

CAA, NRC and NPR: Ten Big Lies of the Modi Government

The attack on the heart of India by the Modi Government has three prongs: the Citizenship Amendment Act (CAA), the National Register of Citizens (NRC) and the National Population Register (NPR). The Cabinet has taken a decision to immediately start preparations for updating the National Population Register. After the passage of the CAA, which the CPI(M) had strongly opposed in both Houses of Parliament, this is the second dangerous step at setting up a framework to aggressively push for communal profiling in citizenship rights.

At the same time, because of the historical context of the Assam Accord, the CPI(M) holds that the north east as a whole should be kept out of the CAA and linked processes. The party had moved such an amendment to the CAB which was rejected. A significant point to be noted is that the Assam Accord while deciding 1971 as the cut-off date for citizenship for all who came to India after that date, does not differentiate on the basis of religion. The CAA is a direct assault on the Assam Accord as well as adding a communal dimension to the issue of “foreigners”.

Now that there are huge protests across the country the Modi-Shah duo have put their lie manufacturing factory to work. Remember the Nazi propaganda maxim in Hitler’s Germany: “Repeat a lie often enough and it becomes the truth.” That is also the Modi government’s policy. Each and every lie must be exposed.

There is an ever growing list of lies - here are the ten big lies:

Lie No 1: The Citizenship Amendment Act (CAA) is not discriminatory—it is the culture of India to come to the aid of the persecuted. No Indian citizen will be affected.

The Truth; The CAA is an assault on the Constitution of India.

The Indian Citizenship Act was adopted in 1955. There are five ways defined of becoming a citizen, by birth, descent, naturalization, registration, territorial incorporation. In none of these is religion mentioned. This was in line with the Constitutional definition of Citizenship which does not differentiate or discriminate against any person on grounds of religious belief or caste, class or gender in acquiring citizenship in India.

The CAA changes this by an amendment in section 1 b on illegal immigrants. The term “illegal immigrants” was introduced in 2003 under the Vajpayee Government. However even though its intention was clear, it did not define illegal immigrant by religion. The Modi Government has now completed this. In the CAA it amends Sec 1 b to include “any person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan who entered India on or before December 2014 will not be considered an illegal immigrant.”

By this amendment, for the first time in the history of independent India, religion has become a ground for becoming a citizen of India. Say that there are two persons who have been residing in India with the same documents, proof of their residency but no proof regarding their ancestors. If the person is a non-Muslim he or she becomes “legal” and if a person is

Muslim, he or she is considered illegal. This is an attack on Article 14 that all persons are equal before law, and a part of the basic structure of the constitution.

It is highly discriminatory on another ground too. Why select only these three countries? What about the refugees from Sri Lanka or Myanmar? What about the Ahmediyya community in Pakistan? They can consider themselves “persecuted.” But they are left out. The Act is selective and therefore discriminatory.

The second amendment in the Act concerns the number of years required to be resident in India to be eligible to apply for citizenship. This is called the citizenship by naturalisation process in Sec 6.1 of the original Act of 1955. The further details of qualification for naturalisation are in Schedule III of the Act. It states that any person who has been resident of India for the preceding eleven years is eligible for citizenship by naturalisation. There is no mention of religion. However the CAA 2019 reduces the number of years of residency required on the basis of religion to five years for all from the three countries mentioned earlier, except Muslims. This too is clearly discriminatory.

Prior to the amendments to the CAA, in September 2015 the Modi Government in an entirely surreptitious manner and behind the back of Parliament, made changes in the Passport Entry into India Act 1920 and the Foreigners Act 1946. These amendments permitted the same selected groups chosen on religious grounds to stay on in India if they had come before Dec 31, 2014. The same wording as in the CAA was inserted in 2015 into the two Acts, These changes show the planned moves of this Government to subvert the constitution of India by linking rights of people and citizenship to exclude those who belong to a specific religious community, the Muslims.

