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Assessing the Impacts of India's Citizenship Amendment Act (CAA) on Refugee Protection: A Post-2019 Analysis

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Abstract:

The Citizenship (Amendment) Act, 2019, being the most contentious recent piece of legislation, sparked an unprecedented protest and controversy across the whole country. This short piece of legislation granted a fast-track mode of citizenship to six religious' groups in three neighbouring countries. The sceptic asserts that though apparently beneficial, this Act is fitted with discrimination, and deprivation and equipped with the ulterior motive of the present ruling government. The scepticism stems mostly from the exclusion of one religious' group from its legislative domain and it calls into question its cherry-picking method of selecting three neighbouring countries. Critics assert that this legislative amendment will surely fail to pass the test of the doctrine of 'intelligible differentia' and hence it is unconstitutional on the grounds of violative of Article 14 of the Indian Constitution. To what extent, this contention holds water appears to be the thrust of this paper. A section of refugee law scholars also depicts this piece of legislation as 'quasi refugee law' in the Indian setting. To what extent, it serves the interests of refugees seems to be the special focus of this paper.

Keywords: *Citizenship, Refoulement, Refugee, Intelligible-differentia, Persecution, Article 14 of the Indian Constitution, The Citizenship (Amendment) Act, 2019*

Introduction

"The CAA is a limited and narrowly tailored legislation which seeks to provide a relaxation to...specific communities from the specified countries with a clear cut-off date.".... Ministry of Home Affairs, G.O.I in its Annual Report for 2020-21.

Being derived from the Latin word "*Cavitas*," the term "*Citizen*" indicates the connection between the individual and the State under which such individual lives or participates in its functions. As a member of the political community or the State, it denotes legal status and bears certain exclusive rights and duties as well. In India, the issue of Citizenship is governed by the Constitution of India and the Citizenship Act, of 1955 (Gogoi, 2022).

Part II of the Constitution deals with the provisions concerning Indian Citizenship at the commencement of the Indian Constitution. Similarly, the Citizenship Act, of 1955 addresses the

Citizenship issue in our country after the commencement of the Indian Constitution. Without delving into the citizenship debate, the researchers keep themselves confined to the very recent 2019 amendment of the Citizenship Act of 1955 because this amendment to the Citizenship law has a specific bearing on the persecuted groups of three neighbouring countries. Here the researchers have dealt with a few important issues like whether there is any specific connection between the recent 2019 Citizenship Amendment Law and the refugees, by assessing the purpose of the Act to protect the refugees who have taken shelter in our country (Economic Times, 2024a).

It is in this socio-legal backdrop, that the authors herein have ventured to write on this topic of contemporary relevance. This paper, inter-alia, highlights the overview of the contentious Citizenship Amendment of 2019 and attempts to trace the furore underlying it. Lastly, the authors have tried to find out the role, if any, of this Central legislation towards refugee protection in India and have briefly come up with a way forward to address this crisis (Government of India, 2015b).

Demographic Overview

India, a country of over 1.4 billion people, is a mosaic of ethnic, linguistic, and religious diversity. It is home to a multitude of communities, including Hindus, Muslims, Christians, Sikhs, Buddhists, Jains, and others, each with their own distinct cultural identities. This diversity is further enriched by the presence of various tribal groups, particularly in the northeastern states, and a significant population of people who have migrated from neighboring countries over the years.

Religious composition is a key aspect of India's demographic profile. According to the 2011 Census, Hindus constitute around 79.8% of the population, Muslims 14.2%, Christians 2.3%, Sikhs 1.7%, Buddhists 0.7%, and Jains 0.4%. These figures, however, do not fully capture the complexity of India's demographic landscape, which has been shaped by historical migrations, inter-communal relations, and the influence of external political and religious movements.

The north-eastern region of India, which shares borders with Bangladesh, Bhutan, China, Myanmar, and Nepal, is particularly significant in the context of the Citizenship Amendment Act (CAA). This region is characterized by a high degree of ethnic diversity, with numerous indigenous communities coexisting alongside migrants from Bangladesh and other neighboring countries. The demographic composition of this region has been a source of tension, with concerns about the impact of migration on the cultural and political landscape of the area.

Historical Context

India's history has been marked by waves of migration, invasions, and cultural exchanges, which have significantly influenced its demographic composition. The partition of British India in 1947, which led to the creation of India and Pakistan, was a defining moment in the subcontinent's history.

