



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.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research (“PRS”). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.

