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CITIZENSHIP AMENDMENT ACT

In December 2019, India witnessed widespread debates, protests, and controversies surrounding the enactment of the Citizenship Amendment Act (CAA). Fast forward to the present, the discourse around the CAA has evolved with recent additions and amendments. This blog aims to provide an updated perspective on the CAA, its implications, and the developments that have unfolded since its inception.

Understanding the Citizenship Amendment Act (CAA)

Passed by the Indian Parliament in December 2019, the CAA sought to provide citizenship to minority groups from Pakistan, Bangladesh, and Afghanistan who were subjected to persecution. These groups included Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians who came to India before December 31, 2014. The statute, which excluded Muslims and gave these people a route to citizenship, sparked outcry and accusations of discrimination.

The CAB modified the 64-year-old Indian Citizenship Act, which currently prevents unlawful migrants from becoming Indian citizens. It classified illegal immigrants as foreigners who enter India without a valid passport or travel documentation and stay beyond the time limit. Illegal immigrants may be deported or imprisoned. The new bill also revised a requirement requiring a person to have resided in India or worked for the federal government for at least 11 years before applying for citizenship. There will now be an exception for members of six religious minority populations - Hindu, Sikh, Buddhist, Jain, Parsi, and Christian - who can establish they are from Pakistan, Afghanistan, or Bangladesh. They will only need to reside or work in India for six years to be eligible for citizenship through naturalization, which is the procedure by which a non-citizen gains citizenship or nationality in that country. It further stated that those with Overseas Citizen of India (OCI) cards, which allow a foreign citizen of Indian heritage to live and work in India permanently, may lose their status if they breach local laws for significant or minor offenses and transgressions.

Recent Additions and Developments

Since its enactment, the CAA has seen several developments and amendments, altering its implementation and impact. Here are some key updates:

Inclusion of More Religious Minorities: One of the most notable recent additions to the CAA is the admission of more religious minorities from neighboring countries. The government broadened the definition to include persecuted minorities including Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians in addition to Hindus. This move attempted to widen the act's inclusion and address concerns regarding discrimination based on religion.

State-Level Implementation: Several states in India, notably those run by opposition parties, have expressed concerns regarding implementing the CAA. Some states have even enacted resolutions against the act, refusing to enforce it in their jurisdictions. This state-level opposition has added another layer of complexity to the implementation of the CAA and sparked debates on federalism and state autonomy.

Legal Challenges and Supreme Court Proceedings: The CAA has faced numerous legal challenges in various courts throughout the country. Several petitions have been filed challenging the validity of the statute, particularly its excluding aspects based on religion. The Supreme Court of India has taken up these petitions for examination, and legal proceedings are currently underway. The Supreme Court's final decision will have a profound impact on the CAA's future.

Public Debate and Civil Society Activism: The enactment of the CAA provoked widespread protests across India, with individuals from all walks of life voicing their displeasure through rallies, demonstrations, and social media campaigns. Civil society organizations, human rights activists, and student groups have all actively worked to raise awareness about the act's perceived inequities and advocate for its repeal or amendment. The public debate over the CAA is robust and controversial, reflecting significant divisions in Indian society.

International Scrutiny and Diplomatic Relations: The CAA and its implications have received widespread attention on the world stage. Various international human rights organizations and foreign countries have criticized the legislation, questioning India's commitment to secularism and religious plurality. The diplomatic impact of the CAA has affected India's relations with certain countries, particularly those in the Islamic world, prompting diplomatic engagement and measures to mitigate tensions.

Implications and Future Outlook

The CAA, with its recent additions and developments, continues to have far-reaching implications for Indian society, politics, and international relations. While supporters believe that the act is vital to provide shelter to persecuted minorities, critics argue that it undermines the secular structure of the Indian Constitution and discriminates against Muslims. The ongoing legal battles and public protests indicate that the debate surrounding the CAA is far from over. The final decision of the Supreme Court will be crucial in determining the constitutionality and legitimacy of the act. In addition, the outcome of state-level opposition and diplomatic interactions will influence the CAA's future implementation and perception.

As India navigates through these complex dynamics, it is essential to uphold the principles of inclusivity, equality, and secularism enshrined in the Constitution. In order to answer the

concerns of all stakeholders and guarantee a peaceful and inclusive society for all residents, the CAA in its current form continues to be a sensitive issue that calls for careful consideration, discussion, and democratic participation.