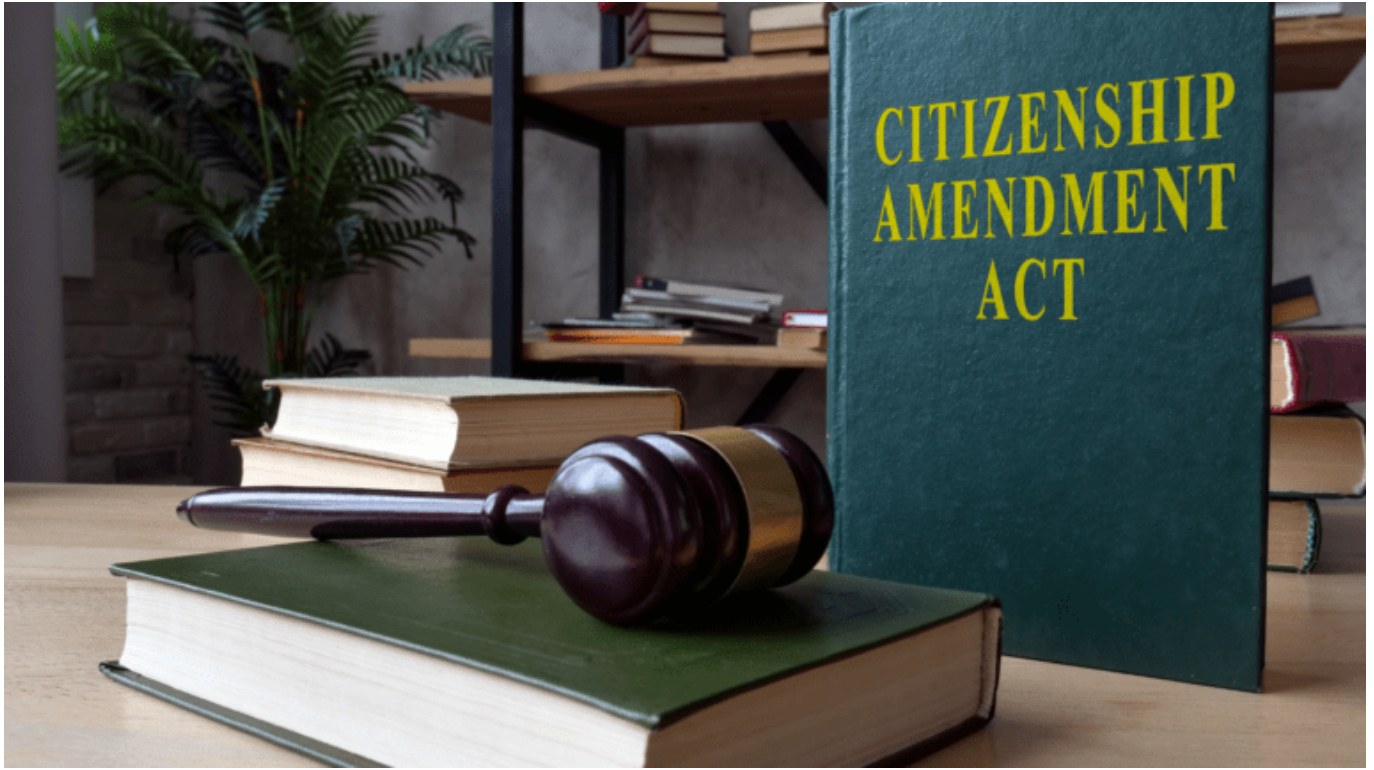


# Unpacking The Citizenship Amendment Act (CAA) Rules: A Detailed Guide

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In a landmark development, the government has officially notified the Rules[\[1\]](#) for the implementation of the long-debated Citizenship Amendment Act (CAA)[\[2\]](#), marking a crucial step towards putting the controversial law into effect. Enacted by Parliament in December 2019, the CAA aims to extend citizenship to select migrant communities from neighbouring nations who have encountered religious persecution. This move has ignited a nationwide discourse, prompting a closer examination of the intricate framework outlined in the CAA Rules, shedding light on the documentation prerequisites for applicants and elucidating the procedural intricacies.

