

Census v/s NPR

What to do when govt officials come to your home

The Government of India has suddenly declared that it will conduct a door to door survey to determine the ordinary residents of India from April 2020 to September 2020 (National Population Register-NPR). India is also due for the decennial population survey, the Census in 2021. By clubbing these two processes, one a much needed and regular process, the Census with the second, controversial NPR-NRC process the government is deliberately generating confusion and causing alarm. As citizens we need to understand the legal basis of *both these processes* and communicate that while participating in one which is both needed and compulsory in law (Census), the other which is the NPR needs to be boycotted as the questions asked in the NPR exceeds the ones which is needed for a simple population register.

Assam's NRC: The experience of Assam that has excluded 19 lakhs (1.9 million) persons from the final NRC (August 2019) has been disastrous. The government spent Rs 1220 crores, used the services of 52,000 government employees for over 6 years to undertake this exercise. First (December 2017) 1.20 crores out of the total 3.20 crore of Assam's population, then (July 2018) 44 lakhs (4.4 million) and then finally 19 lakhs are excluded. The exercise cost the people of Assam no less than Rs 24,400 crores. The fate of the 19 lakh people excluded hangs in a balance today. They face the prospect of long drawn out court battles, Foreigners tribunal to High Court to Supreme Court. Four and a half months after the list was out, hapless people have no reasons given to them as to why they are excluded! The govt threatens another NRC process in the state. Citizens for Justice and Peace (cjp.org.in) has been working on the ground for close to three years and our team has helped over 12 lakh people. On January 6, we obtained an interim order from the Supreme Court directing that no children will be either separated from parents or sent to Assam's horrific Detention Camps.

The 21 questions that the government is now asking under **the new NPR 2020 threatens our privacy, may lead to surveillance and most dangerous of all can help target and mark out sections of the population for disenfranchisement from citizenship.** This is why we are saying NO to NPR-NRC. What we need to say equally clearly is that we have no objection to the Census. The government, by clubbing the two, NPR-NRC process with the Census process, the government is being both devious and dishonest. It is likely that state governments will assign the same set of officers to conduct both surveys at the same time. Hence, we need to clearly *understand and distinguish between the two*.

- Which questions do we need to answer?
- Which must we refuse to answer?
- Why?

First things first. The NPR process is being conducted under the Citizenship Act 1955(The Citizenship Amendment Act 2019) while Censes 2021 is as per Census Act 1948.

WE are ready for CENSUS as was held in 2011. We Oppose NPR-NRC!

Differences and commonalities between Census and NPR

Census	NPR
Census questions are mandatory and they must be answered	NPR questions are voluntary. You can choose <u>not to answer them.</u>
The questions asked in the first phase of census pertain to the 'House listing Census' which in turn pertain to amenities in the house, like toilets, electricity, water supply and so on	The questions in the NPR are a part of Census Household schedule (the second phase) which is to be carried out in 2021; except for place of birth of parents and date of birth of parents which was not ever part of the NPR process before
Census is carried out periodically every ten years. This is the 16 th Census since 1872 and the 8 th Census since India's independence	The first NPR took place in 2010, it was updated in 2015. The Govt. has claimed that NPR is being updated after a 10 year gap. <u>The Rules do not state that NPR listing or data collection has to be done periodically.</u> Hence, the motive behind NPR is being looked at suspiciously by all
Census is carried out under the provisions of the Census Act, 1948	NPR does not have complete legal sanction. NPR is being carried out under Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, which is a subordinate legislation. Rules are made by the Executive/Govt and not scrutinised by Parliament
In House listing Census, questions will need to be answered individually, the answer fields will be blank	In the NPR schedule most of the answer fields will be pre-filled as this is an updation exercise of the NPR. <u>You can choose to verify or not verify the data.</u>
Census process is not related to NRC	NPR is the first step towards creation of NRC. This is not only stated in the 2003 Rules. This has also been admitted by Govt. in the parliament and MHA's Annual Report 2018-19.
During the Census, <u>providing accurate data is mandatory under section 8 of the Census Act, 1948 which states that every person of whom any question (published in official gazette for Census purposes) is asked shall be legally bound to answer such question to the best of his knowledge.</u>	Answering questions in NPR is not legally binding on an individual. However 9 & 7 of the rules do require that everyone has to register and that head of family must give ans to NPR questions or else face a fine of Rs. 1000/-. Not answering is therefore voluntary but WILL or CAN get you declared, by the govt, as a Doubtful Citizen (DC) if we don't ans.*
Census is the primary source of basic national population data required for administrative purposes and for many aspects of economic and social research and planning as well as for government's policy making (welfare schemes etc).	NPR is a National Population Register which will contain the details of all the 'usual residents' of the country regardless of whether they are citizens or non-citizens of India. NPR is being done to prepare a database for the All India NRC
The census data is collected in two phases in India. First is the House listing phase which precedes the second phase of Household data collection phase	NPR can be considered to be first phase of NRC, a process that precedes the All India NRC
NPR process is going to be carried out <u>simultaneously</u> with the House-listing Census or the first phase of Census 2021. <u>Both of these are scheduled to begin from April 1, 2020 and will be concluded by September 30, 2020.</u> (Source: Instruction Manual released by Ministry of Home Affairs-MHA- that pertains to the NPR)	

