

Will the North East 'exemptions' in the new Citizenship Bill meet their purpose?

By - Arunabh Saikia
Courtesy- The Scroll.in

After days of speculation, there is finally clarity on the exact nature of the proposed amendments to India's citizenship law and where it will be applicable. On December 6, the government distributed the revised draft of the Citizenship Amendment Bill in the Lok Sabha. A previous version had been passed in the Lok Sabha in January, but had failed to make it past the Rajya Sabha. The most significant change in the revised version relates to the North East, which saw intense opposition to the bill because of fears that indigenous communities could get culturally and physically swamped by migrants from Bangladesh. The bill seeks to make undocumented non-Muslim migrants from Bangladesh, Afghanistan and Pakistan eligible for citizenship. In its revised form, however, the bill states the amendments will not be applicable to regions in the North East protected by the Inner Line Permit and Sixth Schedule provisions. This includes the whole of Arunachal Pradesh, Mizoram, most of Nagaland, Meghalaya and Tripura, and certain pockets of Assam. Manipur is the one state in the region which is not covered by the exemptions. While the newly-introduced exemptions have quelled some of the opposition to the bill, would they actually work on the ground? Most of the experts and academics that Scroll.in spoke to are skeptical.

What exactly are the Inner Line Permit and Sixth Schedule?
The Inner Line Permit is a document that Indian citizens from other states require to enter Arunachal Pradesh, Mizoram and most of Nagaland. It flows from the Bengal Eastern Frontier

Regulation, which was put in place in 1873 by the colonial government to insulate the plains and valleys of the North East, replete with commercial potential, from the hills inhabited by tribes whom the British deemed ungovernable and "savage". But post-Independence, it metamorphosed into a protective regime of sorts to keep small local populations shielded from the onslaught of large-scale migration. Thus, even long-time residents who do not belong to communities classified as "indigenous" to these states need the permit, which they must renew every six months. As scholars Zhoto Tunyi and Jelle JP Wouters write: "An Inner Line resembles closer an international border than a state border as its crossing is subject to identification and a 'pass' akin to a visa." The Sixth Schedule, on the other hand, provides for autonomous decentralised self-governance in certain tribal areas of Assam, Meghalaya, Mizoram and Tripura. In these areas, communities not considered local are restricted from owning land and businesses. Like the Inner Line Permit in the post-colonial era, the Sixth Schedule aims to protect, in some ways, the local tribal way of life.

Does the bill's exclusion of areas served by the Inner Line Permit amount to a concession?
Nani Bath, who teaches political science in Arunachal Pradesh's Rajiv Gandhi University, said the bill's reference to the Inner Line Permit was redundant. "In any case, anyone who is not considered indigenous to states where the ILP is there cannot settle down or buy land here," he pointed out.

As for "outsiders" working and living in these states with long-term permits, "they have always been there," said Bath.

Significantly, the revised bill does not have any provision that prevents people who have been naturalised by it from applying for these long-term permits and working and living in these states. As a matter of fact, research suggests that the Inner Line Permit may not be effective in preventing regional migration at all. According to an academic survey, as many as 38% labourers in Arunachal Pradesh were from other states. Yet, putting it in black and white seems to have led to ethnic groups and politicians in these areas considerably toning down their opposition to the bill.

"These explicit references are needed because they would allow North Eastern politicians, who are in no position to displease the powers that be in Delhi, [to say] that they have stuck to their principles," said political scientist Sanjib Baruah. "These are not really concessions but face-saving devices."

Activists of the North East Students Organisation along with All Assam Students Union hold placards at a protest rally against Citizenship Amendment Bill in Guwahati on Monday. Photo: PTI

What about the Sixth Schedule exemption?
While the inner line permit areas are fairly neatly demarcated on the map, Sixth Schedule regions are not quite the insulated enclaves they appear to be on the map. For instance, it is quite common to find roads from one village to another in the Assam's Baksa - part of the Sixth Schedule-empowered Bodoland Territorial Area District - pass through a third village in Barpeta, which is outside its purview. There are countless such examples in the region; in several areas here, the Sixth Schedule applies on one side of the highway, but not on the other. So Hindu



refugees living on one side of the highway could, theoretically, apply for naturalisation under the amended citizenship bill but those living on the other side could not. As Jelle JP Wouters, who teaches in the Royal University of Bhutan, told Scroll.in, "The Sixth Schedule is first and foremost a political project, attached closely to the politics of identity and the locally cherished ideal of ethno-territoriality. These political considerations readily override practicalities."

