

The many hurdles in proving citizenship

The brunt of the systemic problems of the National Register of Citizens is being borne by the poorest



KALPANA SHARMA

Apart from the floods in Assam, an annual event affecting thousands of families, another humanitarian crisis awaits the State this year. The date is already set for it. It is July 31.

On that day, the final list of the National Register of Citizens (NRC) will be released, the culmination of a fraught process conducted since 2015 at the urging of the Supreme Court, and monitored by it.

While reports of the many anomalies that dog the process of determining citizenship, including the constantly changing list of documents that are (or are not) accepted, are known, the sheer enormity of the crisis facing the State is yet to register in the rest of India.

Numbers alone do not indicate this. What is known today is that of the 32.9 million who have applied to be listed as "genuine" Indian citizens in the NRC, roughly 29 million have been accepted. The future of the four million excluded so far, a number that might reduce when the final list is published on July 31, provides the foundation for the impending human crisis awaiting Assam. Even if half of this number is excluded, we are looking at the future of two million stateless people.

What will happen to me and my family after July 31? That is the question that haunts hundreds of men and women as they wait hours in inclement weather, clutching plastic bags full of documents, to meet anyone willing to answer this question. This was the scene that confronted us as we travelled to three districts in Assam at the end of June.

The majority left out of the NRC so far are abjectly poor; many are unlettered. They cannot understand the legal complications of the process, nor do they have the money to hire legal help. As a result, thousands stand in danger of being declared "foreigners" even though they could be "genuine" Indian citizens.

Three categories

The people affected by this process of verification of citizenship fall into



"The citizenship issue in Assam is layered and complex." Officials check documents at an NRC office in Dhubri, Assam in May. •AFP

three different categories. Those labelled as 'D voters', or doubtful voters, were categorised as such when the electoral rolls were revised in 1997 and thereafter. Their names are excluded from the NRC unless they can establish their credentials before a Foreigner's Tribunal. There are currently just under 100 such tribunals in Assam. The opacity that surrounds the way decisions are made in these quasi-judicial courtrooms is a part of this larger crisis.

In the second category are people who have been picked up by the police on suspicion of being illegal immigrants. The border police, present in every police station, picks up people, often poor workers in cities, fingerprints them, and then informs them in writing that they must appear before a Foreigner's Tribunal.

In the third category are those who have registered with the NRC, but have been excluded because there was a discrepancy in the documents they submitted. Two lists have been published so far: one with 4 million names last year and another with just over 0.1 million on June 26 this year. Their fate will be known on July 31.

In addition, there are people who have already been declared "foreigners" by the tribunals. In February 2019, the government informed the Supreme Court that of the 938 people in six detention centres, 823 had been declared foreigners. How long will they be held? Can they be deported? To which country? These questions remain unanswered. In

this haze of numbers and judicial processes, the real and tragic stories of individuals often go unheard.

Left out

Take Anjali Das, 50, in Bijni, Chirang district. Dressed in a rust saree, Anjali cannot hide her anxiety. Her maternal home is in Jalpaiguri, West Bengal, where her father and brother still live. Anjali came to Assam in 1982 when she married. She has no birth certificate, like many in India. She has a school certificate that confirms she was a student up to Class 5 and gives her date of birth as June 1, 1969. She also has a certificate from the Panchayat and her father's Aadhaar card as proof that she is Indian. But this will not suffice. Anjali's name has been excluded from the NRC, the only one in her marital home.

Anjali is only one of thousands of married women who have been left out of the NRC for similar reasons. Although disaggregated data is not yet available, it is estimated that more than half of those excluded from the NRC are women like her.

Then there are women who are struggling to understand why only some members of their families have been excluded. In Hanchara village in Morigaon district, Jamina Khatun pulls out a photocopy of the June 26 list of names excluded from the NRC. It has the names of her husband, her two sons, and her 11-year-old granddaughter. But not hers, or that of her daughter-in-law. Jamina's son, Nur Jamal Ali, was referred to the Foreigner's Tribunal based on a complaint

by his landlord in Jorhat, where he worked as a construction labourer. As a result, Nur Jamal was fingerprinted by the border police, sent a notice to appear before a Foreigner's Tribunal, and then declared a foreigner. His only daughter has also been excluded from the NRC.

