

**POLITY & GOVERNANCE**

**MHA REPORT ON CITIZENSHIP AMENDMENT ACT (CAA)**

Recently, the Ministry of Home Affairs (MHA) released the annual report for the Citizenship Amendment Act (CAA).

- The notification of rules for the Citizenship Amendment Act (CAA) remains pending for over two years.

**Major points**

- The report said between April 1, 2020 and December 31, 2020, 3,014 and 217 cases of Long Term Visa (LTV) have been disposed of by the MHA for minority communities from Pakistan and Afghanistan, respectively.
  - During the same period, one case of LTV for minority community from Bangladesh was also disposed of by the MHA, even as a total of 412 Citizenship Certificates were granted by various competent authorities.
- According to the report, as many as 32,79,315 foreigners (including 4,751 Pakistani nationals) visited India during the period despite a raging pandemic.

**What is The Citizenship (Amendment) Act?**

- The Citizenship (Amendment) Act, 2019 (CAA) is an act that was passed in the Parliament on December 11, 2019.
- The 2019 CAA amended the Citizenship Act of 1955 allowing Indian citizenship for Hindu, Sikh, Buddhist, Jain, Parsi, and Christian religious minorities who fled from the neighboring Muslim majority countries of Pakistan, Bangladesh and Afghanistan before December 2014 due to "religious persecution or fear of religious persecution".
  - However, the Act excludes Muslims.
- Under CAA 2019 amendment, migrants who entered India by December 31, 2014, and had suffered "religious persecution or fear of religious persecution" in their country of origin, were made eligible for citizenship by the new law.
  - These types of migrants will be granted fast track Indian citizenship in six years. The amendment also relaxed the residence requirement for naturalisation of these migrants from eleven years to five.
- **Relaxations:** Under The Citizenship Act, 1955, one of the requirements for citizenship by naturalisation is that the applicant must have resided in India during the last 12 months, as well as for 11 of the previous 14 years.
  - The amendment relaxes the second requirement from 11 years to 6 years as a specific condition for applicants belonging to these six religions, and the aforementioned three countries.
- **Definition:** Under the Act, an illegal migrant is a foreigner who
  - Enters the country without valid travel documents like a passport and visa, or
  - Enters with valid documents, but stays beyond the permitted time period.
- **Exemptions:** Illegal migrants may be put in jail or deported under The Foreigners Act, 1946 and The Passport (Entry into India) Act, 1920.
  - It exempts the members of the six communities from any criminal case under the Foreigners Act, 1946 and the Passport Act, 1920.
  - The two Acts specify punishment for entering the country illegally and staying here on expired visas and permits.
- **Sixth Schedule:** The Citizenship (Amendment) Act does not apply to tribal areas of Tripura, Mizoram, Assam and Meghalaya because of being included in the Sixth Schedule of the Constitution.
  - Also areas that fall under the Inner Limit notified under the Bengal Eastern Frontier Regulation, 1873, will also be outside the Act's purview.
  - This keeps almost the entire Arunachal Pradesh, Mizoram and Nagaland out of the ambit of the Act.
    - ❖ It would ensure protection of indigenous and tribal populations of the region.

**How is citizenship acquired in India?**

- In India, citizenship is regulated by the Citizenship Act, 1955. The Act specifies that citizenship may be acquired in India through five methods:
  - By birth in India,

- By descent,
- Through registration,
- By naturalization (extended residence in India), and
- By incorporation of territory into India.

**Significance**

- **Benefit non-Muslims:** It will benefit non-Muslims excluded from the proposed citizens' register, while excluded Muslims will have to prove their citizenship.
- **Religious persecution:** It aims to grant citizenship to minorities who have faced religious persecution in Muslim-majority foreign countries.
- **Partition:** It is righting the wrongs of history by granting refuge to the sons and daughters of "Ma Bharti", who were left stranded by Partition.

**Controversy**

- **Targeting Muslims:** The fundamental criticism of the act has been that it specifically targets Muslims.
  - The protesters claimed that the law violates the Constitution as it aims to grant Indian citizenship on the basis of religion — barring Muslims.
- **Article 14:** Critics argue that it is violative of Article 14 of the Constitution, which guarantees the right to equality.
- **In the North-eastern states:** the prospect of citizenship for massive numbers of illegal Bangladeshi migrants has triggered deep anxieties, including fears of demographic change, loss of livelihood opportunities, and erosion of the indigenous culture.
- **Law and order situation:** The protests, some of them violent, have created a law and order situation. But even as the northeast and the rest of India join in the protests against the Act, the purpose of their protests are very different from each other.