Lie No 2: Opposition Parties who supported the Hindu migrant communities are now opposing the amendment for vote bank politics.

The Prime Minister in his speech on Dec 22 said that the Congress and the CPI(M) had demanded a law for the “minority communities from Bangladesh” but have now done a U-turn. They quote a resolution passed by the 20th Party Congress in 2012 as well as a letter from then General Secretary Prakash Karat.

The Truth: It is wrong to conflate concern for the rights of deprived sections to a toxic policy of exclusion from citizenship rights as is being done by the Modi Government.

The CPI(M) is undoubtedly concerned about the plight of refugees seeking shelter in India. It is the Communists and the Left who played a glorious role to secure the rights of more than ten million hapless victims of British driven partition who crossed the new border. The battle for ensuring proper rehabilitation of these dispossessed has been an enduring feature of the communist and Left movement in West Bengal. The RSS remained conspicuously absent during that difficult phase faced by Bengal refugees.

The Party has also demanded recognition as Scheduled Castes of the Namashudra dalit communities among refugees from Bangladesh which had been done in West Bengal but not in many other States where the refugees had been settled such as in UP, Uttarakhnad and Madhya Pradesh. These States run by the BJP had refused to grant them SC status. The Party did adopt a resolution at the Party Congress and a letter was subsequently written to the then Prime Minister Manmohan Singh. However never ever has the CPI(M) supported a policy of exclusion of Muslims from any policy decision, leave alone a discriminatory law regarding

citizenship rights of those who have come from Bangladesh. The CPI(M) is totally opposed to any such differentiation in the definition of eligibility for citizenship on the basis of religion.

Lie No. 3: The CAA has nothing to do with National Register of Citizens (NRC). This is totally separate and opposition is trying to falsely link the two.

The Truth: The CAA and the NRC are closely interconnected. The BJP plan is to first implement the CAA which will give citizenship rights to all non-Muslims from the three countries, Afghanistan, Bangladesh or Pakistan. Then the NRC will identify “infiltrators”. What is the difference between infiltrators and refugees? Only the Muslims do not qualify in CAA as refugees, and are therefore infiltrators. The deadly link has been made clear by BJP as can be seen in the following examples

In April 2019 Amit Shah said, “First the CAB will come. All refugees will get citizenship. Then NRC will come. This is why refugees should not worry, but infiltrators should. Understand the chronology—CAB will come and then NRC. NRC is not just for Bengal, it’s for the entire country.” (video on BJP official website)

December 9, 2019: Amit Shah said in Parliament that a nationwide NRC would follow the passing of the CAA. During the debate on CAA in Lok Sabha, he said, “We will bring the NRC across the country. Not a single infiltrator will be spared.”

December 19, 2019: JP Nadda, the BJP Working President, stated that the CAA would be implemented and, “going forward, NRC also will be brought in”. He continued, “India is marching ahead under Prime Minister Narendra Modi and will continue to do so. The Citizenship (Amendment) Act will be implemented, so will the NRC in future.”

No, it is not the opposition that has linked the CAA and NRC, but it is the diabolical plan of the BJP of which this is the key link.

Lie No 4: Modi said at the Delhi rally on December 22: I want to let the 130 crore citizens of India know that since my Government has come to power, since 2014 there has been no discussion on NRC anywhere”

The Truth; The tragedy for India is that the Prime Minister himself is the head of the lie manufacturing factory.

On June 20, 2019, in the customary address to a Joint Session of Parliament the President of India said in his speech “ Illegal infiltrators pose a major threat to our internal security. This is leading to social imbalance and putting a huge pressure on limited livelihood opportunities. My Government has decided to implement the process of National Register of Citizens on a priority basis in areas affected by infiltrators... While on the one hand Government is working to identify the infiltrators, on the other it is also fully committed to protecting the victims of persecution due to their faith.” The President’s speech is a policy statement prepared by the Government. So how can the PM say there has been no discussion?

