

The Resistance Movement Against the Citizen Amendment Bill and Act in Nagaland and Northeast India.

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Abstract—The Citizenship (Amendment) Bill, passed as the Citizenship (Amendment) Act (CAA) on 11 December 2019, triggered one of the most sustained mass mobilizations in Northeast India's recent history. Unlike the communal framing that dominated protests elsewhere in the country, opposition in Assam, Nagaland and the wider Northeast was rooted primarily in concerns over indigenous identity, land, and demographic security. Critics argued that granting expedited citizenship to non-Muslim migrants from Bangladesh, Pakistan, and Afghanistan who entered before 2015 would undermine the Acts, Accords and rights granted to these states under the new bill, leading to influx of the illegal immigrants. Student bodies such as AASU, NSF etc. alongside civil society organizations across Assam, Tripura, Meghalaya, Nagaland and other states, organized strikes, road blockades, and large public demonstrations, several of which turned violent and drew heavy state response. The movement exposed a fault line between the Northeast's ethno-linguistic anxieties and the CAAs religiously framed national discourse, prompting partial exemptions for Sixth Schedule areas and Inner Line Permit regions. This article examines the course of the protest movement in the Northeastern states of India which remains a significant case study as to how frontier regions negotiate citizenship, belonging, and constitutional change within the Indian federal structure.

Index Terms—Citizen Amendment Bill, NRC, CAA, Northeast protest, Illegal Immigrants.

I. INTRODUCTION

The Citizen Amendment Bill amended the 64-year-old Indian Citizenship law that prohibits illegal migrants from

becoming Indian citizens. It defined illegal immigrants as foreigners who enter India without a valid passport or travel documents, or stay beyond the permitted time and as such these illegal immigrants can be deported or jailed on the grounds of these violations.

The new Citizen Amendment Bill amended a provision which says that a person must have lived in India or worked for the federal government for at least 11 years before they can apply for citizenship, reducing this period to 6 years. There will also be an exception for members of six religious minority communities in foreign countries, such as Hindu, Sikh, Buddhist, Jain, Parsi and Christian, to get Indian citizenship if they can prove that they are from Pakistan, Afghanistan or Bangladesh, and will only have to live or work in India for 6 years to be eligible for Indian citizenship by naturalization, the process by which a non-citizen acquires the citizenship or nationality of that country.

It also said people holding Overseas Citizen of India (OCI) cards, an immigration status permitting a foreign citizen of Indian origin to live and work in India indefinitely can lose their status if they violate local laws for major and minor offences and violations.¹ The Citizenship Act, 1955 regulates and determines the grounds, terms and conditions of acquiring Indian citizenship. A person may become an Indian citizen if they are born in India or have Indian parentage or have resided in the country for a period of time, etc.

However, illegal migrants are prohibited from acquiring Indian citizenship. An illegal migrant is a foreigner who:

¹ CAA: India's new citizenship law explained, BBC, 12 March 2024.

1. Enters the country without valid travel documents as passport and visa, or
2. Enters with valid documents, but stays beyond the permitted time period.

Illegal migrants may be imprisoned or deported under the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920. The 1946 and the 1920 Acts empower the central government to regulate the entry, exit and residence of foreigners within India. In 2015 and 2016, the central government issued two notifications exempting certain groups of illegal migrants from provisions of the 1946 and the 1920 Acts. These groups are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, who arrived in India on or before 31 December 2014. This implies that these groups of illegal migrants will not be deported or imprisoned for being in India without valid documents and will be able to acquire Indian Citizenship under the Citizen Amendment Bill.² In 2016, a Bill was introduced in parliament to amend the Citizenship Act, 1955. The Bill sought to make illegal migrants belonging to these six religions and three countries eligible for citizenship and made some changes in the provisions on registration of Overseas Citizens of India (OCI) cardholders. It was referred to a Joint Parliamentary Committee, which submitted its report on 7 January 2019. The Bill was passed by Lok Sabha on 8 January 2019. However, it lapsed with the dissolution of the 16th Lok Sabha. Subsequently, the Citizenship (Amendment) Bill, 2019 was later introduced in December 2019 in the Lok Sabha.³

II. THE CITIZENSHIP (AMENDMENT) BILL, 2016 (AS PASSED BY LOK SABHA)⁴

Eligibility for citizenship for certain illegal migrants:

1. The Act prohibits illegal migrants from acquiring Indian citizenship. Illegal migrants are foreigners who enter India without a valid passport or travel document, or stay beyond the permitted time.
2. The Bill amended the Act to provide that Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan will not be treated as illegal migrants. In order to get this benefit, they must have also been exempted from

the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920 by the central government. The 1920 Act mandates foreigners to carry passport, while the 1946 Act regulates the entry and departure of foreigners in India.

