

[श्री राजनारायण]

अगर अयां होकर निकलोगे तो हमारी नजर भी नीची रहेगी ।

SHRI BHUPESH GUPTA: I suggest in order to avoid such things in future we have a high-power crane in the House which can lift human beings and put them out.

SHRI OM MEHTA: It is a suggestion lot action.

**THE PRESS COUNCIL
(AMENDMENT) BILL, 1974**

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI I. K. GUJRAL): Sir, I beg to move for leave to introduce a Bill further to amend the Press Council Act, 1965.

The question was put and the motion was adopted.

SHRI I. K. GUJRAL: Sir, I introduce the Bill.

STATEMENT BY MINISTER EXPLAINING CIRCUMSTANCES WHICH NECESSITATED PROMULGATION OF THE INDIAN IRON AND STEEL COMPANY (TAKING OVER OF MANAGEMENT) AMENDMENT ORDINANCE, 1974

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): Sir, I beg to lay on the Table a statement (in English and Hindi) explaining the circumstances which necessitated immediate legislation by the Indian Iron and Steel Company (Taking Over of Management) Amendment Ordinance, 1974.

THE INDIAN IRON AND STEEL COMPANY (TAKING OVER OF MANAGEMENT) (AMENDMENT) BILL, 1974

THE MINISTER OF STEEL AND MINES (SHRI K. D. MALAVIYA): Sir, I beg to move for leave to introduce a Bill to amend the Indian Iron and Steel Company (Taking Over of Management) Act, 1972.

The question was put and the motion was adopted.

SHRI K. D. MALAVIYA: Sir, I intro-iliuv the Bill.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.15 P.M.

The House then adjourned for lunch at sixteen minutes past one of the clock.

The House reassembled after lunch at seventeen minutes past two of the clock, Mr. Deputy Chairman in the Chair.

**MOTION *Re* FOURTEENTH
REPORT OF THE
COMMISSIONER FOR LINGUISTIC
MINORITIES FOR 1971-72—contd.**

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I am thankful to the Members who have spoken on the Report of the Commissioner for Linguistic Minorities and touched many aspects of the problem. They were, by and large, correct in stating that the grievances of the linguistic minorities are still persisting. I would like to point out the constitutional provisions regarding the safeguards provided to the linguistic minorities. The relevant article is article WOA. It reads like this:

"It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups; and the President may issue such directions to any State as he considers necessary or proper for securing the provision of such facilities."

This speaks of providing adequate facilities for instruction in the mother-tongue at the primary stage of education. Then, Sir, the constitutional provision requires the State Governments to provide education in the mother-tongue of only primary education. There are no constitutional provisions as regards the secondary education or higher education. But those points were discussed at the Chief Ministers' Conference held in 1961. Some decisions

were reached. The Commissioner for Linguistic Minorities is pressing the State Governments to accept and implement those decisions about primary education. So the Commissioner for Linguistic Minorities and the Central Government have a limited scope in pressing the State Governments about the implementation of the constitutional requirement because it is confined to the primary stage level of education.

Sir, in this regard I might say that the right of having instruction through the mother tongue at the primary stage of education to the children belonging to the linguistic minority groups has been accepted by almost all the States and the Union territories and the formula of ten in each class and forty in the whole school has been accepted by most of the States and it is being implemented also including, of course, the Urdu language. But the difficulty is of certain languages, only, prominent among them being Mani-puri language in Assam, as Mr. N. R. Choudhury pointed out, Saurashtri in Tamil Nadu, Santhali in West Bengal and some tribal languages in Assam, Bihar, Madhya Pradesh, Manipur and Tripura. There have been difficulties in providing primary education in the medium of the mother tongue in respect of these languages.

Sir, we have to appreciate the real difficulties faced by the State Government in this connection. Many of the languages, as the Members may be aware, have no scripts; they are only dialects, and evidently there cannot be books also. There may be teachers to teach them but, of course, that can be only the dialect. Of course, attempts are being made to adopt one script or the other. Sir, when the languages are not developed it is very difficult also to get text books in those dialects or the so-called languages. The difficulty of getting teachers also is there. So all these difficulties are there. They are real difficulties which we appreciate. But I do hope that they will be able to get over these difficulties. Attempts are being made. I am (old, in Assam attempt is being made to provide tribal languages in certain areas: I hope in course of time tribal dialects will

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adopt one script or the other and the State Governments will be able to provide them with text books and teachers and schools also.

This also involves some finances. They have to open up some more schools. But in the interest of education of the tribal areas I do expect that the State Governments would never mind spending more to see that the tribal people are also educated in their own mother tongue.

As I have already told Members, Sir, there are no constitutional provisions for providing facilities for instruction in the mother tongue in the secondary stage. However, Sir, in the Chief Minister's Conference held in 1961 it was agreed that arrangements should be made for instruction in the mother tongue where there is a minimum strength of 60 pupils in the last four classes of the higher secondary stage and 15 pupils in each such class, provided for the first four years a strength of 15 pupils in each class is forthcoming. All the State Governments, with the exception of a few States like Haryana, Jammu and Kashmir and U.P., have accepted the formula of 15 and 60 and have issued orders for implementing the same. In Haryana the medium of instruction in the government management schools is Hindi only. The State Government have permitted the use of Punjabi as the medium of instruction in those private recognised schools which existed before the reorganisation of the State took place. In Jammu and Kashmir, English is the sole medium of instruction. However, Social Studies is being learnt through the medium of Urdu, Hindi and Punjabi. The Government of Madhya Pradesh have not so far issued any orders regarding the fixation of pupil strength ratio. They felt that such a stipulation was not necessary. In Punjab, Punjabi has been made the sole medium of instruction in all Government schools. Private schools have been permitted to continue the Hindi medium. Here I would like to point out that I am unable to understand the contention of the Punjab Government in saying that there are no linguistic minorities in that State and all are Punjabi

[Shri E. H. Mohsin] speaking. I have got figures with me to show that there are quite a large number of Hindi-speaking people also in Punjab. In Punjab, the Hindi-speaking population, according to the 1971 Census, is 27,05,931 and the Urdu-speaking population, 29,000. And there are so many other small populations of other languages. So there is a considerably large population of Hindi-speaking people. As Mr. Ranbir Singh pointed out, in Fazilka and Abohar there are quite a large number of Hindi-speaking people. So, the Census figures are there and Punjab cannot deny the fact that there are linguistic minorities in Punjab. The Constitution provides that education shall have to be provided, and the State should make every effort to provide education, primary education, in their mother tongue. I hope that the Punjab Government will realise it at least now and provide facilities for education in the mother tongue. Even here I would like to say that the decision of the Chief Ministers who met in 1901 is there. The Chief Minister of undivided Punjab at the time was also represented. He was a party to it and it is equally binding on Punjab to see that the safeguards which were agreed to for the linguistic minorities even at the secondary stage are provided. Likewise I would expect that Haryana also follows suit and provides facilities for the Punjabi medium students, who want to have their education in Punjabi.