After July 31, the focus will shift to the Foreigner's Tribunals. The State government plans to set up 200 by the end of this month and eventually 1,000, as all those excluded from the NRC will have to present themselves before these tribunals.

Expensive and time-consuming

Only the litigants and their lawyers know what happens within the four walls of these tribunals as neither the public nor the media are permitted there. I tried to get a peek into one in Guwahati. Foreigner's Tribunal Court Room 3, Kamrup Metro district, Guwahati, is located in a residential colony on the ground floor of a building. The small room is arranged like a courtroom. A white railing separates the podium on which the tribunal member sits from the litigants. The railing becomes a small witness stand at one end. The tribunal member has the help of an assistant who sits on the side. According to him, cases are heard simultaneously, stretching out to five days. But a lawyer tells a different story. The case he has come for began in March. It is still being heard in July.

This then is the other problem. Poor people travel long distances to appear before these tribunals. Their cases stretch out over months. They have to spend on travel and lawyers' fees, unaffordable for most. If they give up, or cannot afford to make the journey, their cases will be judged "ex parte". In a statement in the Lok Sabha on July 2, the Minister of State for Home Affairs, G. Kishan Reddy, said that from 1985 to February 2019, 63,959 people had been declared foreigners in ex parte rulings.

The citizenship issue in Assam is layered and complex. It is not easy for people outside the State to understand the multiple threads. What is clear though is that the brunt of the systemic problems of establishing citizenship in this manner, and in such haste, is being borne disproportionately by the poorest.

Kalpana Sharma is an independent journalist

Rethinking KUSUM

If designed better and implemented effectively, the scheme could radically transform the irrigation economy



TAUSEEF SHAHIDI & ABHISHEK JAIN

Earlier this year, the Cabinet approved the Kisan Urja Suraksha evam Utthaan Mahabhayan (KUSUM). With a Budget allocation of ₹34,000 crore, and a similar contribution expected from the States, KUSUM aims to provide energy sufficiency and sustainable irrigation access to farmers. At present, despite burgeoning farm power subsidies, nearly 30 million farmers, especially marginal landholders, use expensive diesel for their irrigation needs as they have no access to electricity. More than half of India's net sown area remains unirrigated. KUSUM could radically transform the irrigation economy if the government chooses an approach of equity by design and prudence over populism.

Equity by design

First, KUSUM should aim to reduce the existing disparity among States with regard to solar pumps deployment and irrigation access. Chhattisgarh and Rajasthan together account for about half of the two lakh solar pumps currently deployed in the country. This is surprising given the low irrigation demand in the former and poor groundwater situation in the latter. On the other hand, States such as Bihar, Uttar Pradesh and West Bengal, where penetration of diesel pumps is among the highest, have not managed to deploy any significant number of solar pumps. This disparity highlights poor State budget allocation towards solar pumps and the lack of initiative by State nodal agencies. To encourage more equitable deployment of 17.5 lakh off-grid pumps by 2022, the Centre should incentivise States through targeted financial assistance, and create avenues for peer learning.

Second, KUSUM must also address inequity within a State. For instance, 90% of Bihar's farmers are small and marginal. Yet, they have received only 50% of government subsidies on solar pumps. On the other hand, in Chhattisgarh, about 95% of beneficiaries are from socially disadvantaged groups due to the mandate of the State. Learning from these contrasting examples, a share of central financial assistance under KUSUM should be appropriated for farmers with small landholdings and belonging to socially disadvantaged groups.

Third, instead of a one-size-fits-all approach, KUSUM should provide greater financial assistance to smaller farmers. KU-

SUM proposes a 60% subsidy for the pumps, borne equally by the Centre and the States, and the remaining 40% will be the farmer's contribution - 10% as down payment and 30% through loans. This unilateral financing approach will exacerbate the inter-farmer disparity given the inequity in access to credit and repayment capacity between small and large farmers. A higher capital subsidy support to small and marginal farmers and long-term loans with interest subsidies for large and medium farmers would be a more economical and equitable alternative.

