Citizenship

Everything for the test on one page. Watch the video, read this, then take the 41-question practice test.

(C) · VERBATIM

“who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement,”

This Part at a glance

- **Article 5** The **general rule** for day one.
- **Articles 6 and 7** People who **moved because of Partition**.
- **Article 8** People of **Indian origin living abroad**.
- **Articles 9 and 10** Chosen foreign citizenship is **shut out** · citizenship **continues**.

5 Citizenship at the commencement

- Domicile + one of (a), (b), (c) = citizen on day one
- Where they apply, Articles 6 and 7 override Article 5

Real: Central Bank of India v. Ram Narain (1954): He **could not be tried in India** for them — at that time he was **not domiciled in India**. · Pradeep Jain (1984): Under the Constitution there is **only one domicile — the domicile of India**.

6 Migrants from Pakistan

- For people who came INTO India around Partition
- Controlled movement → formal registration
- Article 6 = IN · Article 7 = OUT

Real: Kulathil Mammu (1966): 19 July 1948 was the date a **permit system** was introduced.

7 Migrants to Pakistan

- The mirror image of Article 6
- Article 7 wins over both
- Article 6 registration route — not automatic

Real: State of Bihar v. Kumar Amar Singh (1955): She had **migrated to Pakistan** after 1 March 1947 — so Article 7 applied to her. · Kulathil Mammu (1966): He had **migrated** within the meaning of Article 7 — so he was a **foreigner**.

8 Indian origin, living abroad

- The Indian diaspora
- Never automatic
- No permanent right for anyone born later

Real: Pranav Srinivasan (2024): The Supreme Court **rejected both claims**.

9 Choosing another country

- The first sign of the Constitution's dislike of dual citizenship

Real: Izhar Ahmad Khan (1962): The Supreme Court **upheld section 9(2)** and that rule, by 3 judges to 2. · Pranav Srinivasan (2024): The parents **ceased to be Indian citizens on 19 December 1998**.

10 Do you stay a citizen?

- Yes — unless a law of Parliament says otherwise

Real: Ebrahim Vazir Mavat (1954): The removal section was **void** so far as it took away the rights of citizens.

11 Parliament makes the rules

- Articles 5–10 do not limit that power
- Only Parliament — not a State Legislature
- Breaks a Fundamental Right? A court can examine it.

Words to know

Commencement	The **start** of the Constitution — here, 26 January 1950.
Citizen	A **full member** of a country.
Domicile	The place you treat as your **permanent home**.
Notwithstanding	“Even if Article 5 says something different, **this rule wins**.”
Partition	The division of British India in **1947** into India and Pakistan.
Migrate	To **move** from one place to another — here, between India and the area now in Pakistan.
Registered	**Officially recorded** as a citizen.
Proviso	An **extra condition or exception** added to a rule.
Deemed	**Treated by law** as being so.
Permit for resettlement	Official permission to **return and settle permanently**.
Diaspora	People who live **outside the country their family came from**.
Diplomatic or consular representative	An **official of the Indian government** posted in a foreign country.
Ordinarily resident	Living in a place as your **normal home**.
Dual citizenship	Being a citizen of **two countries at the same time**.

Exam traps and tips

- Learn “domicile” well — it comes back in two of the real cases.
- “Registered” is the word that separates the two groups in Article 6.
- “Deemed” appears many times in the Constitution — learn it now.
- Article 8 always needed registration — it was never automatic.
- Article 9 = voluntarily acquiring another citizenship.
- A man from Delhi went to Lahore for two weeks to attend a wedding and then came home. Does Article 7 apply to him? → **No, a short visit is not 'migration'**

Dates to remember

19 July 1948	**26 January 1950**	**1954**	**1954**	**1955**	**1962**
The dividing line	Day one of the Constitution	Central Bank of India v. Ram Narain	Ebrahim Vazir Mavat	State of Bihar v. Kumar Amar Singh	Izhar Ahmad Khan

In scenes tagged “Illustration” in the video, the everyday example is imaginary, not a real event.