

The registry test of citizenship

The chaos surrounding the National Register of Citizens is yet another example of Assam’s long and difficult relationship with migrants. **Rahul Karmakar** reports on the many fault lines in the State that complicate the process

The sword did not get Ayesha 36 years ago but the judicial pen that launched the National Register of Citizens (NRC) exercise just might. Ayesha was five months old on February 18, 1983, when hundreds of people armed with machetes, spears, and guns descended on her village, Matiparbat, an hour after midnight. Matiparbat was the last of 14 villages, beginning with Nellie on National Highway 37, that a mob had laid siege to that night. Official records say the 1983 Nellie massacre claimed the lives of 2,191 people, mostly women and children. Survivors claim the figure would be no less than 6,000.

Matiparbat is about 8 km north-west of Nellie, now almost a small town 70 km east of Guwahati. Nellie, earlier in Nagaon district, is now in Morigaon district. “They set fire to the houses and chased our people with all kinds of weapons. I had nowhere to run but escaped by pretending to be dead. I smeared blood from the body of a woman and lay still next to it,” says Iman Ali, 65.

The screams stopped two hours later and Ali mustered the courage to look around for survivors. He found his wife Manowara Begum and daughter, Ayesha, emerging from Basundhari Beel, a 2 km-long wetland beside which Matiparbat is located. Five other members of his extended family and a few neighbours lay dead, some with their heads smashed, some with their throats slit, some with bullet marks.

“The mob did not spare those who hid amid the water hyacinths in the beel. My wife had her nostrils above the water level while holding our baby’s face up just enough to let her breathe. She controlled her urge to scream but it was a miracle that the baby did not cry as some members of the mob kept spearing the beel and slashing the water hyacinths around them,” Ali says.

Ali believes Ayesha, a mother now, will need more than a miracle to be included in the final list of the Supreme Court-monitored NRC with an August 31 deadline for publication. “Convincing the authorities about the citizenship documents we possess is tougher than appeasing God,” he says. Ayesha is one of the six members in Ali’s family belonging to the list of 40.07 lakh people excluded from the draft NRC published on July 30, 2018. Ali’s younger daughter Hazara Bibi too is among the excluded. A barely literate farmer, Ali fails to understand why the same set of documents that established his citizenship did not work for his daughters.

At Basundhari, another of the 14 villages attacked on that fateful day, Azeemuddin lost seven members of his family, including his wife, sister, and daughter. On June 26, when an additional list of 1.02 lakh people found ineligible for inclusion in the NRC was published, he felt history was repeating itself with a non-violent but a “deadlier” twist. Azeemuddin, now 64, relocated to Nellie soon after the carnage although Nellie is closer to where the assailants had allegedly come from – the hills across NH37. Most of his kin stayed back to pick up the pieces of their shattered lives. “We are a large family of 93. Just seven of us were included in the draft NRC only to be put in the new reject list. This is as if the clock has turned back to those horrific days. This time, not to kill us but erase our existence as Indians.”

‘Already a dead man’

There is no debate over why the Nellie bloodbath happened. The violence was seen as the fallout of the government’s decision to hold the election to the 126-member State Assembly in 1983 during the peak of the Assam Agitation seeking the ejection of illegal immigrants. Organisations such as the All Assam Students’ Union (AASU) that spearheaded the agitation saw the “forced election” as then Prime Minister Indira Gandhi’s bid to legitimise “millions of immigrants from Bangladesh” as voters.

The turnout at the controversial election was 32% and most of the voters were believed to have been Bengal-origin Muslims, usually referred to by the pejorative ‘Miya’ for distinguishing them from the “acceptable” Assamese Muslims. Another set of migrants, the Bengal-origin Hindus, living within a 10 km radius of Nellie, did not feel the heat in 1983. “We knew something bad was going to happen when, ahead of the 1983 election, groups of people kept visiting our area telling us not to vote. Given the situation, we thought it best to stay away from the polling booths,” says 83-year-old Pradip Das of Ganesh Valley.

The Hindus-only Ganesh Valley was established in 1951 to settle 80 families who had fled present-day Bangladesh in August 1947. The colony now has about 170 houses, the increase attributed to the descendants of the refugees. Ganesh Valley is about 2 km beyond the Nellie market on the southern flank of NH37, almost opposite Shilchang Ward No. 1 on the highway’s northern flank from where the Muslim areas start along a road – much of it submerged under waist-deep water – arcing westward to Matiparbat. Houses of a dozen Gorkha



“The agitation, some say, may continue in a different form if the National Register of Citizens turns out to be flawed.” NRC officials verify documents as security personnel stand guard at a NRC centre in Morigaon district of Assam on August 2, 2019. (Below): Girin Biswas of Soru Matiparbat with his family. Biswas is among four in a family of six to have been excluded from the NRC. •RITU RAJ KONWAR / RAHUL KARMAKAR



people separate Matiparbat from Soru Matiparbat, a Hindu Bengali village from where the road turns southward to meet the highway beyond Borkhal, another Hindu Bengali village.