Sir in this debate, beginning with Dr. Z. A. Alimad, many Members have spoken about the development of Urdu language. It is true that Dr. Z. A. Ahmad and many other friends—Mr. Khurshed Alam Khan, Mr. Hashmi, Mr. Niren Ghosh and many others—have stressed that Urdu is an Indian language and it is rich in its literature and it has to be provided with all the safeguards. I do agree that Urdu is a very important Indian language and it is being spoken by a large section of people. It is also not correct to say that it is the language of the Muslims. There are quite a large number of Muslims who do not know Urdu, including me. I have not learnt Urdu myself. I can neither read nor write Urdu. In Uttar Pradesh there are about 1,36,76,000 Muslims. They form *li.ii*

per cent of the total population. But the Urdu knowing population is only 92,73,089. That only means that 10.5 per cent are Urdu-speaking. In West Bengal also it is like that. The Muslim population there is 90,64,000 but Urdu-speaking is only 9,60,000. In Assam Muslim population is 35,94,000 but Urdu-speaking is 6,325. Even in the south this is the position. So it cannot be said that Urdu is the language of Muslims. It is not correct. Nor can it be said that Urdu is spoken only by Muslims. There are quite a large number of non-Muslims who know Urdu, who read Urdu, who write Urdu and who love Urdu. It is an Indian language. It is a language born in India and prospered in India and it remains in India. As Dr. Ahmad has pointed out, it has to remain in India. It may disappear from Pakistan because there is already an agitation, there is already a Sindhi movement in Sind, a Punjabi movement in Punjab and Pushto in the Frontier and so on. Urdu has already disappeared from Bangla Desh. But it will remain in India because it has been born in India and it has been fostered in India. It is correct to say that Urdu language as such suffered a little at the time of partition. In a way we can say that it became a victim of partition. It received a setback. But now it cannot be said that the same conditions are prevailing today. There is considerable improvement in the facilities being provided for the development of Urdu language in almost all the States, especially in UP where most of the people are concentrated, and in Delhi. Here so many facilities are being provided. The circumstances which prevailed for Urdu language at one time no longer exist. There is considerable understanding. And that we saw when we heard Members on all sides, including the Member from the Jana Sangh who said that he was not anti-Urdu. It is really a good thing if there is a change in the policy or the thinking of his party, and it is a welcome thing. We all welcome it. I was happy to see that because this House represents the feelings of the people. There was considerable sympathy for the development of Urdu language. I need not repeat it because Dr. Ahmad was not there; facilities for education in Urdu have been provided at the primary stage in UP. . .

DR. Z. A. AHMAD (Uttar Pradesh): That is done now; this Government has done it.

SHRI F. H. MOHSIN: May be, but it has been done. Of course, there is some difficulty. He asked why it should be 40 students, why that limit should be there, why it should not be 39. On this point I would like to say. that somewhere we will have to fix the limit. It cannot be five or six. Is it the opinion of the honourable Member that even if there are only five or six pupils we should open a school for them? It is a question of economics. Even if there is only one pupil, why should we not open a school? That way also it can be argued.

SHRI HAMID ALI SCHAMNAD (Kerala): In Kerala wherever Kannada minorities are there, fifteen has been fixed as the limit. Wherever fifteen minority boys are there, a Kannada teacher has been provided. So that principle can be applied here.

SHRI F. H. MOHSIN: I also know that you have provided for Konkani, but Konkani teachers are not being paid. Then what is the use? Anyway, if the States come forward to bear all the expenditure, we would only welcome it. But it is a question of economics. We have to consider their financial condition. That is why the minimum number of pupil is fixed at forty. 'y States like Tamil Nadu—Mr. Mariswamy was mentioning it—they have relaxed it even further. Even when there are only 30 student they are providing facilities. So we welcome such things if the States come forward; if their finances permit, they can relax it. The Central Government will be too glad to welcome it.

SHRI HAMID AM SCHAMNAD: Forty is too much.

SHRI F. H. MOHSIN: Forty is for the whole school and ten in each class. This was the agreed formula at the Chief Ministers' Conference in 1961. I cannot say the same thing in regard to secondary education. The agreed decision in the Chief Ministers' Conference in regard to secondary education was that provision

should be made for imparting education in the mother tongue if *sixty students* come forward and if there are 15 students in each class. But this agreement is not being followed by the U.P. Government. Later on the former Commissioner for Linguistic Minorities, Mrs. Devaki Gopidas—who is no more and who died in 1973 in an air accident—had an interview with the Chief Minister. She impressed upon him and the Chief Minister Sgreed to extend facilities for imparting education in mother tongue if there are 60 students in the school and 15 in a class. The Board of Secondary Education is an autonomous body and they have got the rules and these rules have got to be changed. Even now rules are not changed. We will take up the matter again through the present Commissioner who is also a lady. She will make further attempts and see that the rules are changed accordingly.

There are other problems in regard to Urdu text books and so on. In the primary stage there is no such problem. In the secondary stage there are some difficulties about text books. But attempts are being made to get text books from other universities or neighbouring States where they are available. Attempts are made to get them translated also. For this assistance of Urdu Academy is being taken. Private publishers are not prepared to publish Urdu text books for high school classes. They do not come forward to print diem. Therefore the Urdu Academy is being entrusted with the job. State Governments have also been advised to adopt NCERT text books and Anjuman-i-Taraqui-e-Urdu Board is asked to do translation of these books in Urdu. As a matter of fact they have gone ahead In translating many books. They have already printed 46 books. A list of these books has been submitted by the Board to the Ministry of Education. Thirtyone books are under print as on 24th July 1974, that is, yesterday. Three hundred and four books are under process of translation and many of them are from Hindi and English. Seventyfour manuscripts are being scrutinised. There is difficulty in providing text books in almost all minority languages in all the

[Shri F. H. Mohsin] States. Therefore, the State Governments have been advised to get them from the neighbouring States. Marathi books can be had from Maharashtra and Assamese text books can be had from Assam. With such co-operation we will be able to get over these difficulties.