**Governments Stand**

- According to the government the legislation is "compassionate and ameliorative" and does not deprive any Indian of citizenship.
- The CAA is a limited and narrowly tailored legislation which seeks to provide a relaxation to aforesaid specific communities from the specified countries with a clear cut-off date.
- The CAA does not apply to Indian citizens. Therefore, it does not in any way take away or abridge the rights of any Indian citizen.
- The present legal process of acquiring Indian citizenship by any foreigner of any category as provided in the Citizenship Act-1955 is very much operational and the CAA does not amend or alter this legal position in any manner whatsoever.
- Hence, legal migrants of any religion from any country will continue to get Indian citizenship once they fulfil the eligibility conditions already provided in the law for registration or naturalisation.
- The CAA does not affect the protection granted by the Constitution to indigenous population of northeastern states

**IMPORTANT FACTS FOR PRELIM****1. PM CARES Fund**

Recently, a petition was filed seeking that the PM CARES Fund be declared as 'The State' under Article 12 of the Constitution of India.

**About Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund (PM CARES Fund)****Established:**

- In March 2020
- It has been registered as a Public Charitable Trust.

**Objective:**

- To undertake and support relief or assistance of any kind relating to a public health emergency or any other kind of emergency, calamity or distress, either man-made or natural, including the creation or upgradation of healthcare or pharmaceutical facilities, other necessary infrastructure, funding relevant research or any other type of support.
- To render financial assistance, provide grants of payments of money or take such other steps as may be deemed necessary by the Board of Trustees to the affected population.
- To undertake any other activity, this is not inconsistent with the above Objects.

**Composition:**

- Prime Minister is the ex-officio Chairman of the PM CARES Fund and Minister of Defence, Minister of Home Affairs and Minister of Finance, Government of India are ex-officio Trustees of the Fund.
- The Chairperson of the Board of Trustees shall have the power to nominate three trustees to the Board of Trustees who shall be eminent persons in the field of research, health, science, social work, law, public administration and philanthropy.
- Any person appointed a Trustee shall act in a pro bono capacity.

**Funding:**

- The fund consists entirely of voluntary contributions from individuals/organisations and does not get any budgetary support.

**Exemptions:**

- Donations to PM CARES Fund would qualify for 80G benefits for 100% exemption under the Income Tax Act, 1961.
- Donations to PM CARES Fund will also qualify to be counted as Corporate Social Responsibility (CSR) expenditure under the Companies Act, 2013
- PM CARES Fund has also got exemption under the FCRA and a separate account for receiving foreign donations has been opened.

**Registration:**

- The trust deed of PM CARES Fund has been registered under the Registration Act, 1908.

**2. Guillain Barre Syndrome**

The risk for developing Guillain-Barré syndrome after receipt of a COVID-19 vaccine is small, but higher with the Johnson & Johnson shot.

**Guillain-Barré syndrome (GBS)****About:**

- It is a rare condition in which a person's immune system attacks the peripheral nerves.
- The syndrome can affect the nerves that control muscle movement as well as those that transmit pain, temperature and touch sensations.
- This can result in muscle weakness and loss of sensation in the legs and/or arms.
- It is more common in adults and in males, people of all ages can be affected.

**Causes:**

- Guillain-Barré syndrome is often preceded by an infection. This could be a bacterial or viral infection. Guillain-Barré syndrome may also be triggered by vaccine administration or surgery.

**Symptoms:**

- Weakness or tingling sensations. They usually start in the legs, and can spread to the arms and face.
- For some people, these symptoms can lead to paralysis of the legs, arms, or muscles in the face.

**Treatment:**

- It is potentially life-threatening. GBS patients should be hospitalised so that they can be monitored closely.
- Supportive care includes monitoring of breathing, heartbeat and blood pressure.
- Some patients also need immunological therapies.

**3. World Malaria Day**

Recently, the World Malaria Day was observed by the World Health Organisation to spread awareness about the illness.

**About World Malaria Day**

- Every year, 25th April is observed as World Malaria Day.
- **Theme of 2022** : 'Harness innovation to reduce the malaria disease burden and save lives'.

**History:**

In Africa, governments have been observing Malaria Day since 2001. However, it was only in 2007, during the 60th session of the World Health Organisation, that it was proposed to recognise Africa Malaria Day as World Malaria Day and to recognise the impact of the disease worldwide. The first World Malaria Day was held in 2008.

**Significance:**

- The day is celebrated and observed to raise awareness about this life-threatening disease and to encourage people to come together in order to prevent it.

