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Vaisakha 7, 1885 (Saka)

LOK SABHA DEBATES

(Fourth Session)



(Vol. XVIII contains Nos. 51—61)

LOK SABHA SECRETARIAT
NEW DELHI

ONE RUPEE (INLAND)

FOUR SHILLINGS (FOREIGN)

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LOK SABHA DEBATES

12325

LOK SABHA

*Saturday, April 27, 1963/Vaisakha 7,
1885 (Saka).*

*The Lok Sabha met at Eleven of the
Clock.*

[MR. SPEAKER in the Chair]

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:

"In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Finance Bill, 1963, which was passed by the Lok Sabha at its sitting held on the 20th April, 1963, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

STATEMENT BY MEMBER

श्री बागड़ी (हिन्नार): अध्यक्ष महोदय, २३-३-६३ को मैंने अपने वक्तव्य के दौरान में सदन के सामने यह रखा था कि मेरे पास एक डकुमेंट है जिस पर आडिटर का आब्जेक्शन नोट है कि वह पेमेंट श्री हुमायून् कबिर से वसूल किया जाय, अब तक वसूल हुआ या नहीं उसका फोटो कापा भा मैंने स्पष्ट के फोरन बाद हा हुमायून् कबिर जा को दे दों। उन्होंने भा उसको देखा और उसका 482(Ai)LSD—1.

Statement by Member

12326

जवाब इस सदन में दिया, और उसी कागज की चर्चा उन्होंने इस सदन में की। यह ठीक है कि उस कापा के ऊपर जो नोट था वह आडिटर का नहीं था, वह उसके डिवाजनल आफिसर का था :

"The cost of the material may
be recovered from Mr. Humayun
Kabir."

अंग्रेजों न जानने का बिना पर मैंने उस को गलत से कह दिया था कि वह आडिटर का नोट है। यह गलत मैंने हा नहीं का, यह गलत तो मिनिस्टर साहब ने भा का। उन्होंने उसको देखा लेकिन उस वक्त यह जवाब नहीं दिया। जब उन्होंने भाषण दिया तो उस वक्त जवाब में यह नहीं कहा कि यह आडिटर का नोट नहीं है। अपने रिप्लाय में उन्होंने इस बात को साफ नहीं किया, हालांकि वह प्रोफेसर हैं, अंग्रेजों के विद्वान हैं, सारा बात है। उन्होंने उसको मुझ से ले लिया लेकिन इस बात को कंट्राडिक्ट नहीं किया, न इसके जवाब में यह कहा कि यह आडिटर का नोट नहीं है बल्कि यह तो पर्चेज वा कोई बिल है। यह जो आडिटर और डिवाजनल आफिसर का अन्तर है यह तो मेरे अंग्रेजों न जानने का बिना पर हुआ, लेकिन यह नोट आडिटर का था या उसके डिवाजनल आफिसर का था, इससे बुनियाद में कोई अन्तर नहीं हुआ। मैंने कहा था कि यह रकम अब तक वसूल हुई या नहीं, मुझे पता नहीं। लेकिन जिस ताराख को नोट लिखा गया था और आफिसर का नोट था, उस ताराख तक यह वसूल नहीं हुई। मेरे बहने का मतलब यह है कि यह सरकार लेबोरेटर है, उस के अन्दर अगर मिनिस्टर साहब अपना प्राइवेट काम करवायें

अध्यक्ष महोदय : अब यह बहस नहीं है, इस वक्त तो स्टेटमेंट का बहस है ।

श्री बागड़ी : स्टेटमेंट के ऊपर हाँ मैं आ रहा हूँ ।

अध्यक्ष महोदय : वह सरकारी था

श्री बागड़ी : मैं यह कहता हूँ कि यह बुनियाद तो माना है मिनिस्टर महोदय ने कि उन्होंने सरकारा लेबोरेटरा के अन्दर काम करवाया कार का । अब यह फर्ज कर लिया जाय कि यह ठाँक है, अगर मिनिस्टर साहब का स्टेटमेंट सच मान लिया जाय तो इसमें तो सिर्फ यही है कि :

"Cost of the plates may be recovered."

वह तो सिर्फ प्लेट का कामत है । उसमें जो लेबर लगा है गाड़ी ठाँक करने के लिये उसका पैसा तो सरकारा खजाने से जाता है मजदूर का । वह तो अष्टाचार है । चाहे एक पैसा का हो चाहे दो आने का हो और चाहे सारे का हो, फर्क एक या दस आने का नहीं है, फर्क तो यह है कि नार्त गलत है या नहीं । दरअनल प्राइवेट काम उस लेबोरेटरा से करवाया जाना चाहिये या नहीं, बुनियादी बात यह है ।

दूसरा मेरा अर्ज यह है कि मिनिस्टर महोदय ने कहा है कि यह रकम उन्होंने क्रासड बैंक के जरिये दे है और नवम्बर का उस रकम का रसद जनवर, १९६१ में मिली है । मैंने कोशिश की कि जहाँ वह पैसा जमा किया गया है उस बैंक के एकाउंट को जा कर देख सकूँ, लेकिन मैं पता नहीं लगा सका । मुझे अना इस बात का शक है कि शायद वह रकम वहाँ पर जमा हुई है या नहीं ।

Shri Tyagi (Dehra Dun): What is it? (Interruptions).

श्री बागड़ी : मेरे कहने का मतलब यह है कि जनवर । मैं यह रकम जमा हुई या नहीं यह उस बैंक के रेकॉर्ड्स को देखने से सहा पता लग सकता है । इसके बारे में यह बात तो ठाँक है कि अंग्रेजों न जानने का बिना पर मैंने यह बात गलत कहा कि वह नोट आडिटर का था, बल्कि जो उसके आफिसर हैं उनका नोट था । अगर आडिटर और आफिसर के ओहदे से कोई फर्क आ जाता है तो उसके लिये मैं क्षमा चाहता हूँ, वरना जो गलती मैंने का वह गलत मानना, यमंत्रों जाँ ने भी का ।

Mr. Speaker: Now, it is a different thing altogether.

ऐपोलाइज भा माननाय सदस्य करते हैं और इल्जाम भा पेश करना चाहते हैं, शकूक भा जाहिर करते हैं । एक चाज मैंने उस दिन भा कहा था, बाकी चाजों से मुझे ताल्लुक नहीं क्योंकि मिनिस्टर साहब ने कह दिया कि क्रासड बैंक है और सर्टिफिकेट भा शामिल किया कि क्रासड बैंक का पेमेंट भा उस दफतर ने एकनालेज किया । सब चाजें शामिल हैं अगर बागड़ी साहब तहकाकात करते तो देख लेते जो सारे कागज दाखिल हुए थे । मगर जो बात मुझे तकलाफ दे रहा था वह यह था कि उन के हाथ में, उनके कहने के मुताबिक, साफ तौर पर डिमान्ड था नेशनल लेबोरेटरा का भेजो हुई । ऐसा हालत में हम यकीन कर सकते हैं अपने मन में कि उनको इल्म होगा, जब एक मैम्बर एक डाकुमेंट हाथ में लिये हुए सदन को एड्रेस कर रहे हैं तो उनको मालूम होगा कि क्या डाकुमेंट है, और अगर नहीं मालूम था तो उन को जानना चाहिये था कि वे सदन के सामने क्या रख रहे हैं । यह उन का फर्ज था । उन्होंने इस को जानते हुए कि वह नेशनल फिजिकल लेबोरेटरा का पचेंज रिक्विजिशन फार्म था,

यह कहा कि मेरे पास आडिट का रेकार्ड है उस को मैं सदन के सामने रख रहा हूँ। यहां बैटर्न प्लेट्स बनता है और उन प्लेटों को मिनिस्टर साहब ने मंगवाया अपने घर, लेकिन उनके वास्ते रकम नहीं दी गई। इसके बाद आडिटर साहब ने नोट दिया कि यह रकम श्री दुमायून् कविर से धसूल का जाय। साफ चार्ज है कि हाथ में डाकुमेंट होते हुए कहा गया कि जो चार्ज बनवाई गई थी उनका रकम दाखिल करने का मियाद ६० दिन के अंदर था, लेकिन वह नहीं दी गई। इसके अलावा बाका किस चार्ज में मैं दाखल नहीं देता। आम तौर पर जब स्टेटमेंट का झगड़ा आता है तो दोनों स्टेटमेंट्स रख दिये जाते हैं। मगर इस तरह से सदन के सामने यह बतलाना और असर देना कि मेरे पास आडिट नोट है, आडिटर का यह आवेक्शन है, ऐसा हालत में जब कि उनके पास कोई और चार्ज हो, यह बहुत काबिले एतराज है। इस पर आप ने कुछ लपजों में कहा कि मुझे अफसोस है। अगर वह सदन से माफा मांगें तो मैं कुछ और नहीं करना चाहता, न कुछ करने का मेरा इच्छा है। हम हर एक मेम्बर साहब के लिये यह एतबार करते हैं कि जब वे बोलते हैं तो हर एक को यक़ीन होता है कि जो कुछ वह कह रहे वह अपने इल्म से भा कह रहे हैं, तहक़कात के बाद कह रहे हैं और ठीक कह रहे हैं। अगर इस तरह से कोई सदस्य अपने हाथ में कुछ और होते हुए दूसरा कोई असर दें तो हाउस का डिगनिटी जात रहेगा और यह नहीं होना चाहिये।

Shri Kapur Singh (Ludhiana): If I might say so, you have given your verdict, and you have rebuked him and he has admitted his fault, and he has apologised and I would now request that his statement should be accepted as a full apology.

अध्यक्ष महोदय : उनको हाउस से ऐपो-लोजाइज करना चाहिये कि यह मुझ से गलती हुई और मैं माफी चाहता हूँ।

Shri Kapur Singh: This is my suggestion, that this statement should be taken as an apology and he should not be allowed to....

Mr. Speaker: He ought to highlight it. He ought to say it in so many words "यह मुझ से गलती हुई, मैं सदन से माफी चाहता हूँ।"

Shri Kapur Singh: I merely wanted to submit that the way he is accustomed to speak he might make a further mess of things. That is only my suggestion.

Shri Gauri Shankar Kakkar (Fatehpur): Shri Bagri has actually said that it was a mistake on his part and he has expressed regret that he had said so earlier.

अध्यक्ष महोदय : अब वह यह कहें, इतना हाँ। बाका चार्जों को छोड़ दें, लेकिन वह तो इल्जाम साथ लगाते हैं।

श्री बागड़ी : अध्यक्ष महोदय,...

अध्यक्ष महोदय : मैं सिर्फ इतना हाँ तो कह रहा हूँ, बाका चार्ज मैं छोड़ता हूँ।

श्री बागड़ी : मैं इस बात पर आप से निवेदन करता हूँ कि मैंने कोई बात जानकर नहीं कहा था, अंग्रेजों के अज्ञान का बिना पर यह चार्ज कहाँ गई, जिस के बारे में मालूम नहीं है। मैंने जान कर गलत नहीं, अनजान-पन में मैंने बात कहाँ था। इसके लिये मैं अपना गलत महसूस करता हूँ, लेकिन दोष तो मंत्री महोदय का भा है कि वह जानते थे

अध्यक्ष महोदय : आप अब सदन से माफी चाहते हैं या नहीं?

श्री बागड़ी : हाथ जोड़ कर मांग ? मैंने अंग्रेजी के अज्ञान की बिना पर ऐसा किया। मैं यह बात मानता हूँ कि वह

आडिटर की रिपोर्ट नहीं था, वह डिबीजनल आफिसर का नोट था। लेकिन जो गलती अंग्रेजां न जानने का बिना पर हुई उस गलती को तो मानता हूँ।

अध्यक्ष महोदय : आप गलती तो मानते हैं माफ़ी माँ चाहते हैं या नहीं? अब आप बहस कर रहे हैं, बात को खत्म नहीं करते। आप सिर्फ यह कहते हैं कि गलती मुझ से हुई।

श्री बागड़ी : अध्यक्ष महोदय मेरी नायत तो खराब नहीं था।

अध्यक्ष महोदय : आप बहस कर रहे हैं। मैंने आप से सिर्फ एक सवाल किया है।

श्री बागड़ी : यह अंग्रेजां भाषा का दोष है। इस बिना पर मुझ से गलती हुई, मैं क्षमा चाहता हूँ।

Mr. Speaker: The matter is closed here.

11.10 hrs.