As regards teachers, by and large, there is no difficulty in getting them at the primary level. There may not be teacher's training institutes in every State. There are such institutes in some States where teachers could be trained. And, Sir, many States have started the teachers' training institutions and in regard to the Urdu teacher's training institutions, Delhi has already got one and the U.P. Government is training these teachers in other institutions also. So, there is no paucity of trained teachers either in the primary schools or in the secondary schools, either in U.P. or in Delhi.

Then, -Sir, an arguments was made by many members including Shri Niren Ghosh, Shri Alam Khan and Shri Z. A. Ahmad that Urdu should be declared as the second official language in U.P. because of the numerical strength of the people speaking that language. Sir, as I have already pointed out, there are certain criteria for declaring it as the second official language and it depends more on the total population speaking a particular language and I am afraid, looking to the present number of the people speaking Urdu, it cannot be said that this number is sufficient to declare it as the second language. Sir, the Conference of the Chief Minister of the States and the Central Ministers, held in August 1971, took certain important decisions regarding the question of language in all its various aspects. With regards to recognising a minority language for official purposes, the Conference adopted some criteria and the criteria are like these:—

At the State level, a State should be recognised as a unilingual one only when one language group constitutes 70% or more of its entire population whereas if there is a substantial minority consisting of 30% or more of the population, the State should be recognised as a bilingual one. This was the same principle adopted by I

the States Reorganisation Commission in 1956. So, at least 30% of the population should be there to make it a bilingual State.

SHRI N. R. CHOUDHURY (Assam): Is this principle observed everywhere?

SHRI F. H. MOHSIN: Yes, this is observed by and large everywhere.

Then, at district level, where at least 60% of the population of the entire district speaks or uses a language other than the official language of the State, this language of the minority group should be recognised as the official language in that district in addition to the State official language. Recognition for this purpose may, however, be given ordinarily only to the major languages of India specified in the Eighth Schedule of the Constitution. Exceptions may be made in regard to the hill districts of Assam and the district of Darjeeling in West Bengal where the language other than the one's mentioned in the Eighth Schedule is there. This is the second criterion.

The third criterion is this: At the district level or below, whenever in a district or a smaller area like municipality or tehsil a linguistic minority constitutes 15% to 20% of the population, it would be desirable to get the important government notices and rules published in the language of the minority in addition to any other language or languages in which such documents may otherwise be published in the usual course.

So, it would be very clear that to have a language as the second language a linguistic minority group must constitute at least 80% of the population. I have already stated that according to the census figures, the Urdu-speaking population in U.P. is only 10.5%. So, by this standard it cannot be said that it deserves to be a second official language there.

Then, Sir, Mr. Hashtni said the same thing, that is, that it should be declared as the second language wherever it is spoken and he has also said that th*

visits and tours of the Commissioner for Linguistic Minorities should be given due publicity. I may tell here that whenever the Commissioner for Linguistic Minorities visits the States, due intimation is given to the State Government concerned, not only to the State Government concerned, but also to the local newspapers which publicise it and it is only when they come to know through these sources that the people come to the Commissioner with their complaints, if they have got any, and this is the usual procedure. When the Commissioner visits certain areas, it is published in the local newspapers. So it is not as though the Commissioner of Linguistic Minorities visits stealthily, without the knowledge of the public and goes away.

Then, an hon. Member said that the subject of linguistic minorities should be made a State subject. I do not understand what he meant by this. Providing facilities or the safeguards for the linguistic minorities is yet within the domain of the State Government. Education is a State subject. And it is they who provide safeguards for the linguistic minorities. . . .

SHRI GULABRAO PATIL (Maharashtra): You should take some action to see that they implement all these measures. . . .

(Interruptions)

SHRI N. R. CHOUDHURY: Point was that the rights of the linguistic minorities are derived from the Constitution itself. Who is to look after the constitutional rights of a citizen? Is it the Government of India or the State Government?

SHRI F. H. MOHSIN: As regards the constitutional provisions, Sir, it is certainly the Government of India which looks after and sees that these are implemented by the State Governments. The constitutional provision is only for providing education at the primary stage. The other things are to be discussed and some agreement will have to be reached in consultation with Chief Ministers. There is no constitutional provision for providing facilities in the mother tongue at the high school stage or at the college stage. . . .

SHRI N. R. CHOUDHURY: See Articles 29 and 30 of the Constitution.

SHRI F. H. MOHSIN: That is different. That is for the preservation of their cultural rights, etc. . . .

SHRI KHURSHED ALAM KHAN (Delhi): If necessary, an amendment should be brought. . . .

SHRI F. H. MOHSIN: If Members come late, I cannot help much. I have already covered that.

I was very much surprised to hear Mr. Niren Ghosh when he said that India is a multi-national country. I cannot understand what he means by this. . . .

SHRI NIREN GHOSH (West Bengal): Yes. Even Nehru said that. . . .

SHRI F. H. MOHSIN: I do not know.

SHRI NIREN GHOSH: It is better for you not to know.

SHRI F. H. MOHSIN: If he means that every State is a nation itself, of course, it is a very strange thing. Every State is a part and parcel of one nation. We are one nation, and all different States are only parts of that one nation. I am unable to agree with Mr. Niren Ghosh when he said that it is a multi-national country, and many nations are there in this nation. . . .

SHRI NIREN GHOSH: Just like Yugoslavia, Soviet Union.

SHRI F. H. MOHSIN: I am in agreement with him when he said that Urdu is an Indian language and all safeguards and facilities are to be provided. I am also in agreement with him when he said that facilities have to be provided for the Bengali language in Bihar. We shall take up the matter with the Bihar Government. If there are any genuine grievances, if education is not provided at the primary or secondary stage, we shall take up with the Bihar Government. He also stated that thirty lakhs of Telugu people in Karnataka have no opportunities. I come from Karnataka. I do not know where their complaints lie. In many places. . . .