The instruction manual also states that the enumeration will be carried out **simultaneously** hence it is most likely that when a census enumerator comes to your doorstep, **they will fill out the NPR and census schedules together!** While the Census data is important for government's policy making, welfare schemes and general development and growth of the country, *and compulsory to answer to,*

the rationale behind NPR has simply not been made clear by the government. In fact, the absence of transparency and clarity from the government *demands that we refuse to answer those questions that relate to the NPR-NRC.*

A previously conducted NPR included the collection of biometric data of people which was then incorporated into the Aadhar database. However, the 2003 Rules nowhere mention that the NPR is or must be conducted periodically or after every 10 years.

Critical it is therefore for each one of us to understand how –in a shady and devious manner – the NPR will be carried out by Census enumerators. Which are the questions that you must answer and which you MUST NOT.

Participating in NPR is voluntary, you can REFUSE to ANSWER!

The MHA and GOI have faced stiff opposition from both the people and the state governments of non-BJP states, articulated at the recently concluded meeting on the NPR-Census. These objections related to *four specific questions included in the NPR-NRC* especially the one concerning parents' places and dates of birth. Pushed into a corner, the Home Ministry was compelled to utter the truth, that answering questions in the NPR is purely voluntary.

NOTE: While answering questions related to the House listing in the Census should be answered but questions in NPR need not be answered! It is completely up to the individual whether to provide the information. Although, much of the sets of data in the NPR schedule are going to be pre-filled, you can verify it or choose not to verify it. *(Read cautionary note in the table)

Census, Its Importance and Legal basis

Census is the primary source of basic national population data required for administrative purposes and for many aspects of economic and social research and planning. Not only are constituencies demarcated on the basis of the census but national, local, urban and rural income estimates as also crucial aspects of what levels of access to services and amenities our people have can be determined with an honest collation of this data. Meaning this data is important so that governments can formulate policies and welfare schemes tailored to the needs of the population data that is its people need. Census Data remains the most credible source of information on Demography (Population characteristics), Economic Activity, Literacy and Education, Housing & Household Amenities, Urbanisation, Fertility and Mortality, Scheduled Castes and Scheduled Tribes, Language, Religion, Migration, Disability and many other socio-cultural and demographic data.

Section 4A of the Census Act makes it binding on any local authority to make available staff employed under it as may be directed by written order of Central government for the purpose of performance of any duties in connection with taking of census.

Census in two phases

The census data is collected in two phases in India. First is the House listing phase which precedes the second phase of Household data collection phase. The former collects data on the house, the amenities in the house, like toilet, electricity, water supply. The second phase is about the members in the household. This data not only ascertains the number of people in the household and hence consequently the population of the country, but also becomes a repository of data on the mother tongue, religion people follow, whether they are from the reserved category, how literate they are, whether they are disabled. All of this data is ideally to be put to use for the purpose of formulating policies for the minority population or policies to benefit the disabled. Given the importance of this

data collected from the policy perspective, very minor changes have been made to the census questionnaire over the years.

NPR

NPR is a National Population Register which will contain the details of all the 'usual residents' of the country regardless of whether they are citizens or non-citizens of India. The electronic database of more than 119 crore usual residents of the country has already been created under NPR which was created in 2010 along with House listing and Housing Census 2010. The Government of India has also stated that the the NPR Database has been updated during 2015-16 in all States/UTs (except Assam and Meghalaya) to make a comprehensive resident database.

Is NPR a law?

NPR is being undertaken under the provisions of The Citizenship Rules, 2003. It is a part of subordinate or delegated legislation which allows the executive to make rules and regulations for better implementation of a law. If NPR were really subordinate to the Census it would have been included in the Census Rules instead of the Citizenship Rules.

