

Frequently Asked Questions on Citizenship (Amendment) Act (CAA), 2019

1. What is Citizenship Act?

The Citizenship Act, 1955 provides for acquisition, determination, and termination of Citizenship of India, which can be acquired by birth, by descent, by registration, or by naturalization or by incorporation of territory.

Any foreigner on becoming eligible can acquire citizenship by registration or by naturalization **irrespective** of his country or his community.

2. What is Citizenship (Amendment) Act (CAA)?

The Citizenship (Amendment) Act, 2019 (CAA) enables migrants/foreigners of **six minority** communities from **three countries**, who have come to India because of **religious persecution**, to apply for Indian citizenship.

3. Who does the CAA apply to?

It is applicable only for **Hindu, Sikh, Jain, Buddhist, Parsi and Christian** foreigners, who have migrated from **Pakistan, Bangladesh, and Afghanistan** into India **up to 31.12.2014**, on account of religious persecution.

4. Does the CAA affect any Indian citizen (Hindus, Muslims, anyone)?

No. The CAA does not affect any Indian citizens, including Muslim citizens.

5. How does it benefit Hindu, Sikh, Jain, Buddhist, Parsi and Christian foreigners hailing from Pakistan, Bangladesh, and Afghanistan?

The CAA creates the **legal right** for the six minority communities from the three countries to apply for Indian citizenship, if they were religiously persecuted, even without travel documents like passport and visa.

The process of obtaining Indian citizenship through naturalization will be expedited for them. Unlike other foreigners, they are eligible to get citizenship after a total residency period of **six (1+5) years**. For other foreigners, this period is twelve (1+11) years.

6. Is CAA applicable to foreigners other than the six minority community groups from three neighboring countries?

No. It does not apply to any other foreigners, including Muslims migrating to India from any country, including these three countries.

7. Can minorities facing religious persecution in countries other than these three countries apply under the CAA?

No, they will have to apply through the **usual process** to get Indian Citizenship just like any other foreigner for either registration or naturalization as a citizen of India. They would get no preference.

8. Why only these three countries?

The CAA deals with religious persecution in three neighboring countries where the Constitution provides for a **specific State religion**. Followers of other religions have been persecuted in these three countries.

9. Does the CAA also cover other forms of persecution – on grounds of race, gender, membership of a political or social group, language, ethnicity etc.?

No, the CAA covers **only religious persecution** and is applicable to only six minority community groups from three neighboring countries that have their distinct state religion.

10. How about a foreigner persecuted abroad on non-religious grounds?

Any foreigner persecuted abroad on any account may apply for registration or naturalization as a citizen of India like any other foreigner, if he fulfills the **minimum qualifications** laid down in The Citizenship Act, 1955.

11. Had India offered citizenship to any persons from other countries?

Yes. India had offered citizenship and resettlement to 461,639 persons of Tamil-origin from Sri Lanka (under agreements in 1964 and 1974), 208,959 persons from erstwhile Burma (1963 onward) and 2,775 persons from Uganda (after coup in 1970s)

12. What happens to the refugees presently in India?

There are more than 200,000 Sri Lankan Tamils in India and more than fifteen thousand Afghans, 20-25 thousand Rohingyas and a few thousand other refugees of different nationalities presently live in India. It is expected that someday these refugees will return to their homelands when conditions improve there.

Each country including India has its own rules for naturalization. India is not a signatory to the UN Convention of 1951 and the UN Protocol of 1967 on Refugees. Hence, India is **under no obligation** to offer such migrants its citizenship.

13. How does CAA affect Muslims from Pakistan, Bangladesh, and Afghanistan?

Muslims from Pakistan, Bangladesh, and Afghanistan can avail the **present legal process** of acquiring Indian citizenship by any foreigner of any category through Naturalization or through Registration which remains operational. The CAA does not amend or alter it in any manner whatsoever.

14. Has anyone from the three neighbouring countries been granted Indian Citizenship recently?

During the last six years, approximately 2830 Pakistani citizens, 912 Afghani citizens, and 172 Bangladeshi citizens have been given Indian citizenship. In 2014, after the settlement of Indo-Bangladesh boundary issues, 14,864 **Bangladeshi citizens** were given Indian Citizenship when their enclaves were incorporated into the territory of India. Thousands of these foreigners were Muslims.

15. How does CAA affect Sri Lankan Tamils, Baluchis, Ahmediyas in Pakistan and Rohingyas in Myanmar?

They can apply to become Indian citizens as and when they **fulfill the qualifications** provided in the relevant sections of the Citizenship Act, 1955.

16. Won't there be an influx of foreigners from the six minority communities from three countries to India?

CAA provides a **cut-off date of 31.12.2014** and hence has **retrospective effect** not prospective effect. Such migrants are already in India for the last several

years. So, there is no question of any influx of foreigners or fresh migrations of minorities.

17. Does CAA target any religious community from abroad?

No. The CAA does not target any religious community from abroad. No migrant from the six minority communities will become an Indian Citizen automatically. He will have to apply online and the competent authority would see whether he **fulfills all the qualifications** for registration or naturalization as an Indian citizen.

18. What happens to Muslim immigrants?

Muslim immigrants like any other foreigner from any other country or belonging to any faith can apply for Indian citizenship after a total residency period of **12 years**, if they fulfill the qualifications laid down in the Citizenship Act 1955.

19. Will illegal Muslim immigrants be deported from India under the CAA?

No, the CAA has nothing to do with the deportation of any foreigner from India.

The deportation process of any foreigner irrespective of his religion or country is implemented as per the mandate of the **Foreigners Act, 1946 and/or The Passport (Entry into India) Act, 1920**. It is a well-considered judicial process.

20. Is there any link between CAA and National Register of Citizens (NRC)?

No. The CAA has no link with NRC.

The legal provisions regarding NRC have been part of the Citizenship Act, 1955 since December 2004. Also, there are specific statutory rules of 2003 to operationalize these legal provisions. They govern the process of registration of Indian citizens and the issuance of national identity cards to them. The CAA has not altered these legal provisions.

21. What is National Population Register (NPR)?

NPR is a process for collection of data for all persons resident in India, including declared foreign citizens, to create a comprehensive data base of all residents. The procedures to be followed for preparing the NPR are laid down in the Citizenship rules 2003.

22. How will NPR be conducted?

NPR updation in 2020 will be conducted with the first phase of census 2021. NPR does not require any individual to provide any documentation and no identity card will be issued under NPR. NPR was first conducted in 2010-11 along with the census.

23. How is NPR different from AADHAR?

AADHAR is individual data whereas NPR contains family-wise data. Such family-wise data is essential for the successful implementation of various government schemes. It is not possible to construct family-wise data from AADHAR.

24. Is there any link between National Register of Citizens (NRC) and National Population Register (NPR) ?

No.

No decision has been taken on the National Register of Citizens (NRC). For the NRC process to begin, a separate notification needs to be issued by the government in consultation with the states.