

6 GOVT & POLITICS

‘Need for NPR because Census detail can’t be made public to any authority’

KAUNAIN SHERIFF M speaks to Union Law and Justice Minister **RAVISHANKAR PRASAD** on the controversy around the new citizenship law, NRC and NPR. Excerpts:



What was the law ministry's legal opinion on the Citizenship Amendment Act, especially on reasonable classification under Article 14 (Right to Equality) of the Constitution, where a set of religions were included and the Muslims were excluded?
...CAA is perfectly constitutional and legal. Article 246 says clearly that Parliament has exclusive power to make laws in any of the matters enumerated in List 1 of the seventh schedule, and entry 17 of this list talks about citizenship, naturalisation and aliens. Therefore, Parliament has full powers to make laws on these three issues.

Parliament is sovereign in law-making, but it is subject to one restriction that it should not violate the fundamental rights, including Article 14. And there are umpteen Supreme Court judgments, that if reasonable classification is there then the law should be valid if it has nexus with the objective of the law to be achieved.

What CAA does is that persons who have been persecuted because of faith, in the three countries of Afghanistan, Pakistan and Bangladesh, are being given citizenship in India. The CAA is not related to any Indian at all. It neither gives citizenship to anyone or takes away from anyone, including Muslims. These persecuted groups because of the faith form a reasonable group by themselves and this reasonable classification has a nexus with the object of the law. It is in complete compliance with Article 14.
And if we talk about precedence, Indira Gandhi gave citizenship to only Hindus ousted by Idi Amin in Uganda. She also gave citizenship to people persecuted by people from East Pakistan. Rajiv Gandhi gave citizenship to Sri Lankan Tamilians.

How will the the nationwide NRC be conducted?
Rule 4 of the Citizenship (Registration of Citizen and Issue of National Identity Cards) Rules, 2003 talks about processes like enumeration, verification, scrutiny, objection, appeal etc that have to be followed for the



NRC. But nothing has been done. NRC has not even been initiated...

PIB has come out with FAQs on the possibility of the documents that could be asked.
This question is entirely academic. When the process will start under Rule 3 and Rule 4 of citizenship rules 2003, there will be a proper public declaration...
When will the NRC be conducted?
That position has to be taken. There is a legal process... There will be a consultation with the state government, feedback will be taken. If anything is to be done it will be done publicly. Nothing will be a secret on NRC... it should be reiterated that Assam NRC was on the Supreme Court directives.

There are new data points in the NPR, especially related to parents' name and place of birth. There are apprehensions that these details which are being sought by the government are the first step to the nationwide NRC?
First of all, I should tell you that there will be no targeting of anyone on the basis of faith as far as welfare measures are concerned... we need to understand that Census...has constitutional sanctity... The Citizenship (Registration of Citizen and Issue of National Identity Cards) Rules, 2003 talk about NPR... there is a need for NPR because Census details (of individuals) cannot be made public to any authority, but NPR is required to frame policies for delivery of welfare schemes. In May

2010, while replying to a debate on census 2011, the well-informed Chidambaram said that "it will be obvious that Register of Citizens will be a subset of the Population Register". Congress owned up both NPR and the NRC as a subset... The UPA, in 2004, should have said no to NRC in 2004. This is double speak and hypocrisy of the Congress.

So you are saying that NPR data will not be used for NRC?
The entire legal process will be followed. Some maybe used or some may not be used. But let me answer the larger question. Any citizen can vote; but to vote you have to be on voters' list. So even if you are a citizen, and are not on voters' list — a citizen cannot vote. This voters' list is reviewed. Similarly in Passport Act or the PAN, whole range of data are being taken... So this thing that (only) NPR is collecting parents' data, I fail to understand.

There have been different messages from the government, one in Parliament by the Home Minister and outside Parliament by the Prime Minister on CAA and NRC.
The Amit Shah speech was very clear that NRC and CAA are separate. PM had to clarify because of an orchestrated campaign.
With CAA filter, why do you think Muslims are worried? There is also an apprehension among Muslims that if a Hindu is out of the NRC, he or she can hold CAA as a shield.
CAA is not applicable to any Indian. No Indian can become (a citizen) or denied citizenship because of CAA.

