18, he may resume Indian citizenship.

- **By Termination:**

- The Constitution of India provides **single citizenship**. It means an Indian person can only be a citizen of one country at a time.
- If a person takes the citizenship of another country, then his Indian citizenship ends automatically. However, this provision does not apply when India is busy in war.

- **Deprivation by Government:**

The Government of India may **terminate the citizenship** of an Indian citizen if;

- The citizen has **disrespected the Constitution**.
- Has **obtained citizenship by fraud**.
The citizen has **unlawfully traded or communicated** with the enemy during a war.
- Within 5 years of registration or naturalisation, a citizen has been **sentenced to 2 years of imprisonment** in any country.
- The citizen has been **living outside India for 7 years continuously**.

Source: TH