3. The Bill further stated that, from the date of its enactment, all legal proceedings pending against such an illegal migrant will be closed.
4. The Act allows a person to apply for citizenship by naturalization, if the person meets certain qualifications. One of the qualifications is that the person must have resided in India or been in central government service for the last 12 months and at least 11 years of the preceding 14 years.
5. The Bill created an exception for Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, with regard to this qualification. For these groups of persons, the 11 years' requirement will be reduced to six years.
6. The Act provides that the central government may cancel registration of OCIs on five grounds including registration through fraud, showing disaffection to the Constitution, engaging with the enemy during war, necessity in the interest of sovereignty of India, security of state or public interest, or if within five years of registration the OCI has been sentenced to imprisonment for two years or more. The Bill added one more ground for cancelling registration, that is, if the OCI has violated any law that is in force in the country. When the Bill was passed in Lok Sabha, this was amended to limit the disqualification to violations of the Citizenship Act or of any other law so notified by the central government. Also, the cardholder has to be given an opportunity to be heard.

III. CITIZENSHIP (AMENDMENT) BILL 2019⁵

The Bill adds two additional provisions on citizenship to illegal migrants belonging to these religions from the three countries. The Bill says that on acquiring citizenship

1. Such persons shall be deemed to be citizens of India from the date of their entry into India, and

² The Citizenship (Amendment) Bill, PRS India, 2019.

³ Ibid.

⁴ Ibid.

⁵ The Citizenship (Amendment) Bill, PRS India, 2019.

2. All legal proceedings against them in respect of their illegal migration or citizenship will be closed.
3. The Bill adds that the provisions on citizenship for illegal migrants will not apply to the tribal areas of Assam, Meghalaya, Mizoram, or Tripura, as included in the Sixth Schedule to the Constitution. These tribal areas include Karbi Anglong (in Assam), Garo Hills (in Meghalaya), Chakma District (in Mizoram), and Tripura Tribal Areas District. It will also not apply to the areas under the Inner Line under the Bengal Eastern Frontier Regulation, 1873. The Inner Line Permit regulates visit of Indians to Arunachal Pradesh, Mizoram, and Nagaland.
4. The Bill further reduces the period of naturalization for such group of persons from six years to five years.
5. The grounds for cancelling OCI registration remain unchanged, from the 2016 Bill passed by Lok Sabha.

IV. CITIZEN AMENDMENT BILL AND ITS CONTROVERSY

The opponents of the law say it is exclusionary and violates the secular principles enshrined in the constitution. They say faith cannot be made a condition of citizenship. The constitution prohibits religious discrimination against its citizens, and guarantees all person's equality before the law and equal protection of the law. Activists state that it is an attempt to divide the migrants into Muslims and non-Muslims; the law "explicitly and blatantly seeks to enshrine religious discrimination into law, contrary to the long-standing, secular constitutional ethos". Historian Mukul Kesavan said, the law is "couched in the language of refuge and seemingly directed at foreigners, but its main purpose is the delegitimization of Muslims' citizenship". Critics say that if it is genuinely aimed at protecting minorities, the bill should have included Muslim religious minorities who have faced persecution in their own countries, such as Ahmadis in Pakistan and Rohingyas in Myanmar, for example as the government has gone to the Supreme Court seeking to deport Rohingya refugees from India.

While on the other side, defending the bill, senior BJP leader Ram Madhav said, "no country in the world accepts illegal migration. For all others about whom the bleeding hearts are complaining, Indian citizenship laws are there. Naturalized citizenship is an option for others who legally claim Indian citizenship. All other illegal immigrants will be infiltrators,"⁶ The Citizen Amendment Bill was first put before parliament in July 2016. The legislation cleared parliament's lower house where the BJP has a large majority, but it did not pass in the upper house, after violent anti-migrant protests in north-eastern India. The protests were particularly vocal in Assam state. Illegal migration from Bangladesh has long been a concern in the state. The CAB is seen as being linked to the register, although it is not the same thing.⁷

V. NATIONAL REGISTER OF CITIZENS OF INDIA AND ASSAM

The National Register of Citizens (NRC) is a list of people who came to the state by or before 24 March 1971, the day before neighboring Bangladesh declared independence from Pakistan. The NRC was created in 1951 to determine who was born in Assam and is therefore Indian, and who might be a migrant from neighboring Bangladesh. Families in the state have been required to provide documentation to show their lineage, with those who cannot prove their citizenship deemed illegal foreigners. The special courts were first set up in 1964, and since then they have declared more than 100,000 people foreigners. They regularly identify "doubtful voters" or "illegal infiltrators" as foreigners to be deported. But the workings of the specially formed Foreigners Tribunals, which have been hearing the contested cases, have been mired in controversy. There are more than 200 such courts in Assam today, and their numbers are expected to go up to 1,000 by October. The majority of these tribunals were set up after the BJP came to power in 2014. The courts have been accused of bias and their workings have often been opaque and riddled with inconsistencies.⁸ The central government enacted The Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules in December 2003 for The Citizenship Act, 1955. The Rules lay down guidelines for the government to

⁶ The Citizenship (Amendment) Bill, PRS India, 2019.

