



NEWSLETTER

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CITIZENSHIP AMENDMENT BILL

MYTHS vs FACTS

Citizenship Amendment Act – Facts and Myths

-By FRNV Editorial Team

The Citizenship Amendment Act (CAA) which was recently passed by Parliament has captured the national narrative in the past month. As it should be with any law, the amendment to the Citizenship Act, 1955 has been hotly debated and contested, both within and outside the Parliament.

The Citizenship Act, 1955 provides for acquisition, determination, and termination of Indian Citizenship. Citizenship of India can be acquired by Birth (Section-3), by descent (section 4), by registration (section 5), or by naturalisation (section 6) or by incorporation of territory (section 7). Any foreigner on becoming eligible can acquire citizenship by registration or naturalisation irrespective of his country or his community.

The aforesaid Act defines illegal migrants, who are liable to be removed / thrown out of India under the provisions of The Indian Passports Act and The Foreigners Act). The CAA exempts Hindus, Sikhs, Buddhists, Jains, Parsis & Christians who have entered India from Pakistan, Afghanistan and Bangladesh from being treated as illegal migrants, thereby paving the way for grant of Indian Citizenship.

A demographic study of Pakistan, Afghanistan and Bangladesh (independently and in comparison with India) demonstrates that the percentage of minority communities have shrunk dramatically in the past seven decades (at the time of Independence, 24% of Pakistan was non-Muslim and today it is less than 4%; prior to 1992, the Hindu population in Afghanistan was more than 50,000, but now the combined strength of Sikhs and Hindus in

Afghanistan is only 4,000; Hindu population in Bangladesh (then East Bengal) was 31% during 1947, 20% in 1971 and now about 8.5%). Whereas, the rate of growth of Muslim population and also the percentage of Muslim population in relation to the total population have increased in India in the corresponding period (Muslim population in India in 1951 was 9.9% and in 2011 it was 14.2%). It is pertinent to note that the population of Hindus as compared to the total population has come down from 84.1% in 1951 to 79.9% in 2011.

In neighbouring countries, on account of severe persecution of the said communities, hordes of distressed people have crossed over to India seeking protection. The location of these countries shows that the persecuted minorities of these countries either have roots in India or associate with the Indian Culture (these countries being part of Undivided India as recent as in the 1940s). Given their pathetic economic condition (result of being constantly persecuted) and their close territorial proximity with India, they are not in a position to migrate elsewhere. They look upon India as their saviour and have come with a hope of survival (unlike those who illegally migrate for better economic conditions or those who are systematically pushed inside for dangerous machinations).

The Citizenship (Amendment) Act (CAA) is in line with United Nation's Declaration of Minority Rights, 1992 and United Nation's Convention against Torture, 1984. According to the 1992 Declaration, it is the duty of every country to protect minorities within their respective territories and shall encourage conditions for the promotion of their identity'. UN agencies including other

international organisations, accepted that violence against minorities is rampant in Pakistan, Afghanistan and Bangladesh. That is why the minorities from those countries migrate to India. According to the 1984 Declaration, no country 'shall extradite a person to another State where there are substantial grounds for believing that he would be in danger and would be subject to torture'. If the relaxation which is granted under CAA is withdrawn, members of Christian and other communities who migrate to India would have to be extradited to their respective countries. They will certainly be subjected to torture in those countries.

The Citizenship(Amendment) Act (CAA) will thus enable the provision of citizenship to people belonging to the six minority communities – Hindus, Sikhs, Buddhists, Christians, Jains and Parsis from Afghanistan, Pakistan and Bangladesh. As things stand now, these individuals are no longer considered illegal in the context of the Foreigners Act, 1946, and the Passport (Entry into India) Act, 1920, ever since two notifications of the Home Ministry were issued in September 2015 and July 2016. These are the erstwhile citizens of the aforementioned countries who were 'compelled to seek shelter in India due to religious persecution or fear of religious persecution,' and those who had come to India before December 31, 2014, as defined in Home Ministry notification of September 7, 2015. They would be provided Indian citizenship under naturalisation after 'the aggregate period of residence, or services to a government in India' after spending six years, instead of the earlier requirement of 11 years. CAA will merely formalise what is presently a work in progress so far as the government is concerned.

The CAA does not apply to Indian citizens. They are completely unaffected by it. It seeks to grant Indian citizenship to particular foreigners who have suffered persecution on grounds of their religion in three neighbouring countries.

Still, the new Amendment is being objected to, alleging that it differentiates between Muslim and non-Muslim illegal immigrants and denies Muslim illegal immigrants equal opportunity to acquire Indian citizenship. It is feared that if Muslims are unable to establish their citizenship through the onerous documentary requirements, they will be stripped of their citizenship rights. Proving citizenship through historical documentation coupled with vulnerabilities of misinformation,

illiteracy and poverty make it impossibility. They would be subject to disabilities purely on account of their religion.

