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## **Implication of NRC updation in Assam**

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### **Abstract**

*The National Register of Citizens (NRC) is a document manufactured by the Government which contains the names of Indian citizens. The updation of the NRC is a periodical process. It requires to be updated at regular intervals so as to ensure proper documentation of the citizens as well as to check possible illegal migration. In Assam, the updation of NRC could not be carried out since 1951 due to several political compulsions. The Assam Movement in 1980's, the language Movement and such other identity movements fought on ethnic lines have heavily impinged on the system of governance in the state thereby leading to a stalemate on the NRC updation issue. After five decades of the stalemate, the present government has initiated steps to update the NRC under the direct supervision of the Hon'ble Supreme Court of India.*

**Key Words: NRC, Updation, Assam Movement, Illegal Migration, Supreme Court.**

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**Introduction:** The history of Assam is a tragic account of the struggle of the indigenous people of Assam who are trying to preserve their identity in their own land. It is a saga of blood, lost and toil.<sup>1</sup> It is the story of the people who has the fear of being reduced to minority in their homeland because of the growing influx from the outside. Illegal migration has been a burning problem slowly growing in the dimension of Assam. Even in British Colonial days when East-Bengal was integral part of India, a number of land-hungry people from East Bengal trekked into Assam.<sup>2</sup> Today, the influx has become a grand political issue in the State. In 1950s, the problem of influx from East Pakistan had assumed alarmingly large proportions. The factor underlying the political turmoil is the demographic transformation of the frontier region, which includes the present State of Assam as well as other smaller States in North Eastern region of India, through the large-scale immigration from many parts of the subcontinent, but mostly from the neighboring areas of East Bengal; over the decades.<sup>3</sup> *The Immigrants' Expulsion from Assam Act* (Act X of 1950) was passed and implemented to some extent but the promise made by centre did not work out. The Nehru-Liaquat pact of December 1950 was not helpful for Assam. Even it took back three lakhs of Muslims into Assam who were supposed to have left the western parts of Assam and entered East Pakistan.<sup>4</sup> The flow of nationals from East Pakistan continued unabated.

Centre acknowledged the gravity of the problem of Non-Citizens in Assam and felt that the infiltration should be stopped and effectively dealt with. Prime Minister of India Mrs. Indira Gandhi expressed her sympathy with the major demands of Assam Agitation and assured measures to protect the cultural identity of Assam. She conceded five points out of the AASU's (All Assam Students Union) eight point memorandum. Such as- a) the foreign nationals must be detected and deported from the country, b) the names of foreign nationals must be removed from the electoral rolls before any fresh election is held, c) the inclusion of foreign nationals in electoral rolls should be made impossible through the proper election machinery, d) India's border must be fully protected against infiltration and e) Indian voters in Assam should be issued identity cards with photo cards.<sup>5</sup>

In Delhi Talks of 16<sup>th</sup> October, 1980 where the leaders of AASU and AAGSP (All Assam Gana Sangram Parishad) said their willingness to consider accepting the entrants coming between 1951 and 1961 if the Government agreed to deport those who migrated between 1961 and 1971. The leaders sought to refer the whole issue to National Register of Citizens 1951(NRC).

**North East and Assam:** The North-Eastern region is a true frontier and diverse region of India. It has over 2000 kilometer of border with Bhutan, China, Myanmar and Bangladesh and is connected to the rest of India by a narrow 20 kilometer wide corridor of land. Ecologically this region is somewhat unique in comparison to other parts of India. High Mountain, snow bound region, deep forest, undulated terrain, networks of rivers and rivulets, plain land with high rainfall moist weather have given this region a unique feature. North-East is one of the most ethnically and linguistically diverse regions in India, each State have its distinct cultures and traditions.

The North-East India with over 220 ethnic groups and tribes as well as equal number of dialects makes it a hugely diverse region. All these people have their unique style of living. They have different types of settlements, different livelihood patterns, different systems of social structures, life-cycle patterns, and different systems of social control, different regions and ethics.