Assessing the Impacts of India's Citizenship Amendment Act (CAA) on Refugee Protection: A Post-2019 Analysis

The partition triggered one of the largest mass migrations in history, with an estimated 10 to 15 million people crossing the newly drawn borders to join the country of their religious affiliation. This event not only altered the demographic makeup of the region but also sowed the seeds of communal tensions that continue to affect India and its neighbors. In the years following independence, India witnessed several influxes of refugees due to political, religious, and ethnic conflicts in neighboring countries. The 1971 Bangladesh Liberation War, for instance, led to a massive influx of refugees into India, particularly in the northeastern states of Assam, West Bengal, and Tripura. The Rohingya crisis in Myanmar, the civil war in Sri Lanka, and the Soviet invasion of Afghanistan are other examples of events that have led to the migration of refugees into India.

India's approach to refugees has traditionally been shaped by its historical experience and its commitment to humanitarian principles, despite the absence of a formal legal framework for refugee protection. The country has accommodated diverse refugee populations, including Tibetans, Sri Lankan Tamils, Chakmas from the Chittagong Hill Tracts, and more recently, Rohingya Muslims. However, India's refugee policy has been largely ad hoc, relying on executive orders and administrative measures rather than comprehensive legislation.

Citizenship Amendment Act (CAA) in Historical Context

The Citizenship Amendment Act (CAA), passed in December 2019, represents a significant shift in India's approach to citizenship and refugee protection. The CAA amends the Citizenship Act of 1955 to provide a pathway to citizenship for religious minorities — Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians — from Pakistan, Bangladesh, and Afghanistan, who entered India before December 31, 2014. The Act excludes Muslims, marking a departure from India's secular tradition of not linking citizenship to religion.

The CAA must be understood in the context of India's historical experiences with migration and refugee flows. The law's explicit focus on religious minorities from neighboring Islamic states is rooted in the perception that these groups face persecution in their countries of origin and therefore deserve protection. However, the exclusion of Muslims has sparked widespread criticism and protests, both within India and internationally, as it is seen as discriminatory and a violation of the secular principles enshrined in India's Constitution.

The northeastern region of India, which has historically borne the brunt of migration from Bangladesh, has been particularly sensitive to the implications of the CAA. The fear of demographic change and cultural assimilation has fueled opposition to the Act in states like Assam, where the preservation of indigenous identity has long been a political issue. The CAA has also exacerbated tensions in other parts of the country, where concerns about its potential impact on India's Muslim population and the secular fabric of the nation have led to widespread unrest.

Citizenship (Amendment) Act, 2019: An Overview

The 11 (eleven) years prerequisite for citizenship by registration or naturalisation in the 1955 Act has now been shortened to 5 (five) years for these categories of people. Here the researchers are not unmindful of the fact that the seeds of this contentious enactment were sown in 2015 itself, when the Passport (Entrance into India) Rules, 1950 and Foreigners Order, 1948 were applied to that effect. These two amendments, namely Order 3A of The Foreigners Order, 1948 and Rules 4 (ha) of The Passport (Entry into India) Rules, 1950, granted a protective umbrella to the six religious minorities (Hindu, Christians, Buddhists, Jains, Parsis, and Sikhs) of Bangladesh and Pakistan, who took shelter in India to evade religious persecution or its consequent fear. As a result, these amendments granted an exemption to those specific religious minorities from the penal consequences of the Foreigners Act, of 1946 and the Passport Act, of 1920. The only difference is that: unlike the Citizenship (Amendment) Act of 2019, these two 2015 amendments benefit illegal migrants from two countries only, namely, Pakistan and Bangladesh (Economic Times, 2024b).

Political Milieu of India: Contextualizing the Citizenship Amendment Act (CAA)

Rise of Majoritarian Politics

The political milieu in India leading up to the enactment of the Citizenship Amendment Act (CAA) in 2019 was heavily influenced by the rise of majoritarian politics. The Bharatiya Janata Party (BJP), led by Narendra Modi, came to power in 2014 with a strong mandate, advocating for a vision of India rooted in the ideology of Hindutva, or Hindu nationalism. This ideology seeks to define Indian identity primarily through the lens of Hindu culture and religion, emphasizing the primacy of Hindu values and traditions in the country's political and social fabric. The BJP's rise to power marked a significant shift in India's political landscape. The party's narrative increasingly focused on issues of national security, religious identity, and the protection of the majority Hindu community's interests. This was reflected in the party's electoral strategies, which often centered around polarizing issues such as cow protection, the construction of the Ram temple in Ayodhya, and the perceived threat posed by Muslim immigrants, particularly in the northeastern states. The BJP's approach to governance also included the promotion of policies that reinforced the idea of India as a Hindu nation. This included the abrogation of Article 370 in 2019, which granted special autonomy to the Muslim-majority region of Jammu and Kashmir, and the passage of the Citizenship Amendment Act (CAA), which explicitly linked citizenship to religious identity. These moves were seen by many as part of a broader agenda to reshape India's secular, pluralistic identity in favor of a more majoritarian, Hindu-centric vision.

