

The Final NRC

What is the issue?

A Foreigners' Tribunal (FT) in Assam recently declared that the NRC Assam published in 2019 as the Final NRC.

What is National Register of Citizens (NRC)?

- The NRC in Assam is basically a list of **Indian citizens** living in the state.
- The Register is meant to establish the credentials of a bona fide citizen as distinguished from a foreigner.
- This is to detect Bangladeshi migrants who may have illegally entered Assam after the midnight of **March 24, 1971**.
- This cut-off date was originally agreed in the 1985 Assam Accord.
- NRC for Indian citizens in Assam was first created in 1951.
- The process to update the register began following a Supreme Court order in 2013.
- The updated NRC was released in 2019 with over 1.9 million applicants failing to make it to the list.

How does one prove citizenship?

- Names of applicant's family members should either be in the first NRC prepared in 1951 or in the electoral rolls up to March 24, 1971.
- Applicants can also present other documents such as refugee registration certificate, birth certificate, LIC policy, land and tenancy records, citizenship certificate, passport, government issued licence or certificate, bank/post office accounts, permanent residential certificate, educational certificate and court records.
- Non-inclusion of a person's name in the NRC will have the option to present their case before foreigners' tribunals and can move to high court and then the Supreme Court.
- The government has set up NRC Seva Kendras in every district of Assam to assist people.

NRC TIMELINE THROUGH THE YEARS

1951: First-ever National Register of Citizens (NRC) of India published

1979: Anti-foreigners' movement started in Assam

January 1980: All Assam Students Union (AASU) submitted the first memorandum demanding updating of NRC

August 14, 1985: Historic Assam Accord was signed

1990: AASU submitted modalities to update NRC to Centre as well state government

1999: Centre took the first formal decision to update the NRC as per the Assam Accord

May 2005: The then PM Manmohan Singh chaired a tripartite meeting between the Centre, Assam government and the AASU where an understanding was reached to update the NRC fulfilling the promises made in the Assam Accord. The modalities for this were approved by the Centre

July 2009: An NGO called Assam Public Works moved the Supreme Court pleading that the names of those migrants who have not been documented should be removed from the voters' list. The NGO requested the court that the process to update the NRC should be started

August 2013: The petition filed by Assam Public Works came up for hearing

December 2013: The Supreme Court directed that the exercise to update NRC should start but the actual exercise began in February 2015

December 31, 2015: Deadline set by the Supreme Court to publish the NRC was missed and since then the apex court has been constantly monitoring the update

December 31, 2017: The government published the first draft of the NRC

July 30, 2018: Assam government releases second NRC draft. Of the 3.29 crore who applied, 2.89 crore were declared genuine citizens. The draft NRC excluded over 40 lakh people



August 1, 2018: The Supreme Court ruled that the Assam NRC was only a draft, and hence it cannot be the basis of any action by any authority against anyone. The Chief Election Commissioner O.P. Rawat clarified that the electoral roll is governed by a separate law and exclusion from the final NRC would not mean "automatic removal" from Assam's voters' list

August 17, 2018: The SC asked the Assam NRC coordinator to submit the data of district-wise percentage of the population excluded from the NRC draft in the state

September 5, 2018: The SC had ordered that any one of the 10 of a total 15 documents provided in List-A of the NRC claim form can be used by the claimants to prove legacy

December 31, 2018: This was the deadline for the government to release the final version of NRC

However, the deadline could not be met

June 26, 2019: An additional draft on exclusion list was published. This list had 1,02,462 names, taking the total number of those left out to 41,10,169

August 31, 2019: The government released the final version of the NRC, with over 19 lakh people in Assam left out from the list

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What is the current issue regarding final NRC?

- Just before the publication of 2019 list, Assam and Centre had petitioned the Supreme Court for re-verification of a sample of names included in the draft NRC but this was dismissed as re-verification of 27% names had been already done.
- In 2021 another petition was filed in Supreme Court seeking re-

verification of the 2019 list, citing inclusion, exclusion and other errors which is still pending.

- Recently, while hearing a Doubtful Voter case against Bikram Singha in Karimganj district Foreigners' Tribunal has said that the 2019 NRC is the final one.
- This raises concern as 2019 list has left around 19 lakh people whose citizenship would be determined at Foreign Tribunals.
- The opinion holds significance since the NRC has not yet been notified by Registrar General of India.
- Post-publication progress on the NRC is also slow.
- The issuance of rejection slips to those left out of the NRC has not begun.
- So, kick-starting the appeals process is perhaps the most prudent path ahead.

Source: The Hindu, The Indian Express

