Implications of Final List of Assam's NRC

What is the issue?

- The final list of the National Register of Citizens (NRC) for Assam will be released on July 31, 2019.
- With the final list, the state is more likely to face a humanitarian crisis, the impact of which is more likely to be felt by the poorest.

What is the impending crisis?

- Out of the 32.9 million who have applied to be listed as "genuine" Indian citizens in the NRC, roughly 29 million have been accepted.
- The uncertainty over the future of the close to 4 million people who will be left out in the final list might lead to a humanitarian crisis in Assam.
- Even if half of this number is excluded in the final list, the future of 2 million stateless people might get to be a crisis.
- This is because, the majority left out of the NRC so far is absolutely poor, and many are illiterate.
- Poor people travel long distances to appear before these tribunals, and their cases stretch out over months.
- They cannot understand the legal complications of the process, nor do they have the money to hire legal help.
- As a result, thousands stand in danger of being declared "foreigners" even though they could be "genuine" Indian citizens.
- Their status and the issues over deportation, if any, remain unanswered.

Who are the people affected in this?

- The people affected by this process of verification of citizenship fall into three different categories.
- **'D Voters'** - Those labelled as 'D voters' (doubtful voters) were categorised so when the electoral rolls were revised in 1997 and thereafter.
- Their names are excluded from the NRC unless they can establish their credentials before a Foreigner's Tribunal.
- [Foreigner's Tribunal is a quasi-judicial body meant to decide whether a person is a foreigner or not within the meaning of Foreigners Act, 1946.]
- There are currently just under 100 such tribunals in Assam.
- The opacity that surrounds the way decisions are made in these quasi-

judicial courtrooms is a part of the larger crisis.

- Only the litigants and their lawyers know what happens inside the tribunals; neither the public nor the media are permitted there.
- **Illegal immigrants** - The second category are people who have been picked up by the police on suspicion of being illegal immigrants.
- The border police, present in every police station, picks up these people, often poor workers in cities.
- It then fingerprints them, and then informs them in writing that they must appear before a Foreigner's Tribunal.
- **Discrepancy in documents** - The third are those who have registered with the NRC, but have been excluded due to discrepancy in the submitted documents.
- In addition to these, there are people who have already been declared "foreigners" by the tribunals.
- In February 2019, the government informed the Supreme Court that of the 938 people in 6 detention centres, 823 had been declared foreigners.
- More than half of those excluded from the NRC are women who have been excluded due to change of details post marriage.
- There are other cases in which some members of the family are excluded and others remain citizens.

What next?

- All those excluded from the NRC will have to present themselves before the Foreigner's Tribunals.
- So, after July 31, 2019, the focus will shift to the Foreigner's Tribunals.
- The State government plans to set up 200 Foreigner's Tribunals by July 31, 2019 and eventually 1,000.
- The impact of the exclusions on the poor needs to be taken into account.
- Importantly, the systemic problems of establishing citizenship in this manner should be addressed.

Source: The Hindu

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