On November 21, 2019: Amit Shah said in the Rajya Sabha, “The process of National Register of Citizens (NRC) will be carried out across the country.” Was this statement made without discussion?

There are nine official announcements to implement NRC by Ministers of the Government in their replies to parliament. This is apart from innumerable similar pronouncements in public speeches. Were all these official statements made without discussion? Is prime Minister Modi withdrawing them? This means that the said Ministers were guilty of misleading Parliament.

Modi lied to 130 crore Indians when he said NRC was never discussed.

Lie no 5: Modi and his Ministerial colleagues and party spokespersons and their crony media friends have been accusing the opposition of spreading lies and claimed that the NRC process has not been legalised. The Minister of State for Home Affairs, G. Kishan Reddy, has said: "A countrywide NRC had not been notified so far and no one should fear."

The Truth: The law for the NRC was adopted in 2003 during the Vajpayee Government with L.K.Advani as the Home Minister. For the first time in India's history it was decided by the then Government to have a National Register of Indian Citizens. This was done through an amendment to the Citizenship Act 1955. One of the amendments to the Act was the addition of Clause 14a which reads: Clause 14a (2) The Central Government may maintain a National Register of Indian Citizens and for that purpose establish a National Registration Authority. (3) ...The Registrar General of India shall act as the National Registration Authority and he shall function as the Registrar General of Citizen Registration."

For the first time, the concept of a National Register of Citizens was introduced, and also to issue a national identity card in the law. Therefore there is no need for a separate law since the NRC is already part of the citizenship law. Further for the implementation of the NRC, Rules were also framed and adopted in 2003. These Rules specifically mention the process through which the NRC will be established.

Lie No 6: The NRC process is yet to start and there is no notification.

The Truth: The Rules for the implementation of the NRC which were adopted in 2003 by the Vajpayee Government clearly state that the process will begin with the house to house enumeration for the creation of a National Population Register. The Rules for the NRC in Clause 4 says "a population register will be prepared by collecting information relating to all persons who are usually residing within the jurisdiction of the local registrar. The local register of Indian citizens (as part of the national register) shall contain details of persons after due verification made from the population register." It is clear enough that the NRC will be finalised after the verification of the population register.

In 2014 itself the linkage between NRC and NPR was also made clear by the then Minister of State for Home Affairs Kiren Rijju who informed Parliament on July 23 of that year "The Government has now decided to create the National Register of Indian Citizens based on the information collected under the scheme of NPR by verifying the citizenship status of all individuals in the country."

The NPR process has already started. The notification for preparing and updating the NPR was issued by the Registrar General of Citizen Registration on July 31, 2019 through a gazette notification, that the house to house enumeration will start from April 1 to September 30, 2020.

Therefore it is a lie to say that the process for NRC has not started. The first stage for the NRC through the NPR has already been notified.

Lie No 7: Amit Shah says the NPR has nothing to do with the NRC.

This is in the context of the Union Cabinet decision to update the NPR with additional questions. The Union Minister for Information and Broadcasting Prakash Javadekar claimed that the National Population Register is only for the purpose of the Census and has nothing to do with the NRC or citizenship. So why is the opposition claiming it will affect the citizenship of Indians?

The Truth: This is what Mr Shah's ministry said in its annual report of 2018-2019. In Ch 15, para 15. 40 it is stated "Government of India has approved a scheme of creation of National Population Register (NPR) in the country by collecting specific information of all usual residents. NPR is the first step towards creation of National Register of Indian Citizen (NRIC). The demographic data for NPR collected in 2010 has been updated in 2015. Biometric Enrollment of 33.43 crore persons has also been done under the scheme.."

So who is the liar? The Ministry of Home Affairs or the Minister of Home Affairs?

First the Government denied links between the CAA and the NRC. When that lie was exposed the Government has resorted to concealing the truth regarding the NPR. Since the NPR is being updated along with the Census enumeration for 2021 the Government is claiming it is part of the census. It is the Census authorities who undertake both these processes, but *they are two separate things* with a different format and questionnaire.