- The day also allows new donors to join the fight against malaria by organising fundraisers for the initiative.
- It also aims to bring research and educational institutions to communicate any scientific advancements made regarding the disease.

**About Malaria**

- It is a preventable and treatable disease that continues to have a devastating impact on the health and livelihood of people around the world.
  - In 2020, there were an estimated 241 million new cases of malaria and 627 000 malaria-related deaths in 85 countries.
  - More than two thirds of deaths were among children under the age of 5 living in the WHO African Region.
- **Cause:** It is a life threatening disease caused by plasmodium parasites.
- **Transmission:** The parasites spread through the bites of infected female Anopheles mosquitoes.
  - In the human body, parasites initially multiply in liver cells and then attack the Red Blood Cells (RBCs).
  - There are 5 parasite species that cause Malaria in humans and 2 of these species (Plasmodium falciparum and Plasmodium vivax) pose the greatest threat.
- **Distribution:** It is predominantly found in the tropical and subtropical areas of Africa, South America and Asia.
- **Symptoms:** Fever and flu-like illness, including chills, headache, muscle ache and fatigue.
- **Prevention and Cure**
  - It is preventable as well as curable.
  - Vector control is the main way to prevent and reduce malaria transmission.
  - Antimalarial medicines are used to prevent malaria e.g. Chemoprophylaxis, Artemisinin-based Combination Therapy (ACT).
- **Vaccine**
  - In October 2021, WHO recommended the broad use of the RTS,S malaria vaccine for young children living in areas with moderate and high malaria transmission.
- **Initiatives Taken by India**
  - Indian Council of Medical Research (ICMR) established Malaria Elimination Research Alliance (MERA) India which is a conglomeration of partners working on Malaria control.
  - India is also among the 18 Global leaders who endorsed the Malaria Elimination roadmap of Asia Pacific Leaders Malaria Alliance at the East Asia Summit held in Malaysia in 2015.
    - It was then that the alliance leadership set the goal of ensuring that the Region becomes free of malaria by 2030.
    - In 2017, India launched its 5-year National Strategic Plan for Malaria Elimination (2017-2022) that shifted focus from Malaria control to elimination and provided a roadmap to end malaria in 571 districts out of India's 678 districts by 2022.

**DAILY ANSWER WRITING PRACTICE**

**Q1. Hate speech is the root of many forms of violence that are being perpetrated and has become one of the biggest challenges to the rule of law and societal harmony. Examine. (250 words)**

**Introduction**

- The term hate speech is understood as any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group based on their religion, ethnicity, nationality, race, color, descent, gender or other identity factor.
- The Law Commission, in its 267th report on hate speech, said such utterances have the potential to provoke individuals and society to commit acts of terrorism, genocide, and ethnic cleansing.
- There is no international legal definition of hate speech, and the characterization of what is 'hateful' is controversial and disputed.

**Body**

**Impact of hate speech on the society**

- Hate speech is a discursive process of pushing marginalised groups outside of social, economic and political spheres of society by disseminating hate propaganda and encouraging discrimination.

- At its most harmful, it is widely recognized as a precursor to ethnic cleansing.
- **Internal Security:** The Muzaffarnagar riots of 2013 was triggered by a fake video that incited communal passions. In the West, hate speech combined with fake news on minorities has induced an anti-immigration sentiment (e.g. : France, Italy, Greece)
- **User homophily and Bubble phenomenon:** Users with matching political views exchange one-sided information and opinions that suit their own convictions, reinforcing them even further, even if those were based on false information. E.g. : Twitter prompts users to follow those who express similar views or posts.
- **Igniting extremist sentiments:** Fake news' perpetuates, previously locally found, extremist ideas and groups together dangerously like-minded people e.g. – Neo-Nazis in Germany, Separatists in Kashmir.
- **Mob lynching:** Rumours of child lifting in Jharkhand led to mob lynching on innocent victims.
- **Violence:** An atmosphere of violence and chaos is created directly or indirectly. The Christchurch Terror attack on a mosque by an extremist was a result of Islamophobia (a direct result of hate speech).
- Misinformation and disinformation due to hate speech and fake news have led to riots as seen in the Delhi Riots case 2020.

### Measures needed

#### Measures:

- The world's biggest social media companies, including Facebook, Google, Twitter and ByteDance, are exploring an industry-wide alliance to curb fake news on their platforms in India.
- The Election Commission of India must tie up with tech companies to identify the creator of such news.
- Educating the end-users.
- The government should bring out a policy framework on the possible harm due to the internet messaging platforms to engage at a deeper level.
- Imposing hefty fines, like in Germany the Social media companies face fines of up to €50m if they persistently fail to remove illegal content from their sites.

