

CATASTROPHIC SITUATION FOR ASSAMESE COMMUNITY – THE NRC AND THE PROPOSED CITIZENSHIP AMENDMENT BILL

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Assam has suffered enough and it does not need to suffer more, the beautiful state of Assam, its beautiful landscape, annually destroyed by the floods in the Brahmaputra valley, and is currently effected with widespread fear and insecurity and trauma. This could lead to ruptures in the society of this sensitive and strategic border state in northeast of India. The current crisis going in Assam revolves around 2 issues which have hit the states and people's identity the National Register of Citizen (NRC) and the proposed citizenship amendment bill, 2016.

When the term 'MIGRANT' is coined there are many terms and phrases that come in one's mind – mass exodus, violence, human rights, national security, etc. Sometimes, the word refugee is confused with the term migrant. The Amendment Bill has used very confusing language, there is no clarity in its wording and hence it creates confusion.

The word refugee means “a person who has been forced to leave their country in order to escape war, persecution, or natural disaster.”¹

The word migrant means “a person who moves from one place to another in order to find work or better living conditions.”²

The word illegal migrant means “someone who lives or works in another country when they do not have the legal right to do this.”³

Due to high rates illegal migrants in the true frontier region (north east India) or all so known as the seven sister. There has always been a threat to the regional communities in these states. The most affected, state out of the seven state is Assam due to the high level of illegal immigrants in this states from Bangladesh and Bhutan. In 1950, after the earthquakes of Assam,

¹ Meaning of refugee, <https://dictionary.cambridge.org/dictionary/english/migrant>

² Meaning of Migrant, <https://dictionary.cambridge.org/dictionary/english/migrant>

³ Meaning of illegal immigrant, <https://dictionary.cambridge.org/dictionary/english/illegal-immigrant>

Assamese people lost their land, houses and businesses which struck the economy of Assam, which led to economic crisis in Assam, this laid the basis for the Assam movement in 1979 further leading to the signing of Assam Accord. According to the Assam Accord, illegal immigrants who entered Assam from Bangladesh after March 25, 1971 were to be deported back. Assam has suffered enough and it does not need to suffer any more. This was the mere objective behind this movement and the Assam accord.

The movement from 1979 to 1985, this movement led to the updated National Register of Citizen (NRC), 4 million people were excluded from the draft list of citizens released.

Assam released the final draft of the state's **National Register of Citizens (NRC)** which includes 2.9 crore names as opposed to 1.9 crores on the first draft, over 40 lakh people will have to prove that they are citizens of India. Assam being the first Indian state where the NRC has been updated. The NRC is an exercise that was first carried out in 1951 to enumerate the citizens and their houses and holdings, there has been a demand from the indigenous Assamese groups to update the NRC. In Assam, which has seen various waves of migration, as a colonial province and then as a border state in independent India. In 1979, eight years⁶ after the Bangladesh war, which led the migration from across the border, started an 'anti-foreigners' agitation. The agitation ran similar to an armed struggle by the United Liberation Front of Assam demanding for a sovereign state for indigenous Assamese people.

The **proposed Citizenship Amendment Bill, 2016** was first produced in front of the Parliament on July 15, 2016, and is backed by the BJP and it is opposed by the Assam Student Union (AASU) and its political front.

The illegal migrants in Assam are not only causing effects on the economy and the limited resources in Assam but it's also a threat on the regional communities, making them minorities in their own land where they have been living from generations. They are termed as minorities in their own ancestral place or land. Many communities are under the same threat, this would emulsify due to the NRC. The Citizenship Amendment Bill, 2016, is opposed on this basis as it gives residence to the Hindu, Sikh, Parsi, Jain, and Buddhist, Christian or other communities from neighbouring countries. As per the bill, those migrants who arrived in India on or before

December 31, 2014,⁴ cannot be deported or imprisoned. This bill not only cause a threat on the demography of Assam but it would have an effect on the whole nation, India being the second largest nation in the terms of population, doesn't have enough sources to support its own population, so the question of accepting migrants carries a big question mark. This bill grants citizenship to many migrants and hence increases the population while the amount of resources remains the same.