Das recalls how members of his community had undergone a difficult phase during the Bhasha Andolan (Language Movement) in 1961. Bengali people of southern Assam’s Barak Valley had that year opposed the Assam government’s move to make Assamese the official language. Their movement had a backlash in the Assamese-dominated Brahmaputra Valley. The anger had resulted in Ganesh Valley’s Gopal Krishna Lower Primary School, a Bengali medium school, being set ablaze.

“All schools here are in Assamese medium. Hindus and Muslims are products of these schools. We speak our mother tongue at home, but that is peppered with Assamese words. It is time people started referring to us as Bengal-origin Hindus and not Bengali Hindus,” says Jadhav Biswas, a 28-year-old tyre trader from Ganesh Valley.

Often a synonym for the abusive ‘Bangladeshi’, Miya refers to a dialect that has evolved into a literary form pursued by Bengal-origin Muslims who resent being called Bengali Muslims. The attempts at shedding the baggage of the past mean nothing for officials handling the NRC fieldwork. “Only documents that can establish citizenship matter,” says a disposing officer at an NRC service centre in Morigaon district.

“Unlike people considered indigenous inhabitants, some of whom did not even submit relevant documents, our papers are scrutinised over and over again. Our original documents, including a land deed of 1947, were burnt along with our house in 1983. We collected certified copies of some of the documents from the district authorities, but their tendency is not to believe these,” says 70-year-old Moslemuddin of Bhogdobabeel village, whose daughter has been excluded from the NRC.

His younger sister Noorjehan too is in the list of NRC rejects despite having won a legal case three years ago after being served notice as a ‘D’ or doubtful voter. At Kumarbori village, about 2 km west of Nellie, Surjya Kumar Das has almost given up on proving his citizenship. The son of Nanda Lal Das who settled down in the village in 1964, he has been checkmated by a clerical input in the voters’ list that he had not given much thought to.

“I have virtually lost everything fighting a legal battle four times to prove I

am not a suspected foreigner. In 2018, the High Court cleared my case but my family and I were excluded from the NRC. This was all because my name Surjya Lal Das was entered as Surjya Kumar Das in the voters’ list of 1995 and I have been voting since with ‘Kumar’ as my middle name,” he says. A fortnight ago, Das, his wife, and daughter spent a week in the Morigaon district jail allegedly for trying to cheat his way through to the NRC. “People say I will have to spend a longer time in jail after August 31. I will probably not survive there, but then I am already a dead man,” he says.

No house unaffected

The family of Jadhav Biswas is among the fortunate in Ganesh Valley to be included in the NRC. More than 40% of people in his area have missed out; they might be re-included or continue to be excluded after the exercise to update the list is concluded, says Biswas.

“One understands that everything boils down to the possession of documents, although some admissible documents have not passed the test mainly because of the attitude of some NRC officials. How else do you explain the fact that there’s at least one member in almost every family in villages of Bengal-origin Hindus and Muslims in the rejection list?” says Suleiman Ahmed Kasimi, the Maulana of Nellie’s Masjid-e-Umar.

In Matiparbat village, a person or two in each of some 700 houses are not on the draft NRC besides the families of 40 people who have been marked as D-voters or suspected foreigners. Between the Hindu villages of Soru Matiparbat and Borkhal, 27 families have little hope of making it to the NRC because of cases pending in the Foreigners’ Tribunal I in the district headquarters, Morigaon. There are an average of two persons in each of the 420 houses in these two villages on the NRC rejection list.

Soru Matiparbat’s Girin Biswas is among four in a family of six to have been excluded from the NRC. He had received a notice from the Foreigners’ Tribunal on October 13, 2016, asking him to appear before it to prove his citizen-

ship. It was then that the marginal farmer began digging up documents, most of which were shredded by rats. A certified copy signed by A.C. Bhuyan, the Electoral Registration Officer of Nagaon district (from which Morigaon was carved out in 1989), says Biswas’s grandfather Meghlal Biswas figured in the voters’ list of 1965. The problem, he discovered, was in the name of his father who was listed as Kristo in the voters’ list, Kisto in the NRC legacy data he had downloaded from a service centre for application, and Krishna in the notice that the Foreigners’ Tribunal had served him. Even his name in the notice was Girindra, not Girin. “My lawyer says we had a favourable judgment four months ago. But we have not received the copy,” he says.

Ganesh Biswas, a 30-year-old assistant teacher at the State-run Borkhal Anushchita Jati Prathamik Vidyalaya (SC primary school), is the only one excluded from the NRC in his family. All other members, who drew their lineage from his grandfather Ganga Charan Namasudra, were included, but he was not. “My father Dhiren Biswas was the youngest of four siblings. The others sailed through because they had voted before 1971, but I was stuck. I got tired of explaining that Namasudra is the name of a lower caste to which the Biswases belong. I hope my claim is accepted,” he says.