SHRI NIREN GHOSH: I need not mention their names. But some colleagues, some MPs, know about it.

SHRI F. H. MOHSIN: It is not a fact. You are from Bengal. I am from Karnataka. The Karnataka State is very liberal State in that respect. It is providing education not only at the primary stage, but at the secondary stage also. There are so many schools. But if there are any genuine grievances, we will certainly look into them.

Now, there are some complaints of the Marathi-speaking people in Belgaum area and certain Kannada speaking people in Maharashtra area—In Sholapur and other areas. I am not speaking as a man from Karnataka. Certainly their grievances will be looked into wherever necessary. The Chief Ministers will be addressed in that connection. A point was also made by Mr. Niren Ghosh, Mr. N. R. Choudhury and others that Nepalese should be included in the 8th schedule of the Constitution. This is not a new point. This point was made even last year and the year before last. We are very much sympathetic and eager to see that Nepalese language is very well-developed and that facilities are given to it. But it does not depend on its inclusion or otherwise in the 8th Schedule. I very well remember that Mr. Monoranjan Roy spoke about it last time.

SHRI MONORANJAN ROY (West Bengal): What do you say with regard to the stand of the Himachal Pradesh Government that Nepalese language is a foreign language?

SHRI F. H. MOHSIN: I am not in agreement with it. I have read that statement.

SHRI K. B. CHETTRI (West Bengal): What about its recognition by the Sahitya Academy at least?

SHRI F. H. MOHSIN: The West Bengal Government has given many facilities to Nepalese. This agitation is based on certain factors. The three sub-divisions including Darjeeling where Nepalese is spoken by a large section of the people are very backward and they think that this area can be

developed only when this language is included in the 8th Schedule.

SHRI NIREN GHOSH: No. It is one of their rights.

SHRI F. H. MOHSIN: They have also got another thing in their mind. That is autonomy of that area. Backwardness is another point. Both these things are unfounded. According to the 1971 census, the Nepalese-speaking population is 12.86 lakhs and their demand is autonomy of that area and the inclusion of Nepalese in the 8th Schedule.

SHRI NIREN GHOSH: They have demanded district autonomy within the State of West Bengal.

SHRI F. H. MOHSIN: Within the State, of course. The State Government admits that Darjeeling is a backward district. Their contention is that there are several other districts also which are as backward as Darjeeling District. The safeguards that the State Government has provided for the Nepalese people in Darjeeling District are like this. Steps are being taken to implement the West Bengal Official Languages Act, 1961. All forms will be in Nepalese language. Road sign, sign-boards and advertisement will be in Nepalese language. Arrangements are being made for Nepalese typewriters, typists and stenographers. An official Nepalese glossary of standard and technical words is being compiled. A Text Book Committee is being set up for school textbooks in Nepalese. Certain measures for accelerating the development of that area are also being taken by the West Bengal Government. An Area Development Programme has been formulated with an estimated outlay of 100 crores of rupees. The Darjeeling Hill Areas Advisory Committee with local M.I.As., M.Ps., leading economists, educationists, men from public life and some of the Government officials has been constituted to advise the Government on the special needs of the hill areas. The Committee has been meeting regularly. They have made some recommendations also. A separate Hill Affairs Secretariat has been located in the District Planning, Department to administer the special funds for hill development.

There is a Hill Secretary who also functions as Member-Secretary of the Hill Areas Development Advisory Committee.

We are also very eager to provide safeguards and facilities for the development of Nepalese language. It is recognised as a second official language in those three subdivisions of Darjeeling District. Every effort is made for the development of that language. I do not understand what more is needed for the development of the language.

SHRI NAND KISHORE BHATT (Madhya Pradesh): What about the suggestion by an hon. Member for the Inclusion of Nepali by the Sahitya Akademy?

SHRI F. H. MOHSIN: Here I might state that recognition by the Sahitya Akademy is under consideration. Of course, as you know, the Sahitya Akademy is an autonomous body under the Ministry of Education and Social Welfare. Sir, Mr. Monoran-jan Roy or somebody pointed out that the Himachal Pradesh Government has stated that it is a foreign language. Of course, I read the statement and I am surprised at that statement. Perhaps, it may be on the ground that in Himachal Pradesh, there are certain Nepali nationals who have not become Indian nationals yet. They are residing in Himachal Pradesh and they have not become full-fledged Indian nationals. They must have used it in the sense that it is a language spoken by the Nepali nationals, who have not become Indian citizens as yet. Anyway, we will look into the matter and see in which context they have used it. As I have already stated, India has got more than 12 lakhs of Nepali-speaking population and we do consider that it is an important language spoken in India.

SHRI MONORANJAN ROY: Your argument and your defence *on* behalf of the Himachal Pradesh Government does not stand at all.

SHRI F. H. MOHSIN: It is only my inference. As I am in the Home Ministry. I know very well that certain Nepali-speaking people are not yet Indian citizens. Perhaps, in that context they "might have used it.

SHRI NIREN GHOSH: The only thing is that the Report does not mention what you are saying. The Report specifically mentions that it is strange and obnoxious that arrangements have not been made in Himachal Pradesh for Nepali at the primary stage as medium of instruction on the ground that *it* is a foreign language.

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, (here is no use of repeating what has already been said.

SHRI P. H. MOHSIN: I have now information, Sir, that the Himachal Pradesh Government issued orders for providing facilities in Nepali also at the primary and secondary stage. This should satisfy (lie hon. Members.

Mr. Abdul Samand has also spoken about Urdu. Perhaps, he also does not know much Urdu.

SHRI A. K. A. ABDUL SAMAD (Tamil Nadu): I am a Tamil-speaking man. I have pride in defending the cause of Urdu.

SHRI F. H. MOHSIN: I have no quarrel with you. I thought, just like Mr. Sham-nad, you also do not know Urdu. Anyway, Sir, I am in full agreement with the sympathies expressed by him for the development of Urdu. But he has said that Urdu has no State of its own. I do not know whether he is ignorant that Jammu & Kashmir is a part of India where Urdu is an official language. Not only that, even in certain parts of Andhra Pradesh, it is made the second official language.

SHRI A. K. A. ABDUL SAMAD: What about Uttar Pradesh, Bihar, etc?

