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Current Affairs of the Day

NRC is final, rules Assam Foreigners' Tribunal

While the Registrar General of India has not yet issued a notification on Assam's National Register of Citizens (NRC) to make it a legal document, a Foreigners' Tribunal has gone ahead and recorded it as the "final NRC" while declaring a man to be Indian.

Foreigners Tribunals in Assam

1. These tribunals are quasi-judicial bodies, to determine if a person staying illegally is a "foreigner" or not.
2. Under the provisions of Foreigners Act 1946 and Foreigners (Tribunals) Order 1964, only Foreigners Tribunals are empowered to declare a person as a foreigner.
3. Every individual, whose name does not figure in the final National Register of Citizens (NRC), can represent his/her case in front of the appellate authority i.e. Foreigners Tribunals (FT). Assam has set up FTs, specifically to handle the cases of 19.06 lakh people left out of the updated NRC.
4. Each FT member is appointed under the Foreigners Tribunal Act, 1941, and Foreigners Tribunal Order, 1984, as per the guidelines issued by the government from time to time
5. A member can be a retired judicial officer of the Assam Judicial Service, a retired civil servant not below the rank of secretary and additional secretary with judicial experience, or a practising advocate not below the age of 35 years and with at least seven years of practice.
6. A member is also required to have a fair knowledge of the official languages of Assam (Assamese, Bengali, Bodo and English) as well as be conversant with the historical background to the foreigners' issue.

NRC is final, rules Assam Foreigners' Tribunal

But no notification yet from Registrar General of India

RAMUL KARBARAH
DISSENT
While the Registrar General of India has not yet issued a notification on Assam's National Register of Citizens (NRC) to make it a legal document, a Foreigners' Tribunal has gone ahead and recorded it as the "final NRC" while declaring a man to be Indian.
Hearing a case against one Sivkani Singha of Jambura village whose name figured in the NRC list, member of FT-II in Karimganj town Sidhir Dey said, "There is no doubt that this NRC Assam published in 2019 is nothing but Final NRC."



Identity concerns: A file photo of people waiting at the Foreigners' Tribunal office in Barpeta, Assam. —AP

State govt. questions
The FT-II's order came after the state's govt. asked the FTs not to pass "segmental orders/directions" and stick to giving an "opinion" as mandated by the Foreigners (Tribunals) Order, 1964. The letter to the FTs followed an assessment by the state's Judicial Department of the "opinions" given by the members in the case of people suspected to be foreigners or doubtful citizens.

der Singh had, in May 2008, filed a case against Mr. Singha, of Jambura village under the Patorkandi Assembly constituency of southern Assam's Karimganj district. The man, marked a D or 'doubtful citizen', remained untraced until June 28 and appeared before the Foreigners' Tribunal-II (FT-II) in Karimganj town two months later, seeking time to return from Singalaha where he was working.
Mr. Singha produced before the FT-II several documents to prove his Indian citizenship. These included a 1962 land deed in the name of his grandfather Madan Kumar Singha and proof of his father Bharat Chandra Singha having been an Indian Air Force employee for 29 years since 1972.

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Ease of doing business at risk if the issue of appointments to tribunals is not resolved

1. Recently the Apex court observed that National Company Law Tribunals (NCLT), and the National Company Law Appellate Tribunal (NCLAT) are hamstrung by vacancies not being filled on time.
2. The government has lauded the role of the Insolvency and Bankruptcy Code, 2016 (IBC), for improving India's ranking on the "Ease of Doing Business" index over the last couple of years.
3. However, the SC's observation is spot-on as vacancies in the tribunals have slowed down insolvency resolution due to the huge pendency of cases. When the SC made its observations, the NCLT had only 30 members against a total strength of 63.

Unless the government now addresses the SC's concerns, there is a real risk of the court taking matters into its own hands by making appointments itself, or by taking harsher steps like transferring jurisdiction under the IBC to high courts. One hopes that the situation is resolved quickly to make strict time-bound insolvency resolutions a reality.

Registration of Unorganized Workers picks pace across the country, more than 1 crore registered on e-shram portal

1. The drive to facilitate the registration of unorganized workers on the E-Shram portal has received huge attention since its launch in August 2021.
2. This registration would facilitate delivery and accessibility to crucial welfare programmes and various entitlements meant for the workers in the unorganized sector and employment.
3. In almost 24 days, more than 1 crore (or 10 million) workers have registered at the portal. As of today, 1,03,12,095 workers have registered in the portal. Of these around 43% of the beneficiaries are female and 57% are male.
4. An overwhelming proportion of migrant workers are engaged in these sectors of work. As per Economic Survey 2019-20, there are an estimated 38 crore unorganised workers (UW) in the country, which would be targeted to register on this portal.