Butterfly effect would take place due to this bill. The increase in population will lead to huge amount of unemployment because of limited amount of resources in India, which will in turn have an increase in the crime rates in those particular regions and India as whole.

According the Assam's Cabinet minister, Dr. Himanta Biswa Sarmah, *"The BJP has a reason to grant citizenship to Hindus who migrated to India from Bangladesh after they were subjected to persecution in the neighbouring country. India is the largest Hindu-inhabited country in the world. So it is natural for harassed Hindus to seek shelter here. Muslims and Christians from countries like Bangladesh can go to other Islamic and Christian countries in the world. But Hindus cannot go to such countries. Thus, the BJP is going to do humanitarian work by providing shelter and citizenship to them."*⁵. Preamble of the Indian Constitution states that India is a secular country hence this means that the state should be neutral towards all religious groups and there is no such provision of citizenship on the basis religious identity of a person.

The motive of the bill is to save religious minorities from violence in Pakistan, Bangladesh and Afghanistan. The reason for selecting just these three countries, they are Muslim-dominated countries. Muslim minority communities are also facing the same oppression in other countries have been completely ignored. If this bill is truly on humanitarian basis for minorities who are facing violence in their countries then it should also treat the minority Muslim communities in the same ways.

⁴ Basanta Nirola , The Real Reason People In Assam Are Against The Citizenship (Amendment) Bill, 2016, ,May 2018, <https://www.youthkiawaaz.com/2018/05/all-you-need-to-know-about-the-citizenship-amendment-bill-2016>

⁵ Basanta Nirola , The Real Reason People In Assam Are Against The Citizenship (Amendment) Bill, 2016, ,May 2018, <https://www.youthkiawaaz.com/2018/05/all-you-need-to-know-about-the-citizenship-amendment-bill-2016>

Muslims are discriminated and exploited to a great extent in the neighbouring countries. Rohingya Muslims in Myanmar, Uyghur Muslims in China, and the Ahmaddiya Muslims in Pakistan and Bangladesh. Myanmar's Hindus have also been ignored in the bill.⁶

The above statement of the Assam's Cabinet minister, Dr. Himanta Biswa Sarmah shows the basic motives behind the proposed bill, the bill itself violates or contradicts the Constitution of India and various other acts etc. Till this point of time the only motive behind such an amendment in the Citizenship Bill seems to be related to identity politics.

Article 14 of the Indian Constitutions states that "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India"⁷. In this proposed bill the preference is given to Hindus of a particular community which is discrimination on the basis of religion, caste and community. This bill if passed would directly come into conflict with the constitutional aspects.

The proposed Citizenship Amendment Bill, 2016 is in direct conflict with the Assam Accord which stated that all the illegal immigrants who entered the Assam from Bangladesh after March 25, 1971 were to be deported back. This bill will come in conflict with some of the clauses of the Assam Accord and would also give citizenship to illegal immigrants.

The future of the Citizen Amendment Bill, 2016 and NRC has raised various big questions, the bill creates a contradicting situation and the amendment will be the basis of chaos in Assam which will affect the country as a whole. There is no such step which would harmonize the citizenship amendment bill so as to solve the problem of immigration in Assam and to apply such amendment simultaneously, the only solution is that the amendment should be drafted in such a way that it caters to both the sides or it should not be completely removed. Assam to develop economically, social and ethnic harmony should be maintained. As the state has lost several years of progress due to movements and these have affected the economy badly. The government needs to deal with the bill with maturity.

⁶ Natasha Khan, Citizenship Amendment Bill Violates Constitution, June 15, 2018, <https://countercurrents.org/2018/06/15/citizenship-amendment-bill-violates-constitution/>

⁷ Constitution of India. Art. 14 (1949)