All these fears are without any base. The CAA has nothing to do with Indian Muslims. It does not prevent Muslims immigrants to apply under the existing normal route. CAA does not prescribe any limitation for Muslims in India to apply for citizenship by naturalisation by 11 years, but only gives a concession to persecuted non-Muslims refugees from three Muslim countries. Muslims can't claim to be victims of religious persecution in these three countries where they are in majority. Hindus, Parsis, Sikh, Jain etc. have no other major country of final refugee except India, whereas Muslims have innumerable countries. Opponents of the CAA allege that it is endorsing the two-nation theory (that Hindus and Muslims constitute two separate, antagonistic nations) of Muhammed Ali Jinnah and VD Savarkar. But they conveniently forget the fact that after partition of India in 1947, millions of non-Muslims are still there in those countries who suffer persecution and atrocities. Many are taking refuge in India. No one can deny the bitter fact that the unfortunate partition happened on the basis of religion. No law can be divorced from the society in which it is to apply. The on-going politically motivated agitation not to give asylum to persecuted non-Muslims is absolutely ill motivated.

For the law to be validated from both legal and constitutional point of view, it can be safely assumed that the present CAA has no infirmity on those counts. What has to be seen in political interests is whether the CAA takes away the political rights of people or groups. To this, again the answer is an emphatic no, as the CAA does not impact any citizen of India. No rights have been taken away from any citizen of India.

However, the North East States of our country have different issues regarding the CAA. The Assam Accord says that only the Bangladeshi refugees who have come to Assam before 25th March 1971 would be entitled for citizenship. Others will have to be detected and expelled. On 20.04.2012, the then Chief Minister of Assam Sri Tarun Gogoi gave a memorandum to Prime Minister Manmohan Singh requesting that Hindus persecuted religiously in Bangladesh should not be considered as foreigners in India. Those who oppose the new law fear that it will legalise the citizenship of numbered Bangla speaking Hindu immigrants and hence against Assam accord. Hence a section in Assam, Tripura

and Manipur are protesting. For others in North east states it's a question of their cultural identity if outsiders are allowed. But the law exempts all the tribal areas of North east except Manipur. Many Bangladeshi Muslims living in Assam fear that they are living there for decades, but may not be able to prove their long residence. They have no roots now in Bangladesh. Many were even born in Assam. Bangladesh has said it will not accept them.

What the CAA has done is one, define who can be considered a migrant. Two, reduce the time period of legitimate stay for consideration for citizenship from 11 years to 5 years and three, to bring a clause that such people cannot be prosecuted. With respect to defining who is a migrant reference is made to people who have been discriminated against on the basis of religion, from the three neighbouring Islamic countries, viz. Pakistan, Afghanistan and Bangladesh. Afghanistan has been included as till the time of Aurangzeb, Afghanistan was a province of India. These three countries have Islamic rule imposed by their respective Constitutions and non-Muslims are deliberately persecuted and their human rights are infringed upon. The application of Sharia in Islamic societies has four schools of Islamic jurisprudence, three of which advocate death to those who do not believe in Islam. The fourth school, Hanafi, states that those who do not believe in Islam have the right to live, but they would have to pay the jizya tax. Besides the right to life, all other rights stood diminished and they were second class citizens. In Bangladesh, non-Muslims were persecuted and their properties were seized prior to 1971. For a brief period post the 1971 war, Bangladesh became a secular state, but post Sheikh Mujibur Rehman's assassination, they reverted to an Islamic republic and the atrocities on the Hindus and other minority groups continued. It is for these people seeking refuge that the CAA has been enacted. It is the least that India can do for them because they were once part of this country and are now facing persecution for their religious belief.

Opponents of the CAA question why Rohingya Muslims, Ahmediyas and Sri Lanks Tamils were not being considered for inclusion in CAA. It is clear that the Rohingyas from Burma are not in the eligible category, as they have infiltrated via Bangladesh and it was the responsibility of Bangladesh to take them back. The Ahmediyas in Pakistan were at the forefront of the movement for formation of Pakistan. They chose Pakistan over

India at the time of Partition, and they still live there. The Sri Lankan Tamils also do not fall into this category. They were fighting for a separate homeland and they were not escaping religious persecution. The Baloch too cannot be considered as they too are fighting for a separate homeland.

Thus, the new amendment has been grossly misrepresented, misled by those political groups who compete to appease Muslims for vote politics. The Citizenship (Amendment) Bill has been in public domain since 2016. But political parties started protest only after its passing. Further, the Bill was approved by a 30 member Joint Parliamentary Committee after hearing all stakeholders and interested parties. It seems, CAA is standing the test of polarisation between divisive forces and nationalist forces. Nationalist forces have to assert, lest India will find it difficult to survive. India has to safeguard its stand duly explaining to the outside world, since the interested parties have indulged in negative propaganda and also tried to take it up in the EU Parliament.

