

Why Assam must be out of ambit of CAA

■ Pradip Bhuyan

The events that engulfed the Brahmaputra Valley after the CAB was passed in the Parliament showed the level of discontent amongst the people, especially amongst the young, who are fearful of their future at the onslaught of illegal post-1971 Bangladeshis.

Assam has magnanimously accepted the 1951-1971 stream of immigrants from the erstwhile East Pakistan, both Hindus and Muslims. They are now Indian citizens as per Section 6A of the Citizenship Act, 1955 and are a part of the greater Assamese society.

Now, coming to the post-1971 illegal Bangladeshis, what is the volume of people we are talking about? As per starred question No. 332 answered by the Union Minister of State, Prakash Jaiswal in the Parliament on July 14, 2004, it was stated in the Parliament that the estimated number of illegal Bangladeshis in Assam as on December 31, 2003 was 50 lakh. If we project it at 21% decadal growth of all India growth rate, i.e., 2.1% annually, then in 2019, the illegal Bangladeshi population will be about 65 lakh in Assam.

The above figures cannot be disputed because it was a reply of the Government in the Parliament not only for Assam but for all States of India having a Bangladeshi population. Suffice it to say that the

number of the post-1971 Bangladeshi infiltration in Assam is a very big number. These post-1971 Bangladeshis have occupied *Sattras* lands, forest lands, riverbanks, riverine islands, National Parks, *et al.*

Assam is a relatively small State in comparison with Uttar Pradesh, Rajasthan, Madhya Pradesh, etc., with a population of 3.4 crore in 1915. With the BTAD, Karbi Anglong autonomous area, etc., now outside the purview of CAA, from Assam's total area of 80,000 sq km, we have very little space for actual living where we are jostling with the post-1971 Bangladeshis for space.

As per the stipulation of the Assam Accord of 1985, every post-1971 Bangladeshi must be identified and deported. Deportation may be an issue, but the spirit is clear; they must be relocated outside Assam.

Now through the CAA, the Government wants to give citizenship to the post-1971 Hindu Bangladeshis, considering them as refugees. The NRC 2019 has rejected the application of about 19 lakh people and a sizeable number from them will be Bangladeshi Hindus. Bangladesh has 9-10% of Hindu

population, i.e., nearly 1.5 crore Hindus are there in Bangladesh. One may presume that at least a few lakhs over time may come in batches even though a cut-off date is fixed as December 2014, by obtaining some forged documents or availing other means. Assam does not have space for even one post-1971 refugee.

There is large-scale condemna-

If Assam is removed from the purview of CAA, then the illegal post-1971 Hindu Bangladeshis will have the incentive and drive to relocate in other parts of our vast country as 'refugee citizens' as per CAA, as they will not otherwise have any status in Assam. They will not be eligible for state benefits, jobs, voting rights, etc.

tion of the CAA all over the country and internationally as well, as it is perceived that the Act has a religious colour embedded into it. Two US panels – Commission on International Religious Freedom and the House Foreign Affairs Committee – have criticized the CAA for undermining the basic tenets of democracy.

Many Indian States have declared that they will not implement the Act, which is an all-India law, thus challenging the very federal structure of the country itself. The Government, under these circumstances, should ask itself if it is worthwhile to defend the CAA. The law should be rolled back.

If the Government does not roll back the Act, then Assam must be kept out of the ambit of the CAA for the following reasons:

Assam has already taken the huge burden of 1951-71 infiltrations from erstwhile East Pakistan. Assam is groaning under the huge volume of post-1971 Bangladeshis settled in every nook and corner of the State and the citizens of Assam are jostling for space with them in their own homeland.

Assam must be released from the purview of the CAA like Manipur, and other NE States, based on ILP. Assam does

not need any ILP though a section of people advocate the same. To put Assam under the ILP system will perhaps be a retrograde step.

If Assam is removed from the purview of CAA, then the illegal post-1971 Hindu Bangladeshis will have the incentive and drive to relocate in other parts of our vast country as 'refugee citizens' as per

CAA, as they will not otherwise have any status in Assam. They will not be eligible for state benefits, jobs, voting rights, etc. Also, Assam will be protected from future onslaught of Hindu Bangladeshis even though 2014 is an official cut-off date.

With the President of India having given his assent, only the Supreme Court, scrutinizing the petitions filed by many including the AASU challenging the Act, will decide if the CAA is constitutional or not. Legal issues in the Supreme Court take a long time, by then the CAA will have a very devastating effect on Assam unless Assam is taken out of the ambit of the law.

There is no link between CAA and the provision of the constitutional safeguards to the indigenous people. It is a part of the Assam Accord and should have been implemented decades ago. It is a step to safeguard the interest of the indigenous people because Assam has taken the burden of the 1951-71 stream of migrants. This needs to be implemented urgently.

For the above reasons, Assam must be taken out of the purview of the CAA immediately, because the genuine citizens of Assam belonging to all faith and creed and speakers of all languages must have some minimum breathing space for themselves, their children and the future generations. It is their fundamental right.