

## National Register of Citizens

- The Assam government has released the first draft of National Register of Citizens (NRC) which declared 1.9 crore people of total 3.29 crore applicants as legal citizens of India.
- The rest of the applications are undergoing verification and the complete list will be within 2018.

### WHAT IS NATIONAL REGISTER OF CITIZENS (NRC)?

- The National Register of Citizens (NRC) is the register containing details of all Indian citizens.
- After conducting the Census of 1951, the National Register of Citizens (NRC) was prepared by recording particulars of all the persons enumerated during the 1951 Census.
- This NRC was prepared under a directive from the Ministry of Home affairs (MHA).
- These registers were kept in the offices of Deputy Commissioners and Sub Divisional Officers according to instructions issued by the Government of India in 1951. Later these registers were transferred to the Police in the early 1960s.

### How to apply for inclusion:

- The NRC which was firstly prepared in 1951 is now being updated only in Assam, to comply with the demands in the Assam Accord, which was the culmination of the six year-long Assam Movement against migrants from Bangladesh, but more on that later.
- To apply for inclusion in the NRC, one's name or one's ancestor's name must be in the 1951 NRC or in any voter list up to the midnight of March 24, 1971, the cut-off date agreed upon in the Assam Accord.
- If the applicant's name is not on any of these lists, he can produce any of the 12 other documents dated up to March 24, 1971, like land or tenancy record, citizenship certificate or permanent residential certificate or passport or court records or refugee registration certificate.
- If the applicant's ancestor's name is on any of these lists, the applicant will have to prove his relationship to his ancestor by producing his board or university certificate, ration card or any other legally acceptable document. An Indian citizen from another state who moved to Assam after the specified date is not eligible for inclusion in the NRC though he can continue to vote.
- Moreover, as per Section 6A of the Citizenship Act, 1955 those who came from Bangladesh between 1966 and 1971 will have to register themselves with the Foreigners Regional Registration Officer, and will be included in the NRC, but will not have voting rights for 10 years from the date of registration.
- Section 6A and Section 3 of the Act, which provides citizenship by birth in contravention of the Assam Accord, have been challenged in the Supreme Court. People who have been declared doubtful voters can also apply but their names will be included only after being cleared by the Foreigners Tribunal.

### Background

- This first draft was published as per the directives of the Supreme Court. However, the issue has its roots in the anti-foreigner movement or 'Axom Andolan' that was launched in June 1979 by the All-Assam Students' Union (AASU).
- It started after the death of Mangaldoi Lok Sabha member Hiralal Patwari in 1978 that necessitated a byelection. When the electoral rolls were being prepared, the number of

voters increased dramatically. It was suspected that the increase was largely because illegal immigrants from neighbouring Bangladesh had settled down in the State.

- After years of mass protests that at times resulted in violence, including the Nellie massacre of 1983, the Assam Peace Accord was signed between the Rajiv Gandhi government, the AASU and the Asom Gana Sangram Parishad in 1985.
- Anyone who entered the State after the midnight of March 24, 1971, was considered a foreigner.
- The State government was to “detect and deport” illegal Bangladeshi immigrants. However, successive governments in the State have failed to make progress in detecting and deporting foreigners as laid down in the Accord.
- In 2005, another agreement was signed among the Centre, the Tarun Gogoi government and the AASU. It mandated an update of the NRC.
- Though the Gogoi government started the update as a pilot project in some districts, the exercise was stopped after violence broke out in some parts of the State. Assam Public Works, a non-governmental organisation, petitioned the Supreme Court for identification of Bangladeshi foreigners and deletion of their names from the electoral rolls. The court directed the State to complete the NRC update first.

#### **Why does it matter?**

- The NRC — first published after the 1951 Census in the post-partition India when parts of Assam went to the erstwhile East Pakistan (now Bangladesh) — is being updated to determine foreigners who entered Assam after the cut-off date.
- Once the exercise is over, it is expected to tell the authorities how many migrants might have illegally settled down in the State. It will also provide dignity to all those Bengali-speaking settlers who continue to live under the shadow of being called “illegal Bangladeshis.”
- In pre-independent India, migration of farmers from Mymensingh district of the erstwhile East Bengal was common as they were brought in as experts in wet paddy cultivation. Many of them had come in when Sir Syed Muhammed Saadullah was heading the government of Assam Province and launched the Grow More Food campaign to aid British war efforts in the early 1940s.

