

Act (PSA) in Jammu and Kashmir after the abrogation of Article 370 of the Constitution by the Parliament;

(b) whether Government has reviewed or proposes to review each case of detention under PSA in the State within a time-frame; and

(c) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI G. KISHAN REDDY): (a) The Government of Jammu and Kashmir has reported that in order to prevent commission of offences involving breach of peace and tranquility, activities prejudicial to the security of the State and maintenance of public order, detention orders were issued against 444 persons under the Jammu and Kashmir Public Safety Act (PSA), 1978, since August 2019. At present, 389 persons are in detention under PSA.

(b) and (c) Regular review is undertaken on case to case basis and accordingly, extension in detention or revocation is made based on reports of field agencies and ground situation.

Definition of refugee under Citizenship Amendment Act, 2019

350. SHRI DEREK O' BRIEN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the Uttar Pradesh Government has identified more than 30,000 refugees, if so, the details thereof;

(b) how the Uttar Pradesh Government has identified refugees in the State and what criteria has been followed to identify the refugees without any rules having been framed under the Citizenship Amendment Act, 2019, the details thereof; and

(c) whether it has been determined how refugees would be identified for the purpose of the Citizenship Amendment Act, 2019, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NITYANAND RAI): (a) to (c) Illegal migrants (including those who claim to be refugees) are dealt with under - (i) The Foreigners Act, 1946, (ii) The Passport (Entry into India) Act, 1920, (iii) The Registration of Foreigners Act, 1939 and (iv) The Citizenship Act, 1955.

To deal with such immigrants (including those who claim to be refugees), the powers of the Central Government under Section 3 of The Foreigners Act, 1946 to detect, detain and deport illegal foreign nationals and powers under Section 5 of The Passport (Entry into India) Act, 1920 to remove an illegal foreigner by force have been entrusted under Article 258(1) of the Constitution of India to all the State Governments. Further, under Article 239(1) of the Constitution of India, Administrators of all Union Territories have also been directed to discharge the functions of the Central Government relating to the aforesaid powers.

MHA had also issued a Standard Operating Procedure (SOP) to be followed by all concerned agencies, including the State Government of Uttar Pradesh, while dealing with foreign nationals who claim to be refugees *vide* letter dated 29.12.2011 which has been further revised on 20.03.2019.

The Citizenship (Amendment) Act, 2019 (CAA) aims to facilitate grant of citizenship to migrants belonging to Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities from Afghanistan, Pakistan and Bangladesh who have taken shelter in India due to persecution on grounds of religion or fear of such persecution in their countries and have entered India on or before 31/12/2014 and who have been exempted from the penal provisions of the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920 and the Rules/orders made thereunder by amending the Passport (Entry into India) Rules 1950 and the Foreigners Order, 1948 *vide* notifications dated 07.09.2015 and 18.07.2016. The CAA has come into force on 10.01.2020 and persons covered by this amendment act can submit applications for grant of citizenship after appropriate Rules are notified by the Central Government.

Reservations against CAA

351. DR. T. SUBBARAMI REDDY:

SHRI VAIKO:

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of agitations, rallies, dharna taking place in the country, State-wise protesting against the Citizenship Amendment Act, 2019 and NRC;
- (b) the total number of persons arrested and released and the number of persons still under arrest;