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## Eligibility Criteria and Documentation

The Citizenship Amendment Act (CAA) extends its primary benefits to individuals belonging to specific religious minorities - Hindu, Sikh, Buddhist, Jain, Parsi, or Christian - hailing from Pakistan, Bangladesh, and Afghanistan. These migrants must have arrived in India prior to December 31, 2014, and are now seeking Indian citizenship.[\[3\]](#) Often residing in India either on long-term visas (LTV) or without legal documentation, they are presumed to have fled religious persecution in their countries of origin.

Applicants seeking citizenship under the provisions of the CAA are mandated to furnish essential details, including evidence regarding their country of origin, religious affiliation, date of entry into India, and proficiency in an Indian language. Remarkably, the accompanying Rules have significantly eased the documentation requirements, accepting a diverse range of evidence to substantiate claims for citizenship.

This relaxation in documentation standards aims to streamline the citizenship application process, acknowledging the challenges faced by migrants in producing extensive documentation. By accepting alternative forms of proof, such as affidavits or community attestations, the Rules strive to facilitate access to citizenship for eligible individuals, ensuring that bureaucratic hurdles do not impede their rightful pursuit of Indian citizenship.

Furthermore, the emphasis on proficiency in the Indian language highlights the government's commitment to fostering cultural integration and social cohesion among prospective citizens. By mandating a basic understanding of an Indian language, the CAA aims to promote linguistic diversity and facilitate smoother assimilation into Indian society for those seeking citizenship.

### Country of Origin:

The documentation requirements pertaining to the applicant's country of origin have undergone significant revision under the new Rules. Previously, individuals were mandated to possess a valid passport from Pakistan, Bangladesh, or Afghanistan, coupled with a Residential Permit of India. However, the latest regulations expand the scope of acceptable documents, encompassing a broader range of evidentiary materials.[\[4\]](#)

Now, applicants can submit alternative documents such as birth certificates, educational certificates, identity documents, licenses, land records, or any other official paperwork issued by the aforementioned countries to establish their citizenship status.[\[5\]](#) This shift towards accepting a diverse array of documentation aims to accommodate individuals who may not possess a valid passport or residential permit but can furnish alternative proofs of their nationality.

Furthermore, the Rules introduce a noteworthy provision wherein documents demonstrating familial connections to citizens of Pakistan, Bangladesh, or Afghanistan are deemed admissible, irrespective of their validity period. This provision acknowledges the significance of familial ties in determining

an individual's roots and heritage, thereby affording greater flexibility to applicants who may lack formal documentation but can substantiate their familial links to citizens of the specified countries.

## **Application Submission:**

Prospective applicants are mandated to electronically submit their citizenship applications to the Empowered Committee through the District Level Committee (DLC), as designated by the Central Government. Upon submission, an electronic acknowledgment is promptly generated to confirm receipt of the application.[\[6\]](#)

## **Verification and Oath of Allegiance:**

The pivotal responsibility of verifying the submitted documents and administering the oath of allegiance specified in the Citizenship Act, of 1955, rests with the DLC. Led by the Designated Officer, this committee ensures the authenticity and completeness of the documentation. Once verified, the Designated Officer facilitates the transmission of the documents and oath to the Empowered Committee for further scrutiny.

## **Scrutiny and Decision:**

The Empowered Committee assumes the task of meticulously scrutinizing the applications to ascertain their completeness and the eligibility of the applicants.[\[7\]](#) Following thorough inquiries and assessments, the Committee reserves the authority to grant citizenship if it deems the applicant suitable and meets the stipulated criteria.

## **Additional Requirements:**

In addition to the documentation mandated by the Citizenship Amendment Act (CAA), applicants are required to furnish an affidavit attesting to the accuracy of their application. Moreover, a character affidavit endorsed by an Indian citizen is essential.[\[8\]](#) Furthermore, applicants must declare their proficiency in one of the languages enumerated in the Eighth Schedule of the Constitution.

## **Processing Authority and Oversight:**

The processing of citizenship applications is subject to oversight by specific committees instituted by the Central Government, thereby diminishing the involvement of state authorities.

## **Empowered Committee:**

Headed by a Director from the Census Operations department, the Empowered Committee is composed of members drawn from various governmental bodies, including the Intelligence Bureau, the Foreigners' Regional Registration Office (FRR0), and the National Informatics Centre. Tasked with rendering

final decisions on citizenship applications, the Committee holds significant authority in the adjudication process.

