

Issues with Final NRC list

What is the issue?

- The final updated list of the National Register of Citizens (NRC) was released on August 31, 2018.
- Fear and disquiet have gripped nearly around two million residents of Assam after their names failed to show up in the list.

What is the tragedy?

- The Bengali-origin Assamese whose names appear on the list have no assurance that they will not be deemed 'illegal immigrants' in the future.
- They are people for whom there is still no closure, no prospect of permanent security and dignity of citizenship.
- Anxieties about land, culture and migration have created entrenched fissures in the social and political life of Assam.
- People on all sides of these bitter divides had hoped that the conclusion of the 6-year-long process of updating the 1951 citizen's register in Assam would resolve finally this long-festering dispute.
- This process has led to an immeasurable toll of human suffering and resolved nothing.

What the list mean for the supporters of the Assam agitation?

- For them, it is an article of faith that millions of immigrants from Bangladesh who have continued to 'illegally penetrate' the India- Bangladesh border in Assam.
- They feel these immigrants will submerge their culture and language and edge them out of their lands and forests.
- Estimates of the numbers of these 'illegal immigrants' that their leaders have tossed around range from 5 to 10 million but to their disappointment it was only less than two million.

What is the ruling party's core agenda?

- For the ruling party in both Assam and at the Centre, expelling 'infiltrators' from Bangladesh has been as integral to their core agenda.
- For them, it is only Bengali-origin Assamese Muslim immigrants who constitute a threat to the Indian nation.

- But, the Bengali Hindus are not infiltrators but 'refugees' for whom India is their 'natural home'.
- Assamese sub-nationalism was never communal: its supporters are agnostic whether Bengalis are Hindu or Muslim.
- Now the ruling leaders in Assam and Delhi are dishonestly rejecting the process their own government drove as 'biased' because deporting Bengali Hindus would be political suicide.
- The only way in which the NRC could work for them would be if they could pass the Citizenship (Amendment) Bill, giving citizenship to undocumented immigrants if they are Hindu.
- The Bengali-origin Assamese, on the other hand, have long maintained that the estimates of illegal immigration are grossly exaggerated.
- Their stand is that most Bengali-origin people in Assam are descendants of people who came in legally when this was one country, and that since the cut-off date of 1971, illegal immigration has been small.
- The relatively low final tally, even after a highly flawed process which was entirely loaded against them, seems to vindicate their stand.
- But this is cold comfort and assures them no security, because demands are being raised for re-verification.

Why the process of NRC is such a burden?

- The process of NRC was driven by the Supreme Court of India in ways that did little to defend the constitutional rights of the Assam residents.
- The burden of proof was shifted to the residents to prove that they were citizens, based on documents linked to birth, schooling and land ownership.
- These documents were hard to be collected by impoverished and unlettered rural residents.
- Even when residents succeeded in producing these documents, they were often rejected for small discrepancies, such as errors in spelling or in the age. Many of them do not have legal land records.
- In the middle of the NRC process, an arbitrary category of the 'indigenous' Assamese was introduced, who were treated leniently even when they could not produce the required documents.

What the future holds for the Bengali-origin people of Assam?

- Those excluded from the NRC will have the option of appealing to Foreigners' Tribunals (FTs).
- This is a frightening prospect for them, because the FTs have operated in openly hostile and arbitrary ways.
- The presiding officers of FTs are often **lawyers with no judicial experience** and appointed with no security of tenure by the State government, follow no

due process, and are reportedly driven by informal targets to maximise the numbers of persons who they deem to be 'foreigners'.

- There is also the enormous workload that the appeals will cause. There are today 100 FTs. An average case in an FT might take one year or longer to dispose.
- The State government has already indicated that it will continue to verify even those whose names have been included, and if it believes that they could be foreigners, it would refer them as well to the FTs.

What could be the fate of the people declared as illegal immigrants?

- The biggest question relates to what would be the fate of the people who, at the end of this process, are declared 'illegal immigrants'.
- There is no question of Bangladesh accepting them and the Indian government is also not even negotiating this with Dhaka.
- The Assam agitation was clear in its demand of '**detection, deletion (from electoral rolls) and deportation**'.
- Home Minister declared in Parliament that he would deport illegal immigrants from every square inch of Indian land.
- The realistic probability is that, in the end, they would be allowed to live in India, but stripped of all citizenship rights.
- They would be a 'marked people', powerless and susceptible to social violence and intense state scrutiny.
- If NRC is extended to all of India in the future, there would be a destruction of the secular Constitution of India.

Source: The Hindu