The NPR is directly linked to the NRC. From April 1, 2020 onwards, the National Register of Citizens process will begin with house-to-house enumeration for the National Population Register.

The Modi Government has added six new questions that citizens have to answer bringing up the total questions in the first phase to 21. The original 15 questions related to demographic data such as name, age, sex, relationship in household, nationality, educational qualifications, occupation, date of birth, marital status, residential address, birthplace and mother tongue. The new 6 questions include name of the father and mother, their places and dates of birth. and the details of Aadhaar. The Aadhaar information will then be crosschecked with the Unique Identification Authority of India (UIDAI) for verification of the individual's biometrics.

It is a lie to say that the NPR is part of the census. It is nothing of the kind.

Lie No 8; No Indian has anything to fear

The Truth; The poor and the marginalised have everything to fear. Why have the questions related to parents date and place of birth been added among the six new questions? How many families have such details and proof? The exercise for NRC in Assam, which of course was of a different nature, showed the huge discrepancies and the terrible fear of poor communities who did not have the required documents. These included citizens of all religions, castes, linguistic groups. The family members of a former President of India were declared foreigners. The soldier who fought to defend India's borders in the Kargil war was declared a foreigner. A large number of women who had migrated due to marriage could not produce their natal family documents and were therefore rejected as Indian citizens.

After the enumeration, the information is first crosschecked with the Unique Identification Authority of India (UIDAI) to verify the individual's biometrics. As has been shown the problems of mismatch of AADHAR generated biometrics has deprived lakhs of poor people of their benefits. If this happens to citizenship verification it will be a nightmare for millions of poor people.

After Aadhaar verification, it is entered into the Local Population Register, the Local Registrar examines the list, and puts the letter "D" meaning doubtful against any person or family identified as such by the Enumerator. Once this is done, the person or persons are informed, and then they will have to make umpteen trips to prove their bonafides. At that stage documents will have to be produced. Most poor people hardly have their own birth certificates leave alone the details of previous generations. Moreover, this is a framework which can lend itself to communal profiling, the targeting of citizens in line with what the Home Minister had declared—the purpose of the NRC is to eliminate "infiltrators" as against the Hindu refugees who will become eligible for citizenship under the CAA. Those summoned as "doubtful citizens" will have to go through the tortuous process of submitting proof of their citizenship.

As per the amendments in the Citizenship Act in 2003, it is not enough to show proof of birth in India or having lived in India for a certain period. As we saw during the Assam NRC, no document that proves our identity—birth certificate, Aadhaar, Voter ID, PAN card, or passport was by itself accepted as a proof of citizenship. To add further to the problem, the 2003 Amendments also specify that either both parents have to be Indian citizens for their children to qualify as citizens, or one parent must be a citizen and the other not an illegal immigrant. That means that a person to prove she is a citizen, will have to prove not only that she was born here, but also the status of her parents citizenship. In case one of them does not have proof, then the even harder task of proving that he/she is not an illegal migrant will have to be proved.

Lie No 9: Modi says there are no detention centres anywhere.

The Truth:

Minister of State for Home Affairs answered a question in the Rajya Sabha on December 11, 2019 and said that instructions have been issued to all states for setting up detention centres to detain illegal migrants or convicted foreigners pending deportation. The Central government on 9.1.2019 sent consolidated instructions for the construction of detention centres to all state/union administrators.

The Ministry of Home Affairs sent instructions on 24/29 April 2014 and again on 9-10 September 2014. On this basis, a model detention centre/holding centre/camp manual was issued to all states/union territories in 2018.

The Central government told the Karnataka High Court on November 28, "We have written to all state governments in 2014 and follow-up letter in 2018 to have detention centres to house foreign nationals illegally staying in India".

Many BJP state governments like Karnataka have already directed construction of detention centres. Earlier the erstwhile Fadnavis Government in Maharashtra had also earmarked sites for detention centres.

