

Citizenship Amendment Act

Why In News

- **Modi government** on Monday i.e. March 11, 2024 notified the rules of the **Citizenship Amendment Act (CAA)**. The CAA was passed by the Parliament in **2019 amid huge protests** across the country. The law gives citizenship to religious minorities from Pakistan, Bangladesh and Afghanistan.
- Prime Minister Narendra Modi's government says it give sanctuary to people fleeing religious persecution.



Citizenship Amendment Act

- The rules, titled **Citizenship (Amendment) Rules 2024**, incorporate provisions listing out the procedure for application for citizenship by persons who are entitled to seek Indian citizenship as per the CAA.
- The **Act, which was passed in 2019**, seeks to fast-track Indian citizenship to **Hindus, Sikhs, Buddhists, Jains, Parsis and Christians** – with the exception of Muslims – who migrated to India owing to religious persecution in **Pakistan, Afghanistan and Bangladesh**. The applicants are required to declare the year that they entered India without travel documents.



- The delay in the implementation of the legislation was attributed to several reasons, including the **vociferous protests** against it, including in BJP-ruled states like Assam and Tripura. The Bill also faced opposition by the Hindu communities in these states because it was seen to legitimise the influx of Bangladeshi migrants.



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What Is Citizenship Amendment Act, 2019

- Through this act, the **Citizenship Act of 1955 has been amended** and Indian Citizenship will be granted to Hindus, Sikhs, Christians, Buddhists, Jains and Parsis who have migrated from neighbouring Muslim-majority countries such as Pakistan, Bangladesh and Afghanistan before **December 31, 2014** due to 'religious persecution or fear of religious persecution'
- Under this law, migrants will be **granted fast fast track Indian citizenship** in Six years. The residence requirement for naturalisation of these migrants have been reduced from eleven years to five.



Narendra Modi
@narendramodi

A landmark day for India and our nation's ethos of compassion and brotherhood... This Bill will alleviate the suffering of many who faced persecution for years

KEY FEATURES

- Bill grants citizenship** to Hindus, Sikhs, Christians, Jains, Buddhists & Parsis from Pakistan, Bangladesh and Afghanistan who moved to India before Dec 31, 2014
- Reduces duration of residency** from 11 years to 5 years
- States with ILPs** and areas under Sixth Schedule in north-east exempt from new law
- Authorises govt to cancel registration** of OCI cardholders in case of violation of provisions of Citizenship Act or any other law

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- The **CAA does not apply to Indian citizens**. The act seeks to grant Indian citizenship to particular foreigners. The applies to those who were force or compelled to seek shelter in India due to persecution on the ground of religion.
- This **act will not include certain areas**, i.e the tribal areas of Assam, Meghalaya and Tripura as included in the Sixth Schedule of the Constitution. The exceptions also include the states regulated by the 'Inner Line' permit under the **Bengal Eastern Frontier Regulations 1873**.
- As per the **Citizenship Amendment Act 2019**, the registration of the Overseas Citizen of India can be cancelled if any person has violated any law notified by the central government.

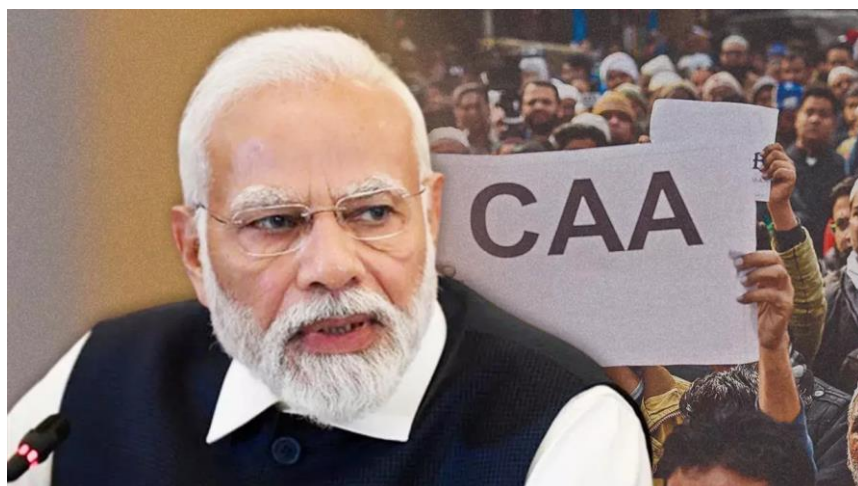


Why Is The Law Controversial

- **Opponents of the law** say it is exclusionary and violates the secular principles enshrined in the constitution. They say faith cannot be made a condition of citizenship.
- The **constitution prohibits religious discrimination** against its citizens, and guarantees all persons equality before the law and equal protection of the law.



- **Delhi-based lawyer Gautam Bhatia** said that by dividing alleged migrants into Muslims and non-Muslims, the law "explicitly and blatantly seeks to enshrine religious discrimination into law, contrary to our long-standing, secular constitutional ethos".



- **Historian Mukul Kesavan** said the law is "couched in the language of refuge and seemingly directed at foreigners, but its main purpose is the delegitimation of Muslims' citizenship".

- Critics say that if it is genuinely aimed at protecting minorities, the bill should have included Muslim religious minorities who have faced persecution in their own countries - **Ahmadis in Pakistan and Rohingyas in Myanmar**, for example.
- The government has gone to the Supreme Court seeking to deport Rohingya refugees from India.

Current Scenario

- A day after the **Centre notified implementation** of the Citizenship Amendment Act (CAA) rules, the **Indian Union Muslim League (IUML)** today approached the Supreme Court to challenge the move.



- The party, primarily based in Kerala, has sought a pause on the implementation of the law, calling it "unconstitutional" and "discriminatory" against the Muslim community.
- **Over A Hundred Writ Petitions** Have Been Filed In The Supreme Court Challenging The Constitutionality Of The Law. The Supreme Court, While Agreeing To Hear The Matter, Declined To Stay The Operation Of The Act.