POINT RE: VIVIAN BOSE COMMISSION REPORT

Shri S. M. Banerjee (Kanpur): I have asked your permission to raise a matter concerning the Vivian Bose Commission Report. A report has appeared in the *Statesman* today to the effect that "top-level consultations began here today on the Vivian Bose Commission's Report on the Dalmia-Jain concerns". This is based on the report that the Attorney-General and Shri Vishwanatha Sastri have submitted.

What worries me is this. I have been saying in this House that this report should be made available to the Members of this House before this

House discusses the Vivian Bose Commission's Report. It is stated in the press report to which I have just referred:

"These discussions are likely to be concluded within the next two or three days so as to enable the Government to make an early announcement on what it proposes to do about the alleged malpractices revealed by the Bose Commission which started functioning more than five years ago".

My fear is only this. The report on the Vivian Bose Commission's report has already been received by Government. That is why I wanted to raise this matter yesterday. Government are taking a decision thereon. According to the press report:

"The Attorney-General and Mr. Sastri are believed to have reported that the alleged malpractices revealed by the Bose Commission were more within the purview of commercial morality than commercial law."

I want that Government should not take any decision on this Report unless it is fully discussed in this House along with the Report of the Attorney-General. Moreover, after it has come up....

Mr. Speaker: Order, order. I have followed him.

Shri S. M. Banerjee: I only say this House should not be reduced to the position of having to discuss it *post mortem*.

Mr. Speaker: Order, order. There is no question of *post mortem*. That Report is coming up here for discussion. He only wants....

श्री बागड़ी (दिल्ली) : अध्यक्ष महोदय, दिल्ली के पाना के संकट के बारे में...

Mr. Speaker: Order, order. The hon. Member is intentionally obstructing the proceedings. Shri Banerjee

had taken my permission and then stood up to raise a matter. Shri Bagri interrupts the proceedings while that question is being discussed.

Shri Hari Vishnu Kamath (Hoshangabad): As regards the point Shri Banerjee has raised, may I also request that before the House starts discussing the Vivian Bose Commission's Report, you may kindly direct the Government to place on the Table of the House either the Report of the Attorney-General or at least a gist of the Report, which will help us to discuss that Report?

Shri S. M. Banerjee: The full Report.

Shri Tyagi (Dehra Dun): Is it not the privilege of Government to decide as to what they are going to do? After all, when they come before the House....

Mr. Speaker: Order, order. Let the Minister say what the attitude of Government is.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): The Report was received only day before yesterday. Naturally, Government will like to take a couple of days at least to consider it. In fact, we are going to consider it immediately. It will be only then that we can say....

Mr. Speaker: There are two requests.

Shri Lal Bahadur Shastri: As regards placing the Report on the Table of the House, Government will have to think over it and take a decision after having looked into the Report.

Shri S. M. Banerjee: My point has not been answered.

Mr. Speaker: They desire that in order to assist them in the discussion of the main Report, the other Report might be made available to them. The second request was—it is of course for Government to decide, I am not giving any direction or order—that any

decision on the Report might be postponed till discussion had taken place here.

Shri Frank Anthony (Nominated—Anglo-Indians): I am very reluctant to say this, but there is a danger in this matter of the legal process being infringed. I do not know whether Government knows—unfortunately I appeared in my professional capacity—that with regard to criminal charges covering all these things, there is an investigation pending, and the Supreme Court only allowed the Commission to function on the clear understanding that they could not function as an investigation into offences, and the Attorney-General has made it clear that they could only function so that they could advise them about the commercial law. I am not canvassing the guilt or otherwise, but I say this that there is a danger that while the alleged offences have been investigated, things may be said to prejudice the persons concerned. After all, one of my clients is in jail, but still he is entitled to the protection of the law. Nothing should be said over the investigation or the trial that is going to take place.

Mr. Speaker: That we can judge only when the discussion takes place.

Shri S. M. Banerjee: May I make a submission? I have not raised anything which was pending.

Mr. Speaker: He has said it and the Government has heard it. What attitude it adopts, whether it places it on the Table of the House or not, or whether it takes any decision before it is discussed will be known.

Shri S. M. Banerjee: About the point raised by Shri Anthony....

Mr. Speaker: Shri Anthony would raise it again perhaps, or any other Member might raise it, when we discuss it. What is said then would be seen at that moment. We cannot decide at this moment what we will say or what we will not say at that moment, because when the discussion

takes place, then Members certainly would have every opportunity to discuss the report, and if any objection is taken to a particular portion, then alone I can decide.

Shri Hari Vishnu Kamath: Will you not be so pleased as to advise, if not direct, the Government to place the Report on the Table? It can be a suggestion to the Government.

Mr. Speaker: This is for them. The Commission was appointed by the Government. It is for them whether they decide to place it on the Table of the House or not. I cannot give them any direction on that point. That would be seen when we begin to discuss it. It has been brought to their notice that this is the desire of some Members. They will decide.

Shri A. C. Guha (Barsat): I think the discussion on the Vivian Bose Commission Report was delayed in this House because of the enquiry by the Attorney-General and Shri Shastri. It was, I think, tacitly agreed that the Report should be placed on the Table of the House and then the discussion should take place.

Mr. Speaker: This also the Minister would consider.

Shri Daji (Indore): The Home Minister said that it would take two days. Can we expect a reply on Monday or Tuesday about Government's decision, because otherwise we cannot discuss it properly? We would like to know the reply at least.

Shri Lal Bahadur Shastri: We will be in a position to give that information on Monday. We will be able to explain what the Government proposes to do.

11.18 hrs.

OFFICIAL LANGUAGES BILL— contd.

Clause 4— contd.

Mr. Speaker: The House will now take up further clause-by-clause consideration of the Bill to provide for the languages which may be used for the official purposes of the Union, for transaction of business in Parliament, for Central and State Acts and for certain purposes in High Courts.

We are discussing Clause 4. We had fixed 15 hours, and we have taken 19 hours and 5 minutes. Probably it could not be conceived in the beginning that we would take so much time.

Shri Hari Vishnu Kamath (Hoshangabad): We have agreed to sit one more day, Saturday, which was not originally scheduled. So, you should give more latitude.

Mr. Speaker: Whoever speaks shall be very brief, because every aspect of the matter has been discussed. Not more than five minutes each.

Shri Hari Vishnu Kamath: This is a pivotal clause.

Mr. Speaker: By 2.30 it should be finished.

Shri Hari Vishnu Kamath: May I request the Home Minister to throw some light on the changes he has sought to introduce, because the whole thing has been changed, the whole scheme has been reoriented? Let him explain his own amendments, so that we may withdraw some of the amendments we have given, if necessary.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): I think I have fully explained when I was replying to the debate. To begin with, I explained what these three amendments meant. I would like to save the time of the House.

Shri Prabhat Kar (Hooghly): I have moved amendment Nos. 75 and

76. The hon. Minister has moved Amendment Nos. 158, 159 and 160. 159 says:

"and the President shall cause the report to be laid before each House of Parliament, and sent to all the State Governments."

While speaking on his amendment he explained that there is no bar on the State Government to place it before the State legislatures and having it discussed there and send their views also. Our amendment reads:

"The President shall thereafter, refer the report to the State Legislatures for their opinion. The President shall refer the report together with the opinion of the State Legislatures to Parliament for its recommendations before decision is taken."

We have seen that in this matter there is a gulf of difference among the Members here in Parliament. At least in the State of West Bengal, we have seen their resolutions. If we send the report only to the State Governments but not to the State Legislatures, a democratic study will not be available either to the Parliament or to the President. It is better to have the views of the State Legislatures and their opinion is taken thereon. That is what we have suggested in our amendment. There is no doubt after listening to the various views expressed by the hon. Members who participated earlier that this change should be made. There is an assurance of the hon. Minister to the effect that it can be discussed. I just want to make that provision in the law.

If our second amendment is given effect to it will read that the President may after consideration of Parliament's recommendation, instead of reading as 'the President may after consideration of the report'. The recommendations of the Parliament should be considered by the President before coming to any final decision. I would request the hon. Home Minister to consider the feeling expressed and

take all precautionary measures so that when a final decision is taken on this matter the views of the State Legislatures could be taken into consideration by the President and this Parliament. That is why I have moved these two amendments.

श्री बड़े (खारगोन) : अध्यक्ष महोदय, इस विधेयक को जो धारा ४ है वह प्राइम मिनिस्टर साहब और श्री एन्थनी के बीच एक कम्प्रोमाइज है। इस विधेयक का जो सैक्शन ३ है उस में इंगलिश परमानेंटलो लादो गई है, इंगलिश स्थाई तौर पर लादो गई है लेकिन सैक्शन ४ के जरिये दोनों में कम्प्रोमाइज हो गई है और वह यह है कि दस साल तक अर्थात् सन् १९७५ तक अंग्रेजी कायम रहेगी। सन् १९७५ के बाद एक कमेटी कायम होगी और यह कमेटी फिर सोचेगी और विचार करेगी कि हिन्दी बराबर डेवलप हुई है या नहीं हुई है। यह कमेटी अपना रिपोर्ट पांच साल में देगी। इस तरह से यह मामला १९८० तक चला जायेगा। इस तरह से हिन्दी कभी डेवलप नहीं हो सकेगा।

कल हमारे एक विद्वान और अनुभवो मित्र माननीय सदस्य श्री हरि विष्णु कामत ने यह कहा कि यहां हिन्दी नहीं बोली जाती है बल्कि इंगलिश के बजाय हिन्दी बोली जाती है इंगलिश के बजाय हिंदी बोली जाती है। ऐसा एक समाचार एक्सप्रेस में आया है। श्री कामत जिन्होंने कि यह बात कहां उनसे मैं कहना चाहूंगा कि यदि मैं कहूं कि इस बिल के पास होने के लिये कितना टाइम लगेगा तो वे यह कहते हैं कि वह हिन्दी नहीं है। लेकिन अगर मैं इसा को यूँ कहूं कि इस विधेयक के पारित होने में कितना अवधि लगेगी तो यह कह दिया जायगा कि मैं मम्कतनिष्ठ हिन्दी बोलता हूं और मुझे कहा जायगा कि ऐसा संस्कृतमय हिन्दी मत बोलो; अब अंग्रेजी के ऐसे शब्द जो कि ग्राम तौर पर हिन्दी में प्रचलित हो गये हैं जैसे स्टेशन, टेबुल, टाइम आदि, इन को

अगर हिन्दी बोलते समय इस्तेमाल किया जाय तो मैं नहीं समझता कि इसमें क्या ऐतराज की बात है और यह आक्षेप करना कि यह हिन्दी नहीं हिंदिश है, कहां तक उचित होगा ? दूसरी प्रादेशिक भाषाओं के ऐसे शब्द जो कि बहुत ही प्रचलित हैं और अभी भी इस्तेमाल होते हैं उनको हिन्दी को अपनाना ही चाहिये। अब बहुत से लोग टाइम को टैम कहते हैं। इसी तरह हिन्दी डेवलप होती जायगी। अब स्टेशन शब्द हिन्दी में काफी प्रचलित है और हमें स्टेशन को स्टेशन ही कहना चाहिये। अब मैं हिन्दी में उसे यः अग्नि रथ विश्रामालय कहूँ तो वह उचित नहीं होगा। इसलिये स्टेशन को स्टेशन ही कहना ठीक रहेगा और इस तरह से हिन्दी डेवलप होती जायगी। इसलिये मैं समझता हूँ कि श्री कामत ने उन लोगों के साथ जो कि हिन्दी बोलने की कोशिश कर रहे हैं उनका इस तौर से मजाक उड़ाने की चेष्टा करके उनके साथ अन्याय किया है। हमारे कामत साहब महात्मा जी का नाम ज्यादा लेते हैं। महात्मा गांधी ने मीडियम ऑफ इस्ट्रक्शन के बारे में यह लिखा है :—

"If the medium is changed at once and not gradually in an incredibly short time, we shall find text-books and teachers coming into being to supply the want. And if we mean business, in a year's time we shall find that we need never have been party to the tragic waste of the nation's time and energy in trying to learn the essentials of culture through a foreign medium."

उन्होंने आगे यह भी कहा है :

"Our language is the reflection of ourselves, and if you tell me that our languages are too poor to express the best thought, then I say that the sooner we are wiped out of existence the better for us."

बलाज ४ के लिये मेरा कहना है कि हिन्दी बालों के साथ यह अत्यन्त अन्याय है। यह प्राइम मिनिस्टर और श्री एन्थनी के बीच अवश्य कम्प्रोमाइज है। बलाज ४ जिस रूप में पास किया जा रहा है उस से हिन्दी वालों के साथ अन्याय हो रहा है। इस वास्ते मैंने इसके लिये अपना संशोधन दिया है :—

"section 3 comes into force; the use of Hindi language shall be made for all official purposes of the Union and for the transaction of business in Parliament."