⁷ CAA: India's new citizenship law explained, BBC, 12 March 2024 also see, Rajalakshmi, T.K. Frontline, 26 Sept. 2019.

⁸ Assam NRC: What next for 1.9 million 'stateless' Indians? BBC, 31 August 2019.

prepare the National Register of Indian Citizens (NRC). They state that a house-to-house enumeration of the details of individuals and families (including name, place of birth and citizenship status) should be carried out. In 2009, these Rules were amended to include special provisions and a schedule for the NRC in Assam, where the influx of Bangladeshi immigrants has been a matter of public debate and judicial scrutiny for many years. The first NRC in Assam was released in 1951, and the most recent NRC, which came out on 31 August 2019, excluded over 19.6 lakh applicants from a total of over 3.3 crore.⁹

VI. CITIZENSHIP AMENDMENT BILL AND NATIONAL REGISTER OF CITIZENS

CAB and NRC are considered to be closely linked, because the Citizenship Amendment Bill will help protect non-Muslims who are excluded from the NRC and face the threat of deportation or internment to obtain the protection under CAB. This means tens of thousands of Bengali Hindu migrants who were not included in the NRC can still get citizenship to stay on in Assam state or in India under the new Amendment Bill. Home Minister Amit Shah proposed a nationwide register of citizens to ensure that "each and every infiltrator is identified and expelled from India" by 2024. "If the government goes ahead with its plan of implementing the nationwide NRC, then those who find themselves excluded from it will be divided into two categories: (predominantly) Muslims, who will now be deemed illegal migrants, and all others, who would have been deemed illegal migrants, but are now immunized by the Citizenship Amendment Bill if they can show that their country of origin is Afghanistan, Bangladesh or Pakistan," and can live in India and get a citizenship, according to sociologist Niraja Gopal Jayal. Taken together, the NRC and CAB have the "potential of transforming India into a majoritarian polity with gradations of citizenship rights,"¹⁰

⁹ The Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, Rural India. n.d.

¹⁰ CAA: India's new citizenship law explained, BBC, 12 March 2024.

¹¹ Protests, shutdown against Citizenship Bill affect normal life in several states, Times of India, 10 Dec.2019.

VII. PROTEST MOVEMENT IN NORTH EASTERN STATES

The protest movement erupted in the Northeast, where the All-Assam Students' Union and the North East Students' Organization spearheaded the movement. Shops, markets and business establishments kept shutters down, while educational and financial institutions remained closed during the protest all over Northeast.¹¹ Citizens claim that, "The government of India introduced the Bill without any proper consultations with concerned representatives and without a study of the impact." If the bill is implemented, it will impact the culture, land rights, and demography of the region, besides the political rights, irrespective of religion, race, and culture.¹² Huge processions were taken out in different areas of Guwahati, with protesters raising slogans against the contentious Citizenship (Amendment) Bill, 2019. Agitators engaged in a scuffle with security forces near the secretariat and assembly buildings in Guwahati. Train services across Assam were affected as picketers blocked the tracks. Vehicles - both private and public - stayed off the roads, official sources said, adding that government-run Assam State Transport Corporation (ASTC) buses plied between Guwahati city and the LGB airport with police escort. Examinations were shelved and rescheduled by universities in view of the bandh. Protesters burnt tyres and blocked national highways to stop movement of vehicles in various parts of Assam. Actors and singers of the Assamese film industry also took part in the protest movement. Students of Gauhati University and Cotton University in Guwahati, along with those of Assam Agriculture University in Jorhat, took to the streets, seeking immediate withdrawal of the legislation.¹³ On November 19, the students of Gauhati University burnt the effigy of Assam Chief Minister Sarbananda Sonowal in protest of the Citizenship Amendment Bill. They threatened to take their protest to the roads if their demand for scrapping the Bill was not met."

¹² Sunuwar, Dev Kumar. Citizenship Amendment Bill Negatively Impacts Indigenous Peoples of Northeast India, Cultural Survival.n.d.

¹³ Protests, shutdown against Citizenship Bill affect normal life in several states, Times of India, 10 Dec.2019.

Nobody is appreciating Assam for accepting migrants from 1948 (the cut-off date for elsewhere in the country) to 1971. Now they want us to take the load of 1971 to 2014 and beyond. They need illegal Bangladeshis for their vote bank. We will not accept this.” In the state of Manipur, the Manipur People against Citizenship Amendment Bill (MANPAC), an umbrella body of civil society organizations called for a shutdown, despite the government’s bid to counter the agitation. Protesters enforced a road blockade and staged sit-in demonstrations in different parts of Imphal Valley. Classes were suspended in government schools and colleges as no students turned up for the classes. Most private educational institutions remained closed, government offices were kept open as the government had threatened to penalize absenteeism, although no arrangements were made to help them reach their place of work.¹⁴