## **District Level Committee (DLC):**

At the district level, the DLC, chaired by the District Informatics Officer or Assistant, plays a crucial role in assisting with the verification process. Comprising representatives from the district collector's office and other relevant entities such as the Railways, the DLC ensures efficient processing of applications within its jurisdiction

## **Legal Challenges and Exemptions**

Despite the enactment of the Citizenship Amendment Act (CAA) Rules, the legal landscape remains tumultuous, marked by persistent challenges to the law's constitutional validity. Numerous petitions have been filed, casting doubt on the legality and ethical underpinnings of the CAA.[\[9\]](#)

A notable aspect of the CAA is its limited applicability, as it does not extend to areas governed by the Constitution's sixth schedule[\[10\]](#) or states operating under an inner-line permit (ILP) regime.[\[11\]](#) This deliberate exclusion ensures exemptions for specific regions, recognizing the unique socio-political dynamics and indigenous populations in these areas.

The exclusion of regions covered by the sixth schedule and those with an ILP regime from the purview of the CAA reflects a conscientious effort to respect the autonomy and cultural distinctiveness of these regions. By safeguarding their special status, the law seeks to mitigate concerns related to demographic shifts and preserve the cultural heritage of indigenous communities residing in these areas.

However, despite these exemptions, legal challenges persist, highlighting broader concerns regarding the constitutionality and fairness of the CAA. Critics argue that the law's selective approach to citizenship acquisition based on religious criteria undermines the secular fabric of the Indian Constitution and contravenes principles of equality and non-discrimination.

In response to these legal challenges, the judiciary plays a crucial role in adjudicating the legality of the CAA and addressing concerns raised by petitioners. The outcome of these legal battles will shape the future trajectory of citizenship rules in India and have far-reaching implications for the rights and status of marginalized communities affected by the law.

## **Conclusion**

The notification of the CAA Rules marks a crucial step towards realizing the objectives of the controversial law. By outlining clear procedures and documentation requirements, the Rules aim to streamline the process of granting citizenship to eligible migrants while addressing concerns raised by various stakeholders. However, the implementation of the Citizenship Amendment Act (CAA) Rules represents a significant step forward in India's

citizenship framework, it is accompanied by persistent legal challenges questioning its constitutional validity. Despite exemptions for specific regions covered by the Constitution's sixth schedule or operating under an inner-line permit (ILP) regime, concerns regarding the law's selective approach to citizenship acquisition based on religious criteria remain unresolved. The ongoing legal battles emphasize the importance of robust judicial review in safeguarding the principles of equality, non-discrimination, and secularism enshrined in the Indian Constitution. Ultimately, the outcome of these legal deliberations will shape the trajectory of citizenship policies in India and have profound implications for the rights and status of marginalized communities affected by the law.

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[1] G.S.R. 172(E), Citizenship (Amendment) Rules, 2024,  
[https://indiancitizenshiponline.nic.in/UserGuide/E\\_gazette\\_11032024.pdf](https://indiancitizenshiponline.nic.in/UserGuide/E_gazette_11032024.pdf)

[2] The Citizenship (Amendment) Act, 2019 [Act No. 47 of 2019]

[3] Amendment of section 2, The Citizenship (Amendment) Act, 2019 [Act No. 47 of 2019]

[4] The documents specified in Schedule IA, Schedule IB; and n Schedule IC of the Citizenship (Amendment) Rules, 2024

[5] <https://indiancitizenshiponline.nic.in/Documents/Annexure.pdf>

[6] <https://indiancitizenshiponline.nic.in/Documents/UserGuide/Brochure.pdf>

[7] Rule 13A, The Citizenship (Amendment) Rules, 2024

[8] Affidavit testifying the character of the applicant,  
[https://indiancitizenshiponline.nic.in/UserGuide/E\\_gazette\\_11032024.pdf](https://indiancitizenshiponline.nic.in/UserGuide/E_gazette_11032024.pdf)

[9] CAA: Supreme Court agrees to hear plea on March 19 seeking stay on Citizenship Amendment rules,  
<https://economictimes.indiatimes.com/news/india/caa-supreme-court-agrees-to-hear-pleas-seeking-stay-on-citizenship-amendment-rules/articleshow/108514965.cms?from=mdr>

[10] Schedule VI, Constitution of India, 1950

[11] Manipur, Mizoram, Nagaland, Arunachal Pradesh,  
<https://eastsiang.nic.in/service/inner-line-permit-eilp/>

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