मेरा कहना यह है कि दस साल के बजाय पांच साल की अवधि होनी चाहिये। अगर धारा के वर्तमान रूप को कायम रक्खा गया तो यह हिन्दी भाषा भाषियों के साथ अन्याय होगा।

उत्तर प्रदेश, राजस्थान, पंजाब, मध्य प्रदेश जहां से कि श्री कामत होशंगाबाद से आते हैं, वहां हिन्दी जोगों से चले तो यह जरूरी है कि इस विधेयक की धारा में संशोधन किया जाय। अगर सरकार की हिन्दी के प्रति उपेक्षा की वर्तमान नीति जारी रहती है और इस विधेयक की शब्दावली चेंज नहीं होती है तो देश में हिन्दी बतौर एक राष्ट्र भाषा और राज भाषा के ७०-८० साल में भी डेवलप न हो पायेगी। इस वास्ते मैंने यह अमेंडमेंट रक्खा है और यदि हिन्दी को वास्तव में जल्दी देश में लाना है तो इसे सरकार को मंजूर कर लेना चाहिये।

श्री प्रकाशवीर शास्त्री (बिजनौर) : अध्यक्ष महोदय, मैंने इस विधेयक की धारा ४ पर जो अपना संशोधन प्रस्तुत किया है उसके हिन्दी शब्द यह हैं :—

"धारा ३ के लागू होने के समय से दस वर्ष की अवधि के बाद यदि लोक सभा, इसके द्वारा और आहिन्दी

भाषी क्षेत्र के निर्वाचन क्षेत्रों का प्रतिनिधित्व करने वाले सदस्यों की कुल संख्या के बहुमत से पारित किये गये एक संकल्प द्वारा यह संकल्प न कर ले कि यह धारा आगे और किसी अवधि तक, जो पांच वर्ष से अधिक न हो, लागू रहेगी, तो यह धारा रद्द समझी जायेगी ।”

इस संशोधन को देने का मेरा स्पष्ट अभि-
प्रायः यह है कि जब सरकार ने १९७५ में
पहले जो राष्ट्रपति की कमेटी यह शब्द
दिये गये थे, बाद में गृह मंत्री जी ने संशोधन
कर के उसको पालियामेंटरी कमेटी कहा है,
वह पालियामेंटरी कमेटी १९७५ में बैठेगी ।
वह १० वर्षों में हिन्दी की प्रगति का निरीक्षण
करेगी और हिन्दी की प्रगति का निरीक्षण
करने के बाद वह अपनी रिपोर्ट देगी ।
राज्य सरकारों की भी उस पर सम्मतियां
ली जायेंगी । इसका स्पष्ट अभिप्राय यह
है कि यह सरकार अभी से यह मान कर चलती
है कि १९७५ तक हिन्दी इतनी स्थिति में नहीं
हो पायेगी कि पूरी तौर पर देश में वह लागू
हो । सरकार को इस दुर्बलता से किसी अंश
में सहमत न होते हुये भी यदि हम इस धारा
को उसके वर्तमान रूप में मान लें और
उन्को तैयारी के लिये कुछ समय दिया जाय
क्योंकि पिछले १५ वर्षों में वे कुछ नहीं कर
सके, उस १९७५ वाली बात को मान भी
लिया जाय तो भी मेरा अपना मत यह है कि
इसे अनिश्चित काल तक न टाल दिया जाय ।
१९७५ में बजाय इसके कि इस प्रकार की
कमेटी बनाई जाय और केन्द्र में और प्रांतों
में फिर इस प्रश्न पर इसी तरह के हंगामे हों
और देश की एकता हिलने का या देश की
एकता टूटने का किसी प्रकार से भय हो,
इससे तो अच्छा यह है कि लोक सभा,
जिसमें कि सारे राज्यों के प्रतिनिधि आकर
बैठते हैं, और वह अपने अपने राज्यों की
भावनाओं से भी पूर्णतः अवगत हैं, वे लोग

ही इस संबंध में अपनी कुछ सम्मति दें और
इसमें खाम तोर से जो अहिन्दी भाषी राज्यों
के सदस्य हैं उनकी सम्मतियां ली जायें कि
उनका बहुमत किस पक्ष में जाता है ?
शायद आप यह कहें कि संविधान में ऐसी कोई
विशेष व्यवस्था नहीं है कि हिन्दी-भाषी
राज्यों की अलग सम्मति ली जाये और अहिन्दी
भाषी राज्यों की अलग सम्मति ली जाये ।
लेकिन एक दूसरे प्रकार से अहिन्दी-भाषी
राज्यों का मत जाना जा सकता है । यह देख
लिया जाये कि लोक सभा में अहिन्दी-भाषी
राज्यों के सदस्यों के बहुमत ने किस पक्ष में
मत दिया है । अगर उन सदस्यों के बहुमत ने
इस पक्ष में मत दिया कि १९७५ में भी
हिन्दी इस योग्य नहीं हुई है कि उसको राज
भाषा के रूप में लागू किया जाये, तो पांच
वर्ष का अवधि और दे दी जाये, लेकिन
उन पांच वर्षों के बाद, अर्थात् १९८० के
बाद, एक दिन को भी अवधि और न दी
जायेगी । मैं निवेदन करना चाहता हूं कि इस
संबंध में एक रेखा अवश्य खींचना चाहिये,
ताकि अगल-पड़ियां इस सरकार के संबंध
में कह सकें कि यद्यपि पिछले पन्द्रह वर्षों
में तो जानबूझ कर हिन्दी या राजभाषा
के प्रति इस सरकार का उपेक्षा भाव रहा है,
लेकिन कम से कम अब सरकार उस के बारे में
सावधान हो कर चल रही है और अब इस को
जो अवसर दिया गया है, उसको इस ने हाथ
से खोया नहीं है ।

Dr. L. M. Singhvi (Jodhpur): Mr. Speaker, Sir, in respect of clause 4, I have moved two amendments to the amendment moved by the hon. Home Minister. My amendment No. 172 seeks to provide for the constitution of the proposed Committee by the President. My amendment No. 173 seeks to omit the expression “and sent to all the State Governments.”

While I welcome the definite provision of a time-limit in clause 4 for constitution of the Reviewing Committee as laid down in the official Bill, I should like to say that the proposed

change really is not a very happy one. The proposed change is:

"there shall be constituted a Committee on Official Language, on a resolution to that effect being moved in either House of Parliament with the previous sanction of the President and passed by both Houses."

I understand it to mean that the resolution would have to be not only in respect of the composition of this committee, but also in respect of the decision to constitute such a committee. If that is the import of the proposed amendment, I demur to it. I submit that it would be very unfortunate to leave this option to any one within the framework of this Bill. I would also like to submit that it would not be in consonance with the Constitution.

But what is far more objectionable in the proposed amendment is the official amendment No. 159 which seeks to provide that

"the President shall cause the report to be laid before each House of Parliament, and sent to all the State Governments."

This is a concept which, in a somewhat watered down form, seems to have been borrowed from amendment No. 145 moved by Mr. Frank Anthony. That amendment, in its sub-clause (b) says that English shall continue

"for the transaction of business in Parliament until otherwise decided by the non-Hindi speaking Legislatures."

That is to say, we are being asked to create what I would call insuperable barriers and walls between the regional feelings and the national feelings, and it is very unfortunate. The proposed official amendment is a concession to the regional feelings and I feel that we should not allow regional

feelings and regional chauvinism to hold in ransom the cause of national unity. I feel that it is not proper to make a reference to the State Governments or to the State Legislatures in a matter in which the primary responsibility is that of the national Parliament. It has been said time and again that this is a national problem. Let this, therefore, be dealt with by the national Legislature. Have we not here a complete representation of the people of India and indeed also of the various States constituting the Union of India? If that is so, there is no warrant whatever for making a reference to the State Governments separately in supersession of whatever may be decided here in this House and in the other House. That is why I commend for the consideration of the House the amendments that I have moved.

Shri Hari Vishnu Kamath (Hashangabad): Mr. Speaker, Sir, before I proceed to speak on the amendments that I have given notice of and moved, I should like at the outset briefly to rebut the charge levelled against me by my hon. friend, Shri Bade. He said that I have done injustice to Hindi—
'हिन्दी के साथ अन्याय किया है'

Mr. Speaker: That was only an affectionate reference. Probably no reply is needed for that. He may proceed further.

Shri Hari Vishnu Kamath: I want to make a more affectionate rebuttal and refutation of the charge.

Mr. Speaker: That was only out of affection; he is not here now.

Shri Hari Vishnu Kamath: I only wanted to say that I do not hate any language, even a synthetic language, not to speak of a composite language; because the circumstances of my life have been such that I learned Kannada, a little Malayalam, Tamil in Madras, Bengali when I was in Bengal later and then Marathi and Hindi in Central Provinces and Berar where I was posted. I also learnt Sanskrit. So I do not hate any language. The

more languages I learn the happier I feel.

Mr. Speaker: Then, he is a real Indian—except the Punjabi.

Shri Hari Vishnu Kamath: I will have to sit at your feet and learn Punjabi also in the coming months. I shall be very happy to learn that. That is my electric attitude towards language.

The instance I quoted yesterday from the House records only was with the intention of showing that even in the House hon. Members have shown a genius for synthesis or assimilation, and after 15 years of Hindi here we have got still such a language. I did not object to that language also. After all, what is a language. It is a mere vehicle of the thought, a medium of communication. Therefore, I do not think there was any need on Shri Bade's part to take as an offence what I said yesterday.

In regard to Madhya Pradesh, I have consulted many people there. While they are very particular about Hindi, nobody, as far as I know—those with whom I have got political contacts—objects to the continuance of English even in Madhya Pradesh until such time as the southerners pick up this language for a workman-like use of that language. As I said yesterday, it is not that any of us loves Hindi less, but we all love India and Indian unity more. That is the pole-star which is guiding me, and I am sure my colleagues will agree with that sentiment.

The Home Minister has completely changed the original scheme of this clause 4, and all the changes that he has now suggested reinforce the conviction I held earlier, that it would have been far far better for the Government to refer the Bill to a select committee. They are going on suggesting changes at this late hour. Instead of that, if they had referred the Bill to a select Committee, we could have sat there in that cool and calm atmosphere—you are very well

aware, Sir, that the committee atmosphere is much cooler and calmer, and you have guided us often in the committees—and considered the Bill. It would have been far better for the Government to refer the Bill to a select committee. I would urge you, Sir, that in future at least—I do not know whether the rules will permit the House to do so, but I seek your guidance in that matter—you may consider this suggestion: I would respectfully suggest to the Government that whenever a Bill is introduced by them, in the House, they should abide by your advice, as a rule, as to whether it is a major Bill or a comparatively minor Bill, and all major Bills must as a rule go to a select committee. The committee procedure is very helpful for development of parliamentary traditions and conventions, and parliamentary institutions develop because of these committees. The more committees there are inside the Parliament the more time we could bestow on the Bills there and the less time we spend in the House.

I do not see why in this particular Bill also they are in a hurry to rush through this legislation. The deadline according to the constitutional provision is up to 26th January, 1965. Today we are in the middle of 1963, and I cannot conceive of any objection that could have been raised or the Minister could have thought of with respect to referring this Bill to a select Committee.

May I, therefore, Sir, in future at least, urge you to consider such matters so that you will decide as to what is a major Bill, and I would request the Government to abide by your advice in this matter. And, all major and important Bills must go to a select committee, and in that way we can promote parliamentary institutions in the country.

Then, Sir, I come to the amendments that have been moved by the Home Minister. He now suggests a committee on official language on a

resolution to that effect being moved in either House of Parliament with the previous sanction of the President and passed by both the Houses. And the Committee shall consist of thirty members. If the portion "with the previous sanction of the President" is, for the time being, for the nonce, kept aside, then I would submit respectfully this is a Parliamentary Committee. So, how does the sanction of the President come in and why should it come in? Because of the requirement of article 343, for everything in the matter the sanction of the President is necessary. Therefore, it is not an integral part of the amendment which would detract from the character of the committee as a Parliamentary Committee and I cannot, for the life of me, understand why the report of a Parliamentary Committee from you read out yesterday the functions of a Parliamentary Committee from the Rules of Procedure I need not repeat it again—why the report of a Parliamentary Committee should be submitted to the President. I am firmly of the view that if we want to promote parliamentary traditions, institutions and functions in this country and make Parliamentary a strong force in our country, and I am sure, Government is as anxious as we are in that position to make Parliament a strong and vigorous institution in our country. I have no doubt in my mind that, so far as parliamentary committees' reports are concerned, they must inevitably and ineluctably be submitted to Parliament and they should not be submitted to the Government or President.