In the state of Nagaland, the North East Forum for Indigenous People (NEFIP) spearheaded the protest. NEFIP convener Ningthouja Lancha said the forum had submitted a memorandum to PM Modi three months ago, in which it sought the withdrawal of the Bill as it was ‘genocidal’ for indigenous people. He said that no positive steps have been taken by the government towards a pre-legislative consultation with stakeholders.¹⁵ Members of the Naga Students' Federation (NSF) staged a sit-in outside Raj Bhavan to protest against the Citizenship (Amendment) Bill, even as the NESO, which called for a bandh in the northeast, exempted the state from the stir, in view of the Hornbill Festival. The festival, a major annual function that showcases the culture, art, handicrafts and food of Nagaland is held every year from December 1 to 10 at Kohima. Raising slogans against the legislation, the NSF, an apex students' body in Nagaland sought its immediate withdrawal outside Raj Bhavan. Volunteers from various colleges, along with former NESO general secretary NSN Lotha, also joined the sit-in that lasted for one-and-half hours. Speaking at the protest site, NSF president Ninoto Awomi said, "We are all aware that the culture and identity of indigenous people in the northeast is facing a massive threat from illegal immigrants. The bill will also encourage influx of immigrants." He stressed that

the Inner Line Permit (ILP) regime in the state has done little to stop the influx.¹⁶ We have been told that Nagaland has been exempted from the purview of Citizenship (Amendment) Bill, but despite ILP and other provisions, the state has not been able to control illegal immigration.

The entire northeast region is like one block. A small pocket in the region may get relief from the bill's purview, but another pocket along the porous border might open for immigrants, if the legislation is implemented. Soon, they will take over our land. The NSF leader urged "all educated youth and responsible citizens of the state to come forward and support the fight against the bill. And appealed to the Union government to respect the sentiments of the region and protect its citizens, instead of sheltering illegal migrants,"¹⁷

In Arunachal Pradesh, the Consultative Committee on the CAB headed by state Home Minister Bamang Felix submitted a report to the state government on Monday and the cabinet held a “threadbare discussion” on the report. “Considering the sensitivity of the issue, it was decided to have a final discussion with all stakeholders together and forward the recommendations to MHA,” the statement said. The final consultative meeting with all stakeholders under the chairmanship of Felix will be held on November 20.¹⁸ Normal life came to a halt in Arunachal Pradesh, eleven-hour bandh was enforced as called by the North East Students' Organisation (NESO), an umbrella body of various students' unions of the region. All the educational institutions, banks, commercial establishments and markets remained closed while public and private vehicles were off the road during the bandh that began at 5 am, officials said adding that attendance in government offices was almost nil. In Itanagar, protesters pelted office-goers with stones and burnt tyres on the key National Highway 415.

The All-Arunachal Pradesh Students' Union (AAPSU), a constituent of the NESO, also staged a sit-in demonstration in the state capital to oppose the Bill. In a statement by the AAPSU general secretary, Tabom Dai "We have been fighting against the CAB

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid

¹⁸ Surge of protests in North over CAB, Sabrangindia, 20 Nov.2019.

since the very beginning as there are many underlying issues which can have future ramifications,"¹⁹

In the state of Meghalaya, The Confederation of Meghalaya Social Organization (CoSMO) and NEFIP spearheaded the protest, Khasi Students Union, an influential student body and NESO member, held a sit-in near the third secretariat here protesting against the contentious bill. The protests were mostly peaceful; however, certain incidents were reported such as of miscreants pelting stones on a civilian's car or burning tyres on a public bridge.

In the state of Mizoram, the Mizoram's apex student body, Mizo Zirlai Pawl (MZIP), sit in demonstration near Vanapa Hall in protest against the Centre's bid to re-introduce Citizenship (Amendment) Bill, CAB. Leaders of the NESO affiliate body expressed fears that the bill, if legislated, would legalize thousands of people from the Chakma community who had illegally migrated to Mizoram from Bangladesh. It submitted a memorandum to Mizoram Governor P S Sreedharan Pillai at the State Raj Bhavan, demanding that the north-eastern states be exempted from its purview.

In the state of Tripura, Scores of people including women in Agartala city launched a large-scale protest against the Citizenship (Amendment) Bill. Demonstrators raised slogans against the central government and demanded to keep the state out of the purview of the Bill. One of the protesters said, "We do not want this Bill to be implemented here. It is against our right." Another protester said, "We are already in the minority and now we do not want people from other countries to settle down here." Internet services were also suspended in Tripura. The protesters make a sloganeering against the Bill, holding placards with the slogans 'Tripura should be kept out of the purview' and 'We are against CAB'.²⁰

VIII. PROTEST MOVEMENT IN NAGALAND

The state of Nagaland also observed a total bandh on 11 February 2022, in protest against the controversial