SHRI F. H. MOHSIN: I have already stated the criteria on which this official language issue is decided. Perhaps, you were not there at that time. Sir, the hon. Member made another point that there should be one Commissioner for Urdu only to investigate into the grievances. There 3 P.M. There are so many linguistic minorities and if every linguistic minority goes on asking for a commissioner, how many Commissioners can we appoint. That is an impracticable suggestion and cannot be agreed upon.

[Shri F. H. Mohsin]

Lastly Mr. Mariswamy has spoken about the liberal attitude taken by the Government of Tamil Nadu in providing education in the mother tongue of other languages than the Tamil, which is the regional language. He has stated that a minimum of 40 students is not necessary and that even with a minimum of 30 students they are opening schools for providing education in primary and secondary stages.

Mr. Mariswamy, is it secondary level also?

SHRI S. S. MARISWAMY (Tamil Nadu): Yes.

SHRI F. H. MOHSIN: Really, this is a matter which should be copied by other States also.

He also stated that Malayalee people are also treated in a fair way. I hope he really meant it and they really act upon it. I may like to point but that there were some complaints about the Malayalee speaking people in Tamil Nadu. My friend from Kerala also perhaps may be knowing about it. The Malayalee speaking people were rather the complainants against the Tamil N'adu Government for some atrocities. Those complaints were of a political nature. I do agree that there was a political element. The nature of politics was this. The attack was on M.G.R., who was said to be of Malayalee origin. So, perhaps, the Tamil enthusiasts took upon themselves the task of throwing out the influence of M.G.R. in that area and hence took up this attitude. As Mr. Mariswamy has already pointed out, we cannot blame the State Government being behind it. He has taken pains to explain this. He has even given some examples of harassment, so-called harassment in Haryana, Bihar and elsewhere to show that they are not, I mean, instigated by the State Government. He need not have gone to that extent of explaining some incidents in Haryana and some incidents in Bihar just to absolve the Tamil Nadu Government from Involvement in the disturbances that took place in Tamil Nadu. Sir, there are complaints and counter-complaints between Tamil Nadu

and Kerala and even between their Governments. The Prime Minister had to intervene. The Prime Minister had to write to both the Chief Minister. On account of some atrocities committed on Malyalees In Tamil Nadu, there were some reactions in Kerala also. In Kerala plantation areas where Tamil speaking people were employed, there were some complaints of atrocities, So, these matters were taken up by the Prime Minisier with both the Chief Ministers and both the Chief Ministers have assured the Prime Minister that they will take every step in providing protection to the linguistic minorities in the respective areas. So, there is *tity* cause for any concern in those areas and I hope they will keep it up.

SHRI S. S. MARISWAMY: That wai the main reason why I did not say a word about the plantation areas so that it may not vitiate the atmosphere and create trouble. That was the reason why I restrained myself from making any reference to Palghat, Vanddiperiyar, Trivandrum and other plantation areas.

SHRI F. H. MOHSIN: Lastly, I would like to touch upon this employment problem which is focussing the attention of many people.

SHRI MONORANJAN ROY: Sons of the soil problem.

SHRI F. H. MOHSIN: So-called sons of the soil in various paits of the country. Sons of the soil are local persons. The movement focussed the attention of the public when the movement was started by Shiv Sena in Maharashtra. Of course, that was based on the employment problem prevailing in certain areas when they saw that people from other States are taking the major number of jobs and the local persons are not getting any employment. When this happened, the movement achieved some strength. And the National Integration Council took note of the existing discontent of the people, of the local people who could not get employment in the local areas, for example, in • Orissa and other States where the public sector undertakings

have been established. Tribal area people »nd other local people could not get as much employment as they expected. So, there was certainly some kind of discontent and dissatisfaction among the local people.

This point was discussed in the National Integration Committee and the Committee made some recommendations in this respect. I would like to read the recommendation to the advantage of the hon. Members. It rets:

"The Committee in this connection takes note of the existence of discontent in the States arising from the inadequate share of the local people in employment opportunities in both private and public sectors. The Constitution recognises one common citizenship and it is vital for Indian unity that this should be respected and preserved. At the same time, In order that adequate employment opportunities are available to local people and they do not suffer from a sense of injustice where qualified local people are available from among the people of the Slate, they should be given a major share of the employment and the employers should be requested to give effect to this objective as a matter of policy."

Sir, the above recommendation was forwarded to all State Governments for implementation and at the national level the Prime Minister wrote to the Minister of Industrial Development and the Minister of Labour and Rehabilitation to implement this recommendation of the NIC. The Ministry of Industrial Development issued instructions to all public sector undertakings that recruitment to posts carrying a basic salary of not more than Rs. 500 per month should be made through the National Employment Service and that other sources of recruitment should be resorted to only if Employment Exchanges issue non-availability certificates. The Minister of Labour and Rehabilitation issued appeals to All India Organisations of Employers to take note of these recommendations. The Prime Minister also made some observation in the Lok Sabha which I would like to read for the advantage of the Rajya Sabha Members here. It reads:

"This is a matter in which one has to have a certain balance. While we stand for the principle that any Indian should be able to work in any part of India at the same time it is true that if a large number of people come from outside to seek employment in an area while there is unemployment among the local people there, that is bound to create tension in that area. Therefore, while I do not like the idea of having any such rule, on» has to have some balance and see that the local people are not deprived of employment.... I have already expressed my views on this. If the local people remain unemployed and people from other areas come for employment that creates tension. Therefore, one should try to avoid It. But this does not mean that a person residing in some area should be discriminated against merely because his ancestors did not belong to that State, that would be unfair. If somebody is living in that area, he should not be discriminated against. This applies to unskilled labour."

Sir, many States are following the practice of recruitment to class III and class IV posts in the Government of India offices and to posts carrying Rs. 500 in Central undertakings through local Employment Exchanges. This, I am glad, ensures a major share in recruitment to the people of the area at least in the lower people.

So, this is the policy under which we have worked. Mr. Niren Ghosh has given amendments in this context, making it compulsory to see that these things apply to even private sector. Sir, we are in a position to regulate the practice to be followed in public sector undertakings but we are handicapped now with reference to the private sector. At best, we can make appeals to them and this, in fact, we have already done. Bihar Government has made appeals to the private sector establishments to give preference of employment to the local people and to the Scheduled Castes and Scheduled Tribes in particular and also to channelise recruitment through Employment Exchanges. So, we can only appeal to the private sector. Unless they willingly do it.