Prudence over populism

Fourth, solarising existing grid-connected pumps, as proposed under the scheme, needs a complete rethink. Existing grid-connected farmers, who have enjoyed power subsidies for decades, would receive the same financial support as that received by an off-grid farmer. In addition, they would earn regular income from the DISCOM on feeding surplus electricity, furthering the inequitable distribution of taxpayers' resources. Instead, the scheme should only provide Central government subsidy of up to 30% for solarisation, and use the proposed State support to incentivise DISCOMs to procure energy from the farmers.

Also, solarising grid-connected pumps must include replacement of the pump. Poor efficiency levels of the existing pumps would mean unnecessary oversizing of the solar panels and lesser available energy to feed into the grid. Moreover, instead of feeding surplus energy to the grid, solar pump capacity could be used to power post-harvesting processes, which complement the seasonal irrigation load and can enhance farm incomes through local value addition. Further, the injection of solar power by farmers would require the entire agriculture electricity line (feeder) to be energised throughout the daytime, including for those not having solarised pumps. This would aggravate DISCOMs' losses on such feeders. Instead, an effective alternative is to solarise the entire feeder through a reverse-bidding approach, and provide water-conservation-linked incentives to farmers as direct benefit transfer.

KUSUM should not woo a certain section of farmers with short-sighted objectives. If designed better and implemented effectively, it holds the potential to catapult the Indian irrigation economy from an era mired in perpetual subsidy, unreliable supply, and inequitable distribution of resources to a regime of affordable, reliable, and equitable access to energy and water.

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Tapping the potential of communities to end AIDS

Success is achieved where policies and programmes focus on people, not diseases

GUNILLA CARLSSON

The UN Sustainable Development Goals include ensuring good health and well-being for all by 2030. This includes the commitment to end the AIDS epidemic. In many countries, continued access to HIV treatment and prevention options are reducing AIDS-related deaths and new HIV infections. But there are still too many countries where AIDS-related deaths and new infections are not decreasing fast. In fact, they are rising in some cases, though we know how to stop the virus. Why are some countries doing much better than others?

The road to success

Success is being achieved where policies and programmes focus on people, not diseases, and where communities are fully engaged from the outset in designing, shaping and implementing health policies. This is how real and lasting change is achieved and this is what will reduce the devastating impact of AIDS. Adopting the latest scientific research and medical



knowledge, strong political leadership, and proactively fighting and reducing stigma and discrimination are all crucial. But without sustained investment in community responses led by people living with HIV and those most affected, countries will not gain the traction necessary to reach the most vulnerable. And only by doing that can we end the AIDS epidemic. Community services play varying roles depending on the context. They often support fragile public health systems by filling critical gaps. They come from - and connect effectively with - key populations such as gay men, sex workers, people who use drugs, and transgender. They provide services that bolster clinic-based care and they extend the reach of health services to the community at large. They also hold deci-

sion-makers to account.