Citizenship Amendment Bill (CAB), 2016. The resolution to call the 'bandh' passed in a meeting conducted among the tribal hohos, civil societies, and mass-based organizations on 06 February at Hotel Saramati in Dimapur. All the apex tribal organizations take responsibility to organize the bandh in their own districts.²¹ The Nagaland GBs Federation has expressed support to the Joint Committee on Prevention of Illegal Immigrants and endorsed their views and arguments on the Citizenship (Amendment) Bill, 2016 (CAB). A peaceful rally was held about the submission of the memorandum for CAB and Naga political issue on Friday, February 8 at Kohima, expressing Naga people's opposing the bill, which was submitted to the president of India through the state governor; while a separate representation to the prime minister has also been submitted through the governor to appeal for the solution to Naga political issue.²²

In a press statement, NGBF assured support and blessing to "any movement for the benefit and welfare of the Nagas." In the Federation's opinion, the CAB posed "impending dangers" with "illegal immigrants" posing "grave concern." The Nagaland State Cabinet's appeal to "review and reexamine the Bill is unfortunate and lacks the will and conviction to save the State from being overrun by illegal immigrants".²³ This Bill should be opposed tooth and nail so that the coming generations will not curse us for the things we could have done when we had the opportunity," maintained the NGBF while noting that protection through Article 371 (A) from the Bill's repercussions is a "feeble argument and a dangerous one." It is time, it stated, for the Government (of Nagaland) to "wake up and find a way to protect itself from this controversial bill before it is too late." The Chakhesang Public Organization (CPO) out rightly opposed the Citizenship (Amendment) Bill 2016 while terming it as a political expression of RSS hidden agenda to turn India into full-fledged Hindu nation and turn North East into Hindu immigrant dumping ground. The CPO in a press note has extended its

¹⁹ Op. cit.

²⁰ Protests, shutdown against Citizenship Bill affect normal life in several states, *Times of India*, 10 Dec.2019.

²¹ Total 'bandh' called in Nagaland on February 11 against Citizenship Bill, *India Today NE*, 29 June 2022.

²² Ibid.

²³ CAB: Nagas continue to protest - NGBF supports movements against CAB, *Morung Express*, 21 Jan. 2019.

fullest support to the state-wide bandh called on 11 February 2019 and appealed the entire citizen to express their support for the success of the bandh.²⁴ The Joint Committee on Prevention of Illegal Immigration (JCPI) and the Northeast Forum for Indigenous People (NEFIP) took out a protest march against the Citizenship (Amendment) Bill, 2016. The march was part of the regional protest against the Bill as per the decision of the 1st NEFIP central executive council meeting held in Kohima. The march began at Badminton Stadium, Raj Bhavan Road at Kohima and culminated at the official residence of Nagaland chief minister, Neiphiu Rio. The protesters submitted a memorandum to the chief minister urging him to take up with the central leadership to withdraw the contentious Bill in the interest of peace and harmony in Northeast by respecting the sentiments of the people in the region in general and Nagaland in particular. The memorandum referred to a letter addressed to Prime Minister Narendra Modi to bring the issue, raised in it, to the chief minister's notice. Saying that the Bill continues to hang over as a Damocles' sword on all the indigenous people of the northeastern region, the memorandum requested the chief minister that the confidence reposed on him may not be infringed and the will of the people of the state may be fully endorsed and met on the issue.²⁵ "Violence had erupted on this issue in the region a number of times and as responsible citizens, we do not want violence to happen again," The two organizations also made a sincere request to the chief minister to keep in the loop any action initiated by him in this regard so that the people and the elected leaders go side by side on this issue. The Citizenship (Amendment) Bill was passed in the Lok Sabha on 08 January 2019 after it was introduced by then union home minister Rajnath Singh. If the Bill is passed in the Parliament, illegal migrants from minority communities like Hindu, Sikh, Buddhist, Jain, Parsi or Christian coming from neighboring countries including Afghanistan, Bangladesh and Pakistan will then be eligible for Indian citizenship, excluding people from the Muslim community.²⁶

The joint committee for prevention of illegal immigrants (JCPI) has extended its appreciation to citizens of Nagaland, civil organizations, tribal 'hohos' and commercial organizations for their cooperation to the call of the North East Forum for Indigenous People (NEFIP) to protest the contentious Citizenship (Amendment) Bill (CAB).

The spontaneous response of the people from all districts in spite of the hectic season was a big sacrifice and the message was loud and clear against the CAB," the statement read. "The protest in the entire Northeast region is unanimous and a clear rejection of the impending CAB which is yet to be tabled on the floor of the parliament. We strongly believe that the GOI will definitely consult the stake holders of the region before introducing the contentious Bill in the parliament," it added. The JCPI stated that the region cannot accept anything that is imposed on the people without its prior consent." "We fail to understand why the magnificent India prefers the foreigners to genuine indigenous citizens of the region.

