Citizenship (Amendment) Bill, 2019

Why in News?

The government introduced the Citizenship (Amendment) Bill (CAB), 2019 in the Lok Sabha despite oppositions.

What does the Bill seek to do?

- It proposes to make it easier for certain categories of migrants to become eligible for Indian citizenship.
- In this revised version of CAB, the Centre has exempted certain areas in the Northeast, where the Bill has been facing protests.
- It exempts the whole of Arunachal Pradesh, Nagaland and Mizoram, and parts of Meghalaya, Assam and Tripura.
- But, it keeps all of Manipur under its ambit.

Why are three states totally exempted?

- The Bill states that nothing in this section shall apply to **tribal areas** of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution.
- It also exempts the **area covered under 'The Inter Line'** notified under the Bengal Eastern Frontier Regulation, 1873.
- The Inner Line Permit (ILP) system prevails in Arunachal Pradesh, Nagaland and Mizoram.

How does the ILP system work?

- It is a special permit that citizens from other parts of India require to enter these three states, and obtained by applying online or physically.
- It specifies dates of travel and areas which the ILP holder can travel to.
- When it was introduced in 1873, the objective was to protect the Crown's own commercial interests by preventing "British subjects" (Indians) from trading within these regions.
- In 1950, the Indian government replaced "British subjects" with "Citizen of India", to address local concerns about protecting their interests.

What does this exemption mean for beneficiaries under CAB?

- In ILP states, there are already a large number of migrants from other Indian states who live and work there with long-term ILPs.
- Therefore, the question now being asked is whether a person who becomes an Indian citizen through CAB can, or cannot, apply for an ILP and work in such states, just like any other Indian citizen.
- Also, multiple restrictions and regulations exist on entry and stay of outsiders (Indian citizens from outside that state/area) in areas under the Inner Line system or the Sixth Schedule.
- These existing rules are expected to put the same restrictions on someone who has acquired citizenship through CAB.
- However, the exemptions appear to imply that no immigrant non-citizen living in these areas can be regularised as an Indian citizen through CAB.

What is the Sixth Schedule and which areas will CAB exempt?

- The Sixth Schedule of the Constitution is related to special provisions in administration of Assam, Meghalaya, Tripura and Mizoram.
- It provides special powers for Autonomous District Councils (ADCs) in these states.
- ADCs have powers to enact laws in areas under their jurisdiction on a variety of subjects, with the objective of ensuring development of tribal areas and boosting self-governance by tribal communities.
- Mizoram is covered under the ILP regime in any case.
- Among the other 3 states that have areas protected under the Schedule,
    1. Tribal-majority Meghalaya has 3 ADCs that cover practically the entire state, except for a small part of Shillong city,
    2. Assam has 3 ADCs and Tripura has 1 ADC.

Why Manipur has been an exception to both these regimes?

- Manipur, like Tripura, was a princely state. Both joined the Indian Union in 1949.
- Only from 1985, the Sixth Schedule was implemented in Tripura's tribal areas.
- When Tripura was given, the Centre had said that even in Manipur it would be extended shortly but it never turned out to be a reality.
- However, in Manipur the state government had recommended 3 times for the Sixth Schedule but they did not pursue it properly.

What about Manipur's tribal areas?

- Manipur has two geographically distinct areas.
- **The valley**, which includes Imphal, constitutes roughly 10% of the

geographical area but holds around 60% of the state's population.
- These belong mostly to the dominant Meitei community.
- The remaining 90% is **hill areas**, home to the other 40% that include a wide range of tribes, including Nagas and Kukis.
- While granting statehood, was aware that certain problems could come up for tribals and hence introduced Article 371C.

What is Article 371C?

- It mentions special provisions for Manipur.
- The President may provide for the constitution and functions of a committee of the Legislative Assembly of the State.
- The committee consists of members of that Assembly elected from the Hill Areas of that State for the modifications to be made in the rules of business of the Government and in the rules of procedure of the State Legislative Assembly.
- Any special responsibility of the Governor in order to secure the proper functioning of such committee.
- The executive power of the Union shall extend to the giving of directions to the State as to the administration of the said areas.

Are there any other provisions for Manipur?

- The Manipur (Hill Areas) District Council Act, 1971, passed by Parliament, paved the way for establishment of 6 Autonomous District Councils (ADCs) in Manipur in 1972.
- However, without the Sixth Schedule in place, these Councils have much lower powers in comparison to ADCs under the Sixth Schedule.
- In 2018, the Manipur People Bill, 2018 was passed by the Assembly.
- Said to be awaiting presidential assent, it proposes to several regulations on "outsiders" or "non-Manipuri people" in the state.

What about other states in the Northeast?

- In November 2019, the Meghalaya Cabinet approved amendments to the Meghalaya Residents Safety and Security Act 2016.
- This will lead to laws that require non-resident visitors to register themselves.
- The move came in the backdrop of demands for an ILP-like regime and concerns expressed by civil society and political leaders that people excluded from the NRC in Assam might try to enter Meghalaya.
- In Assam, there have been demands by certain sections for the introduction

of an ILP regime.

Source: The Indian Express

