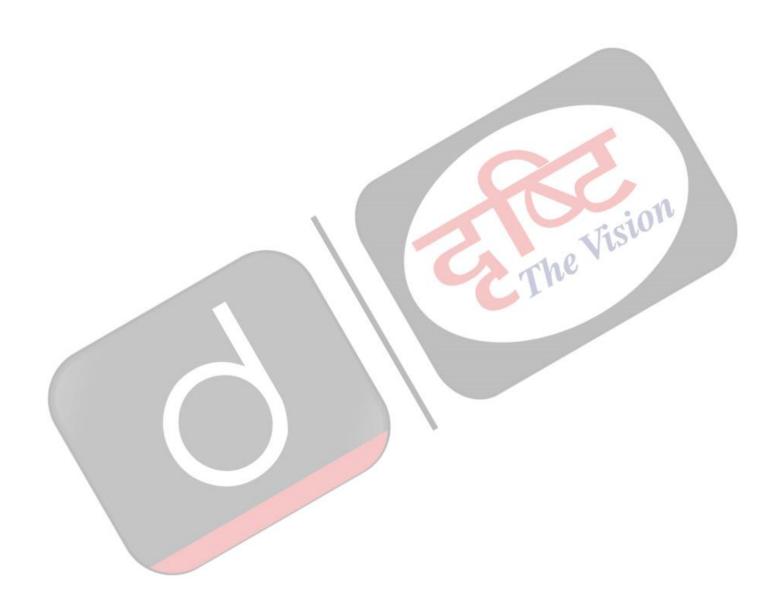


Citizenship (Amendment) Act, 2019



Introduction `

- ☐ Citizenship (Amendment) Act, 2019 seeks to amend the Citizenship Act, 1955.
- ☐ The Citizenship Act,1955 provides various ways in which citizenship may be acquired.
 - O Citizenship by birth, descent, registration, naturalisation and by incorporation of the territory into India.
 - O In addition, it regulates the registration of OCIs and their rights.

Key Provisions of the Amendment Act

- ☐ Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, who entered India on or before Dec. 31, 2014, will not be treated as illegal migrants.
- □ For these groups of persons, the 11 years' requirement for citizenship by registration or naturalisation will be reduced to five years.
- □ Provisions on citizenship for illegal migrants will not apply:
 - O To the tribal areas of Assam, Meghalaya, Mizoram, and Tripura, included in the Sixth Schedule.
 - O To the "Inner Line" areas notified under the Bengal Eastern Frontier Regulation, 1873.
 - O Currently, permit system is applicable to Arunachal Pradesh, Mizoram, and Nagaland.
 - O Manipur has also been brought under the ILP regime.
- Violation of the Act or any other law notified by the Central Govt, will lead to the cancelling of OCI registration.

e Vision

Citizenship (Amendment) Act, 2019

Concerns

- ☐ Contradicts the **Assam Accord of 1985**.
- Updation of the NRC will become Null and Void due to this Amendment act.
- Violative of Article 14 and the principle of secularism.
- Other refugees including Tamils from Sri Lanka and Hindu Rohingya from Myanmar not covered under the Act.
- □ Differentiate between illegal migrants and those persecuted will be difficult for the Govt.
- ☐ Provides wide discretion to the government to cancel OCI registrations for both major offences as well as minor offences.

Government's Stand

- □ Pakistan, Afghanistan and Bangladesh are Islamic republics where Muslims are in majority hence they cannot be treated as persecuted minorities.
- ☐ Partition of India on religious lines and subsequent failure of the Nehru-Liaqat pact of 1950 in protecting the rights and dignity of the minorities in Pakistan and Bangladesh.
- Assured the people of Assam that their linguistic, cultural and social identity would be preserved.

Conclusion

- ☐ The onus is now on the SC to interpret the provisions of the Act and test its constitutionality.
- Govt. should address the concerns raised and people of the North-East should be engaged more constructively in the decision-making





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PDF Refernece URL: https://www.drishtiias.com/printpdf/citizenship-amendment-act-2019-mindmap