The NRC updating process is that of enlisting the names of people or descendants of people whose names appear in any of the electoral rolls up to 1971, the NRC of 1951 or any of the other stipulated documents such as land and tenancy records, citizenship certificate, refugee registration certificate, and permanent residential certificate. The exercise is being done as per the Assam Accord of 1985 that ended the Assam Agitation of 1979-85. The accord prescribes the midnight of March 24, 1971, as the cut-off date for detecting foreigners or illegal immigrants.

“We want an error-free NRC. But it appears only people of Bengal origin, Hindus or Muslims, are being targeted and there is an attempt to disregard

documents in a bid to convey that most of them have entered Assam after 1971. And there seems to be a policy to target people who came between 1966 and 1971 too,” says Utpal Dey, a leader of the All Assam Bengali Youth Students’ Federation. The All Assam Minority Students’ Union agrees, but feels the Muslims would be worse off if the Bharatiya Janata Party pushes the Citizenship (Amendment) Bill to let non-Muslim immigrants who entered India till December 31, 2014, to stay.

Dey says the Bill is a sham, and if it materialises, will require a beneficiary to first declare himself/herself as a foreigner and then get proof that he/she has been a victim of religious persecution in the country escaped from. Former Chief Minister Prafulla Kumar Mahanta, who was president of the AASU during the Assam Agitation, says a global campaign has been on to malign the Assamese people by painting the Bengali-speaking people in the State as victims of some kind of purge programme.

“I had suggested to the government that verification of citizenship is necessary only in the case of those who speak Bengali because Assam has borne the brunt of several waves of migration from present-day Bangladesh, first because of the British who brought them for agriculture, clerical jobs and petty trade. Partition of India and developments leading to the creation of Bangladesh in 1971 brought more people to put pressure on the land,” he said after the draft NRC was published in 2018.

There was no logical reason to verify the people who speak Hindi or variants and the people from Nepal and Bhutan who are fewer in number than those from Bangladesh and who are bound by treaties with India, Mahanta says. Two cases in point are that of BJP leaders – Rajasthan-origin Pawan Kumar Rath and Gujarat-origin Shantanu Naik, both of southern Assam’s Silchar – who have been excluded from the NRC.

A majority of those in the two NRC-excluded lists speak Bengali. Many are Nepali-speaking, some originally from the Hindi-speaking States and a few belong to indigenous communities who are expected to get in by virtue of being ‘original inhabitants’, a category many have contested by arguing that Assam has become home for several streams of migrants over time. One such community comprise the tea plantation workers or ‘tea tribes’ that the Supreme Court recognised as ‘original inhabitants’.

Colonial legacy

The perception of the outsider as a cultural threat and a usurper of land and its resources began in Assam towards the end of the 19th century when people from other parts of British India, specifically Bengal, came in waves to work in the paddy fields, tea plantations and the timber industry. In 1920, the British rulers introduced the Line System to segregate the indigenous people from settlers taking up shrinking tracts of vacant or

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SULEIMAN AHMED KASIMI
Maulana of Nellie’s Masjid-e-Umar

forest lands. But what fuelled the fears that the indigenous communities would be marginalised by the settlers was British civil servant C.S. Mullan’s observation in 1931. “Probably the most important event in the province during the last 25 years, likely to alter permanently the whole structure of Assamese culture and civilisation, has been the invasion of a vast horde of land-hungry Bengali immigrants, mostly Muslims from the districts of eastern Bengal,” he wrote after conducting the 1931 census. Inadvertently, or otherwise, he gave a religious identity to the migrant threat.

Assam’s former Director General of Police Harekrishna Deka, also a poet, blames the British for sowing the seeds of distrust between the Assamese and Bengali people. “Apart from encouraging continuous migration of people from Bengal, they added Sylhet, a populous district of undivided Bengal, to Assam in 1874. This led to the Bengalis becoming the majority until Partition,” he says. Sylhet went to Pakistan in 1947, but its addition to Assam increased the insecurity that the Assamese felt when the British introduced Bengali as the language of official correspondence, in court and for education, until the Baptist missionaries intervened to give Assamese its rightful place in 1873. If that were not enough, Basanta Kumar Das, an elected leader from the Bengali-dominated Barak Valley, demanded a change in Assam’s name in the 1930s. The distrust of Bengalis, Deka points out, coincided with the friction between Muslim migrants from eastern Bengal and nationalist Assamese, particularly after the Muslim League had in the 1940s made serious efforts to include Assam in Pakistan.

Large-scale migrations into Assam, as indicated by the Census of 1961 and 1971, worked on the psyche of the indigenous people culminating in the anti-foreigners agitation. “The NRC appears to be an unfinished business of that nightmarish agitation. It is just that the proverbial pen has taken over the job of the sword – to be a mightier eliminator of foreigners,” Maulana Kasimi says.

Current AASU general secretary Lurinjyoti Gogoi says “vested interests” are trying to derail the NRC process. “All we want is an error-free NRC,” he says.

The agitation, some say, may continue in a different form if the NRC turns out to be flawed. This is a possibility given the fact that politics in Assam revolves around the issue of immigrants, illegal or otherwise, who usually call the shots during elections.