Shri Frank Anthony (Nominated—Anglo-Indians): It should be liable to change by Parliament.

Shri Hari Vishnu Kamath: I am coming to that. I have moved my amendment with regard to the Home Minister's amendment: for "the President" substitute "Parliament". Then the sub-clause will read as follows.

Mr. Speaker: He need not read it.

Shri Hari Vishnu Kamath: All right. I will not read it. I shall not take the time of the House by reading it. Therefore, I would like to urge that the Committee's report must come before Parliament, must be laid before the two Houses of Parliament. Then, I have suggested a further procedure for the consideration of this Committee's report, by my amendment Nos. 162, 163, 165, 166 and 167. I would suggest that this report of the Committee, after it is laid before Parliament, should be sent not merely to the State Governments but also to the State Legislatures. Because, I feel that in the immediate future, there is no prospect of changing the Government in any State. I am sorry about that, but there is no immediate prospect. That means, the same party will run the Government in all the States. But, in the State Legislatures there are parties which, some of them, are not represented in our Parliament. They are not represented in the State Government either, because the same party rules the roost in all the States and at the Centre. Therefore, unless we give an opportunity to parties which are not represented in the State Governments, which are not represented in Parliament, to give their opinion fully and lawfully in a parliamentary manner on this Bill, our reconnaissance or our attempt at getting the opinion in the country, the national opinion in the country, will not be completed. Therefore, I would urge that this report be sent to all the State Legislatures and State Governments.

Then, I have got one other amendment.

Mr. Speaker: He should be kindly brief.

Shri Hari Vishnu Kamath: I have got specific amendments, and that is why I crave your indulgence to take a little more time. I refrained from taking part in the first reading of the Bill, because I abided by your advice and you said that you would give me

a little more time during the discussion on the clauses. Otherwise, I would have spoken during the general discussion. Now I have to urge my amendments for the acceptance of the House and try to convince the Home Minister, if I may. I do not know whether I will succeed in my attempt, but I will try, and I hope the House will be with me, at least a major part of the House will be with me and it will bring gentle pressure to bear on the Home Minister so that he may accept some of the amendments, if not all.

I would only like to say one word before I close. The change, the altered scheme of this clause, provides for this Committee. I have dealt with that.

Now I will make another suggestion by the way. I have not given notice of an amendment, but I will make a suggestion only for his consideration. This committee will come into existence ten years after 1965, that is, in 1975. In the Constituent Assembly—you were also a member of the Constituent Assembly—I remember that some of us suggested very earnestly that the time limit provided for the switch-over to Hindi should not be 15 years but should be what is regarded as the period of a generation at least, that is, 25 years if not 30 years. But that was not accepted. They thought that they could do the thing very quickly. They banked too much on their own powers. They were not equal to the task and they have now come forward with this Bill. Perhaps it would have been better if the suggestion were accepted in the Constituent Assembly itself and that deadline had been fixed at 1975 or 1980. Even now, at this time of the day, I feel that the leaders of the non-Hindi-speaking States must be taken more into confidence in this matter even in regard to these committees that would be formed. I would suggest that in the committees that would be formed the majority, if possible, should go to the representatives of the non-Hindi-speaking States.

Shri Frank Anthony: How will that help? They will get all their party-men there.

Shri Hari Vishnu Kamath: They can accommodate... (Interruption).

Mr. Speaker: Order, order. He may be allowed to conclude.

Suri Hari Vishnu Kamath: Apart from that, every year, that is, annually a committee, informally perhaps if not formally, of Members of this House and of the other House might also go into this matter as to how much progress is being registered by the Government with regard to promotion of Hindi as the Union language.

One final word and I have done. In all these matters, particularly in this matter, the Government and all of us should try to consider three aspects of the matter, namely, what is necessary, what is desirable and what is possible. Unless all these aspects are borne in mind the Government or any of us will not be able to get an overall picture of the situation. It may be that some of our Hindi totalitarians would like to have Hindi only and no other language. To them I would say this much, though it is desirable it is not feasible. Some of my hon. friends who are very passionately fond of the English language only, to the exclusion of Hindi, want that English must get a predominant position. To them I would suggest that in India, in our country, it is now necessary for us, not as a torchstone of nationhood—for that it is not necessary—but for carrying the entire nation forward to the goal, to give some sort of recognition to a language, not as a national language—all the 14 languages are equal in that respect—but one language, which though it is not spoken by the majority of the people is spoken by the largest single group in the country. It is necessary for us to give some more recognition to it than is given to other regional languages in an official manner.

Mr. Speaker: Shri Banerjee. Again and again I would have to request hon. Members that they should be brief.

श्री स० मो० बाजी (कानपुर) : अध्यक्ष महोदय, इस बिल का क्लोज ४ जहाँ पर यह लिखा गया है कि दस साल के बाद एक कमेटी बैठेगी, इसका मैं विरोध करने के लिये खड़ा हुआ हूँ। मैं समझता हूँ कि अगर एक निश्चित काल तक के लिये यह तय हो जाये कि अंग्रेजी भाषा बनी रहेगी, तो वह मेरे ख्याल में ज्यादा अच्छा होगा। दस साल के बाद फिर एक अनिश्चित काल के लिये जब हिन्दी शिक्षा भा.....

श्री फ्रैंक एन्थो : पन्द्रह साल।...

श्री स० मो० बनर्जी : पन्द्रह साल नहीं चाहे सो साल रख दिया जाये, मैं इसको मानने के लिये तैयार हूँ। इसमें मैं खुश हूँ कि सो साल के बाद तो हिन्दी साबूँगे। मैं नहीं तो मेरा पोता देखेगा कि आप का पोता हिन्दी साखा है। यहाँ तक जाने के लिये मैं तैयार हूँ।

जिस तरह से इस क्लोज को अब रखा गया है, मैं नहीं समझता हूँ कि इससे हिन्दी का तरक्का हो सकता है। जब तक एक अवधि तय न हो जाये तब तक कुछ नहीं हो सकता है।

अध्यक्ष महोदय, मैंने जो कल कहा था उसे आज फिर दोहराना चाहता हूँ कि मुझे अंग्रेजी भाषा से कोई दुष् नहीं है, मैं अंग्रेजी भाषा को बहुत अच्छा भाषा समझता हूँ, उससे मुझे प्यार है, मोहब्बत है, मैं चाहता हूँ कि मैं उसे साबूँ, लेकिन पूर्ण रूप से विश्वास करता हूँ कि जिस भाषा के बारे में हम गर्व महसूस न करें, जिस भाषा के बारे में कोई नेशनल प्राइड न हो, हम उस भाषा को लेकर क्या करें? हम भूल नहीं सकते हैं आज भी कि हमारे यहाँ के लोगों ने अंग्रेजी जवान तो अच्छी नहीं साखा लेकिन अंग्रेजों को जहनियत, सहजब और तमद्दुन को उन्होंने अपना लिया। मैं समझता हूँ कि इस देश का अच्छा सम्पत्ता

के ऊपर जो सब से बड़ा कुठाराघात हुआ है, वह इस वजह से हुआ है। कल मैंने कहा था कि मैं इसे महसूस करता हूँ कि जब तक सत्ता का बागडोर उन लोगों के हाथों में है जो हुरी, केम्ब्रिज और आक्सफोर्ड में पढ़े हुये हैं और अपने बाल बच्चों को हमेशा कान्वन्ट्स में पढ़ाते रहते हैं, मैं तब तक हिन्दी भाषा...

श्री फ्रैंक एन्थो : यहाँ तो आफत है कि सब लोग वहाँ हा अपने बच्चों को पढ़ने भेजते हैं।

Shri Hajarnavis: Does it apply to political parties also?

श्री स० मो० बनर्जी : आप माराज न हों, जो भारतीय भाषाओं को अच्छा तरह से समझते हैं उनका तरफ से कह रहा हूँ। मेरा कहना यह है कि मैं इस बीज को तो मानता हूँ कि जो संशोधन मेरे मित्र श्री प्रभात कार ने रक्खा है कि :

"The President shall thereafter refer the report to the State Legislatures for their opinion...."

वह बहुत ठीक है। जो रिपोर्ट निकलत है वह स्टेट लेजरलैचर्स में जाना चाहिये। उसके बाद जब वह पार्लियामेंट के सामने, लोक सभा के सामने आये तो लोक सभा उस को तय करे। मुझे खुश है कि हमारे शिक्षा मंत्री ज० भ० यहाँ मौजूद हैं, मैं अपने मंत्री महोदय से कहना चाहता हूँ कि कम से कम वे इस सदन को यह विश्वास तो दिलायें कि दस साल में हिन्दी का तरक्का होगा। कहीं दस साल बाद फिर तो यह नहीं कहा जायेगा कि हिन्दी जवान हमारा है, हम हिन्दुस्तान है, हिन्दुस्तान में रहते हैं, लेकिन हिन्दी जवान का तरक्का नहीं हुई है इस लिये अंग्रेजी जवान को दुबारा हम ऊँर लाद दिया जाय। मैं समझता हूँ कि यह गलत है। मेरा कहना है कि बात को गलत न समझा जाय। मैं कहना चाहता हूँ कि मैं

हिन्दुस्तान का नागरिक हूँ, मैं बंगाला हूँ, पंजाब में पैदा हुआ, उत्तर प्रदेश में नौकर करता हूँ और बिहार में कर चुका हूँ। मैं समझता हूँ कि हमें इस संकुचित दृष्टिकोण से दूर रहना चाहिए। अगर अब इस संकुचित दृष्टिकोण से देखा जायेगा और अपना भाषा के बारे में अपना जहनियत को साफ नहीं किया जायेगा, अगर हम अपना भाषा से गौरवान्वित महसूस न करें कि अब हिन्दा भाषा आयेगा, तो यह ठीक नहीं है। इसलिये हमें इस सदन में बैठ कर यह प्रयत्न करना है कि इस घंटे का क्या हो। कब तक घंटेजा रहेगा और हिन्दा उस के बाद आयेगा। कल शास्त्रा जी ने कहा था कि सन् १९८० तक का समय रक्खा जाय। इसमें कोई हर्ज नहीं है। लेकिन हम को तय करना पड़ेगा कि हम हिन्दुस्तान हैं तो हिन्दी सोचना हमारा फर्ज है। इसलिये हम हिन्दा को मुस्तीदा से लाना चाहते हैं जिस में कि हमारे बच्चे इतिहास हिन्दा में पढ़कर गर्वित हो सकें।

Shri Ranga (Chitoor): Mr. Speaker, Sir, I support the suggestion made by my hon friend Mr. Kamath that it should be treated as a Parliamentary Committee and its report should be submitted to both the Houses of Parliament and Parliament should be given an opportunity of expressing its opinion.

Shri Frank Anthony: That is not enough.

Shri Ranga: First of all, that is a suggestion he has made.

Secondly, these two official amendments which have been tabled may appear to be concessions made by my hon. friend the Home Minister to some of those friends within the Congress Party who also have felt much as so many of us have felt. But, I am afraid, those two amendments do not go far enough and would not satisfy

many of the people not only in the non-Hindi-speaking areas but also in the Hindi-speaking areas. I have myself given notice of this amendment to the effect that the President shall not take any decision to reduce the position of English in administrative and other spheres. We are not, in any way, intending to reduce the position of Hindi or contracting whatever steps Government would like to take in order to promote Hindi to become the official language. But we are only concerned in regard to this English. Therefore, we say:

"shall not take any decision to reduce the position of English in administrative, legislative and judicial work without the concurrence of all the non-Hindi State Legislatures obtained by resolutions passed by three-fourths of the total strength of each Legislature and".

Now, my hon. friend Dr. Singhvi has made the extraordinary suggestion that even the State Governments need not be consulted and the State legislatures need not be invoked at all in this regard, just because we all concede the point that this question of language is also a national question. It is not only a national question, it is also a local question. Every State has to deal with it. Therefore, every State has got to be brought into this discussion, in this form and its legislatures.

An Hon. Member: It is political also.

Shri Ranga: It is political also. It is no good burking the issue. It would be foolish on the part of anybody including ourselves, every one of us, if we were to go into this matter in such a mad fashion that we arouse political passions and queer the pitch and spoil the national unity. If we are not prepared to take any warning at any stage at its face value, if we are not going to be wise, I can only say God alone can look after our national unity.