Here is a guide on the questions that come under the CENSUS 2021 which you need to answer and questions which are being deliberately brought in through the NPR 2020 that you need not. [Answer the CENSUS questions not the NPR ones which are voluntary.](#) *(cautionary note)

The NPR has been notified to begin from April 2020. When NPR data is collected, *with the Census Data*, it seeks 21 separate categories of information. As per Clause 4(3) of the Citizenship Rules, "For the purposes of preparation and inclusion in the Local Register of Indian Citizens, the particulars collected of every family and individual in the Population Register shall be verified and scrutinized by the Local Registrar."

The population register shall be verified and scrutinized by the local registrar. During the verification process, the particulars of "such individual" as shows Citizenship is doubtful shall entered by the local registrar with an appropriate remark "doubtful Citizen" in the list of the population register for further inquiry!

Every person will be given opportunity of being heard by the sub district or taluka registrar of Citizen Registration. The sub district or taluka registrar shall finalise his finding within 90 day of entry. Others are empowered to "raise objections" to you, your family or anyone else being included in the NPR-NRC list.

Then the data is placed in the public domain for inviting any "objection". The Order of the Registrar is final: whether you or any person is included or excluded from the National Population Register. The NPR is the first stage of the All India NRC. Or the NPR is a back door of the NRC!

[By the way, the gazetted copy of the NPR enlisting order is missing from official website! WHY?](#)

<input checked="" type="checkbox"/> CENSUS QUESTIONS THAT WE MUST ANSWER:	<input type="checkbox"/> <u>NPR SCHEDULE QUESTIONS THAT WE NEED NOT ANSWER:</u>
<p>Census House listing Schedule:</p> <p>These are the questions that form a part of the Census House listing Schedule, 2020:</p> <ol style="list-style-type: none"> 1. Building number (Municipal or local authority or census number). 2. Census house number. 3. Predominant material of floor, wall and roof of the census house. 4. Ascertain use of census house. 5. Condition of the census house. 6. Household number. 7. Total number of persons normally residing in the household: 8. Name of the head of the household. 9. Sex of the head of the household. 10. Whether the head of the household belongs to Scheduled Caste/Scheduled Tribe/Other. 11. Ownership status of the census house. 12. Number of dwelling rooms exclusively in possession of the household. 13. Number of married couple(s) living in the household. 14. Main source of drinking water. 15. Availability of drinking water source. 16. Main source of lighting. 17. Access to latrine. 18. Type of latrine. 19. Waste water outlet. 20. Availability of bathing facility. 21. Availability of kitchen and LPG/PNG 	<p>Most of the fields in the NPR schedule <u>will be pre-filled as the data was already collected in 2010 and updated in 2015.</u> Hence, only changes in such data will be recorded. You will have to verify the data already filled in the schedule/questionnaire. <u>As clarified by Minister of State (MoS) for Home Affairs, G Kishan Reddy, providing information to the NPR questions is voluntary.</u></p> <p><u>This means YOU CAN DECLINE TO PROVIDE ANY INFORMATION asked in the NPR SCHEDULE*</u></p> <p>Census House Number and Household Number</p> <ul style="list-style-type: none"> · Present Address(pre-filled) · Pin code (pre-filled) · Household Status (available/closed/moved out/could not be enumerated/new) · Number of members (pre-filled) · Name of the person in full (pre-filled) · Availability of member of the household · Relationship to Head · Sex (pre-filled) · Marital Status · Date of Birth (pre-filled) · Place of Birth (pre-filled) · Nationality as declared (pre-filled) <p>Note: Nationality recorded is as declared by the respondent. This does not confer any right to Indian Citizenship</p> <ul style="list-style-type: none"> · Passport Number (if Indian, only then can they ask for passport number) <p>The manual states, <u>“if the respondent provides passport number...” which can be understood to mean that the information sought is voluntary. This means even if you have a passport you may choose to not provide the passport number.</u></p> <ul style="list-style-type: none"> · Educational Qualification

- connection.
22. Main fuel used for cooking.
23. Radio/Transistor.
24. Television.
25. Access to internet.
26. Laptop/Computer.
27. Telephone/Mobile Phone/Smartphone.
28. Bicycle/Scooter/Motorcycle/Moped.
29. Car/Jeep/Van.
30. Main Cereal consumed in the household.
31. Mobile Number (for census related communications only).