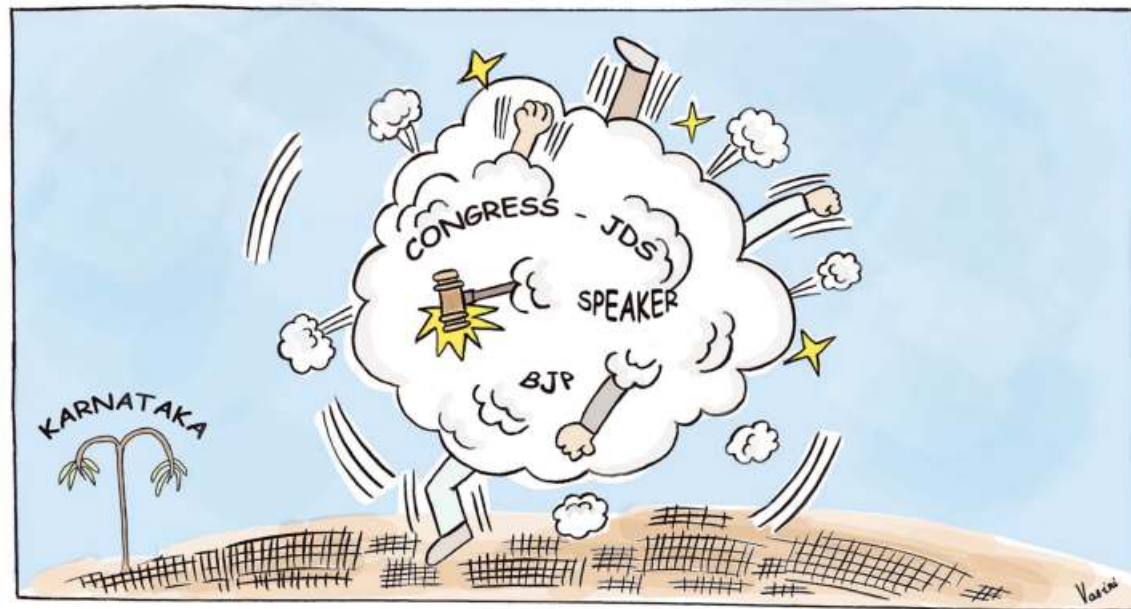
By signing the 2016 UN Political Declaration on Ending AIDS, countries affirmed the critical role that communities play in advocacy, coordination of AIDS responses and service delivery. Moreover, they recognised that community responses to HIV must be scaled up. They committed to at least 30% of services being community-led by 2030. However, most countries are nowhere near reaching that commitment. And where investment in communities is most lacking, there is often weaker progress being made against HIV and other health threats.

Reliable partners

All over the world, communities are demonstrating time and again that they can, and do, deliver results. Since the beginning of the epidemic in India until now, communities have been the most trusted and reliable partners for the National AIDS Control Organization and the Joint UN Programme on HIV/AIDS. They are fully engaged in many aspects of the National AIDS Response, including prevention, care, support and treatment programmes. There are over 1,500 community-based organisations reaching out to key populations. In India, there are around 300 district-level networks of people living with HIV which are supporting treatment programmes through psychosocial support, treatment literacy and adherence counselling.

Our communities present us with a lot of untapped potential. Unleashing this is the key to gaining the momentum we need to make faster progress towards reaching UNAIDS Fast-Track targets. The more we invest in communities, the closer we get to ending the AIDS epidemic.

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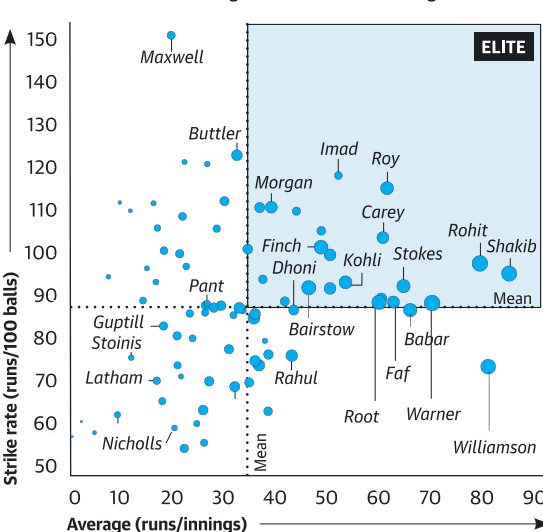
DATA POINT

The elite club

England's mighty batting was instrumental in their winning campaign while pace bowlers commanded New Zealand to the ICC Cricket World Cup 2019 final. For India, Rohit Sharma, Jasprit Bumrah and Virat Kohli were the star performers. Sumant Sen analyses individual player performances in the World Cup

English juggernaut

The chart plots a batsman's (●) average against his strike rate. The players in the elite section had the best average-strike rate. The size of the circle corresponds to the player's tournament runs. Five Englishmen feature among the elite