[Shri Ranga]

It would have been better if this Bill had been sent up to a Select Committee. But, now that it is being rushed in this manner, all that I can say is that my hon. friend, even if he is not prepared to accept my amendment, he should be prepared to accept the small amendments suggested by my hon. friend Shri Kamath that it should be not only the State Governments, but also the State legislatures. I do not know why my hon. friend would like to leave the freedom to the State Governments to decide whether they should consult their legislatures or not. Shri Kamath has already given very relevant reasons why the State legislatures have a personality of their own apart from the State Governments. The State Governments should necessarily be brought into this picture. In view of the fact that we have this parliamentary system where the majorities alone from the Ministries, it is necessary, if we are really keen on respecting the wishes and activities of minorities also, that we should consult the State legislatures also. I hope my hon. friend the Home Minister would give careful consideration to that point.

It is very necessary that, before we rush things, we give every possible opportunity to every section of our people in our country, at the State level and also at the parliamentary level. From a theoretical point of view, it is all right to say that you will have our Members of Parliament elected to the committee by proportional representation and therefore every section will get an opportunity. Supposing you have got 10, there would be much less opportunity for every section. If we have 20, they will have better opportunity; if it is 30, still better. That is why I am in favour of the suggestion made yesterday by Shri Frank Anthony that this committee should consist of 50 members and not 30. That is a numerical thing. When we come to think of it.....

Dr. M. S. Aney (Nagpur): Why not 75?

Shri Ranga: Why not 100? I have no objection at all. Why not the whole House? To start anyhow, we are 500 people. If you put 50, it may give 35 to our House. That would certainly give better opportunity for even the smallest of our groups to get represented on that committee. Secondly, if it is a committee of 50, any suggestion making from that committee with an overwhelming majority of it behind it, would carry greater weight with the people all over the country than if it is only a committee of 30. It is not very much of an argument. It is an obvious thing. It is only a matter of numerology or numbers. I hope my hon. friend the Home Minister will see his way to accept this very small suggestion that we are making.

In conclusion, all that I have to say is that if by any chance the Home Minister is not prepared to accept any of our amendments, and insists upon the Bill as suggested to be amended by himself to be passed, I wish to tell him that it is not likely to satisfy large sections of our people in our country and a unfortunate sense of disappointment and frustration and dissatisfaction is likely to grow. I hope that he would try his best not to be treated by all these people as the father for that disappointment and dissatisfaction and discontent.

श्री राजेन्द्र बस (उज्जैन) : अध्यक्ष महोदय, मैं ने २६ नवम्बर का संशोधन पेश किया है। उसका उद्देश्य यह है कि जो इसमें प्रावधान प्रस्तावित किया गया है कि दस साल बाद कमेटी बनायी जायेगी, तो हम दस साल तक बैठे ही न रहें, बल्कि इस बीच में समय समय पर हमको मालूम होता रहे कि हिन्दी को आगे बढ़ाने के लिये क्या किया जा रहा है। संविधान के पार्ट १७ में दो बातें हैं, एक तो यह है कि हिन्दी आधिकारिक मान ली गयी और दूसरे यह कि १५

साल तक अंग्रेजी कायम रहेगी। लेकिन साथ ही उसमें यह है कि इन १५ सालों में हिन्दी के प्राप्रैसिव यूज में लाने के लिये और अंग्रेजी के उपयोग को कम करने के लिये प्रयत्न किया जाये। इस विधेयक में यह बात तो है कि अंग्रेजी को आगे और कुछ समय के लिये रखा जाये और वह उद्देश्य इस विधेयक से पूरा हो जाता है। लेकिन कब हिन्दी अपना स्थान ग्रहण करेगी इसके बारे में इस विधेयक में कुछ नहीं कहा गया है। दुःख के साथ कहना पड़ता है कि इस महत्वपूर्ण बात की ओर अभी भी शासन का ध्यान नहीं है। आर्टिकल ३४३ में जो शब्द "शैल" है वह भविष्य काल को नहीं बतलाता, वह तो प्रेजेंट, पास्ट और फ्यूचर सब को बतलाता है। वह काल नहीं बतलाता। वह तो यह बतलाता है कि यह काम एक समय पर अवश्य हो जायेगा। यानी संविधान के लागू होने से १५ साल बाद हिन्दी राजभाषा हो जायेगी।

जो इसके बाद का दूसरा आर्टिकल ३४४ है उसमें लिखा है कि संविधान को लागू होने के पांच साल बीतते ही लेग्जिस्लेशन होगा, और दूसरे पांच साल बीतने पर दूसरा लेग्जिस्लेशन होगा और वह यह बतायेगा

"(a) the progressive use of the Hindi language for the official purposes of the Union;

(b) restrictions on the use of the English language for all or any of the official purposes of the Union;

और

"Language to be used in the Supreme Court and in the High Courts and for Acts, Bills, etc.

जो संविधान में इस तरह पांच पांच साल बाद कमीशन के लिये कहा गया है, उसके बारे में इस दस साल में शासन क्या करेगा यह इस 482(Ai) LSD—2.

विधेयक में कुछ नहीं कहा गया है। क्या पार्लियामेंट का यह अधिकार नहीं है कि वह जाने कि आप इन दस सालों में हिन्दी के प्राप्रैसिव यूज के लिये क्या कर रहे हैं। अगर सरकार ऐसा कुछ कदम नहीं उठायेगी तो संविधान ने जो उसके ऊपर दायित्व डाला है उसको पूरा नहीं करेगी। इस काम के लिये केवल राज्य सरकार ही उत्तरदायी नहीं हैं बल्कि केन्द्रीय सरकार की भी इसमें जिम्मे-बारी है। आर्टिकल ३५१ में लिखा है :

"It shall be the duty of the Union to promote the spread of the Hindi language....."

इसमें केवल आफिशियल परपज की ही बात नहीं है, उससे आगे भी कहा गया है :

".....to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India."

इसके लिये क्या किया जा रहा है। अभी तक कुछ नहीं हो सका। क्या आगे भी हम इसी तरह बैठे रहेंगे ? और यह काम अभी तक इसलिये नहीं हो सका कि यह किसी मिनिस्टर का विषय नहीं रहा और न किसी आफिसर का ही यह काम सौंपा गया कि वह हिन्दी के लिये काम करता। इसीलिये हिन्दी अपना स्थान प्राप्त नहीं कर सकी। इसी कारण मैंने अपने अमैंडमेंट में कहा कि जिस रोज से यह कानून अमल में आवे उससे पहले ही एक स्पेशल आफिसर नियुक्त किया जाये। मेरे संशोधन में स्पष्ट लिखा है :

"As early as possible before the date on which section 3 comes into force, the President shall appoint a special officer, whose duty shall be, to review from year to year...."

हम चाहते हैं कि यह चीज हर साल हमारे सामने आये कि हिन्दी के प्राप्रैसिव यूज के लिये क्या किया जा रहा है। जिस प्रकार

[श्री राधेलाल व्यास]

कमीशन का प्रतिवेदन हमारे सामने आने का प्राविधान संविधान में है, उसी प्रकार इस अफसर का प्रतिवेदन हर साल हमारे सामने आये। मैंने अपने संशोधन में इस अफसर के बारे में कहा है :

"...whose duty shall be, to review from year to year the measures adopted for the progressive use of the Hindi language.."

मैं यह नहीं कहता कि दक्षिण के जो अहिन्दी भाषा भाषी भाई हैं उनकी मरजी के खिलाफ ऐसा किया जाये, लेकिन उनकी रजामन्दी से ऐसा किया जाये। हम चाहते हैं कि इस काम में क्या प्रगति हुई है यह हमारे सामने आवे। इसलिये मैंने अपने अमैडमेंट में आगे कहा है :

"...the actual progress made and the difficulties encountered...."

उस अफसर को यह भी बतलाते रहना चाहिये कि इसमें दक्षिण भारत के राज्यों को क्या कठिनाइयाँ हैं, उनको जितनी प्रांट मिलनी चाहिये वह मिली है या नहीं। उसको बतलाना चाहिये कि क्या कठिनाइयाँ हैं जिनके कारण आफिशियल परपत्र के लिये हिन्दी का उपयोग नहीं हो सकता। आगे उस अफसर का क्या कर्त्तव्य होगा उसके बारे में मेरे अमैडमेंट में कहा गया है :

"....to make recommendations to the President with a view to overcome such difficulties and to promote the progressive use of the Hindi language for the official purposes of the Union and the President shall cause such report to be laid before each House of Parliament."

तो मेरा कहना है कि प्रतिवर्ष यह प्रतिवेदन हमारे सामने आये और उस पर पालियामेंट की कमेटी, जैसा कि हमारे होम मिनिस्टर

साहब ने कहा है, रिव्यू करे, और वह रिपोर्ट फिर प्रेसीडेंट को कमेटी के सजेसन सहित दी जाये। इसमें आशंका की कोई बात नहीं है। आप अंग्रेजी को जारी रखें उसको हटाने की मेरे संशोधन में कोई बात नहीं है। मेरा निवेदन है कि यह बहुत सोचा सादा अमैडमेंट है और बहुत वाजिबी है। पालियामेंट का हक होना चाहिये वह रिपोर्ट उसके सामने आवे कि हिन्दी का कितना प्रोग्रेसिव यूज हो रहा है। मैं आशा करता हूँ कि हमारे होम मिनिस्टर साहब इस पर गम्भीरतापूर्वक विचार करेंगे और यदि उनके लिये इस संशोधन को स्वीकार करना संभव न हो तो भी मैं यह निवेदन करूँगा कि वह बताये कि जो हिन्दी के प्रोग्रेसिव यूज के लिये संविधान ने ड्यूटीज और अवॉलगेशन्स डाले हैं उनके अनुसार गवर्नमेंट कुछ करेगी या नहीं और पालियामेंट के सामने प्रतिवेदन रखेगी या नहीं और इस अमैडमेंट को स्वीकार न करते हुये भी क्या सरकार इस काम के लिये किसी खास अफसर को नियुक्त करेगी या एक मिनिस्टर के सुपुर्द इस काम को किया जायेगा। सरकार इस मामले में किस प्रकार कदम उठायेगी यह बताने की कृपा की जाये।

Shri A. C. Guha (Barasat): While commending my two amendments, Nos. 133 and 134—133 is to the effect that the report of the Committee shall be placed before Parliament and also be circulated to all the States, and 134 seeks the insertion of and the views of Parliament and the States' after the word 'report'—I would remind the House that the controversy here is not between English and Hindi, but is really between Hindi and the regional languages. Practically all the States have taken to their regional languages and the medium of instruction in the universities is also the regional language in almost all the States; I think even to the detriment of the quality of education that has been done, and perhaps rightly done

Anyhow, English is going and we shall have to build up our regional languages. So the real controversy here is between Hindi and the regional languages, not between Hindi and English. Nobody as such is enamoured about English and wanting it to continue for an indefinite period except perhaps Shri Frank Anthony, for obvious reasons. We all want that some Indian language should come up.

When the real controversy is between Hindi and the regional languages, I think it is meet and proper that the States should be consulted and their opinion taken into account before any final decision is taken in the matter.

I do not like the idea of sending the report of the Committee of Parliament to the legislatures. I think the usual practice for the union government is to send the report for opinion to the State Governments. It would be up to the State Governments to place the report before the legislatures and it would be also for the legislatures to demand a discussion thereon. I am told the last report was discussed only in two legislatures, Madras and West Bengal. It is not so necessary to have a statutory provision that the report should be placed before the legislatures. That is not according to the usual practice of Government. The practice of the Government is to consult the views of the State Governments. So, the report should be sent to the State Governments, and the State Governments may place the report before the respective legislatures which may decide to discuss it.

In this connection, I would like to refer to the obligations placed on the Government by article 351 in regard to the development of Hindi. The difficulty is that in spite of what has been said by the Prime Minister and the Home Minister, I think the Government has not been able to discharge its duty for the development of Hindi. It is not simply a blind enthusiasm to push Hindi that is enough, there

should be a rational approach. Article 351 states that the forms, style and expressions used in Hindustani and other languages in India should be assimilated in Hindi. I think as yet no progress has been made in that direction. Hindi is in construction and style rather heavy, and its grammar is also rigid. For a living and developing language, grammar should be relaxed, and its forms, style and expressions should be light and flexible. In this direction, practically no attempt has been made. Rather, the attempt has been on the reverse side. Hindi is becoming more and more rigid. It is not a question of introducing so many Sanskrit words or Urdu or Persian words. Is the style and construction of Hindi such that it is easily possible for a non-Hindi-speaking man to learn it? That is the main question here.