**Source: ORGI Gazette Notification (Period of House listing Operation and Questions in House listing & Housing Census for Census 2021) dated 07-01-2019*

- Occupation/Activity
- Permanent Residential Address (pre-filled)
- Duration of stay and place of last residence

**Q 12. Whether Staying at present place since birth
12 (a) Yes/No,**

if No, fill 12(b), else skip	
12 (b) (i) Duration of stay at present place in years	
12 (b) (ii) Place of Last residence	
12(a)	Yes
12 (b) (i)	-
12 (b) (ii)	-
State/Country	-
District	-

Whether Staying at present place since birth	
12(a) Yes/No,	
if No, fill 12(b), else skip	
12 (b) (i) Duration of stay at present place in years	
12 (b) (ii) Place of Last residence	
12 (a)	No
12 (b) (i)	5
12 (b) (ii)	Patna
State/Country	Bihar
District	Patna

- Details of father, mother and spouse (**Not mandatory**)

Q.13(i) If father, mother and spouse are not enumerated in this household or not alive, write their names along with date of birth else write serial number	Q.13(ii) Place of Birth of Father & Mother If within India, write the name of the state and district if outside
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	India, Write the name of the country and put '-' for district
Father's Name Ashok Kumar Bhardwaj (DOB as DD-MM-YYYY)	State/Country Uttar Pradesh District Banda
2 5 1 1 1 9 3 0	
Mother's Name (DOB as DD-MM-YYYY)	State / Country Uttar Pradesh District Sitapur
0 4	
Spouse's Name Naina Bhardwaj	

- Aadhaar Number (if available) (**specifically mentions "Aadhaar number is to be collected if provided by the resident voluntarily."**)

- Mobile Number (pre-filled)
- Voter ID Card Number (if available)
- Driving License Number (if available)

If any of the above numbers are not available, it may be left blank. Hence, you may provide this information only if you want to.

FYI: Can even Census / NPR data be misused?

While there are a lot of positives on census data collection, there is also a dark side to it which is often forgotten. Germany misused its census data to identify Jews to later persecute them and as they invaded few other countries of Europe, they got their population data and used it to identify people to be rounded up, put in labour camps and ultimately exterminated.

Even USA has misused population data during the Second World War to get data on people of Japanese origin. Japanese-American population on the west coast of the US was rounded up and sent to concentration camps for the duration of the war.

Why is the NPR-NRC dangerous?

Harmless as that may sound, the NPR is expected to become the basis on which the All India NRC will be drawn up. At the end of the door to door survey, a list of people who have made it to the list will be declared. People whose names do not appear in NPR will have to appeal against it and present relevant documents to the district registrar who will then take a decision if the said person is a citizen or not. So what documents will these 'sarkari' officers ask of us when they come to our doorstep? What documents will satisfy the registrar?

As is its style, this Government has not yet notified what modalities will this door to door enumeration use? What documents will be asked for? What documents will work and what won't? How will such a significant exercise take place? What criteria will be used? What will be the "cut off date" to determined whether or not a person makes the mark of birth and through that citizenship?

Who is an Indian?

Does the possession of a few pieces of paper make us Indian? Does being born in a particular religion make us Indian? Does our belief in one political ideology more than others make us Indian? Who decides who is an Indian?

Narrow definitions indeed for a people who take pride in being an ancient civilisation, where tongues and colours and tastes change completely every few miles, where some of the greatest philosophies of this world have been born and debated for a millennia. No single idea can lay claim to being the idea of India. No single definition exists that decides who is an Indian and who is not.

Our Overall Demands related to the Citizenship Test are:

1. REPEAL Citizenship Amendment Act, (CAA), 2019
or AMEND its discriminatory provisions to include all sections including Muslims and from all neighbouring countries
2. Immediately STOP the PROCESS OF enumeration of the National Population Register (NPR) and All India National Register of Citizens (NRC/NRIC)
3. REPEAL/WITHDRAW the Citizenship(Registration of Citizens & Issue of National Identity Cards) Rules, 2003
4. SHUT DOWN/CLOSE DOWN all Detention Camps
5. WITHDRAW/REPEAL amendments to Foreigners Order 1948, amended in 2015 and 2017
6. REPEAL amendment to Passport (Entry into India Rules), 1950 of 2015, 2017 which are discriminatory and violative of Articles 14 and 21 of the Indian Constitution

Send us your endorsements at info@cjp.org.in or contact us on +91 7506661171.

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