Assessing the Impacts of India's Citizenship Amendment Act (CAA) on Refugee Protection: A Post-2019 Analysis

Legislative Context and Passage of the CAA

The Citizenship Amendment Act (CAA) was introduced and passed in this charged political environment. The Act was first introduced in Parliament in July 2016 but lapsed after the dissolution of the 16th Lok Sabha. It was reintroduced in December 2019 and swiftly passed by both houses of Parliament, despite widespread protests and opposition.

The CAA amends the Citizenship Act of 1955 to provide a pathway to Indian citizenship for religious minorities — Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians — from Pakistan, Bangladesh, and Afghanistan, who entered India before December 31, 2014. The exclusion of Muslims from this list was justified by the government on the grounds that these neighboring countries are Islamic states, and therefore, Muslims are unlikely to face religious persecution there.

The passage of the CAA was supported by the BJP's strong majority in Parliament, as well as its allies in the National Democratic Alliance (NDA). However, the Act faced stiff resistance from opposition parties, civil society organizations, and various regional groups, particularly in the northeastern states. Critics argued that the CAA violated the secular principles enshrined in India's Constitution by discriminating against Muslims and linking citizenship to religious identity.

Nationwide Protests and Political Backlash

The enactment of the CAA sparked widespread protests across the country, marking one of the most significant political upheavals in India in recent years. The protests were particularly intense in university campuses, urban centers, and the northeastern states, where the fear of demographic change and cultural assimilation fueled public anger.

In Assam and other northeastern states, the opposition to the CAA was driven by concerns that the Act would encourage further migration from Bangladesh, threatening the region's fragile demographic balance and cultural identity. The region has a long history of tensions over migration, particularly from Bangladesh, and the CAA was seen as a betrayal of the promises made in the Assam Accord of 1985, which sought to protect the region from the influx of illegal immigrants.

In other parts of India, particularly in states with significant Muslim populations, the CAA was viewed as part of a broader agenda to marginalize Muslims and undermine the secular character of the Indian state. The combination of the CAA with the proposed nationwide implementation of the National Register of Citizens (NRC) raised fears that millions of Muslims could be rendered stateless or subject to discrimination.

The protests against the CAA and NRC were marked by their broad-based nature, cutting across religious, regional, and political lines. They included a diverse coalition of students, activists, political parties, and ordinary citizens who came together to voice their opposition to what they saw as a

discriminatory and divisive law. The government responded with a heavy-handed crackdown, including internet shutdowns, curfews, and the use of force against protesters, leading to further escalation of tensions.

International Reactions and Diplomatic Implications

The passage of the CAA and the ensuing protests also attracted significant international attention and criticism. Various human rights organizations, including Amnesty International and Human Rights Watch, condemned the Act as discriminatory and a violation of India's international obligations under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Several foreign governments and international bodies, including the United States Commission on International Religious Freedom (USCIRF), expressed concern over the CAA and the potential for it to exacerbate religious tensions in India. The issue also became a point of contention in India's diplomatic relations with its neighbors, particularly Bangladesh, which expressed concern over being singled out as a source of illegal migration.

The Political Milieu Post-CAA

The political milieu in India following the passage of the CAA has been marked by increased polarization and tension. The BJP government has continued to defend the Act as a necessary measure to protect persecuted minorities in neighboring countries, while critics have remained vocal in their opposition, framing the law as part of a broader assault on India's secular and democratic values. The CAA has also had significant implications for India's domestic and international image. Domestically, it has deepened the divisions between the ruling party and the opposition, as well as between different religious and ethnic communities. Internationally, it has raised questions about India's commitment to secularism and human rights, potentially affecting its relations with other countries and its standing in global forums.

In conclusion, the political milieu in India leading up to and following the enactment of the Citizenship Amendment Act (CAA) has been characterized by a shift towards majoritarian politics, increasing polarization, and widespread public dissent. The CAA, as a legislative measure, reflects the broader ideological and political currents shaping India today, and its impact on refugee protection, minority rights, and India's secular identity will continue to be a subject of intense debate and analysis.