Dr. M. S. Aney: There should be a large admixture of words from all the other languages.

Shri A. C. Guha: It is not merely a question of admixture of words. The question is of the style and construction of Hindi.

I think the Home Minister's amendments are wider in scope than our amendments and would serve our purpose better than the amendments tabled by so many Members from West Bengal. I hope his amendments would be put first to the vote, and if they are accepted, the others would lapse or withdrawn.

I support the idea of sending the report to the State Governments. As for Parliament, the report of the committee of Parliament would, of course, come before Parliament. What is implied and almost obligatory should be put expressly in the provisions of the Act. So, it has been put that the report also will be placed before Parliament.

Mr. Speaker: Shri Kashi Ram Gupta. Again I repeat my request that the Members might be brief. I have to call the hon. Home Minister at 1.30.

श्री काशी राम गुप्त (अलवर) : अध्यक्ष महोदय, इस विषयक की धारा ४ पर मेरे तीन संशोधन प्रस्तुत हैं, ७०, १६६ और १७०। उनका मुख्य विषय यह है कि जो एक कमेटी बनेगी उसके लिए यह स्पष्ट निर्देशन होना चाहिए कि भविष्य में कितने वर्ष तक अंग्रेजी रहे, अथवा उस अर्थ में अंग्रेजी के किन किन कामों में प्रतिबन्ध लगे, इस पर स्पष्ट रूप से उल्लेख करे। इसका उल्लेख किये बिना कोई तात्पर्य इस कमेटी का नहीं होगा।

दूसरी बात जो देखने में आई है वह यह है कि यदि कोई समय का निर्धारण नहीं होता है तो हमारी सरकार अब की तरह से ही लापरवाही बतेंगी, इसमें कोई संशय नहीं है। यह सरकार फिर लापरवाही न बतें इसके लिए स्पष्ट निर्देश इस धारा में होना चाहिए। मैंने १७० नम्बर का जो संशोधन दिया है उसमें कहा है कि इस प्रकार से सरकार के प्रयत्न होने चाहिए, कि अगले दस वर्ष के भीतर भीतर वह ऐसी परिस्थिति पैदा कर दे जिनसे कि यथासम्भव अंग्रेजी के उपयोग की आवश्यकता ही न हो और यदि आवश्यकता हो भी तो वह बहुत थोड़ी हो।

मेरे संशोधनों के भेजने के पहले जो सरकारी संशोधन है और गृह मन्त्री की तरफ से आये हैं, उनके संशोधन मेरे संशोधनों से पहले के थे। उनमें यह था कि जितनी भी प्रदेश सरकार हैं और उनमें भी विशेष तौर से जो अहिन्दी भाषी सरकार हैं उनका मत उसमें अवश्य लिया जाय।

अध्यक्ष महोदय, आप के द्वारा एक बात की आर में माननीय गृह मन्त्री का ध्यान विशेष रूप से दिलाना चाहता हूँ। यह जो एक नारा लगाया गया है हिन्दी साम्राज्यवाद का यह नारा बहुत ही खतरनाक नारा है। यह नारा वास्तव में उनकी ओर से लगाया गया है जो कि अंग्रेजी के साम्राज्यवाद को

बनाये रखना चाहते हैं अन्यथा २० वर्ष की अवधि एक ऐसी अवधि है जिसके कि बारे में किसी को कोई भी शिकायत होनी ही नहीं चाहिए। १० वर्ष में एक कमेटी बनेगी और उससे आगे १० वर्ष से अधिक का प्रश्न पैदा ही नहीं होना चाहिए। इसके अनुसार आज का पैदा हुआ बच्चा तब तक पोस्टग्रेजुएट बन जायगा और वह सब प्रकार से हिन्दी को समझ सकता है और उसमें सारा कामकाज कर सकता है। इस अवधि के भीतर ऐसे सरकारी अधिकारी जिनकी कि १०-१५ वर्ष की नौकरी हो गई है वह पूर्ण रूप से प्रशिक्षित होकर इस अर्थ में हिन्दी में काम करने लग जायेंगे। वर्तमान सरकारी अधिकारी इस अवधि के भीतर आसानी से पूरे तरीके से इस काम को अपना सकते हैं। अब हिन्दी सीखना कोई ईश्वर को प्राप्त करना तो है नहीं जिसको कि पाने में कठिनाई है। लेकिन हिन्दी भाषा के कामकाज में उपयोग होने के लिए अवधि का प्रश्न है। यदि अवधि नहीं लगाई जायगी तो निश्चित रूप से हमारी भाषा, संस्कृत भाषाएँ हो जायेंगी, चाहे वह अंग्रेजी वर्णमाला हो या हिन्दी वर्णमाला हो।

श्री कामत ने कहा कि यहाँ किस प्रकार की हिन्दी बोली जाती है या किस प्रकार की अंग्रेजी बोली जाती है। इसलिए अगर हिन्दी के लिए अवधि नहीं नियत की गई तो यह स्थिति और भी भयंकर हो जायगी।

अभी कल ही हाउस में दो अहिन्दी भाषी प्रान्त वालों ने हिन्दी में भाषण किये और मैं कहूँगा कि यह बड़ी प्रसन्नता की बात है और स्वागत योग्य बात है। अगर माननीय सदस्यों ने इस तरह की परिपाटी पहले ही प्रारम्भ कर दी होती तो अच्छा होता और तब शायद यह कठिनाई नहीं आती जो कि आज आ रही है कि हिन्दी साम्राज्यवाद का नारा लगाया जाता है। मैं गृह मन्त्री महोदय से जानना चाहूँगा कि क्या यह रूलिंग पार्टी के कांग्रेसी सज्जन को जो यहाँ बैठे हुए है

और हिन्दी भाषी प्रांतों से आये हुए हैं उन पर लागू करते हैं या उनके साथ हम लोगों पर लागू करते हैं ? यदि हम पर लागू करते हैं तो हम तो सरकार में बैठे नहीं हैं । वह जो सरकार में बैठने वाले हैं उनकी स्थिति अपराधियों की सी होती है । वे चुपचाप बैठे रहते हैं और उनके ऊपर बोझार होती रहती है । आखिर यह श्री एन्थनी का हिन्दी साम्राज्यवाद किन पर लागू होता है, गृह मंत्री पर लागू होता है या प्रधान मंत्री के ऊपर लागू होता है या उनकी पार्टी पर लागू करते हैं ? एक और तो वे हिन्दी साम्राज्यवाद का नारा लगाते हैं तो दूसरी तरफ कहते हैं कि हिन्दी भाषा भाषी कुल ४० फीसदी है तो इस तरह से बहुमत अर्थात् ६० फीसदी अहिन्दी लोग हुए । जब ऐसी हालत है तो मेरी समझ में नहीं आता कि उनको यह डर क्यों लग रहा है ? वास्तव में दक्षिण वालों को कोई डर नहीं है । वास्तव में डर तो यह है कि जिनको कि अफ्रीका की तरह अंग्रेजी में बोलने और काम करने का अभ्यास पड़ गया है, वह अपने उस पुराने अभ्यास से चिपके रहना चाहते हैं और उसको छोड़ना नहीं चाहते हैं । अपनी इस कमजोरी को छिपाने के लिए वह इस तरह की बात किया करते हैं और नारे लगाया करते हैं । कभी इस पक्ष की बात करते हैं और कभी उस पक्ष की बात करते हैं । इसलिए मैं समझता हूँ कि यदि हिन्दी के बारे में यह अवधि आगे भी निश्चित नहीं हुई तो मेरा अपना अनुमान है कि निश्चित रूप से एक भयंकर स्थिति पैदा होगी जो कि देश के लिए वातक सिद्ध होगी । हिन्दी को लागू करने का प्रश्न केवल हिन्दी भाषा भाषियों का ही प्रश्न नहीं है यह तो संविधान को लागू करने और उसके अनुरूप प्रमल करने का सवाल है और वह सारे भारतवर्ष का प्रश्न है । मैं एक बार फिर कहना चाहता हूँ कि यदि हमारे अहिन्दी भाषा भाषियों को कोई कठिनाइयाँ हैं तो वे इसके लिए अहिन्दी भाषी लोगों को कान्फेंस करके यह निश्चय कर लें । अहिन्दी भाषा भाषियों में हिन्दी के अतिरिक्त कौन

सी दूसरी भाषा ऐसी है जिसको कि वह हिन्दी के साथ साथ लागू करना चाहते हैं उसको भी सन् १९६५ तक फैसला करके रखवा लें नाकि अंग्रेजी जल्दी से जल्दी इस देश से समाप्त की जा सके । बस यहाँ मेरा निवेदन है ।

श्री बाल्मीकी (खुर्जा) : अध्यक्ष महोदय, मैंने जैसे कल भी कहा था, और मैंने अपने संशोधन के अन्दर भी यही विचार प्रकट किया है कि समय और अधिक लगाया जा सकता है लेकिन जैसा कि अब तक हिन्दी के प्रचार और प्रसार में जो उदासिनता बरती गई है वह आगे नहीं बरती जायेगी । देश के विकास और देश की उन्नति के साथ साथ देश की प्रजातांत्रिक परम्पराएँ जो बढ़ती जा रही हैं उनके साथ साथ हमारी हिन्दी का भी विकास हो रहा है । हिन्दी का विकास दूसरी भाषाओं के साहित्य के साथ साथ यदि इतना उन्नतिशील नहीं है लेकिन फिर भी उसे हम कम नहीं समझ सकते हैं । हिन्दी जिस प्रकार से बढ़ रही है उसके अन्दर हमारे हिन्दी भाषा भाषी क्षेत्रों या उनके महापुरुषों का ही योगदान नहीं है बल्कि अनेक उन महापुरुषों का भी है जो कि अहिन्दी क्षेत्रों में उत्पन्न हुए हैं । उनमें से कुछ महापुरुषों के नाम लेते हुए मैं बतलाना चाहता हूँ कि महर्षि स्वामी दयानन्द सरस्वती, पूज्य बापू जी, श्रीमत् एन. बंसेट और बाल गंगाधर तिलक आदि ऐसे महापुरुष हुए हैं जिनके कि योग से हिन्दी आगे बढ़ी है ।

हिन्दी का क्या रूप हो, इसके बारे में किसी प्रकार की शंका हो सकती है, लेकिन हिन्दी भाषा को विकसित करने में—और किसी भी ऐसी भाषा को विकसित करने में, जो कि सारे देश के लिए राजभाषा के रूप में उपयुक्त हो सकती है—जहाँ हिन्दी के बोलने वालों का योगदान हो सकता है, वहाँ अहिन्दी भाषी क्षेत्रों में रहने वाले भाषियों का भी विशेष योगदान हो सकता है । यद्यपि वहाँ काफी

[श्री बाल्मिकी]

लोग हिन्दी को जानते हैं—या नहीं भी जानते हैं,—लेकिन मैं दक्षिण भारत में गया हूँ और मैंने देखा है कि वहाँ पर हिन्दी का प्रचार तथा प्रसार हो रहा है। यद्यपि सरकार हिन्दी को उसका उपयुक्त स्थान दिलाने और अंग्रेज़ों को धीरे-धीरे हटाने के लिए प्रयत्नशाल है, लेकिन मेरा विशेष आग्रह है कि इस अवधि में अहिन्दी भाषा क्षेत्रों में हिन्दी के प्रचार तथा प्रसार को और अधिक ध्यान दिया जाये। हमारे देश में अहिन्दी भाषा-भाषी यह कहते हैं कि उन पर हिन्दी का साम्राज्य या आधिपत्य लादा जा रहा है, लेकिन ऐसा नहीं है, बल्कि हमारे देश में अंग्रेज़ों का जो आधिपत्य या प्रभुत्व है, उसको विशेष तौर पर हमारे देश से हटाना चाहिए।