Students have come out to protest. They are holding the Constitution and reading the Preamble. But there have been arrests and detentions.
Everyone... has the right to protest peacefully... But if anyone commits arson and destroys public property, that will not be tolerated...
But there have been wave of arrests in UP and notices have been sent to protesters to pay for the damages. Is this legally sustainable?
There have been Supreme Court orders to that effect. And why not? Ultimately taxpayers' money is involved. But the UP administration has made it clear that no innocent will be victimised.



A protest rally organised by Tamil Nadu Thowheed Jamath against CAA and NRC, in Chennai on Saturday. Reuters

CONG HOLDS FLAG MARCHES TO 'SAVE CONSTITUTION, SAVE INDIA'

Rahul: Nagpur, RSS will not run Assam, local people will

ABHISHEK SAHA
GUWAHATI, DECEMBER 28

ON ITS 135th foundation day on Saturday, the Congress stepped up its attack on the BJP-led central government over the CAA, NPR and NRC, carrying out "flag marches" across the country to take its "Save Constitution-Save India" message to the people. Thousands of Congress workers and leaders hit the streets in cities like Mumbai, Delhi, Kolkata and Jaipur to denounce the government's "anti-people policies".
Addressing a rally against the CAA in Guwahati, senior Congress leader Rahul Gandhi said the Union government is scared of the people's voice and wants to crush it, and the RSS cannot be allowed to "control" Assam.
Rahul subsequently visited families of two youths killed, allegedly in police firing on protesters earlier this month: Sam Stafford in Guwahati, and Dipanjal Das in Chhaygaon, about 50 km west in Kamrup district.
During the rally, the former Congress president said: "In the whole country, wherever the BJP goes it spreads hatred. People are protesting. What is the need to shoot them? What is the need to take lives? But no, BJP people do not want to listen to the voice of the people, the voice of youth, the voice of mothers and sisters. They are scared of your voice. They want to crush it and kill youths."



Rahul Gandhi in Guwahati on Saturday. Dasarath Deka

"If people have something to say and they are saying it peacefully... there is no need to thrash them and shoot them."
"We will not allow the BJP and RSS to attack Assam's history, language and culture. Nagpur will not run Assam; RSS chaddi-wale will not run Assam," he said, referring to the Sangh's headquarters in Nagpur and their former uniform of khaki knickers.
The people of Assam will run Assam, Rahul, the Lok Sabha MP from Wayanad, added.
Slamming the Narendra Modi government on economic slowdown and rising unemployment, Rahul said, "But neither the Prime Minister nor the Assam Chief Minister will say anything on the economy. Through demonetisation and

GST, Narendra Modi has destroyed the power of Bharat Mata. But Narendra Modi will say nothing about this. His only work is to divide the people of India and spread hatred."

DELHI
Speaking to reporters on the sidelines of a flag-hoisting ceremony at AICC headquarters, Rahul Gandhi said that basic idea of the government's latest exercises is to ask all poor people whether they are Indian or not.
"This whole tamasha that is going on is notebandi no. 2. This will be more disastrous for the people than demonetisation. This will have twice the impact of demonetisation. His (PM Modi) 15 friends will not have to show any document and the money generated will go into the pockets of those 15 people," he said.
On the BJP calling him a "liar", Rahul said, "You would have seen my tweet. You would have seen Prime Minister Narendra Modi's speech in which he is saying there are no detention centres in India and you would have seen the video of the detention centre. You can decide who is lying." —PTI

UTTAR PRADESH
Virtually equating the ruling BJP government with the British, Congress general secretary Priyanka Gandhi Vadra on Saturday said that the country is fighting an ideology that it had fought against during the free-

dom struggle.
Speaking at the UP Congress headquarters in Lucknow, she said, "Today in the country, there are such powers in the government with whom we had a historical clash. We are at present fighting an ideology against which we fought during the freedom struggle. Today the country is in trouble. If we do not raise our voice, we will be proved to be cowards." —PTI