#### Way forward

- Clarity and technological upgradation is needed to deal with this and a mechanism to get down such material, which is prone to disturb social setup.
- Improving the level of training in equality and non-discrimination among police forces and legal bodies, improving research and encouraging reporting of such content.
- Indian government has been pushing for internet platforms to locate their servers in the country, which might help address dangerous speech in real time.
- Generating contra-narratives on social networks and raising public awareness through campaigns to tackle extremism.
- There can be an internationally accepted law that places the responsibility on social media companies like Facebook to tackle hate speech by deleting obviously illegal content within 24 hours if there is a request from the Government of a particular nation.
- Social media platforms need to take responsibility to ensure transparency, accountability and a system of rules and guidelines that users can recognize as standards, and which when enforced in a regularized fashion can begin to act as precedents. Thus, users, police and civil society actors will have a clear sense of what kind of material is likely to be taken down.
- Public authorities must be held accountable for dereliction of the duty of care and also for non-compliance with this court's orders by not taking action to prevent vigilante groups from inciting communal disharmony and spreading hate against citizens of the country and taking the laws into their own hands.
- Therefore giving a proper definition to hate speech would be the first step to deal with the menace and other initiatives such as spreading awareness amongst the public is the need of the hour.

### **DAILY QUIZ**

Q1. With reference to Guillain-Barré syndrome (GBS), consider the following statements:

1. It is a rare condition in which a person's immune system attacks the peripheral nerves.
2. It is preceded only by bacterial infection.
3. People of all ages can be affected.

Which of the statements given above are correct?

- (a) **1 and 3 only** (b) 2 only (c) 1 and 2 only (d) only 1

Q2. With reference to the Citizenship (Amendment) Act, consider the following statements:

1. It grants citizenship only to Hindus and Sikhs from Afghanistan and Bangladesh who had arrived in India before December 31, 2014.

2. It does not apply to tribal areas of Tripura, Mizoram, Assam and Meghalaya

Which of the statements given above is/are correct?

- (a) Neither 1 nor 2 (b) **2 only** (c) 1 and 2 only (d) only 1

Q3. Consider the following statements:

1. The term 'secular' was added to the Preamble in the 44th Constitutional Amendment.

2. The freedom of religion is guaranteed to aliens also.

Which of the statements given above is/are correct?

- (a) Neither 1 nor 2 (b) **2 only** (c) 1 and 2 only (d) only 1

Q4. Recently, the "Boom and Bust report" was in the news. It is released by which organisation?

- (a) World Bank  
(b) **Global Energy Monitor**  
(c) World Economic Forum  
(d) The International Atomic Energy Agency

Q5. The IUCN red list classifies 'Gharial' as

- (a) Vulnerable (b) Endangered  
(c) **Critically Endangered** (d) Least Concern

Q6. Which of the following moon's are associated with Jupiter?

1. Enceladus 2. Titan  
3. Europa 4. Ganymede

Select the correct answer using the code given below:

- (a) 1 and 3 only (b) **3 and 4 only** (c) 1 and 2 only (d) 1, 2 and 3

Q7. With reference to Wheat procurement system in India, consider the following statements:

1. Wheat is procured by Food Corporation of India (FCI), along with state government agencies (SGAs).

2. The wheat procurement system can be decentralised (DCP) to states only.

Which of the statements given above are correct?

- (a) Neither 1 nor 2 (b) 2 only (c) 1 and 2 only (d) **Only 1**

Q8. With reference to Special purpose acquisition companies (SPACs), consider the following statements:

1. They are also known as Blank check companies.

2. These companies do not have any operations or revenues.

3. The Indian regulatory framework does not allow the creation of these companies.

Which of the given above statements are correct?

- (a) 1 and 3 only (b) 2 only (c) 1 and 2 only (d) **1, 2 and 3**

Q9. With reference to the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) 2005, consider the following statements:

1. It provides a legal guarantee for 100 days of skilled work in every financial year to adults in rural areas.

2. It comes under the category of Centrally Sponsored Schemes.

3. At least one-third beneficiaries have to be women.

Which of the statements given above is/are correct?

- (a) 1 and 3 only (b) **2 and 3 only** (c) 1 and 2 only (d) 1, 2 and 3

Q10. The Border Security Force (BSF) has powers pertaining to which of the following crimes?

1. Prevention of trans-border crimes 2. Illegal entry of foreigners  
3. Seizure of narcotics 4. Cattle smuggling

Select the correct answer code:

- (a) 1, 2 (b) 1, 2, 3 (c) 1, 2, 4 (d) **1, 2, 3, 4**