Enactment of Citizenship (Amendment) Act, 2019 & Consequent Furore

This short piece of legislation triggered a heated debate and unprecedented furore across the whole country questioning the legislative intention or object behind it. We have witnessed a nationwide

Assessing the Impacts of India's Citizenship Amendment Act (CAA) on Refugee Protection: A Post-2019 Analysis

controversy and massive protests against this Act. Critics have mainly attacked this Act on the grounds of discrimination against Muslims. The ruling governments' intention was vehemently attacked mainly on the grounds of elimination of Muslims from the legislative ambit. Some notable intellectuals have claimed that the CAA possesses anti-secular characteristics (Jain, Srivastava and Tiwary, 2022).

Since it has kept Muslims outside its scope and has condemned the legislative move as inherently communal on the grounds of embracing 'religion' to confer Indian citizenship. The critics and sceptic have left no stone unturned to criticise the move of the present ruling government by alleging its non-secular nature and also by accusing the current Indian government as a pro-Hindu government. The bone of contention of the opposition is that by excluding Muslims from the zone of consideration and by compromising the secular nature of the Indian Constitution, the present government of India has moved a step further in the formation of one "Hindu Rashtra". To buttress this contention, the critics and opponents have cited the NRC-based exercise in Assam, which has excluded almost 19 (nineteen) lakh people after its publication of the final list in 2019. As per the opponents, because more than 10 (ten) lakh Hindus are included in these 19 (nineteen) lakhs excluded figure in Assam, CAA deliberately stepped in to safeguard them from losing their citizenry rights. Opponents had smelled some foul in the timing of this legislative reform (Government of India, 2015a).

Citizenship (Amendment) Act, 2019 & Stand of the Government

Per contra, the Indian Government rebutted this allegation by asserting that the intended beneficiaries of the 2019 Citizenship amendment are none other than the religious minorities of three neighbouring countries of India. In these three neighbouring countries, Islam is admittedly the State religion. Owing to this, these religious groups, being religious minorities, faced severe deprivation, tremendous exploitation, and brutal persecution. To give them a place of honour and dignity, these persecuted religious groups of the specified three neighbouring countries have been given the fast-track mode of acquiring citizenship rights. Hence, by relying on the Purpose and Intent Behind the Citizenship Bill of 2019, the government contends that this recent legislative amendment is nothing but a humanitarian moves to provide ministrations and succour to the religiously persecuted minorities of the above-mentioned three nations (Government of India, 2024).

Citizenship (Amendment) Act, 2019 & Tentative Grounds of Attack

With this background, the researcher considers it imperative to explore the concerns raised in it. From the perusal of numerous available literature, it appears that criticisms are mainly six-fold. Critics assert the unconstitutionality of the amendment on the grounds of breach of multiple provisions of the Indian Constitution and also of compromising its secular features it. Besides this, the choice of three neighbouring countries was also put beneath the scanner. Some have also questioned the decision to

exclusion of Rohingyas of Myanmar and Tamils of Sri Lanka. Some have also questioned that if providing soothe to persecuted victims is the only intended objective, then why Shia, Hazaras, and Ahmadiyya's are being excluded in these neighbouring countries? Thus, it appears that the CAA of 2019 came under considerable attack mainly on the following five factors. (Gumaste, 2021).

- i. Contravening Articles 14, 15, and 21 of the Constitution, along with the secular ethos.
- ii. Can be disputed and debated on the selection of the above-mentioned three specific neighbouring countries.
- iii. Can be critiqued about the exclusion of Rohingyas of Myanmar and Sri Lankan Tamils. In short, this method of classification can be questioned for its under-inclusiveness.
- iv. Can be challenged since this Act discriminates against Muslims in these neighbouring countries.
- v. Can be questioned because Shia, Hazaras, and Ahmadiyya's also endure persecution in these three neighbouring states.
- vi. Can also be questioned on the ground of making religion a basis for classification.

Citizenship (Amendment) Act, 2019 vis-à-vis Constitutionality & Unconstitutionality

Numerous petitions have been submitted to the Indian Supreme Court challenging the constitutionality and validity of the Act. All such petitions have been clubbed together in the seminal case of *'Indian Union Muslim League v. Union of India'*. Thus, the matter is now sub-judice and pending consideration before the Indian Apex Court. In this setting, the authors through their limited legal acumen and prudence attempt to legally explore and examine both sides of the contentious Act. (Indian Kanoon, 2024a).