In November 2019, Minister of State for Home Affairs replied to a question in the Rajya Sabha that 28 people have died in Assam's detention camps where suspected immigrants are confined. He disclosed that 988 "foreigners" were lodged in six detention centres in Assam.

Lie No 10: No force has been used against demonstrators. The police have not fired on anyone in Delhi or UP and other BJP ruled States where there have been widespread protests.

The Truth; The violence has occurred only in BJP ruled States which have come down with brutal repression against the protests. Massive and peaceful rallies have been held in all non-BJP ruled States where there has been no violence.

More than 21 people have been killed in police firing in UP and the figure is increasing every day. The claim that police did not fire is ridiculous and absurd. Did the protesters kill themselves? In many parts of UP the police have committed atrocities on ordinary citizens including women. There is also video evidence of UP police destroying private property including vehicles, motorbikes, shops etc. There is video evidence of police firing in Delhi and UP. But the Modi Government has taken no action against the guilty police personnel. The Delhi police went into Jamia University with arms, brutally beat unarmed students in the library, the hostel even going to the lavatories and dragging students out. In AMU the situation was even worse. Stun grenades, tear gas shells and brutal beating of students took place inside the campus causing severe injuries to students.

Five people were shot dead by the police during the protests in Assam. In Karnataka at least two were killed in police firing.

False cases have been foisted on people. Among them are CPI(M) activists. In Gujarat a Central Committee member Arun Mehta was arrested and charged with causing communal tension, when he participated in a peaceful protest of Left parties in Ahmedabad. In Varanasi, in the constituency of the Prime Minister almost the entire district committee leadership of the CPI(M) were jailed on false charges after they joined the nationwide protest call given by Left Parties on December 19, 2019.

The BJP Government refuses to accept the constitutional right to peaceful protest. It displays the arrogance of power of a most authoritarian communal regime.

Conclusion;

This is not a Hindu-Muslim issue as sought to be portrayed but one that affects the very Constitution of India and therefore every citizen of India. The sangh parivar should remember and learn from the words of Swami Vivekananda in his Chicago speech of 1893 " I am proud to belong to a nation which has sheltered the persecuted and the refugees of all religions and all nations of the earth."

The Constitution of India has never been accepted by the sangh parivar of which the BJP is a part. In 1950 when Dr Babasaheb Ambedkar presented the Constitution for adoption by India's Parliament, the RSS opposed it. They were committed to the two nation theory propounded by Savarkar and Jinnah. They also demanded that the basis of the constitution should be Manu Smriti. It is this ideology and commitment to establish a theocratic state, in which implementation of the CAA, the NRC and the NPR is seen by them as the first step to link citizenship to religion.

The protests all over India comprising different sections of society show that the people of India are united in their commitment to defend the constitution against the assault in the form of the three pronged attack of the BJP-RSS Government. So far 13 Chief Ministers have declared that they will not implement the NRC. The Kerala LDF Government has taken the lead in issuing a notification that implementation of NPR will be stayed in Kerala. It is essential for the Governments opposing NRC to reject the Cabinet decision to update and start the process for NPR.

The NPR/ NRC process is being undertaken at a time when the Aadhaar identity card has already covered most of the population. There is also the Electors Photo Identity Card issued by the Election Commission of India. So another citizenship register and identity card are superfluous. Moreover, it will be hugely expensive. The Assam NRC process has already cost the exchequer Rs. 1220 crore, with a population that is less than 3% of India's population. On this basis, the total NRC process will cost more than 50,000 crores rupees!

India today is in the midst of a recession the burden of which is being borne by the people of India while big corporates and the super rich thrive, courtesy the Modi Government. Our defence of the Constitution is deeply linked to our struggle for economic and social justice and the attempts of this Government to divert attention from its utter failure to provide jobs and a decent living to our country women and men.

We hope this fact sheet answers at least some of the lies and disinformation being spread by the BJP and sangh parivar affiliates and that it will strengthen our struggle in defence of the Constitution and against the CAA/NRC/NPR.