FRNV ACTIVITIES

The FRNV, Trivandrum Chapter organised "An interactive session with Dr. E. Sreedharan" which was held on 2nd November 2019 at 4:00PM at The Tennis Club, Trivandrum, jointly with the Trivandrum Management Association. The event was well attended and a total of 90 participants including management executives and students enlightened the evening. Eminent personalities working in different sectors like Dr. Sahadullah, CMD, KIMS Healthcare, Dr. Ayyappan, Former CMD, HLL, Rajesh Jha, MD & CEO of Vizhinjam Port, Dr. P. T. Nandakumar, Retd. IPS also participated. FRNV's future activities were discussed and it was decided to form 3 task forces as under:

1. Solid Waste Management
2. Value Education
3. Road Safety and Maintenance



Dr. Sahadulla (CMD, KIMS Healthcare), Dr. Nandakumar. P. T. (Retd. IPS Officer) among the participants



Dr. Ayyappan, E. Sreedharan, Rajesh Jha (MD & CEO of Adani Group), Mr. H. Vinod (President, TMA) and Mr. Mahesh (Secretary, TMA) (Left to Right)



With the budding tennis players of Trivandrum

ROLE MODEL 1:

This RJ-turned-businessman's juice corner in Bengaluru is promoting zero-waste and sustainability.



Today, solid waste segregation is one of the biggest challenges faced by urban areas across the world. Bengaluru alone produces nearly 3,000 to 5,000 tonnes of solid waste every day. The waste is mostly generated from households, hotels or small food stalls. While segregating waste is important, only a handful of people are practising it. And setting an example on this front in Anand Raj, a Radio Jockey-turned-businessman in Malleswaram, Bengaluru.

"I just couldn't throw the existing plastics in the shop into the dustbin. So, as an initial step, I decided to give all the plastic waste from the juice corner to Bengaluru's Dry Waste Centre – they help in effective recycling." Said Anand.

Anand says he also stopped selling packaged drinking water, which was also one of his main source of revenue. Instead, Anand chose to serve fresh fruit juices over carbonated drinks, and decided to use steel and mason jars instead of plastic glasses. In case a customer asks for a straw, they provide them with a steel straw. Anand's juice shop Eat Raja also serves homemade dishes, thanks to his mother who joined him in the business.

"I decided on the concept of 'Eat Raja', which means whatever you will get here will be homemade. I also saw how the business used to generate a lot of waste earlier – be it in terms of cups, straws, PET bottles and carry bags. When I took over, I decided to get rid of this legacy of waste, and that's how our journey from being a humble juice shop to becoming Bengaluru's first zero-waste juice corner took place." said anand.

Apart from being a zero-waste juice shop, what makes it more unique is its eco-friendly packaging style. Speaking to New Indian Express, Anand said, "Earlier, we collected beer and Breezer bottles, and used the stem of the banana plant to cover the bottle to prevent the drink from spilling. We also serve juice in watermelon shells without a straw." Speaking about following sustainable practices, he said, "While segregating waste, we put the citrus waste in one bin and the fruit waste in another. We make bio-enzymes out of the citrus waste, which is not only used to clean the steel straws but also to manufacture floor cleaners, PET washes, and detergents."



Now, Anand makes and sells bio-enzymes for Rs 100 per litre in repurposed bottles. Anand credits all this to Vani Murthy and Meenakshi Bharath, environmentalists and waste warriors, who taught him to successfully manage solid waste, and to make bio-enzymes.

He has also avoided providing plastic carry bags and ensured customers BYOB — bring your own bag or cutlery for takeaway orders. Now, to tackle the water crisis gripping the city, Anand has decided to serve juice in fruit shells. This will not only eliminate the need for water to clean the glasses, but will also help recycle the solid waste generated.

SOURCE: <https://yourstory.com/socialstory/2019/07/juice-corner-bengaluru-zero-waste-eat-raja>

ROLE MODEL 2:

7 habits, 4 formulae: Secrets behind Indore's cleanest city tag



Topping the cleanliness chart for 4 consecutive years, Indore stands in the face of the notion that huge population breeds filth in a city. Indore is the most populous city of Madhya Pradesh and has emerged as India's cleanest city in the Swachh Survekshan.

7 Habits That Changed Indore

The residents of Indore have adopted simple yet effective means to deal with garbage problem of the city. Their efforts could be summed up in seven habit-changes and four socio-administrative formulae.

1. Everyday garbage disposal

The municipal corporation earlier had garbage bins placed across the city and expected residents to throw wastes in the

colour-coded boxes. It did not work.

The corporation then shifted to door-to-door garbage collection mode. This simple change changed the way garbage was hitherto disposed in the city. People started cleaning their homes and shops to handover garbage to municipal workers. Dry wastes were kept separate from the wet ones making their disposal easy.

