



A Bridge Too Far

The centre's three projects are unimplementable and extremely costly. When the needed data is already available through Aadhaar, why incur such a massive expenditure?

THE nation is on the boil over the Citizenship (Amendment) Act (CAA), National Population Register (NPR) and National Register of Citizens (NRC).

People see these as communal and unconstitutional. They see these as threatening to turn Muslim citizens into "infiltrators" and non-Muslim citizens into "refugees" which will make them stateless. There is intense resistance throughout the country with students

and young women in the vanguard. In many places, the internet has been banned, road and rail traffic restricted, Section 144, CrPC, imposed in BJP-ruled states and students and other protesters brutally thrashed, shot at, blinded, maimed, even killed.

India has not witnessed such a widespread upsurge leading to State oppression and repression in recent history. All in the pursuit of an unnecessary and unimplementable agenda.

Both the NPR and NRC exercises

flow out of the 2003 amendments to the Citizenship Act, 1955, and the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, thrust by the then BJP-led NDA-1 government. The NPR has nothing to do with the Census of India, which is conducted every 10 years and is due next in 2021. While the Census collects infor-

GROUND ZERO

People gather at Shaheen Bagh in New Delhi for an anti-CAA protest



Anil Shakyra



The Assam NRC exercise, with a three-crore population, has thrown up the dangers of such a large-scale exercise: millions of citizens have been made to spend their life's savings running from pillar to post to establish their citizenship credentials.

mation about all residents of India without listing their names, the NPR is a list of names of all persons usually residing within a specified local area for over six months, regardless of their nationality.

The NRC will effectively be a subset of the NPR. The 2003 Rules provide for verification of the details by the local registrar (normally a *taluka* or town functionary) who will segregate cases of doubtful citizenship and conduct further inquiries. Based on the inquiries he will prepare a draft local register of Indian citizens, which would exclude those not able to establish, through documentary proof, their claim to be citizens of India.

This is where the real danger lurks because, as brought out by the experience in Assam, citizens are required to establish their citizenship, irrespective of their religious affiliation. NPR 2020, unlike NPR 2010, asks not only for the names of the parents of the resident, but also their date and place of birth. A person who is unable to furnish these details of his parents or, for that matter, of himself, could well be classified a "doubtful citizen".

The 2003 amendments to the 1955

Act and the consequent introduction of the 2003 Rules reveal an undue obsession with illegal migrants, without any factual basis. Nationwide identification of "illegal migrants", which is what the NRC in effect amounts to, is an unnecessary and futile exercise when Census statistics over the past seven decades do not show any major demographic shifts, except in certain small pockets of north-eastern and eastern India adjoining our neighbouring countries. It is eminently unimplementable and extremely costly. Based on the expenses in Assam (₹1,600 crore), a pan-India NRC could cost around ₹70,000 crore. When the needed data is already available through the Aadhaar system, there is no need to incur such a massive expenditure towards NPR or NRC.

The vast powers vested in the bureaucracy at junior levels to include or exclude a person from the local register have the scope to unleash arbitrariness, discrimination and corruption. Added to this is the provision for objections to the draft local register from any person. The Assam

NRC exercise, with a three-crore population, has thrown up the dangers of such a large-scale exercise: millions of citizens have been made to spend their life's savings running from pillar to post to establish their citizenship credentials. Doing so at the national level with a 130-crore population can be cataclysmic, particularly so with our highly chaotic and inefficient birth registration systems.

Within a day of the BJP forming the NDA-2 government, the home ministry directed governments and district magistrates of all states and Union Territories to set up tribunals to identify "foreigners" living in India illegally. This was followed by directions to set up detention centres. The experience with these tribunals in Assam has been traumatic for those at the receiving end. After running in panic to gather documents to prove their citizenship, "doubtful citizens" had to contend with these tribunals, the composition and functioning of which were highly discretionary and arbitrary. Consequently, several citizens lost their lives or had to suffer the indignity of incarceration in detention ▶

camps. When there is no need for the NRC, why set up foreigners' tribunals and detention camps in the manner of Nazi Germany?

