Understanding National Resister of Citizen and its Prospect and Challenges for Assam

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Abstract: National Resister of Citizen (NRC) is the most extensive citizen engaging exercise, which touches the life of every resident of Assam. It is part of the action for the fulfillment of the 'Assam Accord' and understanding arrived in a tripartite meeting held in 2005. The National Register of Citizens (NRC), Assam, contains the names of genuine Indian citizens and helps the government to check illegal immigration. It is an important milestone in dealing with the influx of illegal migrants, particularly from Bangladesh into that state. The objective behind updating and publishing the 1951 NRC is to compile a list of the names of genuine Indian citizens residing in Assam and, in the process, detect foreigners, particularly Bangladeshis, who may have illegally entered the state after March 24, 1971.

NRC was conducted under the supervision of the Supreme Court of India, in response to a writ petition filed by an Assam based non-governmental organisation, Assam Public Works (APW), which aimed to protect the rights of the indigenous people of Assam. Notably after publication of final draft, APW is dissatisfied with the outcome of the NRC. The organisation has filed an affidavit in the Supreme Court demanding 100% reverification of the NRC. Not only APW other organizations and political parties like Bharatiya Janata Party (BJP), Asom Gana Parisad (AGP) also not satisfied with the result of NRC. Even BJP president Amit Shah declared that NRC will be conducted again in Assam with entire state of India. In such situation question arises is it necessary for the preparation of NRC in Assam again? What will be the consequences? Do the citizens of Assam need to give citizenship prove again and again? Therefore this paper tries to discuss issue of NRC and its prospects and future challenges for Assam.

Key Words: NRC, Government Role, Role of AASU, Future Challenges, Assam

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Introduction

The National Register of Citizens (NRC) is a record of all the legal citizens of the country. It was basically a serialized list of houses and property holdings in every Indian village with the number of people residing in them along with their names. The NRC grew out of concerns voiced over decades by people and representative organisations in Assam and other North-eastern States about informal migration (widely called illegal migration) from Bangladesh. Many believed that this migration would lead to demographic changes, and adversely affect the area’s cultural and social fabric as well as political representation. That these concerns are not new is seen in gleanings of contemporary history which have been extensively researched and written about. It is important, therefore, to review the working of the NRC and the issues that have grown around it in a historical, political and social context. The narrative promoted by a handful of political parties on one side, and other parties and rights advocates on the other only promotes oversimplification, binaries and divisions and doesn’t recognise the extremely sensitive complexities.

The NRC, being implemented in Assam, has its roots in the Memorandum of Settlement or the Assam Accord signed between the Assam State Students Union and the Government of India in 1985. The accord was an outcome of the violent anti-migrant movement of the 1980s and contained various clauses to curb illegal migration. The accord, however, could not solve the issue of illegal migration. In another effort to check the problem, the NRC was initiated in 2010 as a pilot project in two districts of Assam -- Barpeta and Kamrup. But this process was stalled after four weeks following the outbreak of violent clashes in Barpeta. The work of the NRC, however, was revived after the intervention of the Supreme Court of India following a petition, submitted by an NGO, Assam Public Works, sought steps for the deletion of the undocumented migrants from the voters roll and updating the citizens' list as a step to control illegal migration. In 2015, the Assam

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government resumed the work of the NRC under the supervision of the Supreme Court.

**Objective of the study**

1. To study the prospect and challenges of preparation of NRC in Assam again.
2. To understand the role of All Assam Student Union (AASU) and their response on it.

**Background of NRC**

The demand for preparation of an NRC in Assam to protect the interest of the genuine Indian citizens in the face of infiltration of foreign nationals cropped up from time to time. It took more than 71 years since independence to come up with such a document with verification of the nationality of the citizens.  

Though NRC was prepared in 1951 but the citizenship of the people was not properly verified during that time. In that year, the census operations were carried out for the first time in independent India and the names of the persons enumerated for the census were included in the NRC. Due that reason, a large number of people gave their addresses in places in erstwhile East Pakistan. In 1965, the government of India because of reports of large scale migration from East Pakistan mooted a proposal to compile a register of citizens and to issue identity cards to Indian Citizens living in the state. But the proposal remained on paper only and the actual reasons for not implementing it are not very clear even today.

On February 2, 1980, during the Assam agitation, the All Assam Students’ Union (AASU), in a memorandum to the Prime Minister, raised the demand for updating the NRC of 1951. But the issue of updating the NRC was not included in the Assam Accord signed in 1985. In 1990, the AASU raised the demand again during a meeting to discuss the progress of implementation of the Assam Accord and during an official level tripartite talk on November 17, 1999, decision was taken to update the NRC. The Government of India also assured to release Rs 20 lakh for

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6 Ibid
7 Sangeeta Barooah Pisharoty, “Why the NRC of 1951 Is Being Updated as per the Assam Accord”, The Wire, August 18, 2018, viewed at https://thewire.in/rights/nrc-assam-accord-updating-residents
starting the initial work and released an amount of Rs five lakh to start the process. But the project was not started due to various reasons.

