

Analyse on Citizenship Amendment Act, 2019

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Abstract: *December 10, 2019, the Citizenship (Amendment) Act (CAA) passed in the Lok Sabha (the lower house of Indian parliament). Two days later, it cleared the Rajya Sabha (the upper house of Indian parliament) and, after quickly receiving the assent of Indian President Ram Nath Kovind, became law. A campaign promise of the ruling Bharatiya Janata Party (BJP) during both the 2014 and 2019 parliamentary elections, the CAA provides a fast track for non-Muslim immigrants from Muslim-majority Afghanistan, Bangladesh, and Pakistan to apply for and gain Indian citizenship. The law essentially grants individuals of selected, non-Muslim communities in these countries refugee status within India and reserves the category of “illegal migrant” for Muslims alone. Opposition parties decried the bill for violating India’s secular foundations and expressed worry that it would be used to disenfranchise India’s sizable Muslim population. Union Home Minister Amit Shah, who introduced the bill in parliament, argued that the CAA has nothing to do with India’s own religious minorities and is aimed at protecting those who have suffered from religious persecution in neighboring states. The CAA, however, does not require members of the listed non-Muslim religious groups to provide any proof of persecution, yet omits Muslim minority communities such as Shi’a and Ahmadi Muslims who have faced severe persecution in Afghanistan and Pakistan due to their faith.*

That the Afghanistan, Bangladesh and Pakistan are muslims are in majority that they torture and harassment to the minorities and to force them to convert Their religion and those countries are not secular and hence it must to save the minorities communities. In 2019, the Indian parliament adopted the Citizenship (Amendment) Act, which grants citizenship to non-Muslims ‘persecuted’ minorities such as Hindus, Sikhs, Buddhists, Jains, Parsis or Christians from Afghanistan, Bangladesh and Pakistan. Protests were held against the CAA in various parts of India. For protestors, the CAA is contrary to the secular character of the Indian citizenship. Supporters of the CAA also held rallies enumerating its benefits. This paper traces the historical evolution of the constitutional debates and changes in the Indian citizenship rules, and examines the socio-political impact of the CAA.

Keywords: Citizenship act, illegal migrant, Amendment, CAA, Constitution.

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- [8] Newly inserted „Proviso“ to Section 2(1)(b) of the Citizenship Act, 1955, Inserted vide Section 2 of the Citizenship Amendment Act, 2019
- [9] Newly inserted Clause (3) of Section 6B of the Citizenship Act, 1955, Inserted vide Section 3 of the Citizenship Amendment Act, 2019
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