How will the government's envisioned Sixth Schedule exemption then work in practice? Baruah said it could instead lead to more local unrest. "The Sixth Schedule principle has already been a source of significant trouble after it was extended to plains area like the Bodo Territorial Area District," he said.

Historically, the Sixth Schedule applied to colonial-era "excluded" hill areas in the North East. However, in a radical political experiment in 2003, the Union government sanctioned the formation of a Bodo Territorial Area

District over a large contiguous region in the plains of western Assam. While this was done to quell the Bodo insurgency, it led to widespread and deep-seated discontent among non-Bodo communities, who actually outnumber the Bodos in the area. This resentment has often manifested in bloody riots. Baruah suspected these tensions would get further exacerbated now. "The demand for Sixth Schedule and Inner Line will get louder because in a post-CAB [Citizenship Amendment Bill] India, they would appear to be the only kind of protection against future immigration from Bangladesh," he said.

An explicit cut-off is introduced, but will it be effective?
The other major change in the bill from the previous version is the introduction of an explicit cut-off date: migrants who entered after December 31, 2014, would not be eligible for citizenship under the bill. This is not a North East-specific exemption, but seems to have been put in place to assuage apprehensions of groups from the

region who had complained in the past that the absence of a cut-off date could lead to an endless influx of migrants. However, detractors in the region say it is a cosmetic after-thought that would not really deter migrants from Bangladesh. "It will lead to an onslaught of migration," said Samuel Jyrwa, who heads the North East Students' Organisation, an umbrella body of pressure groups in the region. Baruah tended to agree. The bill, he said, will "create enormous incentive for Hindu population to migrate to India" from Bangladesh as has been the historical trend - Hindu population in what is now Bangladesh has steadily declined over the years. "Extremists in Bangladesh with their eye on Hindu properties will have more reasons to push Hindus out of Bangladesh," he said. "So, North East India's historical problem with immigration will only get worse."

"It is hard to see," he added, "how it will produce a more peaceful North East India."

My worries in filing stories about Assembly Session



From the diary of Editor

The greatest challenge in my entire career as journalist has been reporting the assembly proceeding particularly during sessions of the Manipur Legislative Assembly. It is not because I am not aware on how to report or edit news, but because senior colleagues in the field had warned me about the unwanted consequences that may occur during the course of filing stories about the proceedings.

Usage of terminology has been a major concern for journalists doing parliamentary reporting. A minor mistake on the terminology often amount to a mockery of the legislators besides degrading the credibility of the media organization. It is not just the usage of terminology but it is also about maintaining integrity of being a journalist which was often hampered due to the privilege of the house.

A senior Journalist of the state was once summoned to apology before the house for alleged mockery of the house reflected at one of his write up.

serious issues. Sometime a mere breach of protocol by member becomes a joke or sometime a mobile phone ringing might disturb the proceeding of the house. Can I file this sort of stories as this are also stuffs that will caught the attention of the audiences. Any write up criticizing an event which comes under the jurisdiction of Assembly Secretariat during session or any damage done during the period could be called upon for contempt.

The question arises out here is - Are we journalist being denied the right to freedom of reporting? Are our rights limited only to certain area?

Certainly, there are certain limitations for parliamentary reporting. But what are the limitations. The area of limitation at which a reporter need to strictly abide need to be published by the authority of the learned staffs of the state Legislative Assembly.

On June 27, 2012, I joined my journalist colleagues for coverage of the second session of the 10th Manipur legislative Assembly. On the first day except for the obituary reference of T Gougain was taken up. Moving obituary motion of a departed member is a much but then - Is the house serious about moving the obituary motion? The members of the house including the leader of the house and opposition leader as well as those attending the motion had stated different date of birth of the departed leader T Gougain who was a deputy chief Minister during the time of YM

Sheija I 1974. Surprisingly one senior Minister said Gougain was expired on 5 June 2012, while another said he was expired in 6 June 2012. Another MLA while joining the obituary reference had even said that the date of birth of the departed member has not been recorded correctly.