Again, in a tripartite meeting involving the Central and State Governments and AASU on May 5, 2005, which was chaired by the then Prime Minister Dr Manmohan Singh, a decision was taken to update the NRC within a couple of years and to issue identity cards to genuine Indian citizens living in the State on the basis of it. The State Government formed a Directorate to update the NRC but it could not formulate the modalities to carry out the job. A group of ministers was also formed to formulate the modalities but the progress remained very slow.

On April 22, 2010, in another official level tripartite meeting, a decision was taken to launch a pilot project in Chaygaon and Barpeta revenue circles, but the process was stalled after a violent protest in Barpeta.

Finally, the present process started in 2013 after Prateek Hajela joined as the State Coordinator for updating the NRC. However, the process gathered momentum after the Supreme Court started monitoring it. The Assam Public Works filed a petition in the Supreme Court alleging that names of huge numbers of foreign nationals were included in the electoral rolls of the State and the case got converted into the process of updating the NRC. The AASU also became a party to the case by submitting an intervention petition and with the constant monitoring the Supreme Court, the process reached one vital stage.

Though the present process started in 2013, the actual work on the ground started in February, 2015 with the process of setting up of the NRC Seva Kendras and more than 3.29 crore people applied for inclusion of names in the NRC along with more than 6.6 crore documents.  

The NRC is published in three segments. The first list referred to as the Part Draft was published on the midnight of 31 December, 2017 and it included only 1, 90, 10,932 members, out of the 3.29 crore applicants. A large number of bogus and forged documents were detected in the process of verification and the family tree verification was considered to be the game-changer as in a large number of cases, mismatches in family trees were detected. Finally, the complete draft was

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published yesterday and names of more than 40 lakh applicants were not included as they were not found to be eligible. However, those whose names were not included will get an opportunity to file claims and objections before the publication of the final NRC.

The second list, termed as the Complete Draft, was published on 30 July, 2018 and included 2,89,83,677 members. It left out another 40,70,707 people out of the list. On 31 August, the final list was unveiled and it included 3,11,21,004 persons as India’s citizens and excluded another 19,96,657 persons. People are now trying to figure out and plan their next step.

**Response of AASU on NRC**

While looking at the role All Assam Students Union (AASU) regarding NRC, though they are not satisfied with the result of exclusion of names but still they are not giving an absolute negative view on it. From the very beginning AASU has been playing a positive role on NRC. Though BJP led government sometimes tried to create problems on preparation of NRC but AASU did not make it happen by carefully monitoring and giving strong voice on it. Even after the publication of final draft though there are so many problems regarding inclusion of foreigner names and exclusion of native people but still role of AASU fairly positive.

After publishing final draft “The All Assam Students' Union (AASU) said it is not happy with the exclusion figure in the final National Register of Citizens (NRC) which was released on Saturday and will appeal against it in the Supreme Court.10 The NRC in the state has been updated under the monitoring of the Supreme Court to include only genuine Indian nationals. We are not happy at all. It seems there were some deficiencies in the updating process. We believe that it is an incomplete NRC. We will appeal to the Supreme Court to remove all the faults and discrepancies in this NRC," AASU General Secretary Lurinjyoti Gogoi said.”11

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10 “AASU says final NRC contains flaws, will appeal in SC”, The Economic Times, Aug 31, 2019, retrieved from https://m.economictimes.com › News › Politics and Nation
11 “Assam NRC final list: Unhappy with exclusion figure, AASU to move Supreme Court” India Today, August 31, 2019, available at https://www.indiatoday.in › India
Role of the government on NRC

The role of both central and state government on NRC is not so positive. From the very beginning of the preparation of NRC, government trying to create problems through various ways likes not providing salary to the workers who are associated with it. Moreover, government also tried to bring Citizenship Amendment Bill 2016 before completion of NRC so that they can make it valueless. As because of this once Supreme Court warned BJP government not to interfere on NRC issue.