The stated purpose of the CAA is to allow non-Muslim immigrants from Pakistan, Bangladesh and Afghanistan who have entered India before December 31, 2014, a faster route to become Indian citizens. According to an Intelligence Bureau report in 2016, there were 31,313 of them. As per the Standard Operating Procedure notified in 2011, any refugee could apply for Long Term Visa (LTV). Those who get LTVs can obtain a PAN card, Aadhaar card, driving licence and even buy property. Between 2011 and 2018, LTVs were granted to some 45,000 persons.

So, most of the proposed beneficiaries of the CAA can and have already got LTVs to stay and earn in India and can get these cards and driving licences, and buy a house. Finance Minister Nirmala Sitharaman has stated that in the last six years, as many as 2,838 Pakistani, 914 Afghan and 172 Bangladeshi refugees, including Muslims, have been given Indian citizenship.

If this is the case, why this autocratic exercise of CAA, NPR and NRC? The “brains” behind this agenda have planned it meticulously. First bulldoze a CAA to implement NRC throughout the country, then introduce a clause to give one's parent's place and date of birth in NPR, which many cannot do, and mark them as “doubtful” to be hounded and disenfranchised through NRC. This design came out when a majority of states asked for removal of this clause. Instead of doing so, the home ministry advised that those who do not have this information can skip this column. This is a clear trap to bring the maximum number of people under the “doubtful” category and then deprive them of citizenship.

There is another dubious ploy. While people are up in arms and even before the formal commencement of the NPR process, the ever-obliging RBI issued

directions to banks to treat the letter issued by NPR as an Officially Valid Document for Know Your Customer purposes. IDBI Bank and Central Bank of India have already complied with this direction. This is obviously meant to force bank customers to enrol in the NPR by making it mandatory later as was done in the case of Aadhaar through blackmailing and intimidation like “freezing of accounts” or “no withdrawal of money until Aadhaar card is linked to the bank account”. Repeating the same to force through an unconstitutional government agenda can aggravate the credibility of the RBI and the banking sector that started with demonetisation and is continuing with mounting Non-Performing-Assets.

The real purpose of this farce was revealed when immediately after the enactment of the CAA, BJP's WhatsApp



In an interview by *Times Now*, Home Minister Amit Shah was asked whether a passport, Aadhaar or Voter ID constitute proof of citizenship. He replied: “*Bilkul nahin* (Not at all).”

messages unleashed a “four-step” process for India becoming a Hindu Rashtra—starting with the CAA, followed by the NRC, then a law to control population, ultimately followed by a Uniform Civil Code.

The arrogance of the politicians who are leading this questionable venture is revealed from statements of the home minister on the ruthless implementation of the NRC and throwing out of all “termites” from the country. In an interview by *Times Now*, he was asked whether a passport, Aadhaar or Voter ID constitute proof of citizenship. He replied: “*Bilkul nahin. Aadhaar jarasa bhi nahin.* (Not at all, Aadhaar, absolutely not).”

All these incomprehensible happenings raise one basic question. Is the BJP copying Hitler's Citizenship Laws? Just two years after Adolf Hitler came to power in Germany, he introduced laws to redefine its citizenship. The Nuremberg Laws may have started with the segregation of Jews from non-Jews, but there were further supplementations that included all manner of “undesirables”. These finally paved the way for massive disenfranchisement and even murder of not only Jews, but Communists, indigenous people, the disabled and anyone who criticised the Nazi establishment and those the German State saw as *Staatsfeind*, an enemy of the State. Nazi propaganda had already prepared the ground and saw the construction of ghettos and concentration camps.

The RSS has always ignored India's Constitution and admired Hitler's fascist policies. Its *Sarsanghchalak* and icon, Madhav Sadashiv Golwalkar, described Hitler's purging of Germany's Jews as “race pride” and “a good lesson for us in Hindustan to learn and profit by”.

In the event, CAA, NPR and NRC are outright Nazi projects and should be rejected. And the massive outrage only proves that the vast majority has already done so. ■

—The writer is a former Army & IAS officer