[Shri F. H. Mohsin]

it would be very difficult to force upon them to accept this criteria. Anyway, we are very much concerned with the growing tendency in Maharashtra and Tamil Nadu. As Mr. Mariswamy has pointed out, 80 per cent of the seat have been reserved for the local people and what is the meaning of 'local people'? It differs from State to State. Many people have said that they must have lived there for the last 20 to 50 years. Assam says that way and Maharashtra and Tamil Nadu are also saying in a similar manner that they should at least be residents for the last 15 years.

SHRI NIREN GHOSH: Bihar also.

SHRI F. H. MOHSIN: Yes, Bihar also. It is doubted very much whether it would be constitutional legally because a particular period of residence shall not be the criterion for getting employment. It may run against the fundamental rights of the Constitution. That legal position apart, I do appreciate the sentiments behind it or the principle behind it. The principle and the intention is to provide more employment to the local people. That could be done by adopting the policy of the Central Government, that is enlistment through the local Exchanges. Exchanges cannot register a man who comes from a different State. Ordinarily, they make enquiries whether he is staying there for quite a number of years, and then only they register the man.

SHRI S. S. MARISWAMY: A clarification, Sir. If it is unconstitutional, then how could you justify the statement by Shri Umashankar Dikshit on the floor of the Lok Sabha in May 1974 that there is a directive issued to all the State Governments that in order to soothe the local feelings, the jobs that fetch Rs. 500 and below should be given to locals.

SHRI F. H. MOHSIN: That is what I have stated. I have already quoted from that directive.

SHRI S. S. MARISWAMY: If this is unconstitutional, that is also unconstitutional.

SHRI F. H. MOHSIN: Posts carrying a salary of less than Rs. 500 should be only reserved for the people who come from

the local Exchanges, not from local 'people'. It is not local 'people'. The word used is that they should come from the local Employment Exchanges. So the local Employment Exchanges usually register the people from the local area. So that will satisfy the local people in getting employment. So if you make residence as a condition for getting employment, I do not think that would be legal. The Home Minister has made the statement in accordance with the Central Government policy, not in the way Maharashtra Government has done and not in the way the Tamil Nadu Government is contemplating.

SHRI N. R. CHOUDHURY: One clarification. So far as employment part is concerned we do not object to the 15-years condition also. Our point is that Employment Exchanges refuse registration of persons belonging to linguistic minorities. Not that we object to the imposition of 15 years, condition, the point is that Employment Exchanges refuse registration of persons belonging to linguistic minorities. And that is in the report.

SHRI F. H. MOHSIN: I do not accept it. But if there are any complaints, we will look into it.

SHRI N. R. CHOUDHURY: It is there in the report, Sir.

SHRI F. H. MOHSIN: If these instances are brought to our notice, we shall certainly take up the matter with the Employment Exchanges.

SHRI KRISHAN KANT (Haryana): They are saying it is there in your own report.

SHRI MONORANJAN ROY: It is in the report.

SHRI F. H. MOHSIN: There might be the thing in the report which he says but we will certainly look into it. It is a report on linguistic minorities. It is being discussed and you have brought this fact to our notice. Certainly the Central Government will take up this matter with the State Government and with the local Employment Exchanges and remedy the defect. The Central Government's instructions in regard to

recruitment in public enterprises do not stipulate any residential qualification nor any language qualification in respect of job seekers. They only lay down the agency through which recruitment should be done, namely, the local Employment Exchange. So many members have said that local people should be employed but the task before us in that we have to strike a balance in order to fulfil the recommendations of the National Integration Committee. Should we define local people and if so what are the ways in which it can be done? Having the purpose we have in mind should a percentage be fixed for local people and if so to what extent and for what category? Should there be a definite stipulation of some quota for outsiders in order to promote national outlook? All these are things to which we have to give considerable thought and see that the local people get their due share in employment without offending the constitutional provisions in this respect.

Sir, I think I have covered most of the points that have been made by hon. Members. I would only like to make an appeal to the Members of the Rajya and the Lok Sabha. They come from different States where they have their own official languages. Each regional language is a linguistic minority in other States. If each Member could persuade his own State Government to give due protection to the linguistic minorities in that State the problem would be solved. The Bihar Member speaks of the difficulties of the Bihari people in Bengal. Mr. Niren Ghosh spoke of the difficulties of the Bengalis in Bihar. If Members coming from the various States could persuade their State Governments to give due protection to the linguistic minorities in their own States I think the problems would be solved. And I would seek the co-operation of all the Members to see that their own State Governments are persuaded to give due protection to the linguistic minorities.

We are thankful to the Members that they have drawn the attention of the Home Ministry and of the Central Government to some of the problems concerning linguistic minorities. We will certainly take up these matters with the State Governments. In this

connection I do feel that there is a certain laxity on the part of the State Governments; I cannot deny that fact. The State Governments should not think in terms of financial difficulties but should come forward to redress the grievances of the linguistic minorities in their areas. The Chief Minister's Conference was held in the year 1961. I do not know whether the present Chief Ministers were all Members at that time. Perhaps they may be quite new. Therefore it would be better if a Chief Ministers' Conference is held again to discuss all these problems in the light of the discussion in this House. I would suggest to the Prime Minister to have another 1961 type Conference of the Chief Ministers to solve all these difficulties. I hope the Conference would be able to go into all the problems that have been mentioned in the House and provide solutions for them.

I thank the Members for enlightening me on a large number of problems of the linguistic minorities, but I am unable to accept the amendments proposed by Mr. Nil en Ghosh. I thank again all the Members who have participated in the debate.

MR. DEPUTY CHAIRMAN: We shall now put Mr. Niren Ghosh's amendments to vote.

SHRI NIREN GHOSH: I shall read out my amendment: It says:

"That at the end of the Motion, the following be added, namely:—

'and having considered the same, this House recommends that all recruit-ments in public sector and private sector undertakings and commercial establishments in all the States be made through employment exchanges under the supervision of the Central trade unions, in order to ensure equality of opportunity for all linguistic minorities!'

I would like to point out here . . .

MR. DEPUTY CHAIRMAN: No, No.

