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**National Register of Citizens (NRC) and
Register of Indigenous Inhabitants of
Nagaland (RIIN)**

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NATIONAL REGISTER OF CITIZENS

WHAT IS NATIONAL REGISTER OF CITIZEN?

- National Register of Citizens, 1951 is a register prepared after the conduct of the **Census of 1951** in respect of each village, showing the houses or holdings in a serial order and indicating against each house or holding the number and names of persons staying therein.
- The NRC was published only once in 1951.

NATIONAL REGISTER OF CITIZEN IN ASSAM:

- The issue of its update assumed importance as Assam witnessed **large-scale illegal migration from erstwhile East Pakistan and, after 1971**, from present-day Bangladesh.
- This led to the **six-year-long Assam movement from 1979 to 1985**, for deporting illegal migrants.
- The **All Assam Students' Union (AASU)** led the movement that demanded the updating of the NRC and the deportation of all illegal migrants who had entered Assam after 1951.
- The movement culminated in the signing of the **Assam Accord in 1985**.
- It set **March 25, 1971**, as the cut-off date for the deportation of illegal migrants.
- Since the cut-off date prescribed under articles 5 and 6 of the Constitution was July 19, 1949 - to give force to the new date, an amendment was made to the Citizenship Act, 1955, and a new section was introduced.
- It was made applicable **only to Assam**.
- There had been intermittent demands from AASU and other organisations in Assam for updating the NRC, an Assam based NGO filed a petition at the Supreme Court.

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- In December 2014, a division bench of the apex court ordered that the NRC be updated in a time-bound manner.
- The **NRC of 1951 and the Electoral Roll of 1971** (up to midnight of 24 March 1971) are together called **LEGACY DATA**. Persons and their descendants whose names appeared in these documents are certified as Indian citizens.

WHAT IS THE SIGNIFICANCE?

- Assam is the only State that had prepared an NRC in 1951.
- It has also now become the first State to get the first draft of its own updated NRC.
- The Register is meant to establish the credentials of a bona fide citizen as distinguished from a foreigner.
- This is to detect **Bangladeshi migrants** who may have illegally entered Assam after the midnight of March 24, 1971.
- This cut-off date was originally agreed to in the 1985 Assam Accord.

WHAT IS THE ASSAM ACCORD?

- Assam witnessed a range of law and order problems and political turbulence driven by the anti-foreigners movement, in the early 1980s.
- Responding to this, the Assam Accord (1985) was signed by the Centre and the All Assam Students' Union (AASU).
- **Accordingly, those foreigners who had entered Assam between 1951 and 1961 were to be given full citizenship, including the right to vote.**
- **The entrants between 1961 and 1971 were to be denied voting rights for ten years but would enjoy all other rights of citizenship.**
- **Anyone who entered the state without documents after March 24, 1971 will be declared a foreigner and were to be deported.**

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- Besides, the Accord had a package for the **economic development of Assam**.
- It also had assurance to provide safeguards to protect the cultural, social, and linguistic identity and heritage of the Assamese people.

CHALLENGES

- **Flawed Process** - People who found themselves on the first list that was released on January 1, 2018, didn't find their names in the second. Even the family of a former President of India did not find mention on the list.
- The parallel processes of NRC, the voters list of the Election Commission, and the Foreigners' Tribunals with the help of the Assam Border Police, have led to utter **chaos**, as **none of these agencies are sharing information with each other**.
- Though the draft provides a window for re-verification, due to large number of people being excluded from the list, it will be **very difficult to physically verify all of them**.
- Since such 'non citizens' can resort to **judicial relief** to substantiate their citizenship claim, it can lead to **overburdening of judiciary** which already reels under large number of pending cases.
- There is **uncertainty about the future** of those left out from the list.
 - Expelling them to Bangladesh is not an option since Dhaka has never accepted that they are its citizens or that there is a problem of illegal immigration. In the absence of a formal agreement, **India cannot forcibly push the illegal migrants back into Bangladesh**.
 - Moreover, raising this issue can also **jeopardise relations with Dhaka**. Such an attempt would not only damage bilateral relations but also sully the country's image internationally.

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LATEST UPDATE

Now, the final draft of the NRC has been released. It excludes around 19 lakh people. Now, these people have right to appeal before a specialised Tribunal set up for them. If, they fail to prove their citizenship in the Tribunal, they will be declared foreigners, after which they can still appeal before the Foreigners Tribunal.

WAY FORWARD

- India, as a country which follows the ideology of ‘Vasudhaiva Kutumbakam’, should not be hasty in taking decisions that can disenfranchise her citizens – contradicting its centuries-followed values.
- The need of the hour is that Union Government should clearly chart out the course of action regarding the fate of excluded people from final NRC data and political parties should refrain from colouring the entire NRC process through electoral prospects that may snowball in to communal violence.

CONCLUSION

Those left out are not foreigners until the tribunals set up to determine their fate pronounce them so. The Home Ministry has also **extended the time to file appeals** against exclusion in the Foreigners Tribunal from 60 to 120 days. Beyond that lies the question of what to do with those declared illegal aliens once the quasi-judicial process is done and dusted.