India's North-Eastern region has witnessed more violence in the last 67 years than any other part of the country. The region was disturbed with armed insurgencies and secessionist movements from around 50 groups. During 1980's and 1990's, thousands of people have died and more than hundreds of people are internally displaced, living in unhygienic makeshift camps every year.<sup>6</sup>

Eight states constitute India's north east: Assam, Nagaland, Mizoram, Manipur, Tripura, Meghalaya, Arunachal Pradesh and Sikkim. The region is officially recognized as a special region of India. The North East Council (NEC) was constituted in 1971 for the development of North-East India in the Economic and social sense. The North Eastern Development Finance Corporation Ltd (NEDFi) was incorporated in Aug 9, 1995 and the Ministry of Development of North-East Region (DONER) was set up in the year 2001 for the progress and development of the entire region.<sup>7</sup>

*“Assam, famous world over for its tea is a land of Jaded mountain, singing waterfalls, many people and ever smiling young girls. In the past, Ahom kings infused fresh and varied colored into its art and culture. While in the modern times, Srimanta Shankardev embellished and enriched it with his enchanting poetry and Jyoti Prashad Aggarwal adorned it with artistries of different sorts”.*<sup>8</sup> Assam is one of the most beautiful states of North-East India with blue hills, green valleys and the majestic river Brahmaputra. It is rich in respect of the variety of her natural resources and the diversity of population.<sup>9</sup>

After the independence of India, several insurgent groups emerged in the North-East which resulted in the forcible inclusion of North-Eastern States within India. In the year 1956, the Naga National Council declared its independence from India. A separatist insurgency began in the year 1964 in Manipur and Assam, and the Mizo National Front rebelled two years later. The Centre’s response to these early challenges devastated the prospects for peace. Until 1970’s, the Indian Government used collective punishment and the military occupation to end the insurgencies in North-East. Notably, at the time when a few insurgent groups of other North-Eastern States demanded separate statehood, a larger Assamese population demanded the deportation of foreign nationals from the state.

Generally the Assamese people are gentle and polite by nature but when it comes to the protection of their communal variety, they do not hesitate to fight unto death. History gives the example when they have taken arms to protect their culture and communal identity. The Assam agitation is the example of it.<sup>10</sup> Since 1979, the Assam movement started by two political organization namely, All Assam Students Union (AASU) and All Assam Gana Sangram Parishad (AAGSP). In this period, the emergence of pressure groups in Assam and North-Eastern States created pressure upon the Government and other political parties of those respective states. But it seemed that the effort of Central Government to stabilize the North-East region destabilized the region even more. Its consequences emerged in the form of severe difficulties in the North-Eastern part, especially in Assam.

In Assam the problem of foreign nationals or illegal migration has got special attention in the socio-political milieu of Assam. There was an alarming situation created by the unabated infiltration from the neighboring countries particularly from Bangladesh. The problem has started from the days of independence of India. It agitates the minds of the people of North-East region and the situation becomes so much serious that it creates a feeling of fear psychosis in the minds of every indigenous people. The political parties in a sense play a crucial role towards the foreigners to get the maximum votes for their support in the election. The *“Vote Bank”* politics of the political parties encourages the influx of illegal migrants into Assam. The threat to the territorial integrity poses by the influx of the foreign nationals can be understood from the following table.

**Table-1:** Percentage of increase population per decade: Assam and India

Year	Population of Assam	Percentage of increase in Assam	Percentage of increase in India
1951	8,028,856	..	..
1961	10,837,329	34.98%	21.64%
1971	14,625,152	34.95%	24.80%

**\*Source:** Letter to the Prime Minister from Prafulla Mahanta (President of AASU), 1980.

The number of foreign nationals has become explosive in Assam. Therefore the battle of detection and deportation of foreign nationals has started. Not only AASU and AAGSP fought against it but the whole people of Assam give their support to these pressure groups. They also focused on the necessity of NRC updation in Assam. The first and foremost proposal of AASU to the Government of India is to