SHRI NIREN GHOSH: Just a few words. The Constitution ensures that every citizen shall have equal opportunity. What Mr. Dikshit has said is contrary to the

[Shri Niren Ghosh]

Constitution. Secondly, I say you should have supervision by trade unions for only this purpose because . . .

MR. DEPUTY CHAIRMAN: You cannot make another speech.

SHRI NIREN GHOSH: . . . local employment exchanges may indulge in malpractices. If the central trade unions are supervising it, then, in the matter of registration and sending names, at least to a great extent malpractices will be checked. Otherwise, as everybody knows, in the present employment exchanges there are various sources of malpractice. If you want one India you should accept it. I press my amendment.

MR. DEPUTY CHAIRMAN: The question is:

1. "That at the end of the Motion, the following be added, namely:—

'and having considered the same, (his House recommends that all recruitments in public sector and private sector undertakings and commercial establishments, in all the States they made through Employment exchanges under the supervision of the Central trade unions, in order to ensure equality of opportunity for all linguistic minorities'."

The House divided: MR. DEPUTY CHAIRMAN: Ayes—17; Noes—72.

AYES—17

Abdul Samad, Shri A. K. A.
Ahmad, Dr. Z. A.
Barman, SHRI B. D.
Ghosh, Shri Niren.
Gupta, Shri Bhupesh.
Koya, Shri B. V. Abdulla.
Kunjachen, Shri P. K.
Mahapatro, Shri L.
Mathew Kurian, Dr. K.
Mohideen, Shri S. A. Khaja.
Raha, Shri Sanat Kumar.
Rajnarain, Shri.

Refaye, Shri A. K.
Roy, Shri Monoranjan.
Schamnad, Shri Hamid Ali.
Singh, Shri Jagbir.
Varma, Shri M. P.

NOES—72

Abid, Shri Qasim Ali.
Adivarekar, Shrimati Sushila Shankar.
Alva, Shrimati Margaret.
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath.
Bhatt, Shri Nand Kishore.
Bobdey, Shri S. B.
Chakrabarti, Dr. R. K.
Chandra Shekhar, Shri.
Chattopadhyaya, Prof. D. P.
Chettri, Shri K. B.
Chinai, Shri Babubhai M.
Choudhury, Shri N. R.
Chundawat, Shrimati Lakshmi Kumari.
Das, Shri Balram.
Das, Shri Bipinpal.
Dhabe, Shri S. W.
Gadgil, Shri Vitthal.
Goswami, Shri S. P.
Himmat Singh, Shri.
Imam, Shrimati Aziza.
Jain, Shri Dharamchand.
Jha, Shri Kamalnath.
Joshi, Shrimati Kumudben Manishankar.
Kalp Nath, Shri.
Kapur, Shri Yashpal.
Kesri, Shri Sitaram.
Khan, Shri Khurshed Alam.
Kollur, Shri M. L.
Krishan Kant, Shri.
Krishna, Shri M. R.
Kulkarni, Shrimati Sumitra G.
Lokesh Chandra, Dr.
Malaviya, Shri Harsh Deo.
Mali, Shri Ganesh Lal.
Mehta, Shri Om.

Mirdha, Shri Ram Niwas.
 Mukherjee, Shri Pranab.
 Munda, Shri B. R.
 Murthy, Shri B. P. Nagaraja.
 Narasiah, Shri H. S.
 Nizam-ud-Din, Shri Syed.
 Nurul Hasan, Prof. S.
 Panda, Shri Brahmananda.
 Parashar, Shri V. R.
 Patil, Shri Deorao.
 Patil, Shri Gulabrao.
 Puri, Shri D. D.
 Raju, Shri V. B.
 Rao, Shrimati Rathnabai Sreenivasa.
 Reddi, Shri K. Brahmananda.
 Reddy, Shri Mulka Govinda.
 Saleem, Shri Mohammad Yunus.
 Sangma, Shri E. M.
 Seyid Muhammad, Dr. V. A.
 Shyamkumari Devi, Shrimati.
 Singh, Shri I. T.
 Singh, Shri Kameshwar.
 Singh, Shrimati Pratibha.
 Singh, Shri Ranbir.
 Singh, Shri Sultan.
 Singh, Shri Triloki.
 Sinha, Shri Awadheshwar Prasad.
 Sisodia, Shri Sawaisingh.
 Sukhdev Prasad, Shri.
 Swu, Shri Scato.
 Thakur, Shri Gunanand.
 Tiwari, Shri Shankarlal.
 Tiwary, Pt. Bhawaniprasad.
 Varma, Shrimati Narayani Devi Manaklal.
 Venigalla Satyanarayana, Shri.
 Wajd, Shri Sikander Ali.

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

2. "That at the end of the Motion, the following be added, namely:—

'and having considered the same, this House recommends that Urdu be

made official State language of Uttar Pradesh along with Hindi'."

The House divided

MR. DEPUTY CHAIRMAN: Ayes—17;
 Noes—74.

AYES—17

Abdul Samad, Shri A. K. A.
 Ahmad, Dr. Z. A.
 Barman, Shri B. D.
 Ghosh, Shri Niren,
 Gupta, Shri Bhupesh.
 Koya, Shri B. V. Abdulla.
 Kunjachen, Shri P. K.
 Mahapatro, Shri L.
 Mandal, Shri B. N.
 Mathew Kurian, Dr. K.
 Morhideen, Siri S. A. Khaja.
 Raha, Shri Sanat Kumar.
 Rajnarain, Shri.
 Refaye, Shri A. K.
 Roy, Shri Monoranjan.
 Schamnad, Shri Hamid Ali.
 Varma, Shri M. P.

NOES—74

Abid, Shri, Qasim Ali.
 Abu Abraham, Shri.
 Adivarekar, Shrimati Sushila Shankar.
 Alva, Shrimati Margaret.
 Bhagwati, Shri B. C.
 Bhardwaj, Shri Jagan Nath.
 Bhatt, Shri Nand Kishore.
 Bobdey, Shri S. B.
 Chakrabarti, Dr. R. K.
 Chandra Shekhar, Shri.
 Chattopadhyaya, Prof. D. P.
 Chettri, Shri K. B.
 Chinai, Shri Babubhai M.
 Choudhury, Shri N. R.
 Chundawat, Shrimati Lakshmi Kumari.
 Das, Shri Balram.
 Das, Shri Bipinpal.

