

Applications of citizenship from minority communities from Pakistan, Bangladesh and Afghanistan

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In news- The Home Ministry has empowered **13 more District Collectors in five States – Gujarat, Chhattisgarh, Rajasthan, Haryana and Punjab**, to grant citizenship certificates to applicants belonging to six minority communities from **Pakistan, Bangladesh and Afghanistan.**

More information-

- The latest order is a reiteration of similar ones issued in 2016 and 2018.
- It is not related to the Citizenship (Amendment) Act (CAA), 2019 that is yet to come into effect.
- The **May 28 notification** intends to benefit **legal migrants (who entered on passport/visa) from the Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities** from the three countries who have already applied for Citizenship under **Section 5 (by registration) and Section 6 (naturalisation)** of the **Citizenship Act, 1955.**
- The **13 districts** are – *Morbi, Rajkot, Patan and Vadodara* in Gujarat; *Durg and Balodabazar* in Chhattisgarh; *Jalore, Udaipur, Pali, Barmer and Sirohi* in Rajasthan ; *Faridabad* in Haryana; *Jalandhar* in Punjab.
- The rules for CAA, 2019 are yet to be framed and a minority applicant from the three countries, even if he/she came in 2014 **becomes eligible for citizenship in the year 2025.**
- As many have been residing in India for more than 20 years on **long-term visas (LTV)** the applicants will have

to apply online and citizenship certificates will be provided after security checks by Central agencies and State police.

- The UPA government in 2011 first decided to give LTVs to hundreds of Hindus and Sikhs who came to India claiming religious persecution in Pakistan.
- As **Citizenship is a Central subject**, the **Home Ministry periodically delegates powers to States** through gazette notification under **Section 16** of the Citizenship Act, 1955.

CAA, 2019-

- The bill amended the Citizenship Act, 1955 to provide citizenship to illegal migrants, from Afghanistan, Bangladesh and Pakistan, who are of Hindu, Sikh, Buddhist, Jain, Parsi or Christian extraction.
- An **illegal migrant is defined** as a foreigner: (i) who enters India without a valid passport or travel documents, or (ii) stays beyond the permitted time. (The definition was inserted in 2004 through an amendment to the Act.)
- The Act applies to those who were “**forced or compelled to seek shelter in India due to persecution on the ground of religion**” and protects such people from proceedings of illegal migration.
- It reduced the requirement of 11 years of continuous stay in the country to six years to obtain citizenship by naturalisation.
- The **cut-off date for citizenship is December 31, 2014**, which means the applicant should have entered India on or before that date.
- **Section 7 (d)** provides for cancellation of Overseas Citizen of India (OCI) registration where the OCI cardholder has violated any provision of the Citizenship Act or any other law in force.
- It has allowed them to **take up employment opportunities**

in non-government sectors and empowered District Magistrates in select States to allow purchase of property and issue of driving licence.

- The Act **will not apply to the tribal areas of Assam, Meghalaya, Mizoram, or Tripura**, as included in the **Sixth Schedule** to the Constitution.

It will also not apply to states that have the **inner-line permit regime** (Arunachal Pradesh, Nagaland and Mizoram) under the Bengal Eastern Frontier Regulation, 1873.