- i) The National Register of Citizens (NRC) of 1951 should be made up to date by including the additions to the number of each family since the of the compilation of the Register and
- ii) The comparison of NRC with the successive electoral rolls since 1952 may also be helpful in making up to date.<sup>11</sup>

**The History of NRC and its implications for Assam:** The history of Assam is the outcome of the long struggle made by those Assamese people who are trying to preserve their identity. It is the struggle of those who wanted to save their culture from being extinct and be reduced to an ethnic minority section in their homeland. The Indigenous people of Assam fear that the unabated influx or growing stream of immigrants and infiltrators from across the border would one day reduce them into a small minority as happened to the original settlers of the neighbouring State of Tripura. This creates the feeling of alienation among the indigenous people of Assam.<sup>12</sup>

Immigration has been a burning problem slowly growing in dimensions of Assam. Immigration problem has been regarded as a “Security Threat” as it creates problem not only for personal security and human rights issues but also creates internal and international security problem. With the Arrival of Britishers, the old Assamese administration has been replaced and to run the new administration; the clerks, officers and other professionals were brought to the neighborhood of Assam to fulfill the demands of economic growth. With this process the flow of migrants from outside of the state came along with it.<sup>13</sup>

The acts which are made to control the growing influx was not helpful for Assam. In fact the Nehru-Liaquat pact of 8<sup>th</sup> April, December 1950 took back the people who left Assam but after a period they came back again into Assam. The pact was agreed by the two Governments i.e. India and Pakistan that the rights of the immovable property of a migrant shall not be disturbed and the same shall be restored to him, even if it is occupied by another person in his absence, then it is provided to him after his return to his original home by 31<sup>st</sup> December, 1950. The agreement facilitated the return of almost all the displaced

persons. The flow of nationals from East Pakistan continued unabated. Migration from other provinces resulted in a change in the demographic profile in some districts of the province. The growth of tea industry encouraged the migration of people from different states like Bihar, Orissa etc who came as plantation labour to work in the newly opened tea gardens.<sup>14</sup> Assam witnessed a decadal population growth rate higher than the all India Average during the Major part of the 19<sup>th</sup> century.<sup>15</sup> The decadal growth rate of population in Assam since 1901 is given in the table below: -

**Table-2: Population Trend in Assam and India**

YEAR	Population (in lakh)		Percentage Decadal Variation		Density (Person per Sq. Km.)	
	Assam	India	Assam	India	Assam	India
1901	33	2384	0	0	42	77
1911	38	2521	17	5.8	49	82
1921	46	2513	20.5	0.3	59	81
1931	56	2789	19.9	11	71	90
1941	67	3186	20.4	14.2	85	103
1951	80	3611	19.9	13.3	102	117
1961	108	4392	35	21.5	138	142
1971	146	5481	35	24.8	186	177

\***Source:** <https://online.assam.gov.in/web/homepol>, accessed on 12/09/2016 .

In view of the increasing number of population including the immigrants, centre acknowledged the problem and many talks are held regarding it. In the Talks held in Delhi 16<sup>th</sup> October, 1980 where the leaders of AASU and AAGSP said their willingness to consider accepting the entrants coming between 1951 and 1961 if the Government agreed to deport those who migrated between 1961 and 1971. The leaders sought to refer the whole issue to National Register of Citizens 1951(NRC).<sup>16</sup>

The Government understood the problem of Non-Citizens in Assam and felt that the infiltration should be stopped and effectively dealt with. Prime Minister of India Mrs. Indira Gandhi assured to look into the major demands of Assam Agitation and assured measures to protect the cultural identity of Assam. She accepted five points out of the AASU's (All Assam Students Union) eight point memorandum and promised to implement five points of the memorandum.

