



Mains Practice Question

Q. Discuss the need and concerns related to the Citizenship (Amendment) Bill, 2018. (250 words)

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Approach:

- Explain the important provisions of the Bill.
- Explain the reasons for the formulation of the Bill.
- List the concerns and loopholes of the Bill.
- Conclude by suggesting ways in which the need and concerns can be balanced.

Introduction

- The Bill seeks to amend the Citizenship Act, 1955 to provide citizenship to illegal migrants, from Afghanistan, Bangladesh, and Pakistan, who are of Hindu, Sikh, Buddhist, Jain, Parsi or Christian.
- It also seeks to reduce the requirement (for the above minorities only) of 11 years of continuous stay in the country to six years to obtain citizenship by naturalization.
- It also provides that the registration of Overseas Citizen of India (OCI) cardholders may be cancelled if they violate any law.

Body

Need for the Bill

- Definition of illegal migrants: As per the government, the minorities from neighbouring countries are fleeing persecution and have no other option aside from coming to India illegally. So, the bill amends the Citizenship Act, 1955 to provide that these minority groups will not be treated as illegal migrants.
- In spirit, it addresses refugees, people who are forced to move out of a well-founded fear for their lives, and not immigrants, people who voluntarily move often seeking economic opportunities.

Concerns related to Bill

- Political backlash in Assam and disturbance caused in the rest of the North-east. Assamese organizations say that as a result of the bill the burden of illegal migrants will be passed on to their state alone.
- The bill drew flak from opposition parties for excluding Muslims from countries such as Nepal and Sri Lanka. Other minorities who do not belong to the above groups (eg. Jews), or Atheists who do not identify with a religious group will not be eligible for citizenship.
- Its provision violates the right to equality guaranteed under Article 14 of the Constitution because it provides differential treatment to illegal migrants on the basis of their religion.
- It begs the question of why Rohingya Muslims from Myanmar, Ahmadiyya Muslims from Pakistan and Uighur Muslims from China have been overlooked.
- It adds a ground for cancelling OCI registration, which is a violation of any law of the country by an OCI. This will include serious offenses like murder, as well as minor offenses like violation of traffic

law.

Conclusion

- A democracy which has endured differences of caste, creed, conviction, and culture and agreed on the ground rules of how everyone will disagree should not fall into the idea of religious discrimination.
- Political leaders must not take any policy measure which can divide and polarize the society and cause harm to nation-building.

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