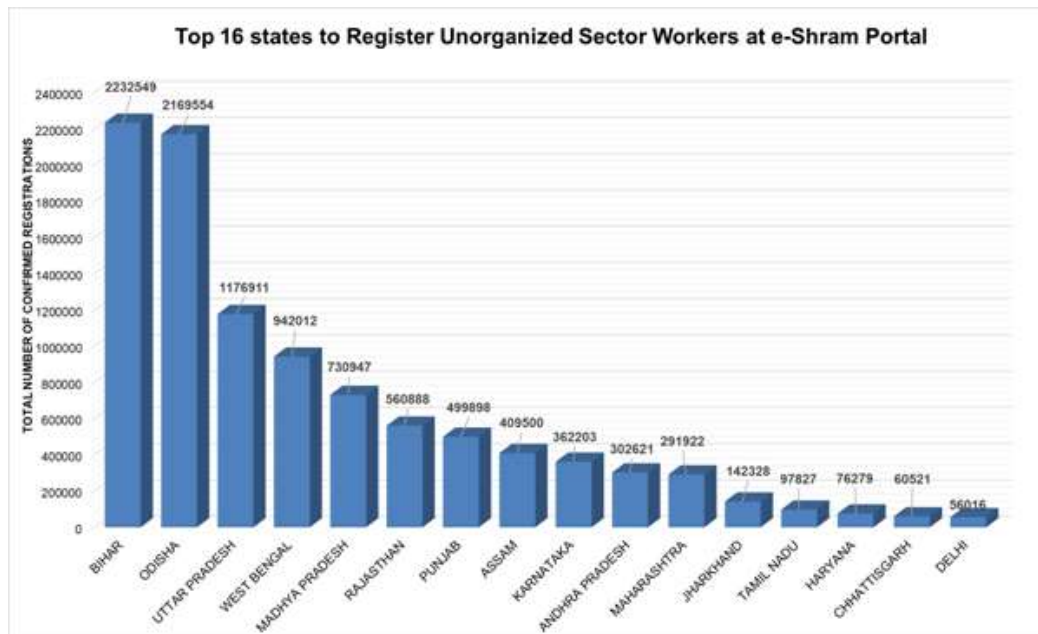




5. These migrant workers also can now take the benefits of various social security and employment-based schemes through registration at the e-Shram portal.

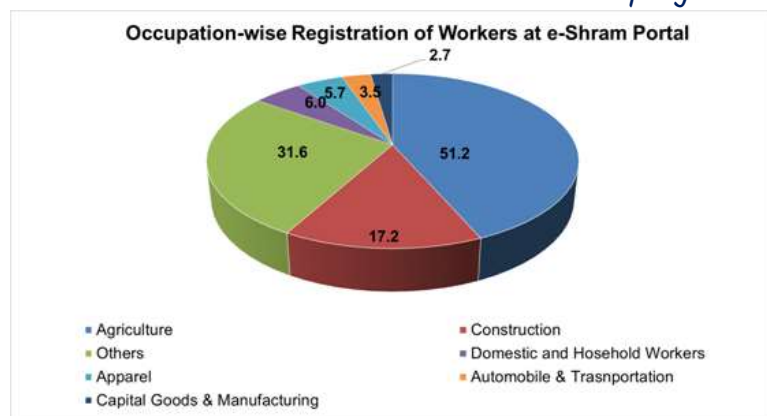
Much needed Data

1. As per the latest data, the states of Bihar, Odisha, Uttar Pradesh and West Bengal are at the forefront of this initiative with the highest number of registrations, as depicted by the graph below.



2. The largest number of workers registered are from agriculture and construction, given the sheer volume of these two sectors in employment generation in India.

3. Besides, workers from diverse and different occupations like domestic and household workers, apparel sector workers, automobile and transport sector workers, electronics and hardware workers, capital goods workers, education, healthcare, retail, tourism and hospitality, food industry and many more have registered at this portal.





4. Around 48% of these registered workers are in the age group of 25-40 years, followed by around 21% registration in the age group of 40-50 years, 19% registration in the age group of 16-25 years and 12% registration in the age group of 50 years and above.

Benefits:

1. After registration at the e-SHRAM Portal, the unorganised workers shall receive a digital e-SHRAM card and they can update their profiles/particulars through the portal or mobile app.
2. They will have a Universal Account Number (on eSHRAM Card) that will be acceptable across the country and now they will not be required to register at different places for obtaining social security benefits.
3. If a worker is registered at the e-Shram portal and meets with an accident, he/she will be eligible for Rs 2.0 Lakh on death or permanent disability and Rs 1.0 lakh on partial disability.

Mains DAWP

Q1. "Cities are a technology for poverty reduction." Elaborate. Discuss the failure of Indian cities in the light of this statement.

Practice MCQs

Q1. Foreigners tribunals are quasi-judicial bodies, to determine if a person staying illegally is a "foreigner" or not. These tribunals are active in the state of

- a. Assam
- b. Jammu and Kashmir
- c. West Bengal
- d. Tamil Nadu