देश के राष्ट्रीय आन्दोलन में और देश में राष्ट्रीयता के प्रसार में हिन्दी साथ साथ चला है और आज हिन्दी को विशेष रूप से बढ़ाने के लिए दक्षिण भारत में काम करने वाला ऐसा संस्थाओं को विशेष आर्थिक सहायता देना चाहिए और इसके अतिरिक्त दूसरे प्रकार से भी हिन्दी के प्रचार तथा प्रसार का कार्य भी करना चाहिए। मैं मानता हूँ कि जहाँ पर हिन्दी का जो रूप है, जहाँ जहाँ पर जैसा हिन्दी प्रचलित है, उसको मानना चाहिए किन्तु यह हिन्दी सरल तथा जन साधारण को समझ में आने वाला होना चाहिये। चार महीने पहले मैं चिगलपेट में था और वहाँ पर हरिजन बस्ती में बहुत साधारण लोगों के बीच में खड़ा हुआ था। मैं उन भाइयों का बातों को नहीं मानता, जिनको अंग्रेज़ी का भोंह है या जिनके मस्तिष्क पर अंग्रेज़ी का प्रभुत्व है। वे कुछ भी कह सकते हैं। वहाँ पर म्यूनिमैपलिटों के चेयरमैन भी थे और दूसरे कांग्रेसजन और सोशल वर्कर्स भी थे। जब उन हरिजन बस्ती में अंग्रेज़ी में बातचीत शुरू हुई, तो दो तीन हरिजन भाई जो मद्रासी थे आगे आए और उनमें से एक ने इस तरह से हिन्दी बोली, “अंग्रेज़ी नहीं बोलना। हम

हिन्दी में बातें कर सकता है। हम फीज में रहा है। हम हिन्दी में बातें समझता है। आप हिन्दी में बोलो।” मैं विशेष अंग्रेज़ों नहीं जानता हूँ, लेकिन मैं यह जानता हूँ कि वहाँ पर धीरे धीरे हिन्दी का प्रचार हो रहा है।

मैं मानता हूँ कि अगर हिन्दी को प्रगतिशाल भाषा, सारे देश की भाषा, एक व्यापक भाषा, राष्ट्रभाषा और राजभाषा बनाना है, तो उसके लिए हिन्दी में ग्रहण करने और पचाने का शक्ति होना चाहिए। मराठी, गुजराती, अरमिया और बंगाली आदि भाषाओं में जो संस्कृत शब्द हैं, या संस्कृत-गर्भित शब्द हैं, उन शब्दों का हिन्दी में समावेश होना चाहिए। मलयालम, तेलगू और तामिल आदि दक्षिणी भाषाओं में संस्कृत भाषा के शब्दों का बहुत प्रवेश हुआ है। हिन्दी भाषा को उन को भी ग्रहण करना चाहिए।

मैं ऋग्वेद के भाषा सूक्त में से एक मन्त्र को पढ़ कर समाप्त करता हूँ। वेद का आग्रह है कि किस प्रकार से भाषा को फैलना चाहिए, किस प्रकार भाषा का प्रसार करना चाहिए, उसको परिष्कृत करना चाहिए और उसे धीरे धीरे बुद्धिबल से छनना चाहिए। वह मन्त्र इस प्रकार है :

सक्तुमिव तितउना पुनन्तो यत्र
धारा मनसा वाचमकृत।
अत्रा सखायः सख्यानि जानते,
भद्रपां लभन्मनिहिताधि वाचि ॥

ऋग्वेद के भाषा-सूक्त के इस मन्त्र में वेद का आदेश है कि जैसे छलनी से सत्तू को परिष्कृत किया जाता है, वैसे ही विद्वान् पुरुष बुद्धि के बल से भाषा को परिष्कृत करते हैं। उस समय विद्वान् पुरुष अपने अभ्युदय को जानते हैं। विद्वानों के वचन में मंगलमयी लक्ष्मी निवास करती है।

लेकिन मैंने यहां सदन में देखा है कि अमंगलमयी वाणी तथा श्लोक का प्रदर्शन कुछ अंग्रेजी का मोह करने वाले साधियों द्वारा हुआ है, किन्तु इस विरोध से हिन्दी की प्रगति रुकने वाली नहीं है। कहना चाहता हूं कि चाहे कुछ भी विश्वास रहा हो, लेकिन हमको हिन्दी को चालू करने के प्रयत्न में आगे बढ़ना चाहिए। मेरा विशेष आग्रह है कि हिन्दी सब लोगों के सम्भाव और सद्बिचार से फैलनी चाहिए और हम को विशेष कर अपने ग्रहिन्दी-भाषा-भाषी भाइयों की सहमति और परामर्श को ध्यान में रख कर चलना है। इसीलिए मैंने अवधि को बढ़ाने के लिए संशोधन रखा है।

यह ठीक है कि जो कमेटी बनेगी, चाहे वह संसदीय कमेटी हो और चाहे राष्ट्रपति के द्वारा बनाई गई कमेटी हो, इस बात पर विचार करेगी कि किस प्रकार अंग्रेजी हट सकती है और हिन्दी आगे बढ़ सकती है। लेकिन मैंने देखा है कि पीछे जो पन्द्रह वर्ष की अवधि दी गई थी, उस में हिन्दी का हित नहीं हुआ है। मैं आशा करता हूं कि पन्द्रह वर्ष की जो अवधि अब दी जा रही है, उसके दौरान में अंग्रेजी को हटाने और ग्रहिन्दी भाषा-भाषी लोगों की सहमति, उनके सद्बिचार और सहपरामर्श के साथ हिन्दी को आगे बढ़ाने के लिए विशेष प्रयत्न किये जायेंगे और जो ढील और उदासीनता पहले बरती गई है, वह अब नहीं बरती जायेगी। इस प्रकार हिन्दी को आगे बढ़ाया जाये, ऐसा मेरा आग्रह है।

Shri Basappa (Tiptur): Mr. Speaker, Sir, I am grateful to the hon. Home Minister for bringing forward these amendments, which go to allay the fears of large sections of people in this country. I consider these amendments as very major amendments. The most important thing in the consideration of this Bill is that Hindi should not be imposed, the people should be consulted, their consent should be taken and no restriction should be imposed on English which

will go to the disadvantage of the people. These are the things behind this Bill. From that point of view, these amendments go a long way to give that assurance to the people who need it.

The most important thing, I consider, is the ultimate authority to give the direction. Of course, the President gives the ultimate direction or order. But on what is it based? The important words in this clause are "in accordance with" certain things it must be done. The President's order must be issued in accordance with certain things. Here there are two or three agencies—whether the President's order would be in accordance with the report of the reviewing committee or in accordance with the parliamentary decisions or in accordance with the wishes of the State Governments and State Legislatures or whether it should be the executive authority of the Government, is the question. When we consider all these things, ultimately we have to come to the conclusion definitely that not only the views of the State Legislatures and State Governments should be ascertained, but the parliamentary decisions should also be taken into consideration. All these things should be kept in view by the executive of the Government and Government would have the ultimate authority to advise the President to make the order. These amendments comprehend the whole thing and I welcome these amendments.

About the Bill itself, I should like to say a few words. I must pay my humble tribute to the Home Minister and the Government for being able to raise the discussion to a height in which they have lessened the tension that existed at the beginning of this Bill. It has been objected to many times that there has been pressure put on the Home Minister in regard to this Bill. I would say that he has not succumbed to that pressure. I do admit that great pressure is being put on him by the Hindi-speaking as well as non-Hindi-speaking areas, but I must ultimately say that he has not succumbed to any of the pressures. He has tried to satisfy to the best of

[Shri Basappa]

his ability both the sections. This is a compromise Bill, which should be welcomed.

It has been stated here and there whether Hindi is inevitable in this country. Great men have thrashed out this question on the platform and the answer ultimately is that ultimately Hindi is bound to be there. Of course, we want English to continue, so that Hindi may acquire the pre-eminence to serve the purpose of the official language, for which it is meant. So far as Gandhiji was concerned, it was not merely the little dignity that Hindi carries in foreign countries, but he had a greater and noble object of unifying this country and developing it. That should be the guiding factor, more than self-respect or dignity that is sometimes posed in this context. If Hindi has not developed, who are to be blamed for that? It is as much the responsibility of the Hindi-speaking areas as that of the non-Hindi-speaking areas. So, all of us have to be blamed if Hindi has not developed to such an extent as to take the place of a "link language" or an official language in the country. Therefore, if the Government is going a little slow to compromise all these things, it should not be construed as an attempt on their part to give up Hindi altogether. I do not understand the fears of the Hindi-speaking areas at all in this respect. It has been enshrined as a very big thing. There is no need for any fear on their part. If at all there is to be any fear, that can only be on the part of the non-Hindi-speaking areas. The Home Minister has tried to meet that fear, and the assurance of the Prime Minister has been basically met.

Therefore, Sir, I hope the House will accept the Bill in toto together with the amendment moved by Government to this particular clause.

श्री यशपाल सिंह (कैराना) : अध्यक्ष महोदय, जो कुछ भी मुझे कहना है, वह मैं दो मिनट में कहे देता हूँ। पहली बात तो यह

है कि किसी भी फॉर्म में इस वक्त अंग्रेजी को कायम रहने देना देश के लिए घातक होगा। खास तौर से जैसा कि मैंने अपनी अमेंडमेंट में कहा है कि कोर्ट्स की लैंग्वेज तो खाम तौर से हिन्दी होनी ही चाहिये।

अभी हमारे सामने प्रश्न की बात की गई है। मैं समझता हूँ कि आप चाहें हिन्दी का प्रश्न ले लेकिन प्रश्न लेने से कुछ नहीं होगा और न ही आपका काम चलेगा। जरूरत इस बात की है कि अमल किया जाए और अमल करके आप दिखायें। जो कुछ भी हमने विधान में कहा था और जो वादा किया था वह पूरा नहीं हुआ है। अगर अंग्रेजी थोड़ी शक्ल में भी रह गई तो यह भी खतरनाक होगा एक बरतन दूध का भरा हुआ हो, अगर उसमें एक बुद जहरी की पड़ जाए तो वह सारे दूध को खराब कर डालती है। इसी तरह से अंग्रेजी का किसी भी तरह से बना रहना ठीक नहीं है। रामचन्द्रजी के घर में एक मधरा दासी जाती थी और उस दासी के कारण रामचन्द्र जी को चौदह साल तक बनों में रहना पड़ता है। इसी तरह से अंग्रेजी का दासी के रूप में भी बना रहना ठीक नहीं होगा। इस वास्ते मैं कहना चाहता हूँ कि जो एमेंडमेंट मैंने पेश की है उसको मंजूर कर लिया जाए। मैं चाहता हूँ कि आप कांस्टीट्यूशन के प्रति और महात्मा गांधी के प्रति वफादारी दिखायें।

Shri Man Singh P. Patel (Mehsana): Mr. Speaker, Sir, I have been listening to the debate for the last three days. Even after we have accepted clause 3 of the Bill, when I find that so many amendments have been moved to clause 4 of this Bill, I feel that there is this doubt in the mind of the people of certain non-Hindi-speaking areas that there is likely to be some indirect compulsion by which Hindi is being imposed as an official language a little earlier or that English may not be given a little longer lease as they expected.

Sir, I would only concentrate on two major amendments which in my view are a little mischievous or giving an indirect suggestion whereby the agitation in support of the Hindi language—the highly agitated question—may be continued for a longer period. One is of my hon. friend, Shri Radhelal Vyas which seeks to appoint a Commissioner to review the measures adopted for the progressive use of Hindi for official purposes. This, in my view, is a very impatient amendment. I think we must respect the latest amendments moved by the Home Minister wherein he has tried to evolve a common formula—which also comes from my learned friend, Shri Frank Anthony, in his amendment No. 39 moved earlier. No doubt, looking to the speech which he delivered, I still feel that he wants a further type of restriction or check and have the continuance of English for a further period of some more years.

The second amendment is of Shri Kamath to the effect that the report of the Parliamentary Committee be allowed to be discussed in the State Legislatures, and that too by putting a mandatory provision under this clause. I fear that the incorporation of such a mandatory provision in the Bill will also do the same harm and carry the agitation of language to the farthest corner of each village. After all, in every democracy, the Government will be responsive to the feelings and demands of the people. I have got my own fears that after ten years we may find different ruling parties in the different States, either in the North or in the South. At that time, the then ruling party will also have to take the consensus of opinion of the people to whom it is responsible. The State Governments are responsible to the State Legislatures and, naturally, the views of the State Governments will necessarily be in tune with that of the people whom they represent.

The hon. Home Minister has moved an amendment to say that both the Houses will give their considered

opinion. And when both the Houses of Parliament will consider this subject, they will have before them the views expressed by the different States. Even though we are discussing this subject today after thirteen years, we are taking certain views from the debates of the Constituent Assembly, in which some of our senior Members had occasion to participate. In the same way, I feel that some of the members of the present ruling party, at least the Home Minister, may be there after ten or fifteen years to guide us so that then they will take into account the spirit of the discussions that are now being held and the circumstances of the situation that are then obtaining.

I am not concerned with the period, whether it should be two years more or less. My only fear is whether the expression of views in this House and the State Legislatures, when they are carried to the farthest villages in the land, will create great discontent among the masses. In no case should such discontent be allowed to be initiated from such a body which, ultimately, has to function in the interests of all. There should be no question of domination of one language over another. Therefore, I earnestly appeal to my hon. friend to withdraw their amendment and accept the amendments moved by the Home Minister.

