

ROLL BACK C(A)A OR EXEMPT ASSAM FROM IT

The events that engulfed the Brahmaputra valley after CAB was passed in the Lok Sabha and in the Rajya Sabha, showed the level of discontent amongst the people, specially amongst the young, - who are fearful of their future at the onslaught of illegal post'71 Bangladeshis.

A background note : Assam is groaning under the burden of post'71 Bangladeshi illegal migrants

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 clause 6A of the Citizenship Act 1955 and are a part of the greater Assamese Society.

Now, coming to the post'71 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, Sri Prakash Jaiswal in Parliament on July 14, 2004, it was stated in the Parliament that the estimated number of illegal Bangladeshis in India as on 31/12/2003(State wise) **Assam : 50,00,000 lakhs**. If we project it at 21% decadal growth of all India growth rate i.e. 2.1% annually then in 2019, **illegal Bangladeshi population will be about 65lakhs in Assam.**

The above figures cannot be disputed as because it is reply of the Govt. in the Parliament not only for Assam but for all States of India with Bangladeshi population. It is suffice to say that the number of the post'71 Bangladeshi infiltration in Assam is a very very big number. These post '71 Bangladeshis have occupied Satra lands, forest lands, river banks, riverine islands, National Parks, - every nook and corner of the state.

Assam is a relatively small state in comparison with UP, Rajasthan, Madhya Pradesh etc. with a population of 3.40 crores in 1915. If we remove, areas under Brahmaputra, many rivers, forests, hills, tea gardens, etc. and now BTAD, Karbi Anglong Autonomous area etc. which are outside the purview of C(A)A, 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'71 Bangladeshis for space.**

As per stipulation of the Assam Accord'85, every post'71 Bangladeshi must be identified and deported. Deportation may be an issue, but the spirit is clear, they must be relocated from Assam.

C(A)A – refugee status to post'71 Bangladeshi Hindus

Now through C(A)A, the Govt. wants to give citizenship as refugees to the Hindu post'71 Bangladeshis in Assam. The NRC'19 has rejected the application of about 19 lakhs people and a sizeable number from them, - 14 lakhs or so as is being talked about, 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 atleast a few lakhs over time, will come in batches even though a cutoff date is fixed as Dec 2014, by merely obtaining some forged documents etc.

Assam does not have space for even one post'71 refugee.

Revoke the C(A)A

There is large scale condemnation of the C(A)A 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-Commissions on International Religious Freedom and the House Foreign Affairs Committee have criticized C(A)A for undermining basic tenants of democracy.

Many states have declared that they will not implement the Act, which is an All India Act, thus challenging the very Federal Structure of the country itself. The

Govt., under these circumstances, should ask itself if it is worthwhile to defend the C(A)A. **The Bill should be rolled back.**

If the Govt. does not rollback the Act, then **Assam must be kept out of the ambit of the C(A)A** for the following reasons, because,

- (i) Assam has already taken the huge burden of 51-71 infiltrations from erstwhile East Pakistan.
- (ii) Assam is groaning under the huge volume of post'71 Bangladeshis settled in every nook and corner of the state and Citizens of Assam are jostling for space with them in their own homeland,

Assam must be released from the purview of the C(A)A like Manipur, and other NE states, based on ILP. Assam does not need any ILP though some advocate for the same. We have a resilient and courageous past and our younger generation is mature, confident and have their dreams. To put Assam under ILP system will be perhaps a retrograde step for Assam.

If C(A)A is removed from the purview in Assam, then the illegal post'71 Hindu Bangladeshis will have the incentive to relocate in other parts of our vast country as refugee citizens as per C(A)A, 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 from Bengal even though 2014 is an official cutoff date.

All Northeastern States have stood shoulder to shoulder in opposing imposition of C(A)A in North East.

Bangladesh wants list of post'71 illegal Bangladeshi :

As per news items, Bangladesh is demanding from India, a list of post'71 illegal migrants. The Govt. is totally unprepared for it. It can only be done through NRC'19 in conjunction with voters list where most illegal Bangladeshi are enrolled.

C(A)A and the Hon'ble Supreme Court

With President having given his consent, CAB is now a law-C(A)A. Only Hon'ble Supreme Court based on petitions as filed by many including the AASU challenging the Act will decide if C(A)A is Constitutional or not.

Legal issues in the Hon'ble Supreme Court takes its own time and, this will have a very devastating impact in Assam in many ways unless Assam is taken out of the ambit of the C(A)A immediately.

C(A)A and Constitutional Safeguard to the Assamese People

There is no link between C(A)A and the provision of the constitutional safeguard to the indigenous people. It is part of the Assam Accord'85 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 streams of migrants. This needs to be implemented urgently.

In conclusion :

For the above reasons, Assam must be taken out of the purview of the C(A)A immediately, because

- Assam has already taken the burden of the '51-71 streams of infiltrators and is now groaning under the additional burden of lakhs and lakhs of post'71 illegal migrants, both Hindus and Muslims.
- the legal citizens of Assam – Hindus, Muslims and all, - speakers of all languages, alongwith the '51-71 stream of regularized Bangladeshis both Hindus and Muslims, **must have some minimum breathing space for themselves, their children and future generations to come. It is their fundamental right.**

Pradip Bhuyan
IITan and Octogenarian Citizen