Now, the indigenous populations of the region have vowed to fight for our rights collectively and therefore, we shall not rest till justice is delivered,"²⁷ In Mokokchung town, the movement was spearheaded by four mass-based civil society organizations namely Ao Senden, Ao Kaketshir Mungdang (AKM), Mokokchung Chamber of Commerce and Industry (MCCI), and Mokokchung Town Lanur Telongjem (MTLT) in solidarity with the JCPI's call to protest the CAB. All shops and business establishments closed during the enforcement of the 12-hour bandh in solidarity with other north-eastern states in the fight against the Centre's move to push the bill during the ongoing winter session of the Parliament. The Ao Senden's vice-president Imkong Jamir called the CAB a "big issue that cannot be neglected at any cost." He urged the people of Mokokchung to be prepared when called upon in regard to this issue. He acknowledged volunteers who came forward purely based on their conscience to safeguard the future of the people during times such as this.²⁸

²⁴ Gogoi, Bhadra. Protest rally against Citizenship (Amendment) Bill in Kohima, Northeast Now, 04 October 2019.

²⁵ Ibid.

²⁶ Ibid.

²⁷ JCPI lauds public for 'success' of CAB protest, Eastern Mirror, 21 Nov.2019.

²⁸ Ibid.

IX. BEFRA, ARTICLE 371 (A) AND CITIZENSHIP AMENDMENT BILL

Observing that there is “no mention of citizenship” in Article 371 (A), the Naga GB Federation stated that using the Article 371A as “ammunition to oppose the Bill when it becomes an Act will not pass the legal scrutiny in time.” Nor will the Bengal Eastern Frontier Regulation Act 1873 (BEFRA), according to the NGBF. “There is a marked difference,” stated the Federation, between the CAB and the Inner Line Permit (ILP). The NGBF argued, “Whereas the ILP or for that matter the Restricted Area Permit is for temporary movement within the State, the CAB 2016 will grant legal citizenship which will have disastrous implications. If Nagaland is the only State where no illegal immigrants could enter as a result of the restrictions imposed by ILP, it could have been a different story from any other states in the country however it is not the case and despite the BEFRA, our State has become a safe haven for illegal immigrants.” It also warned, “Should the Nagaland State Government remain weak and meekly watch the hazardous events unfold, it would not be long before the illegal immigrants with legal Indian Citizenship overrun the State of Nagaland in every field.”²⁹ While appreciating and welcoming the Government’s decision to call for a consultative meeting on the issue with all stakeholders, the NGBF maintained that “The wavering stance of the Government on the CAB 2016 is tantamount to being in support of whatever the Centre decides at the expense of the welfare of the Nagas.” It reiterated that the NGBF is “a respectable organization and the guardian of the traditional and customary laws and practices” and, thus, “will not remain a mute spectator to any anti-Naga activities (Bill) being carried out but will rise up to the occasion as we will not tolerate and watch Nagaland being buried due to whatever reasons behind”.³⁰

The Naga Council Dimapur (NCD) has expressed solidarity to the statewide bandh called in protest against the Citizenship (Amendment) Bill 2016 and has urged all to stand united on the issue. A press statement issued by NCD maintained that the Bill is

not only detrimental to the people of North East states but it intends to reduce the indigenous people of the North East to a minority in their own land. Apprehending that once the CAB is voted into law, the North East including Nagaland will become a dumping ground for illegal immigrants, the NCD has appealed the State Government and also the lone Rajya Sabha member to oppose the Bill.³¹

X. AFTERMATH THE PASSING OF CITIZEN AMENDMENT BILL AND CAA

After the Citizen Amendment Bill was passed, the protest movement began again. The Naga Students’ Federation (NSF) on 11 December 2019, observed ‘North East Black Day’ in Kohima, joining student bodies across the region in protesting the Citizenship Amendment Act (CAA) on the anniversary of its passage in Parliament in 2019. The demonstration was part of a coordinated call by the North East Students’ Organisation (NESO), whose member organizations held similar protests in all northeastern states. NSF general secretary Kenilo Kent said the observance symbolized a united regional stand against what student groups described as a discriminatory and threatening legislation. “We stand together in collective defiance along with the rest of the people of the Northeast,” Kent said, alleging that the CAA poses a direct threat to the identity and rights of indigenous communities. “Our homeland is not just a physical space; it is the cradle of our identity, culture and history,” he added, warning that the Act represents an existential challenge to indigenous protections.³² NESO secretary general Mutsikhoyo Yhobu said student organizations had opposed the CAA from the outset. “Today, the entire Northeast is observing this black day against the imposition of the Citizenship Amendment Act,” he said. Yhobu reiterated NESO’s long-standing demand that the Act not be enforced in the region, arguing that even though states under the Inner Line Permit (ILP) system are exempted, the Northeast as a whole remains vulnerable. He stated that NESO and its member bodies were compelled to mark the day in order to send a clear message to the

²⁹ Ibid.

³⁰ Ibid.

³¹ NCD urges all to stand united against CAB, Morung Express, 10 February 2019.

³² NSF observes ‘North East Black Day’ in Kohima, protests Citizenship Amendment Act, India Today NE, 12 Dec. 2025.