KERALA
The Congress in Kerala took out a "Maha Rally" to Raj Bhavan in Thiruvananthapuram demanding suspension of the CAA and stop the NRC.
Addressing party workers, former Union Finance minister P Chidambaram said, "Our demand is to suspend CAA and to completely stop NRC... we will continue to fight until they are met."
"The CAA destroys the very basis of our Constitution. If they had two-thirds of majority in Parliament, they would have amended the Constitution," the Congress leader claimed. Since the BJP-led NDA government at the Centre was unable to amend the Constitution, they are amending it through the "backdoor," he said.
Noting that it was not a fight between Muslims and the Constitution, the Congress veteran said that not just Muslims, but people cutting across religions had come out on streets against the CAA. —PTI



P Chidambaram

Mind your business: Chidambaram to Army chief

PRESS TRUST OF INDIA
THIRUVANANTHAPURAM, DECEMBER 28

SENIOR CONGRESS leader P Chidambaram on Saturday slammed Army Chief General Bipin Rawat over his remarks criticising those leading violent protests against the new citizenship law, asking him to "mind his business".
The former Union minister was speaking at the 'Maha Rally' against the new law, organised by Kerala Pradesh Congress Committee (KPCC) in front of Raj Bhavan here.
Chidambaram also alleged that the Army Chief and the DGP of Uttar Pradesh had been asked to support the government and it was a "shame". "Now, the Army General is being asked to speak up. Is it the job of the Army General?" Chidambaram asked.
"The DGP... the Army General are being asked to support the government. It is a shame. Let me appeal to General Rawat... You head the Army and mind your business... what politicians will do, politicians will do."
"It is not the business of the Army to tell politicians what we should do. Just as it is not our business to tell you how to fight a war. You fight war according to your ideas and we will manage the politics of the country," he said.

TMC leaders give cheques to kin of victims in Karnataka

EXPRESS NEWS SERVICE
KOLKATA, DECEMBER 28

WHILE TRINAMOL Congress protested against the Citizenship (Amendment) Act (CAA) and the proposed nationwide National Register of Citizens (NRC) in all the 294 Assembly seats in West Bengal on Saturday, party leaders handed over cheques of Rs 5 lakh to the family members of protesters who were killed in Karnataka.
Trinamool Congress MLAs and MPs staged dharmas in different parts of the state.
"Our party chief and Chief Minister Mamata Banerjee has said that she will not allow CAA in Bengal, and therefore there is no chance for its implementation. Secondly she has asked us to stand with the people and that's why we have organised dharmas," said Sujit Bose, State Fire Services Minister who was seen at a dharna in Lake Town.
"People from all walks of life, irrespective of their caste and religion, are with us in this protest. People of Bengal will never accept CAA or NRC," said Firdah Hakim, state minister and Mayor of Kolkata, who also sat in a dharna in the Khidirpur area.
Meanwhile, former MP Dinesh Trivedi and Rajya Sabha MP Nadimul Haq met families of those killed during protests in Mangaluru.



Giriraj Singh

Giriraj: Oppn, 'tukde-tukde gang' behind confusion

EXPRESS NEWS SERVICE
RANCHI, DECEMBER 28

UNION MINISTER Giriraj Singh on Saturday said that the Congress, Opposition and members of "tukde-tukde gang" are creating confusion about the new citizenship law in the country.
Addressing a press conference in Ranchi, Singh said, "Today the country is being misled due to the double standards and behaviour of the Congress." He said the Congress does not see the persecution of non-Muslim minorities because of its "vote bank politics".
Singh asked whether Muslims of the country faced any problems in availing welfare schemes in the country.
He said that former PM Indira Gandhi had in 1971 said that India cannot bear the burden of "infiltrators". "Indira Gandhi said in 1971 that we cannot bear the burden of infiltrators... but she was not able to either bring in a Citizenship Act or to throw out (infiltrators) because she surrendered to Muslim fundamentalists..."

