

## Competitive Exams: Indian Citizenship

### Overseas Citizenship of India (OCI)

The Prime Minister of India in the Pravasi Bhartiya Divas, 2005 made a statement to extend the facility of Overseas Citizenship of India (OCI) to Persons of Indian origin (PIOs). In order to implement the PMs statement, Citizenship (Amendment) Ordinance, 2005 was promulgated on 28 June 2005, which later became an Amendment Act. This Citizenship (Amendment) Act 2005 amends the Citizenship Act, 1955 by deleting Fourth Schedule of the Citizenship Act, 1955.

The Constitution of India does not allow holding Indian citizenship and citizenship of a foreign country simultaneously. Based on the recommendation of the High Level Committee on Indian Diaspora, the Government of India decided to grant Overseas Citizenship of India (OCI) commonly known as eDual Citizenship. A foreign national, who was eligible to become citizen of India on 26.01. 1950 or was a citizen of India on or at anytime after 26.01. 1950 or belonged to a territory that became part of India after 15.08. 1947 and his/her children and grand children, provided his/her country of citizenship allows dual citizenship in some form or other under the local laws, is eligible for registration as Overseas Citizen of India (OCI). Minor children of such person are also eligible for OCI.

### PIO Card

- The Government of India has revised the Persons of Indian Origin (PIO) Card Scheme in August 2002, which was launched in 1999, aimed at making the journey back to the roots, simpler, easier, flexible and absolutely hassle free.

### Who is Eligible for PIO Card?

Any person:

- Who at any time held an Indian Passport; or He/she or either of his/her parents or grand parents or great grand parents was born in and permanently resident in India as defined in the Government of India Act, 1935 and other territories that became part of India thereafter; or
- Who is a spouse of a citizen of India or a Person of Indian Origin as mentioned above:
- The scheme is broad. based, covers up to four generations and also the foreign spouse of a citizen of India or a PIO.

### What Benefits Accrue to a PIO Cardholder?

- No visa required for visiting India.

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- No separate Student Visa or Employment Visa required for admissions in Colleges/Institutions or for taking up employment respectively.
- A PIO Card holder will be exempt from the requirement of registration if his stay on any single visit in India does not exceed 180 days.
- In the event of continuous stay in India of the PIO Card holder exceeding 180 days, he/she shall have to get himself/herself registered within 30 days of the expiry of 180 days with the concerned Foreigners Regional Registration Officer/Foreigners Registration Officer
- Parity with non-resident Indians, in respect of facilities available to the latter in economic, financial and educational field.
- No parity shall be allowed in the sphere of political rights.

### What is the Validity of the PIO Card?

- A PIO Card shall be valid for a period of Fifteen years from the date of issue subject to the validity of the passport of the applicant.

### What is the Fee Payable for Obtaining the PIO Card?

- The fee for a PIO Card would be Rs. 15000/-, payable along with the application. HIU Uard to children up to the age of 18 years will be issued at a fee of Rs. 7, 500/- (or its equivalent in local foreign currency of the country concerned) for a fifteen-year card.

### OCI Benefits

However, if the applicant had ever been a citizen of Pakistan or Bangladesh, he/she will not be eligible for OCI. Persons registered as OCI have not been given any voting rights, election to Lok Sabha/Rajya Sabha/Legislative Assembly/Council, holding Constitutional posts such as President, Vice President, Judge of Supreme Court/High Court etc.

Registered OCIs shall be entitled to following benefits:

1. Multiple entry, multi-purpose life long visa to visit India
2. Exemption from reporting to Police authorities for any length of stay in India
3. Parity with NRIs in financial, economic and educational fields except in the acquisition of agricultural or plantation properties. A person registered as OCI is eligible to apply for grant of Indian citizenship under section 5 (g) of the Citizenship Act, 1955 if he/she is registered as OCI for five years and has been residing in India for one year out of the five years before making the application. The fee for application for registration as OCI is US \$275 or equivalent in local currency for each applicant. As per the provisions of section 5 (1) (g) of the Citizenship Act, 1955, a person who is registered as OCI for 5 years and is residing in India for 1 year out of the above 5 years, is eligible to apply for Indian Citizenship.

## What Are the Advantages of OCI when Compared to PIO Cardholders?

1. OCI is entitled to life long visa free travel to India whereas for PIO cardholder, it is for 15 years.
2. PIO cardholder is Required to register with local Police authority for stay exceeding 180 days in India whereas OCI is exempted from registration with Police authority for any length of stay in India.

## Previous Years Questions: Prelims

1. Consider the following statements: (2005)
  - a. Articles 371 to 3711 were inserted in the Constitution of India to meet regional demands of Nagaland; Assam, Manipur, Andhra Pradesh, Sikkim, Mizoram, Arunachal Pradesh and Goa
  - b. Constitutions of India and the United States of America envisage a dual policy (The Union and the States) but a single citizenship
  - c. A naturalized citizen of India can never be deprived of his citizenship

Which of the statements given above is/are correct?

- a. 1, 2 and 3
- b. 1 and 3
- c. 3 only
- d. 1 only

Answer: d

1. What are the constitutional rights of the citizens of India? What do you think about the demand of the NRIs for dual citizenship (1995)?

## Previous Years Questions: Mains

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