Centre: “We don’t want this Citizenship Amendment Act.” During the protest, Yhobu led the symbolic burning of CAA documents as a gesture of public dissent.³³ In Arunachal Pradesh, All Arunachal Pradesh Students’ Union (AAPSU) vice president (protocol) Nabam Gandhi echoed similar concerns, calling the CAA “socially and economically damaging for the region.” He argued that no legislation should be implemented without a thorough assessment of its social and economic impact, particularly in tribal-majority states such as Arunachal Pradesh and Nagaland. Gandhi dismissed the ILP exemption offered by the Centre as “a chocolate” intended to placate indigenous people. “This ILP can be lifted anytime,” he cautioned, adding that unrestricted migrant settlement could erode tribal culture, customary practices and natural resources. Student organisations said they will continue to oppose the implementation of the Act and will intensify their campaign if their concerns remain unaddressed.³⁴ Mutsikhoyo Yhobu, Secretary General of NESO highlighted the influx of illegal immigrants as the biggest threat to the indigenous communities of the North-East today. While Nagaland is exempted from the CAA, Yhobu expressed grave concern that its implementation in Assam and Tripura would affect the entire region. As corridors for the influx of immigrants, he viewed that the implementation of the CAA would erode the indigenous inhabitants of the NE Region. He cited examples, like Tripura (25-30%) and Assam (30-35%), where indigenous inhabitants have become minorities in their own states. Even in Dimapur, Nagas has become a minority, comprising only about 20-25% of the population, Yhobu claimed. “As long as this act is exercise in our region, it will slowly finish us all.” Stating that the student bodies have genuine reasons and concerns about this Act, he called upon the governments of the NE states to give their support to the student communities in their respective states in the fight against this Act. “Indigenous people are the cream of India and the beauty of the nation lies in the NE region,” Former

NSF President, Kegwayhun Tep said NESO has been protesting against this very act ever since it was in discussion as it is against secularism. Despite its protest, he expressed disappointment that the government of the day has finally amended and introduced the Act and termed it as “very saddening and against the will of the people.” Extending solidarity to those states in the NE where CAA has been implemented, Tep remarked that it is a threat, and would have an adverse impact on the geo-political existence of the indigenous people. NSF President, Medovi Rhi while extending solidarity to NESO and the rest of the NE states pledged to continue to pressure the government in all capacities. Following a brief programme, the protestors shouted slogans and burnt the CAA rules.³⁵

XI. CAA NOT TO BE IMPLEMENTED IN TRIBAL AREAS OF NORTHEASTERN STATES

According to the PTI news agency reported on 13 March 2024, the tribal areas, where autonomous councils were created under the 6th Schedule were exempted from the purview of the CAA from the law that was passed in 2019. Most tribal areas in North East states, including those granted special status under the 6th Schedule of the Constitution, have been kept out of the purview of Act, which came into effect on 11 March 2024 according to the law, it is also not going to be implemented in those North East states where Inner Line Permit (ILP) regime is in existence.³⁶ NESO and NSF however assure to continue the stand as to ensure that CAA is not implemented in the region, urging the Centre to update the NRC to protect the indigenous people of the Northeast.³⁷ Amid nationwide protests against the Citizenship Amendment Act, many senior citizens in Nagaland recently slammed the state government for supporting the legislation. Members of the Senior Citizens Association of Nagaland (SCAN), a newly-formed civil society organization, met recently to discuss issues which they believe would “invariably impact”

³³ NSF observes ‘North East Black Day’ in Kohima, protests Citizenship Amendment Act, India Today NE, 12 Dec. 2025.

³⁴ Ibid.

³⁵ Ibid.

³⁶ NSF protests against CAA implementation, Morung Express, 13 March 2024. Also see, Singh, Vijaita. Citizens Amendment Rule Notified, The Hindu, 12 March 2024.

³⁷ Students’ body protests against CAA in Nagaland, The Print, 17 Aug. 2022.

the Naga society. The meeting emphasized on the threat posed by Citizenship Amendment Act, the present Naga leaders feel secure in their false belief that the CAA is not applicable to the state of Nagaland, they stated that the current member representatives of both Houses of Parliament disgracefully voted in favour of CAA, just so to remain in power and gain budgetary favor of the BJP government at the Centre, individually or collectively SCAN president and retired IAS officer Khekiye K Sema, calling upon Nagas to see the larger picture. “The Citizenship Amendment Act is a step closer towards fulfilling BJP’s intention of making India a Hindu Rashtra. The BJP government may tolerate the existing Christian minority in India now, but has already started a war against conversion of other faiths to Christianity”.³⁸ On the Inner Line Permit (ILP), There is no denying that the ILP could play a major role in restricting non-locals from entering Nagaland. However, the present mechanism of the ILP is nothing but a poor joke. Those who are responsible for issuing permits only end up earning some pocket money through it. Nagaland needs to show solidarity with Assam in the agitation against CAA. “Some Nagas are violating norms by bringing labourers from outside under the ILP, and once the work is done, let them continue to stay in the state for years. They also get their ILP renewed without a question being raised. Many of them are already enrolled in the electoral roll with voting rights as Indian citizens. The majority of these labourers come to Nagaland from Assam. So, when Assam is in trouble and rightly agitated against the CAA, the same issue will impact Nagaland.”³⁹