Should I report this or shouldn't I? I have reason for picking up the analytical reporting as I could prove the inefficiency of the then assembly staffs in proving information to the honorable members. But would not this amount to the breach of privilege of the house?

Now another question is the certain alleged misappropriation happening inside the Assembly secretariat. Journalists certainly want to put up the issue through their story but on assuming whether it amount to breach of privilege or not, one often roll back.

During that time contract staffs of the Assembly Secretariat has been forbidden from entering the new assembly secretariat building at Chingmeirong. Many questions arise on why the order has been other. One may also question - why should the Assembly spent so much money on paying salary for the contract employees if they have to be kept aside during the session which is one of the most important job for all the staffs.

The matter is serious. I certainly thought, this too be on the news. But I was in dilemma for quit some times as I was not clear on whether it would amount to breach of privilege of the house or not.

But then taking own risk I filed a story on that issue at ISTD News programme (*That Time I was working as a Editor of the ISTD News*). The following is how I file the story to the news channel.

Contract staffs prohibited entry for the first time in the history of Manipur Legislative Assembly

For the first time in the history of the Manipur Legislative Assembly session, contract staffs of the secretariat have been forbidden entry to the office complex during the session.

An order issued by the Secretary of the Assembly Secretariat Y Indra said that - only officers and staff of the assembly Secretariat serving on regular basis will be allowed to enter in the New Assembly Secretariat at Chingmeirong during the Assembly Session which begins today. According to a highly placed source Assembly Secretariat has a total of 180 contract staffs which were absorb as demanded from time to time. As the contract staffs are forbidden from entering the new assembly complex at Chingmeirong where the sitting is being taken place most of the contract staffs were found loitering inside the old Assembly complex premises.

Medical Science

Dedicated unit for Parkinson's disease launched at Ludhiana



By Correspondent
Ludhiana, Dec 8

Fortis Hospital Vasant Kunj launched a dedicated unit for Parkinson's to treat patients suffering from the disease, under the aegis of Dr. Madhuri Behari, Director, Neurology, Fortis Hospital, Vasant Kunj.

The clinic will be open on the second and fourth Friday of every month and will provide a host of services in addition to Deep brain stimulation counselling and benefits. These include physiotherapy, administration of apomorphine (the injection and pump) and counselling services for those suffering from Parkinson's. A neurodegenerative disorder, Parkinson's disease develops slowly, and the symptoms manifest themselves over time. The motor skills of a person get affected as the central nervous system is compromised.

"In the forty years that I have worked as a doctor, I have seen several instances wherein deep brain stimulation has actually helped patients control their motor responses. These patients have rigid muscles, impaired postures, speech - writing defects and problems in controlling their movements. Deep brain stimulation (DBS) is a surgery wherein a device (consisting of electrodes), is implanted deep within the brain and sends electrical signals to those parts of the brain which are responsible for motor responses. It is an important operative option to relieve some of the stress associated with Parkinson's," said Dr. Madhuri Behari, Director, Neurology, Fortis Hospital Vasant Kunj, New Delhi.

During deep brain stimulation, deep structures in the brain are stimulated with the help of fine wires connected to a pulse generator, which contains a pacemaker. On the first stage leads are placed under the brain by calculating the target on pre-op MRI using a computer workstation.

"Once tentatively placed, the patient performs certain movements as directed by the physician inside the OT. This helps in identifying the correct position for the electrodes. Once the position is adjusted, the patient is put under anaesthesia and the wires are tunneled under the skin and connected to a pacemaker which generates the stimulation and is placed on the chest under the skin. The patient is then observed once the electrodes are in place and functioning. In the second stage, over three to six months, the programming of the batteries is adjusted keeping in mind the requirements of the patient. The programming determines the strength of the electrical pulse which reaches the brain from the pacemaker." Added Dr Anurag Gupta, Senior Consultant at FHVK.

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