#### **What next?**

- The next stage is undoubtedly the most difficult part of the exercise. The State and the Centre are expected to take a call on what to do with those identified as foreigners.
- Bangladesh does not recognise them as their nationals and even the cut-off date of March 1971 is 46 years old. There are apprehensions of it becoming a law and order issue. Chief Minister Sarbananda Sonowal has talked about dealing with the issue humanely.

#### **History:**

- The history of Muslims in Assam dates back to the 8th century when, according to some scholars, Turks and Arab traders and sailors came to the Brahmaputra Valley and settled in the Darrang region.
- After the British annexed Assam as part of the Bengal Presidency in 1826, migrant labourers were brought in from central India to work in tea plantations and this necessitated the production of more food, which the local population could not manage on its own. While

there was a lot of cultivable wasteland in the region, recurring famines ravaged neighbouring Bengal.

- Moreover, a spurt in demand in the jute market necessitated an increase in jute cultivation in Bengal, which again was not possible. Both these reasons were behind the migration of Muslim farmers of East Bengal to Assam, first in small numbers. But by the turn of the 20th century, there was a huge influx of migrants to the chars, or river islands, in lower Assam from Bogra, Rangpur, Pabna and Mymensingh districts of Bengal.
- The 1911 Census showed that the number of migrants had shot up to over 1,18,000 in Goalpara district, about a fifth of the district's population, from 49,000 in 1891.
- The total number of Muslim immigrants in the Brahmaputra valley in 1911 was 2,58,000. After most of the cultivable land had been occupied in Goalpara, they moved to other parts of lower Assam.
- As a result, in the first three decades of the century, the proportion of Muslim population in Assam had shot up from 13.6% to 22.8%, causing much distress among the local inhabitants.
- In the 1920s, the 'Line System' had been introduced, as part of the British divide and rule policy, under which an imaginary line was drawn to segregate immigrants from the indigenous tribals. But in 1939 the provincial government headed by Syed Muhammad Saadullah invited East Bengali Muslims to settle in Assam under a 'Grow More Food' scheme — to much opposition and criticism.
- The partition of India in 1947 had far-reaching ramifications in Assam and riots between 1947 and 1950 forced thousands of Muslims to move to East Pakistan. But the pact signed by prime ministers of India and Pakistan, Jawaharlal Nehru and Liaquat Ali Khan, allowed refugees from both countries to return by December 31, 1950.
- But many of the Muslims who had fled Assam could only return later, thereby not being included in the 1951 Census and NRC. The proportion of Muslims in Assam in 2011 was 34.2%, compared to 24.7% in 1951.
- Between 1985 and July 2012, over 55,000 people were identified as foreigners by tribunals under Illegal Migrants (Determination under Tribunals) Act, 1983, and Foreigners Tribunals, but only 2,442 were deported or pushed back.

#### **NCR and controversies:**

- Many questions the validity of NCR 1951 since it was incomplete.
- People complaints that government has not made available electoral roll in all the districts before 1971 elections.
- Discrepancy in names in different documents (misspelling or inclusion of nick names instead of real one).
- Indigenous tribes who may not have pre-1971 documents to prove their identity.
- Guwahati High Court ruling on citizenship document will hurt women the hardest: More than 50 lakh women have submitted Panchayat secretary-issued residency certificates as part of the process to prove that they are Indian
- The question of who could be classified as an original inhabitant had becoming a lightning rod for communal tension.
- This process may lead to conflicts between Assamese and Bengalis and thus leading to tensions in the state.
- Government is mulling to pass Citizenship (Amendment) Bill, 2016 which seeks to grant citizenship to Hindu Bangladeshis, who have entered Assam illegally post-1971. But once NRC exercise will be completed, a lot of Hindu Bangladeshi might not appear in the list, thus,

will be designated as illegal migrants. Thus, it will lead to confusion and moreover harden the resolve of people not to assimilate Hindu Bangladeshi in Assam according to NRC.