Regarding the citizenship status of people the Government of India Document stated that article 5, 6, 7 of the Constitution and section 3,4,5,6 of the Citizenship Act of 1955 clearly prescribe and define who is an Indian citizen. The rights of Citizenship and Nationality are governed by India's Constitution and Indian Citizenship act of 1955. When one's citizenship is in doubt then that person is bound to produce evidence that satisfies any of the provisions of Constitution or Citizenship Act. Voter's list did not provide citizenship of people. Therefore the need of a document which provides citizenship to Indian citizens

becomes essential. Hence, NRC is prepared. Earlier it was a secret administrative document but with the needs of time it becomes an open administrative document which can be easily accessible to all the citizens of the State. NRC contains the names of all Indian citizens. NRC updation basically means the process of enlisting the names of citizens based on Electoral Rolls up to 1971 and 1951 NRC.<sup>17</sup>

The prime concern of Indigenous people of Assam is over the influx of foreign nationals from Bangladesh. Their large scale presence in the State has over the decades creates crisis of identity and security for the native people of Assam. Therefore it is the essential need to revise the NRC of 1951. Demands are coming from many socio-political organizations and civil groups to update the NRC to give safeguards to the “*Indigenous People*”.

There was a NRC across the country in 1951 but that was based on census of the year. It was prepared on the basis of the Census of 1951. But the sad fact is that the NRC of 1951 was become incomplete as the Census of the year could not cover all the places of the State. Many areas were left by the enumerators such the riverine, *chars* and remote areas. These areas could not be reached by them. Moreover, it is the time of communal violence prevailed in Assam while the process of NRC was carried on. Statistics reveals that 53000 Muslim families fled to the then East Pakistan between 1948 and 1950 due to communal violence in the Western Assam. It can be assumed that the number of people that is 265,000 to 371,000 who left for East Pakistan from Assam because of the communal riots prevailed in Assam in the year 1950.<sup>18</sup> Later the Nehru-Liaquat pact of 8th August 1950 provided them a window of two years to return to India. In between these the NRC process was completed in Assam. Thus a big number of Muslims were dropped out in the total figure of NRC 1951 and the census. But when in the next Census of 1961 those dropped out citizens’ names were enlisted the growth rate of Muslims in Assam was seen very high. Unfortunately the government did not bother to update the NRC of 1951 as it was expected.<sup>19</sup>

**Issue of Migration and updation of NRC in Assam:** With the expansion of colonial administration, local economy and other industries; the Marwari traders from Rajasthan came into Assam and made Assam as their home. Further the construction of railways, discovery of coal and oil, facilitated migration from other parts of India. The colonial authorities also encouraged the educated Bengalis to come to Assam to take up jobs in the lower echelons of the Provincial Government, as teachers and other such professions. Similarly, the availability of cultivable wastelands attracted the peasantry from the densely populated neighbouring districts of Bengal like Mymensingh, Bogra, Rangpur and Pabna, who came to Assam in large numbers in the twentieth century.<sup>20</sup>

The peasant migrants from the erstwhile East Bengal brought with them superior cultivation techniques like multiple cropping and introduced poultry farming; therefore the people of Assam encouraged them to settle down in Assam for increasing rice production and agricultural economy. Initially, the immigrant population from neighbouring regions like Bengal, Bihar and Nepal etc. were welcomed by the local people and were considered

useful for the development of the region. A number of vegetables and crops including jute hitherto unknown in the State were also introduced by the migrants.<sup>21</sup>

Increasing migration from the different parts of India creates risk or threat for the country. There are no official records of the entry of illegal migrants. The only source for making estimates is the census, but there are several problems with using the census data. Hence it cannot be accepted as the ultimate source for detecting the illegal migrants. The only set of relevant census data that are likely to provide a direct estimate is the data on birthplace, but it is unlikely that immigrants of dubious legal status would provide accurate information on this. The language data are not helpful because of the tendency of Bengali Muslim immigrants to declare Assamese as their mother tongue. Most census based estimates therefore are based on calculating the difference between the assumed natural rate of population growth and the actual rate of growth.<sup>22</sup>

**Table-3:** Population Growth Rate in Assam and India (percentage).

Years	Assam	India
1901-11	16.8	5.7
1911-21	20.2	-0.3
1921-31	20.1	11.0
1931-41	20.5	14.2
1941-51	20.1	13.3
1951-61	35.0	21.6
1961-71	35.2	24.8
1971-81(estimated)	36.3	24.7

**\*Source:** Sanjib Baruah, "Immigration, ethnic conflict and political turmoil-Assam 1979-1985", Asian Survey, Vol. 26, No. 11 (Nov., 1986), p. 1187.