The administration is readying **detention centers**, but only a **veritable ‘prison state’** can house such numbers. Options being bandied about include **instituting a system of work permits**, a renewed attempt to **nudge Dhaka to take in some of the declared foreigners** with appropriate deal sweeteners (though India has thus far maintained that the NRC update is the nation’s internal matter, and Bangladesh has never acknowledged any illegal crossings across its borders), or **‘friendly’ State governments volunteering to share some of the burden**. Finally, the problem has become real today and demands a clear solution soon, to avoid clashes in the state.

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REGISTER OF INDIGENOUS INHABITANTS OF NAGALAND

The Nagaland government has initiated a move to implement its own version of the citizenship register. It has decided to set up a Register of Indigenous Inhabitants of Nagaland (RIIN).

This comes 4 years after Assam started revising its National Register of Citizens (NRC).

The aim is to prevent fake 'indigenous inhabitants' certificates.

The RIIN will be the master list of all indigenous inhabitants of the state. The process will be conducted across Nagaland and will be done **as part of the online system of Inner Line Permit (ILP)**, which is already in force in Nagaland.

RIIN has been called as a **variant of the National Register of Citizens (NRC)** that the state of Assam is updating to identify and weed out illegal immigrants in the state.

INNER LINE PERMIT

- ILP is an **official travel document required by Indian citizens** residing outside certain "protected" states while entering them. It is issued by the **Government of India**.
- With the ILP, the government aims to **regulate movement** to certain areas located **near the international border of India**.
- ILP's origin dates back to the **Bengal Eastern Frontier Regulations, 1873**, which protected the British Crown's interest in tea, oil and elephant trade. It prohibited "British subjects" or Indians from entering into these protected areas.
- After Independence, in 1950, the word "**British subjects**" was replaced by **Citizens of India**.
- Also, the focus of the ban on free movement was explained as a bid to **protect tribal cultures in north-eastern India**.

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HOW DOES IT WORK?

Survey

- The RIIN list will be based on “an extensive survey”.
- The whole survey process will be completed **within 60 days** from the start.
- The list would be prepared under the **supervision of the district administration.**
- It will involve official records of **indigenous residents** from **rural and urban wards.**

Provisional list

- The database will note **each family’s original residence, current residence as well as the concerned Aadhaar numbers.**
- This provisional list will then be published in all villages, wards and on government websites.

Review procedure

- Over the next **30 days** (from provisional list), **claims and objections** can be made. Respondents will be given an opportunity to make their case before the authorities.
- Eventually, **respective Deputy Commissioners will adjudicate** on the claims and objections based on official records and the evidence produced.

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RIIN

- Based on the adjudication and verification, a list of indigenous inhabitants will be finalised. Electronic copies of the list will also be stored in the State Data Centre.
- A mechanism or electronic and SMS-based authentication will be put in place.
- Each person will be given a unique ID. All indigenous inhabitants of the state would be issued a bar-coded and numbered **Indigenous Inhabitant Certificate**.

Updation

- Once the RIIN is finalised, no fresh indigenous inhabitant certificates will be issued.
- The **only exception is newborn babies of the indigenous inhabitants** of Nagaland.
- Those left out of the RIIN will have to file an **application before Home Commissioner**. S/he will get the matter verified and take necessary action for updating the RIIN if needed.

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CHALLENGES

- **Naga peace talks** - The negotiators engaged in the ongoing Naga peace talks could now **articulate new and hardened positions**. The talks on the contentious issue of integration of contiguous Naga-inhabited areas (of Assam, Nagaland, Manipur, and Arunachal Pradesh) could take place now.
- **NSCN (I-M) has opposed the compilation of RIIN**, saying that all Nagas, wherever they are, were indigenous in their land by virtue of their common history. So it sees the RIIN process as being contradictory to the inherent rights of the Nagas.
- **Cut-off date** - Since 1977, to be eligible to obtain a certificate of indigenous inhabitants of Nagaland, a person has to fulfil either of the **below conditions**:
 - i. the person must be settled permanently in Nagaland prior to December 1, 1963
 - ii. his or her parents or legitimate guardians were paying house tax prior to the cut-off date (December 1, 1963)
 - iii. the applicant, or his/her parents or legitimate guardians, acquired property and a patta (land certificate) prior to this cut-off date
- The compilation of RIIN involves the complexities of deciding on the claims of the **children of non-Naga fathers as well as non-Naga children adopted by Naga parents**.
- In this regard, the Nagaland government may choose to go ahead with the above cut-off date. In such case, all Naga people who have migrated to the State after this day will have to be excluded. These include migrants from the neighbouring Assam, Manipur and Arunachal Pradesh and elsewhere in India.
- The **public opinion is still divided** on compiling RIIN **without a consensus on the cut-off date**.
- **ILP** - There is a proposal to link RIIN with the ILP (Inner Line Permit) system. The complexity is that unless otherwise officially clarified, the **RIIN proposal may require large numbers of non-indigenous inhabitants to obtain an ILP to carry out day-to-day activities**.
- **Certificates** - There is the limitation of **non-issuance of domicile certificates or permanent residence certificates** to a large number of non-Naga, non-indigenous inhabitants. This could also make the RIIN task even more difficult for the Nagaland government.

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WHAT LIES AHEAD?

- Other than deepening the existing differences, the registration process in Assam has not led to any substantial gains.
- Given this, the Nagaland government should facilitate the right to appeal and a humane hearing for those who are left out.