Recently Union Home minister Amit Shah asserted that the NRC will be introduced throughout India and all illegal immigrants will be thrown out of the country through legal means. Further he said that people of the country have given its stamp of approval for the nationwide-implementation of the National Resister of Citizens through the verdict of the 2019 elections.\(^{12}\)

“We had promised to the people of the country in our election manifesto that not only in Assam but we will bring NRC all over the country and make a resister of the country people, and for others (illegal immigrants) action would be taken as per law”.\(^{13}\)

Shah also said that those left out of the NRC in Assam have been given a chance to present their case before foreigners tribunals and the Assam government has also made arrangements for providing lawyers to those who cannot afford their fee to put forth their case.\(^{14}\)

Prospect and Challenges of NRC in Assam

The central government has decided to implement an NRC across the country. For that reason, Amit Shah said that the state of Assam also needs to undergo the rigorous of the exercise again despite the fact that the state had just been through that complicated process carried over a very long period of time entailing a huge expenditure and engagement of government machinery- needless to mention

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\(^{12}\) “Govt will provide legal support to Indian citizens left out of NRC list: Assam Minister”, *Economic Times*, Aug 31, 2019, retrieved from https://m.economictimes.com....

\(^{13}\) Ibid

hardship endured by the masses in the process. The exercise of NRC implementation process was strictly done at the instances of the Supreme Court monitoring. This exercise was welcomed by all political parties and mass organization. It needs to mention here that it was Assam particularly state indigenous populace was grappling with an existential crisis triggered by large scale illegal immigration from Bangladesh that necessitated the NRC. However, it is questionable whether the rest of the country needs such an exercise which is going to cause large scale disruption to everybody life and put a very large number of people to undue distress. It is very pertinent to mention here that where government is unable to spend proper money for educational development, where government is unable to solve the problem of unemployment, problem of farmers but in such situation they are spending crores of money in the name of verifying citizenship. It is very difficult to deny the fact that securing the country from entry of illegal immigrants is the responsibility of the police, security and administrative authorities and it is outrageous to every citizen to a scrutiny of their citizenship because our massive departments, agencies, police and security forces have failed to their duty properly for protecting our country.

The processes of the NRC lead to exclusions and particularly impact the lives of marginalised communities. It must be noted that the final draft of NRC not only excludes the names of Bangladeshi Muslims or Bangladeshi Hindus but also the names of so many people belong to indigenous communities like Karbis, Nepalis, Namashudras and even much more genuine Indian citizens. But we need to understand why these people left out from NRC process. The fact is that basically Assam is a flood-prone area and every year thousands of people lose their homes and possessions, including documents, in floods or other calamities like land erosion and conflicts between communities. As a result, the possession of documents and legacy data is a luxury available to only the privileged. The postal system is not the most efficient or reliable and neither is access to the internet. There are several instances of people not receiving notices for hearings by the Foreigners Tribunal in time and thereby being declared D-Voter ex parte.


Moreover most of the ethnic communities of Assam basically the poor people feel that why they need to prove their citizenship, because they are living here for a long period of time and it is also true that the poor people cannot make themselves busy with all these formalities because they need to think about their survival first. Therefore, most of the poor and illiterate genuine people belong to ethnic communities has left out from this process.

Hence, most of the organizations like AASU and intellectuals are of the view that there should not be any more NRC for Assam. They believe that though there are some problems, it needs to solve by addressing the claims and objections. If BJP government wants to prepare it again it is nothing but just to satisfy the egos and just to divide the masses on religious lines to fulfill the narrow vote bank politics.

**Conclusion**

The publication of an updated NRC is indeed a positive step, as it puts to rest the wild speculations about the extent of the illegal migrant population in Assam. However, the absence of any clear policy as to how to deal with the proclaimed illegal migrants has created a sense of unease in the minds of many presently residing in Assam. Apart from that the statements of the leaders in the context of the NRC are replete with terms like ‘ghuspethiye’ (infiltrators) and ‘termites,’ and claims of a large number of unfair inclusions from particular communities. These are definite signs of the attempts to maintain and perpetuate social divides. Reconciliation and closure are inconsistent with the politics of permanently manufacturing the fear of the other … Considering that migration has been a historical fact of human civilisation as such and its prevalence has been increasing manifold in our times for various reasons, the idea of citizenship and the corresponding rights needs to be human-centric rather than state-centric.

Apart from that it seems that both central and state government do not wants bring an end of this issue. They are just trying to bring divide among deferment communities just because of fulfillment of their narrow interest i.e sustaining in power. Because when they are failure of doing development which was their main

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18 “The Citizenship Question Should Also Interrogate the Insider-Outsider Binary” Economic and Political Weekly, October 9, 2019, available at https://www.epw.in/engage/article/citizenship-question-should-also-interrogate
propaganda during election in both 2014 and 2019, but they are absolutely unable to fulfill it. Hence just to attract the emotions of common people, they want to prepare NRC again in the state of Assam. Therefore the need of hour is rather doing politics on this issue government should try to bring cooperation among different communities of the state and government should try to solve some of the basic issue like issue of unemployment, providing quality education, solving health issue so on and so forth. Further, government also take into consideration to spell out what it intends to do with the persons whose names do not figure in the final NRC.

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