Therefore the Government of India initially promulgated an Ordinance on 6<sup>th</sup> January 1950. The ordinance was soon replaced by an Act known as *Immigrants (Expulsion from Assam) Act 1950* which came into effect from 1<sup>st</sup> March 1950. The unabated Flow of foreign nationals from the other parts creates disturbances for the communities of Assam. The problem of illegal migration is also responsible for the feeling of alienation among the people of Assam. The dispute has arisen between the Bengali Muslims and Assamese natives because of the feeling of alienation. The language movement of 1960's, the ethnic conflicts prevail in the state is nothing but it is the result of the unabated migration from the neighbouring country. It creates fear psychosis among the natives of the state. Therefore in nineteenth century the regional demands are coming from the different region of North East with the regional leadership. This ethnic nationalism, sub-nationalism is arising because of the negligence, unbalanced socio economic development as well as the exploitation from the Centre and the State.<sup>23</sup> But the issue of economic underdevelopment is somehow sidelined as the issue of immigration got the first and most important place.<sup>24</sup>

After the failure of the implementation of the *Illegal Migrants (Determination by Tribunals) Act*, the Student's organization and other important pressure groups of Assam demanded the immediate solution of the foreign national issue. In this regard they tried to protest it in different ways.<sup>25</sup> In the Assam agitation they tried to deal with the issue with some ways.

This is the first time it is being revised only in Assam and it is not based on the census. Assam has been wrecked by violent protests since the 1970's over the issue of illegal migrants basically from the Bangladesh. Therefore the NRC is to be updated to act accordance with the demands that have been found in the Assam Accord. The Assam accord is signed in the year 1985 between Prime Minister Rajiv Gandhi and The leaders of Assam Accord.

The National Register of Citizens (NRC) is a document manufactured by the Government which contains the names of Indian citizens. The updation of the NRC is a periodical process. It requires to be updated at regular intervals so as to ensure proper documentation of the citizens as well as to check possible illegal migration. In Assam, the updation of NRC could not be carried out since 1951 due to several political compulsions. The language Movement in the 1960s, the Assam Movement in 1980s and such other identity movements fought on ethnic lines have heavily impinged on the system of governance in the State thereby leading to a stalemate on the NRC updation issue. After five decades of the stalemate, the present government has initiated steps to update the NRC under the direct supervision of the Hon'ble Supreme Court of India. It is in these backdrops felt pertinent to examine the process of NRC updation in the State highlighting the issues which have impacted heavily on its updation.

**Conclusion:** In Assam the process of updating NRC is being carried on. After the updation of NRC India must sign a repatriation treaty with Bangladesh so that after the work is done, those identified as illegal migrants can be deported to their State.

It is found that both the Central Government led by BJP and State Government led by Congress have not taken the dangerous issue of illegal infiltration of foreign nationals from Bangladesh into Assam seriously. Agreements and accords are made from time to time, but these are never implemented.<sup>26</sup> The sheer betrayal of the Governments in this respect has already vexed the minds of the indigenous people of Assam. Apart from this, it is a positive step that under the direct supervision of the Supreme Court, the NRC 1951 is updated. It will not only help in the correction of the Voter's list on the basis of the updated NRC, but also deals with the detection and deportation of illegal infiltrators. Hence, it can be concluded that though various issues and challenges have come in the way of NRC updation process in the State, but the updation process is being carried on in a systematic way.



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