Tentative arguments in support of the CAA move-

- a) The contention of the critics that CAA tends to breach the mandate of Article 15 of the Indian Constitution is completely unfounded and baseless because this Article only applies to Indian citizens and by no stretch of the imagination can be held applicable to non-citizens also. In terms of violations of Articles 14 and 21 of the Indian Constitution, the researcher would prefer to argue that these prohibitions apply to individuals "who live in India or dwell in India, rather than those who wish to enter India." As a result, a Pakistani sitting in Pakistan cannot agitate about a breach of his or her rights under Articles 14 and 21 of the Indian Constitution. (Indian Kanoon, 2024b)
- b) On the issue of the non-inclusion of Rohingya Muslims of Myanmar and Sri Lankan Tamils, one reasonable argument seems to be that: a legislative measure that remedies one injustice does not need to cover all the other related injustices. To answer the question of under-inclusion, it is necessary to understand what the term means in a legal sense.
- c) On the issue of whether the CAA systematically discriminates against Muslims in the specified

Assessing the Impacts of India's Citizenship Amendment Act (CAA) on
Refugee Protection: A Post-2019 Analysis

three neighbouring Islamic nations, one could reasonably argue that someone belonging to the religious faith of the State itself cannot at least be subjected to religious persecution. Thus, the contention of discrimination against Muslims seems preposterous and ridiculous. Here the prudent contention should be: this law does not state unequivocally and categorically that Muslims from neighbouring countries would never be granted citizenship (Times of India, 2024b).

- d) On the issue of Shia, Hazara, and Ahmediya's persecution in those three specified countries and their non-inclusion within the contours of the Act, it might be claimed that the goal of this amendment is not to fix all the governance-related difficulties in our neighbouring nations. India has no duty or commitment to go to its neighbouring countries and locate individuals who are being mistreated in those countries and extend protection to enable them to settle in India.
- e) On the choice of three Islamic countries, it can be argued that the matter falls within the policy decision of the government and the Court would be very slow to scrutinize it unless it is patently arbitrary. Thus, the selection of three Islamic nations can be claimed to be a matter of government policy and the scope of judicial review should be very limited unless it is manifestly whimsical and capricious.
- f) On the question that 'religion' cannot be a reasonable basis for classification, reliance may be placed upon the decision of the Indian Supreme Court in Mahant Moti Das's case, where the court upheld the factor of 'religion' as a reasonable basis for classification. In reality, members of religious minority communities in our country have certain specific privileges under the Indian Constitution. Thus, religious categorization is not '*ipso-facto*' unconstitutional. Judicial attention may also be drawn to the 2004 Lautenberg-Spectre Amendment of the United States that conferred refugee status upon the historically persecuted communities and consequential citizenship tag to the Jews, Christians, and Baha'is from three countries (Kumar, 2016).

Tentative arguments to counter and contradict the CAA move-

- a) First of all, The Citizenship Amendment of 2019 makes a whimsical and capricious differentiation between 'illegal immigrants based on their religion by conferring entitlements to certain religious communities while eliminating Muslims (PTI, 2022).
- b) For the sake of argument, even if it satisfies the test of Article 14 and 21, the 2019 Citizenship (Amendment) Act can still be vehemently attacked on the ground of violating the cherished principle of 'secularism', which has been declared as one of the indispensable and cardinal structures of the Indian Constitution in the landmark nine judges Bench decision of the Indian Supreme Court in S.R. Bommai v. Union of India.
- c) On the issue of prescribing the cut-off date of 31st December 2014, it may also be questioned what

is the justification or rationale for the insertion of such a cut-off date in the Citizenship (Amendment) Act of 2019. The petitioners may contend that here the date is chosen at random. Neither the Statement of Objects and Reasons of the Act nor the Act in its entirety, illuminate the rationale or premise for the incorporation of such a cut-off date and that's why the rational relationship with the Act's purported goal is missing.

- d) The 2019 Citizenship Amendment (CAA) can still be attacked on the grounds of contradiction with the Assam Accord of 1985 and will tend to compromise the linguistic, cultural, and social identity of Assam. Assam Accord fixed 25th March 1971 as the deadline for conceding citizenship to Bangladeshi refugees in Assam.
- e) CAA detractors can fairly argue that the deadline of 31st December 2014 is difficult to grasp. The incorporation of a specific cut-off date may indicate that either persecution of minorities in those countries ceased after that date or that the Indian Government was apathetic about it and did not like to bother it too much on this score.
- f) On the question that the Partition of India has been made on religious lines, it can be argued that 'illegality can't be invoked to perpetuate another illegality' under the so-called equality doctrine. The equality clause is not applicable in a case where the purported act itself arises out of illegality. (Narula, 2022a).

