

5. Citizenship Amendment Bill

Prelims: Polity & Governance- Citizenship

Mains: GS-II- Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Why in News?

- ▶▶ Union Home Minister Amit Shah has reiterated that the government would first amend the existing citizenship norms – by passing the Citizenship Amendment Bill – before it implements a nationwide National Register of Citizens (NRC).

Citizenship (Amendment) Bill, 2016:

- ▶▶ The Bill **amends the Citizenship Act of 1955**, which lays down the norms regarding Indian citizenship, to make illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, eligible for citizenship.
- ▶▶ Further, it relaxes one of the requirements for acquiring citizenship by naturalisation under the existing Act for persons belonging to the same six religions and three countries by only requiring them to have stayed in India for 6 (instead of 11) of the previous 14 years.
- ▶▶ The essential point of debate in this proposed amendment was that it makes illegal migrants eligible for citizenship on the basis of religion – a move that may violate Article 14 of the Indian Constitution, which guarantees right to equality.

What is NRC?

- ▶▶ Till date, Assam is the only state that has implemented the National Register of Citizens.
- ▶▶ The NRC defines all illegal immigrants, irrespective of religion, on the basis of a cutoff date – in Assam this was set to be March 24, 1971.
- ▶▶ As such, to claim citizenship, individuals had to prove that either they or their ancestors were Indian citizens before March 1971. At the end of the exercise in which 3.11 crore people applied for citizenship verification, 19 lakh were excluded. However, the list of excluded individuals includes several Hindus as well.

What will happen if the Citizenship Amendment happens before a nationwide NRC?

- ▶▶ If that happens, then all Hindus, Jains etc. migrants – essentially non-Muslim immigrants from neighbouring countries – who would have faced the risk of being excluded by the NRC would already be provided Indian citizenship.
- ▶▶ Thus, this sequencing will ensure that the government would be able to use the NRC to identify and deport, “each and every infiltrator”.