Dhabe, Shri S. W.
 Gadgil, Shri Vithal.
 Goswami, Shri S. P.
 Himmat Sinb, Shri.
 Imam, Shrimati Aziza.
 Jain, Shri Dharamchand.
 Jha, Shri Kamalnath.
 Joshi, Shrimati Kumudben Manishankar.
 Kalp Nath, Shri.
 Kapur, Shri Yashpal.
 Kestri, Shri Sitaram.
 Khan, Shri Khurshed Alam.
 Kollur, Shri M. L.
 Krishan Kant, Shri.
 Krishna, Shri M. R.
 Kulkarni, Shrimati Sumitra G.
 Lokesh Chandra, Dr.
 Malaviya, Shri Harsh Deo.
 Mali, Shri Ganesh Lal.
 Mehta, Shri Om.
 Mirdha, Shri Ram Niwas.
 Mukherjee, Shri Pranab.
 Munda, Shri B. R.
 Murthy, Shri B. P. Nagaraja.
 Narasiah Shri H. S.
 Nizam-ud-Din, Shri Syed.
 Nurul Hasan, Prof. S.
 Panda, Shri Brahmananda.
 Parashar, Shri V. R.
 Patil, Shri Deorao.
 Patil, Shri Gulabrao.
 Puri, Shri D. D.
 Raju, Shri V. B.
 Rao, Shrimati Rathnabai Sreenivasa.
 Reddi, Shri K. Brahmananda.
 Reddy, Shri Mulka Govinda.
 Saleem, Shri Mohammad Yunus.
 Sangma, Shri E. M.
 Seyid Muhammad, Dr. V. A.
 Shyamkumari Devi, Shrimati.
 Singh, Shri I. T.
 Singh, Shri Kameshwar.
 Singh, Shrimati Pratibha.

Singh, Shri Ranbir.
 Singh, Shri Sultan.
 Singh, Shri Triloki.
 Sinha, Shri Awadheshwar Prasad.
 Sisodia, Shri Sawaisingh.
 Sukhdev Prasad, Shri.
 Swu, Shri Scato.
 Thakur, Shri Gunanand.
 Tiwari, Shri Shankarlal.
 Tiwary, Pt. Bhawaniprasad.
 Totu, Shri G. C.
 Varma, Shrimati Narayani Devi Manaklal.
 Venigalla Satyanarayana, Shri.
 Wajd, Shri Sikander Ali.

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

3. "That at the end of the Motion, the following be added, namely:—

'and having considered the same, this House recommends that Gurkhali or Nepali language be included in the Eighth Schedule to the Constitution'."

The House divided:

MR. DEPUTY CHAIRMAN: Ayes—18;
 Noes—71.

AYES—18

Abdul Samad, Shri A. K. A.
 Ahmad, Dr. Z. A.
 Barman, Shri B. D.
 Ghosh, Shri Niren.
 Gowda, Shri U. K. Lakshmana.
 Gupta, Shri Bhupesh.
 Koya Shri B. V. Abdulla.
 Kunjachen, Shri P. K.
 Mahapatro, Shri L.
 Mandal, Shri B. N.
 Mathew Kurian, Dr. K.
 Mohideen, Shri S. A. Khaja.
 Raha, Shri Sanat Kumar.
 Refaye, Shri A. K.
 Roy, Shri Monoranjan.

Schmnad, Shri Hamid Ali.
Singh, Shri Jagbir.
Varma, Shri M. P.

NOES—71

Abid, Shri Qasim Ali.
Abu Abraham, Shri.
Adivarekar, Shrimati Sushila Shankar.
Alva, Shrimati Margaret.
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath.
Bhatt, Shri Nand Kishore.
Bobdey, Shri S. B.
Chandra Shekhar, Shri.
Chattopadhyaya, Prof. D. P.
Chinai, Shri Babubhai M.
Choudhury, Shri N. R.
Chundawat, Shrimati Lakshmi Kumari.
Das, Shri Balram.
Das, Shri Bipinpal.
Dhabe, Shri S. W.
Gadgil, Shri Vithal.
Himmat Sinh, Shri.
Imam, Shrimati Aziz.
Jain, Shri Dharamchand.
Jha, Shri Kamalnath.
Joshi, Shrimati Kumudben Manishankar.
Kalp Nath, Shri.
Kapur, Shri Yashpal.
Kesri, Shri Sitaram.
Khan, Shri Khurshed Alam.
Kollur, Shri M. L.
Krishan Kant, Shri.
Krishna, Shri M. R.
Kulkarni, Shrimati Sumitra G.
Lokesh Chandra, Dr.
Malaviya, Shri Harsh Deo.
Mali, Shri Ganesh Lal.
Mehta, Shri Om.
Mirdha, Shri Ram Niwas.
Mukherjee, Shri Pranab.
Munda, Shri B. R.
Murthy, Shri B. P. Nagaraja.

Narasiah, Shri H. S.
Nidam-ud-Din, Shri Syed.
Nurul Hasan, Prof. S.
Panda, Shri Brahmananda.
Prashar, Shri V. R.
Patil, Shri Deorao.
Patil, Shri Gulabrao.
Puri, Shri D. D.
Raju, Shri V. B.
Rao, Shrimati Rathnabai Sreenivasa.
Reddi, Shri K. Brahmanranda.
Reddy, Shri Mulka Govinda.
Saleem, Shri Mohammad Yonus.
Sangma, Shri E. M.
Seyid Muhammad, Dr. V. A.
Shyamkumari Devi, Shrimati.
Singh, Shri I. T.
Singh, Shri Kameshwar.
Singh, Shrimati Prañibha.
Singh, Shri Ranbir.
Singh, Shri Sultan.
Singh, Shri Triloki.
Sinha, Shri Awadheshwar Prasad.
Sisodia, Shri Sawaisingh.
Sukhdev Prasad, Shri.
Swu, Shri Scato.
Thakur, Shri Gunanand.
Tiwari, Shri Shankarlal.
Tiwary, Pt. Bhawaniprasad.
Totu, Shri G. C.
Varma, Shrimati Narayani Devi Manaklal.
Venigalla Satyanarayana, Shri.
Wajd, Shri Sikander Ali.

The motion was negatived.