Citizenship (Amendment) Act, 2019 & Protection of Refugees in India

It appears from the above that the issue involved in this case is multi-faceted. Presumably, it will be an arduous, challenging, and onerous task for the Supreme Court to settle this controversy and mess. However, keeping in mind that the matter is sub judice before the Supreme Court of India, it will not be a prudent exercise for the researcher to arrive at a definite conclusion. As the ball is now before the Supreme Court, it will be inappropriate and pointless to speculate further on the amendment itself. Being a sentinel of our Indian Constitution, it is expected that the Indian Apex Court will set this controversy at rest. So far as refugee issues are concerned, it is clear from the Act itself, that the Act has not specifically used the term 'refugee', but the contemplation of conferring citizenship rights is explicitly manifest in the Act to those six specified religious groups who are persecuted based on their religion only and that too only in three specified countries. Therefore, besides addressing religious persecution, the 2019 Citizenship Amendment Act does not explicitly mention other recognized grounds of persecution, including "race, nationality, membership of a particular social group, or political opinion." Consequently, it cannot be argued that the 2019 CAA fully aligns with the comprehensive provisions outlined in the 1951 UN Refugee Convention and its 1967 Protocol. Except for conferring citizenship to certain persecuted groups, this Act does not deal with refugee issues in any manner.

Assessing the Impacts of India's Citizenship Amendment Act (CAA) on
Refugee Protection: A Post-2019 Analysis

Conferment of citizenship would permanently put an end to the lifelong plights and predicaments of refugees, but what would be the fate of those who do not belong to the specifically mentioned three countries and who are not associated with the six specified religious groups? Thus, the humanitarian concerns and needs of all refugees are not addressed in this legislation. Critics asseverate that this short piece of legislation, in effect, would exclude the Rohingya refugees, Sri Lankan Tamil Refugees, and many other refugee groups and thereby resulting in patent discrimination and manifest indifference to the similarly situated groups. One can unhesitatingly assert that India is under no obligation to offer floodgates to all refugee groups of all religions. The process of 'how to choose' and 'whom to choose' falls within its sovereign legislative competence. This eventually comes under the purview of policy. So far as constitutionality and vires of the Act are concerned, this would hardly make any difference (Times of India, 2024a).

In terms of the NRC, it is asserted that if CAA is used in combination with the NRC, it will make it easier for the government to exclude Muslims from the garb of illegal immigrants. However, following countrywide demonstrations and protests, the government administration attempted to separate the two, stating that there are no plans to roll out or implement the NRC at this time. So, based on probability or anticipation of fear, it will not be a prudent exercise on the part of the researchers to comment on the future course of action. After all, the most widespread worry and misinformation in India is that: the CAA would result in selective discrimination and deportation of Indian Muslims, after taking their citizenship away from them. Now so far as CAA's impact on Indian Refugee Law is concerned, some had depicted it as a "quasi-refugee law", as religious persecution or its consequent fear had been made the basic parameter of granting Indian Citizenship. As a result, the government cannot be held accountable on a global scale for modifying its municipal law concerning citizenship. At best, it can be termed as a narrowly tailored law with constrained limits. As has already been mentioned in terms of persecution, the scope of this contentious Act of 2019 is very limited. Thus, without questioning the intended purpose and goal of the 2019 Citizenship Amendment and further keeping in mind that the CAA solely concerns Citizenship, the researcher feels that what India requires is: dedicated and explicit refugee-centric legislation. (State of Tamil Nadu vs National South Indian River Interlinking Agriculturist Association, 2021). Hence, a specific and comprehensive refugee-centric national legislation is to be enacted that would inter-alia cover the definition of 'refugee', stipulate all the recognised grounds of 'persecution', the issue of asylum, 'non-refoulement', exceptions to 'non-refoulement', 'non-discrimination' and would also oversee their civil, political, economic, social, and cultural rights, and more. In fine, before we conclude we must say that the enactment of specific legislation is the need of the hour to combat the refugee crisis in our country. (Narula, 2022b)

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Assessing the Impacts of India's Citizenship Amendment Act (CAA) on
Refugee Protection: A Post-2019 Analysis

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