Protests at History Congress, Governor says bid to disrupt

SHAJU PHILIP
THIRUVANANTHAPURAM, DECEMBER 28

AS KERALA Governor Arif Mohammed Khan on Saturday reiterated his stand in favour of the new citizenship law, the inauguration of the Indian History Congress in Kannur was marred by protest from delegates including the History Congress' acting president Irfan Habib.
Following the protest, Khan had to abruptly end his inaugural address and get off the dais.
The governor later tweeted, "Irfan Habib tried on stage to disrupt inaugural address questioning Governor's right to quote Maulana Abdul Kalam Azad, shouting that he should quote Godse. He pushed Governor's ADC and Security Officer, who prevented his unseemly gesture." Khan said he did not start talking about the CAA issue, but

"since you have raised the issue, I am duty-bound to respond".
Before his inaugural address at the event in Kannur University, CPI(M) leader and Rajya Sabha member K K Ragesh hinted at the issue and accused the BJP of rewriting Indian history. Later, the governor started his speech by saying that he was deviating from the prepared address and "if you hadn't raised the issue here, I would have restricted myself to the prepared speech".
He said he believed that his opinion on the issue was correct, and was convinced that the opinion of those opposing the law is misleading and not based on facts. "Three times Mahatma Gandhi had invited those who differed on the issue to come for debate. Three times his offer was struck down. When you are shutting the door on debate and discussion, you are promoting the culture of violence. You have every right to protest as



As the venue became chaotic, Irfan Habib went to Arif Mohammed Khan and spoke with him. Twitter@PBNS_India

dissent is the essence of democracy," he said.
On why Muslims are excluded from the new law, Khan said that Partition had created an extraordinary situation. People of Kerala were not affected by Partition, but they have strong empathy, he said. "If you feel your neighbour is feeling agitated, you come and join."
As protesters stood up, Khan said, "You have no right to create disturbance. You have come with an attitude. You cannot shout me down."
As the venue became chaotic, Prof Irfan Habib, the History Congress acting president, went to Khan and spoke to him.

Art 370, citizenship Bill among top Google searches in India this year

KARISHMA MEHROTRA
NEW DELHI, DECEMBER 28

IF GOOGLE searches are any indication of Indian online users' interests, "Article 370" was one of the most political topics on their minds in 2019.
A state-wise breakdown shows that people in most states Google-searched for "CAB", or the Citizenship Amendment Bill, more than "370" between December 27, 2018 and December 28 this year.
More Indians asked "What is

Article 370?" than any other "what is..." question on Google, and it was the sixth most searched phrase on Google in the country this year up until December 21, the company's "Year in Trends" report shows.
The 10th-most searched phrase was "PM Kisan Yojana".
Article 370 was in news after the Union government withdrew key provisions of it to scrap special status granted under it to the erstwhile state of Jammu and Kashmir in August.
According to Google's Trends report, "CAB" was searched more

than "370" in all states except Jammu and Kashmir, Himachal Pradesh, Rajasthan, Madhya Pradesh, Chhattisgarh, Odisha, and Bihar for a year up to December 27 this year.
A breakdown of Google searches in 2019 for "370", "CAB", "NRC", and "Ayodhya" shows that people in almost half the states searched for "CAB" more than any other term this year. People in only Madhya Pradesh, Uttar Pradesh and Bihar searched more for "Ayodhya" than any of the other terms. Jammu & Kashmir searched for "370" significantly

EXPLAINED

CAB, CAA queries on a high since Dec 10

CAB-RELATED QUERIES began faring in the top Google search results since December 10, a day after the citizenship Bill was passed in Lok Sabha - it was passed in Rajya Sabha on December 11. "CAB" is currently peaking at 100 in India. Google gives a search term popularity number determined by percentage of all searches in that location, not by absolute query count.

more than "CAB". People in West Bengal, Assam and several states in the Northeast searched Google for "NRC", or the National Register

of Citizens, more than any other term. In all other states, "370" and "CAB" ran neck and neck.
However, if "Pulwama", where a terror attack in February killed 40 CRPF personnel, is added to this list, almost all states barring those in the Northeast and Kerala showcased more interest in that search query than any of the other four terms. "Balakot", in Pakistan where the IAF retaliated to the Pulwama attack to target terror facilities, did not have the same effect and was not as popularly searched.
The five analysed search

terms were picked from Google's trends report, which found "What is Article 370" as the most searched "What is..." question, followed by other "what is..." queries: "exit poll", "black hole", "howdy Modi", "e-cigarette", "DLS method in cricket", "Ayodhya case", "Article 15", "surgical strike", and "National Register of Citizens of India". The question "What is Ayodhya case?" was most popular in Karnataka.
The term "slowdown" was negligible, until rising starting July 14, peaking at 100 in the week of September 1.