2. Garbage to Compost

Many localities adopted another method to keep the area clean. They started making compost from the waste products. One such example came from Lokmanya Nagar where close to 750 families are in the business of making compost from terracotta pot. These families give garbage to municipal workers only twice in a week.

The different localities of Indore are increasingly becoming self-sufficient in garbage disposal. Wet garbage is separated and used for compost making. More than 700 compost making units are working at gardens, hotels, schools and other places across Indore.

3. Discouraging Use of Polythene

Polythene is considered as a big reason for litter. People of Indore made a shift in their polythene using habits discouraging its use. Shopkeepers, too, started using polythene bags of permissible thickness.

4. Dustbin on the Wheels

This was a novel idea to keep a check on litter. People started carrying small dustbins in their cars so that they don't throw their wastes on streets. Those who chew paan and gutka are seen carrying similar bins in their vehicles.

5. Awareness among Children

Teachers in schools and parents at home made it a point to make their wards aware of the dangers of littering. Children living in Indore have become so aware now that if an elder person is seen throwing garbage on streets, the kids try to discipline them.

6. Public and Social Functions

As a norm, wastage defines the scale of an organised social event - from a public rally to

festivity or a religious function. But the residents of Indore corrected this age-old mentality and made a conscious effort to carry out cleaning work after every community event.

7. Eighth Pledge

Traditional Indian weddings are solemnised with seven pledges - one each corresponding to every round of the sacred fire during the ceremony. In Indore, eighth pledge was added in the wedding rituals. The newlyweds are administered oath of cleanliness. Dustbins are distributed during wedding ceremonies in Indore.

The Four Formulae

Besides the seven habit-changes, Indore worked on four formulae to keep the city clean.

1. Removing Garbage Bins

The garbage bins were the places for stray animals. They all were found loitering around garbage bins in the hope of getting food turning the surroundings into a filthy zone. The administration decided to remove all the bins and started sending municipal workers door-to-door for garbage collection.

2. Night Cleaning

Earlier, municipal workers used to do all the street cleaning only in morning. But the corporation changed this system. Workers were employed for collecting garbage from shops in the evening and cleaning the markets at night.

3. New-design Municipal Trucks

While rest of the country employs garbage collecting trucks of 1.8 cubic metre-capacity, Indore Municipal Corporation uses vehicles of 3.3 cubic metre-capacity. The former can collect garbage from around 300 homes, an Indorean container can cover nearly 1,000 homes.

4. Children Made Brand Ambassadors

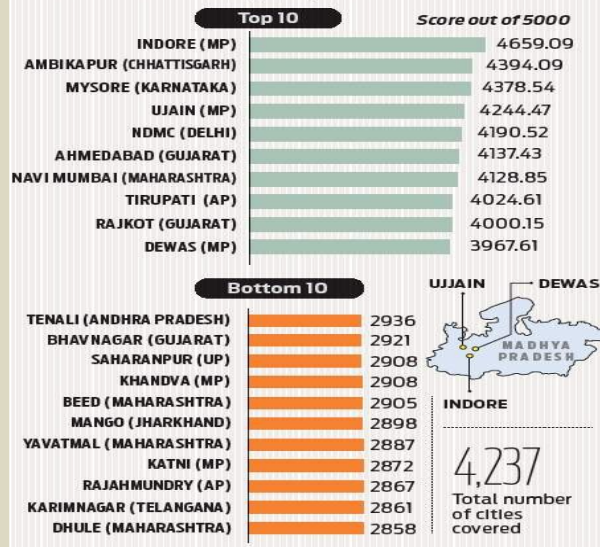
Child is the father of man. Indore put the philosophy contained in this William Wordsworth poem to effect. Children were made brand ambassadors of cleanliness. Committees have been constituted in schools and colleges to ensure cleanliness in the

Neighbourhood.

Cities like Ghaziabad and Kanpur in Uttar Pradesh and Ahmedabad in Gujarat have tried to emulate Indore's experiment in their own cities to deal with garbage menace

INDIA'S CLEANEST CITIES

With three cities in the top 10 list, MP wins the battle hands down



Source: <https://www.indiatoday.in/india/story/7-habits-4-formulae-secrets-behind-indore-s-cleanest-city-tag-1235308-2018-05-17>

"The Indian way of life provides the vision of the natural, real way of life. We veil ourselves with unnatural masks. On the face of India are the tender expressions which carry the mark of the Creators hand."

— GEORGE BERNARD SHAW
(Irish Playwright)

Dear Readers,

FRNV invites stories from its readers on deep-rooted values that have helped us in our everyday lives. Some of these stories will be featured in the next issue of our newsletter. So put your thinking caps on, recall the values integral to your life which you cherish and write to us at shilpi@valuefoundation.in.

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