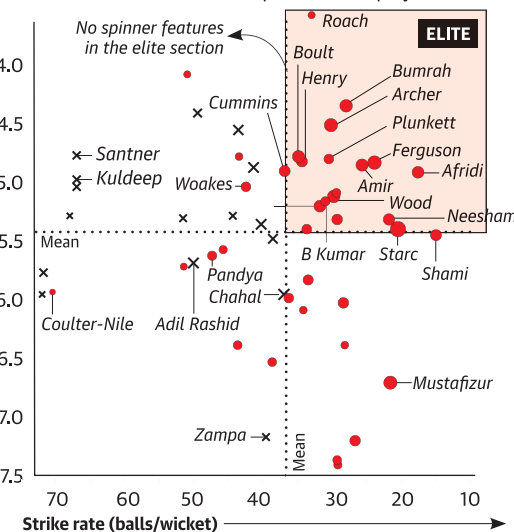
Through the roof

The tables show player's rankings as of Tuesday and the top five gains (▲) since May 28, 2019. Among batsmen, Australian Alex Carey and among bowlers, West Indies' Sheldon Cottrell moved the farthest ahead in the rankings

| Batsmen | Rankings as of July 16, 2019 |
|---------|------------------------------|
| 32 | Alex Carey ▲ |
| 31 | Van Dussen ▲ |
| 54 | Hardik Pandya ▲ |
| 36 | Haris Sohail ▲ |
| 74 | Grandhomme ▲ |

Pacer paradise

The chart plots a bowler's strike rate against his economy rate (Econ.). The players in the elite section had the best strike rate-Econ. x denotes spinners, (●) denotes pacers. The size of the circle/x corresponds to the player's wickets



Bowlers

| Bowlers | Rankings as of July 16, 2019 |
|---------|------------------------------|
| 40 | Cottrell ▲ |
| 23 | Shaheen Afridi ▲ |
| 13 | Mohd. Amir ▲ |
| 64 | Ben Stokes ▲ |
| 47 | Kemar Roach ▲ |

FROM THE ARCHIVES

FIFTY YEARS AGO JULY 17, 1969

Morarji Desai resigns

The Deputy Prime Minister, Mr. Morarji Desai, resigned in protest from the Central Cabinet to-day (July 16, New Delhi), when the Prime Minister, Mrs. Indira Gandhi, relieved him of the Finance portfolio and herself took it over in a surprise political move to hit back at the party bosses and reassert her supremacy in the wake of her latest set-back in the Congress Parliamentary Board over presidential candidature. This precipitate action by the Prime Minister has confronted the country with the most serious political crisis since Independence - with the Congress leadership at the Centre now so irrevocably divided and the ruling party clearly heading towards an internal trial of strength before Parliament meets on Monday (July 21). Though Mrs. Gandhi has requested him to continue as Deputy Prime Minister with any portfolio other than Finance, Mr. Desai felt that his self-respect demanded that he should resign immediately to vindicate his position - and presumably fight it out in the Congress Parliamentary Party. But she was not accepting his resignation in haste.

A HUNDRED YEARS AGO JULY 17, 1919.

Indian States and Reform.

On the occasion of laying the foundation stone of a Council Hall at Jamnagar by the Maharaja of Alwar, a ceremonious durbar was held at which sardars, officers and local gentry were present. In requesting the Maharaja of Alwar to lay the foundation stone of the Hall, Jamsaheb Ranjit Singhji said that he had according to the time-honoured culture of his Aryan ancestors instituted an advisory council composed of his subjects, whose advice and opinion he proposed to invite regularly on matters connected with social, industrial and economic progress of his subjects. In indicating the constitution of the advisory council His Highness said that they (Indian Princes) did not belong to a school that idolized democracy for democracy's sake and left but a thin line between anarchy and all-men-rule. They were advocates of popular rule in the sense that weighty, stable and reasoned public opinion should be at the back of strong, beneficent paternal Government. It was not difficult to work out a constitution that aims at securing the representation and advice of such interests as were stable, sound and trustworthy intellectually, commercially and otherwise.