XIII. CONCLUSION

There are two different groups of protest movement on CAA: one group consists of those opposing the CAA for its unconstitutionality because it does not include all religions, as instances of the exclusion of Muslim immigrants in the list. The other consists of those who oppose CAA not only because it is unconstitutional but also because it endangers the existence of the

indigenous peoples, cultures, traditions of the Northeast. The discourse in the national and international media, by and large, is about the unconstitutionality of the CAA because it discriminates on the basis of religion. However, for the indigenous peoples of the Northeast, and Nagaland in particular, the problem with CAA is not limited to its unconstitutionality. The massive influx of migrants into the Northeast poses a grave threat to their ethnicity, language, culture, land, resources, and jobs. As Nagaland will not be adequately protected by ILP and Art 371A, the CAA will enable a massive inflow of newly legalized Indian citizens using ILP in the days to come. Some politicians as well as individuals in Nagaland were misleading, the people on social media that the ILP and Art 371A will safeguard Nagaland. These two provisions look assuring on paper but in ground reality, Nagaland has not framed a concrete roadmap to implement these safeguards. ILP is not a sufficient safeguard because the same mechanism could allow a heavy influx of non-indigenous people putting undue strain on the infrastructural capacity of our towns and villages, civic management, law and order amongst others. Moreover, the inefficient and lax nature of our state administration can also be exploited.

The porous borders are constantly violated and at times it is only a street, a hill, a stream, or a patch of forest that demarcates the inner-line or autonomous districts (in the Northeastern states of Assam, Meghalaya, Mizoram, and Tripura) from unprotected areas. The troubles of our neighboring states will spill onto our state eventually. The opposition to the CAA is not against any religion; it is a matter of the very existence of peoples. Art 371A is also not a sufficient safeguard because there is no clarity on how to apply Naga customary laws vis-a-vis the Indian constitution.⁴⁰ The Nagaland Assembly has passed a resolution, rejecting outright the contentious Citizenship (Amendment) Bill, amid a walkout by 26 opposition MLAs. The resolution, passed on Monday, denounced the bill, stating it cannot be implemented in Nagaland as the proposed legislation will impact the “unique

³⁸ Hasnat, Karishma. Amid anti-CAA protests, prominent senior citizens' group in Nagaland slams state government for supporting legislation. First Post, 03 Feb.2020.

³⁹ Ibid.

⁴⁰ The Citizenship (Amendment) Act, 2019: Why Nagaland should reject it, Morung Express, 17 Dec.2019.

history and status of the Nagas under the Constitution". The core fear across Nagaland and other Northeast civil society groups is that granting citizenship to non-Muslim migrants from Bangladesh, Pakistan, and Afghanistan would open the door to large-scale settlement, eventually reducing indigenous tribal communities to a minority in their own homeland, undermining land rights, culture, language, and political representation.

It's about identity and indigeneity, not religion. Unlike opposition to the CAA in the rest of India (which centers on religious discrimination against Muslims), protests in the northeast are against legitimizing immigrants regardless of their faith, rather than solely excluding Muslims. For Naga and other tribal groups, any external settlers, whether Hindu, Christian, or otherwise, were seen as a threat to indigenous identity, since the concern is ethnic/tribal survival, not religious composition. Doubts that the ILP/Sixth Schedule exemption is real protection, Nagaland was technically excluded from CAA's purview because it falls under the Inner Line Permit (ILP) system but this exemption has been widely criticized as hollow. The Nagaland Pradesh Congress Committee called the ILP based exemption "a plain hoax," noting that the non-effective implementation of ILP over the years has already resulted in silent invasion of outside people settling in protected areas.

Regional solidarity groups have argued that a mere exclusion based on ILP and Sixth Schedule does not promise any effective protection if neighboring states such as Assam are not exempted from its purview since migrants entering via Assam could still move into or transit through Naga areas. Northeast states, Nagaland included, have long faced significant migration from neighboring countries, leading to social, economic, and political strains for decades predating the CAA. This long-standing anxiety over migration and influx gives the CAA debate an emotional weight tied to older anxieties (echoing the Assam Movement and NRC process) about "outsiders" straining land, jobs, and political power. Student and civil society bodies across the Northeast (NESO and its constituents, including the Naga Students' Federation) have also pushed a unified regional position, full exemption for the whole region, extension of ILP to unprotected states like Assam, Meghalaya, and Tripura, and outright scrapping of the CAA. Taken together, the opposition to the CAA's

implementation in Nagaland and the Northeast rests less on the religious criteria that dominate the national debate and more on a regionally specific set of concerns as demographic vulnerability, the primacy of indigenous identity over religious classification, doubts about the practical adequacy of existing legal exemptions, and a historically rooted anxiety over migration and influx. Understanding this distinction is essential to any balanced assessment of why the Act remains contentious and resisted in the region.

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