श्री बागड़ी (हिसार) : अध्यक्ष महोदय,
एक सैकिड . . .

अध्यक्ष महोदय : मैंने आपको बुलाया था, आप मौजूद नहीं थे।

श्री बागड़ी : क्षमा चाहता हूँ, एक मिनट के लिए बाहर चला गया था। एक एमेंडमेंट मेरी . . .

अध्यक्ष महोदय : एक एमेंडमेंट का सवाल नहीं है। सभी एमेंडमेंट वाले मैंने खत्म करके आपको बुलाया था।

श्री बागड़ी : दो मिनट दे दीजिये ।

अध्यक्ष महोदय : बहुत अच्छा, आप बोल लीजिये ।

श्री बागड़ी : भाषा का सवाल एक बहुत अहम सवाल है। हमें अपने इतिहास से ही नहीं बल्कि दुनिया के जितने भी इतिहास हैं, उनसे सबक लेना चाहिये । मैं गलत बात नहीं कहूंगा । हमारे जितने भी बड़े नेता हैं, ये सब भाषा के सवाल पर जो संघर्ष होते रहे हैं, उसकी तुलना में से निकले हुए हैं । गांधी जी का जो असर आजादी से पहले देश पर था वह असर आज नहीं है । सन् १९५० में जब हमने एक अवधि बांध दी थी कि सन् १९६५ के बाद अंग्रेजी खत्म हो जायेगी और राष्ट्र भाषा इस देश में उसका स्थान ले लेगी तो वैसा क्यों नहीं किया जाता है ? ज्यों ज्यों गांधी जी का प्रभाव इस देश में से खत्म होता जा रहा है त्यों-त्यों गांधी के नाम लेवा जो लोग हैं वे हर प्रान्त में भाषाओं को आपस में लड़ा रहे हैं । वे न केवल अपना अहित कर रहे हैं, बल्कि देश के साथ भी अन्याय कर रहे हैं । उन्होंने इन पिछले पन्द्रह सालों में राष्ट्र भाषा को और प्रान्तीय भाषाओं को बढ़ने नहीं दिया । उन लोगों पर अभी भी हम को शक होता है कि वे राष्ट्र भाषा की तरक्की करना चाहते हैं अभी भी उनको राष्ट्र भाषा के साथ प्यार हो, ऐसा दिखाई नहीं देता है । उनका प्यार अंग्रेजी के साथ अभी भी बना हुआ है । सन् १९६५ अभी आया नहीं और अंग्रेजी के मरने से पहले पहले ही उसको और जिन्दगी बरखाने की बात वे कर रहे हैं । मुझे बड़ा शक होता है कि यह सरकार हिन्दी की तरक्की चाहती है । ज्यों ज्यों देश में अष्टाचार और बेईमानी बढ़ेगी त्यों त्यों देश के अन्दर गांधी जी का प्रभाव घटेगा ।

12.10 hrs.

[Dr. SAROJINI MAHISHI in the Chair]

मुझे ऐसा डर लगता है कि कभी ऐसा न कर बैठे कि अनिश्चित काल तक रख कर यह चीज सदियों तक नहीं बल्कि अनिश्चित सदियों तक हम मान बैठें । इस लिये अगर हम हिन्दी को अपनी आफिशल लैंग्वेज अभी पूरी तरह से न बना सके तो कम से कम अंग्रेजी के लिये समय तो नियत कर दिया जाये । है तो यह भी कालिख, देश के विधान का अपमान है । अगर किसी दूसरे देश के अन्दर इस तरीके से विधान बनाने के बाद विधान का अपमान किया जाता तो जनतः इसको कभी सहन न करती । वह लोग जो विधान समा बना कर खुद अपने हाथों से बनाये हुए विधान का अपमान करते हैं उनकी जगह कुर्सिये उज्जारत पर नहीं बल्कि जेलखानों में होती है या उन को फांसी की सजा मिलती है क्योंकि उन्होंने कौम के साथ धोखा किया है, कौम के साथ अपराध किया है । वे इस सवाल पर कौम को कितने पीछे ले गये हैं ? मैं तो निवेदन करूंगा कि अगर इस बात को लज्जा मन्त्री महोदय को हो तो इस सवाल पर उन्हें इस्तीफा दे देना चाहिये । वे फेल हुए हैं भाषा के सवाल पर । उन का धर्म है कि वे इस्तीफा दे दें और दूसरों के लिये जगह छोड़ दें ।

मैं चाहता हूं कि अंग्रेजी के लिये अवधि बांध दी जाये कि सन् १९६५ के बाद ज्यादा से ज्यादा पांच साल लगेंगे जब तक इसको रखा जायेगा । अगर उसके बाद यह कालिख नहीं मिटाई जायेगी तब मैं इस पवित्र सदन में कहता हूं कि आप लोग बाहर भी नहीं बच सकेंगे । जहां हा पर आप के चोट लगी है नीतियों में वहां वहां आप फँस जाते गये हैं । चाहे विदेश नीति हो चाहे सीमाओं की नीति हो, चाहे आप की विकास नीति हो सब जगह इसी तरह हुआ है । यह भाषा तो आपके घर की नीति थी, उसमें भी आप बुरी तरह से फेल हुए हैं । मैं अदब के साथ सदन के सामने निवेदन करूंगा

कि हिन्दुस्तान के करोड़ों ने, लाखों उन शहीदों ने जिस देश के वास्ते कुर्बानी दी है, अगर उस देश के भविष्य को बनाना है, अगर उस देश की भाषा को बनाना है, अगर उस देश की भाषा को जीवित रखना है तो अंग्रेजी को इस जगह से निकाल दो। चाहे राजगोपालाचार्य हों, चाहे पंडित जवाहर लाल नेहरू हों इसके पक्ष में, लेकिन साउथ और ईस्ट दोनों इस बात के लिये तैयार हो जायें, वे चाहे जो भाषा ले आयें लेकिन अंग्रेजी को यहां से निकाल दें। हम सब हिन्दी को बना-येगे। पंडित नेहरू का जो आज रूप है अंग्रेजी का उसका एक रूप तो उभर है और दूसरा रूप इ धर है। आज वे लोगों को आपस में ऐसे लड़ते धतलाते हैं जैसे उनके बीच कोई बड़ी भारी लड़ाई हो। दोनों दूर दूर बैठ कर सम-झौता कर लेते हैं कि आप ऐसे बोलना और आप ऐसे बोलना। दोनों ही अंग्रेजी के पक्ष में...

सभापति महोदय : माननीय सदस्य अब अपना भाषण समाप्त कर।

श्री बागड़ी : मैं एक मिनट में समाप्त करता हूं। दोनों ही एक पक्ष की बात करते हैं। वही पंडित जवाहरलाल जी कहते हैं और वही श्री ऐन्यनी कहते हैं क्योंकि दोनों की एक भाषा, दोनों का एक भविष्य और दोनों का एक प्राण है। अंग्रेजी के जंगल में दोनों घूमते हैं और चाहते हैं कि हिन्दुस्तान के कमरों की कमाई को लूटने के लिये अंग्रेजी हमेशा बनी रहे। लूट हमेशा चलती रहे। इसलिये मैं निवेदन करूंगा कि अंग्रेजी को थोड़ा समय दो। अगर यह कलंक ग्ले भो तो हिन्दुस्तान में केवल थोड़े समय के लिये रहे।

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): Mr. Chairman, I have listened attentively to the speeches in the House but I regret to say that Government do not see their way to accept any

changes except those which are contained in amendments Nos. 158, 159 and 160 which were moved by me.

The first amendment is to lines 9 and 10. There the change proposed is not one of substance but merely of form. It was contemplated in the Bill, as it was introduced, that Parliament shall elect a committee and then after election the President would appoint it. The expression that was used was "the President may appoint". It was pointed out to us that there was some sort of an incongruity between Parliament electing a committee, the committee taking its authority from Parliament and then the President appointing it.

12.44 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

We have, therefore, moved an amendment which tries to remove any sort of incompatibility between the power of appointment and the election of the committee and have made it clear that the committee will owe its authority by election to Parliament. All that is suggested now is that the appointment of the committee will take place on a motion being moved and, as happens in most of these cases, the initiative and the responsibility is now laid upon the executive. That is to say, they will move, or if they do not move then someone else will do it with their authority so that private persons on their own authority and initiative will not be able to initiate the committee unless of course the Government have agreed to it.

Shri Frank Anthony: Will it be a Parliamentary Committee?

Shri Hajarnavis: I think, it will be. For all practical purposes, it will be a Parliamentary Committee. It is intended to be a Parliamentary Committee. It will be a Parliamentary Committee. It is elected by Parliament. It shall function on behalf of Parliament.

[Shri Hajarnavis]

Secondly, we have accepted the suggestion made in the House that this report shall be laid before each House of Parliament. The Hon. Member Mr. Kamath has taken objection to this provision here according to which the responsibility is placed on the President to place the report before Parliament. We have tried to reproduce, as far as possible, the machinery for review which was provided in article 343. Here, though the Parliamentary Committee will make a report, someone has to present it to Parliament. So, by this provision, we provide an agency, merely a mechanism. It will not be left to be decided by the Committee to present the report or not to present the report or to find its own time. The executive itself has been made responsible for presenting the report immediately to Parliament. That has been done.

Shri Frank Anthony: What are Parliament's powers as regards this report will be same *vis-a-vis* any other Parliamentary Committee's report.

Shri Hajarnavis: Entirely.

Shri Frank Anthony: You accept that position.

Shri Hajarnavis: Entirely; that the report, when it is placed before the House, will be a public document, that is, rule 369? Any Report which has been placed on the table of the House becomes a public document. It is, then, certainly intended that it will be followed by discussion either on a motion made by the executive or by any Member as it happens in the case of any other report which is placed on the table of the House. It becomes a public document. I have no doubt in my mind. I have no mental reservation on that.

Thirdly, we have also accepted the suggestion made by several Members of this House that opinions of the State Governments should be ascer-

tained. My hon. friend Mr. Kamath intends to widen this by including consultations with the State Legislatures. I think, a complete answer to that point has been made by the speaker who preceded me. In the case of a parliamentary executive—we have parliamentary executive both in the States and here—what is done by the State Governments at the State level and what we do here is entirely under the authority and with the consent of the legislature. Government here acts under the authority or in accordance with the wishes of Parliament because this is what parliamentary executive means that after Parliament has expressed its views one way or the other during discussion, then certainly Government is bound to carry out the wishes of Parliament. I do not think it is in consonance with the dignity of the House to say that Government shall carry out the wishes of Parliament, because it must. Otherwise, it goes. Therefore, it is wholly unnecessary.

Shri Frank Anthony: My difficulty is this. Will Parliament be able to move any amendment to that report?

Shri Radhelal Vyas: Parliament is sovereign.

Shri Hajarnavis: The motion will always be in the new form that we have evolved, that the report be noted. In that opinions are expressed. Certainly Government will take notice of the opinions expressed in this House. Supposing it does not, let us take a theoretical case in which the majority expresses a certain view and the Government says, we are not going to accept it, there is another method by which to make the Government either to accept the report, accept the view of the majority or the Government will be displaced. It is always responsive to the majority. It must always remain so.

Shri Frank Anthony: Can any motion be moved?

Shri Hajarnavis: The motion as I said that is moved in the consideration of the report is that the Report be noted.

Shri Hari Vishnu Kamath: Takes note of.

Shri Hajarnavis: Takes note of: that is the only thing. In that every Member is free to express any opinion that he chooses.

Shri Frank Anthony: Any amendment categorising the opinion of the House?

Shri Hajarnavis: During the course of the discussion it is not possible. Another motion or resolution can certainly be moved in the House.

As regards the other amendments, a further attempt again, which was defeated yesterday of limiting the use of English to a definite period, we stand by the commitment that English will continue indefinitely without restriction as it has continued so far. Therefore, we will oppose them.

Shri Radhelal Vyas: I am sorry, no clarification has been given on the point which I made out. During the course of these 10 years, should we not expect from the Government what they propose to do to take steps towards the progressive use of Hindi without offending our friends in the south, whether any special office will be appointed, whether it will be in charge of any special Minister so that the duties and obligations imposed by the Constitution will be duly performed?

Shri Hajarnavis: I hope the hon. Member was in the House when I said yesterday that the responsibilities which the Constitution has placed upon us of which the law gives us will be carried out by all known methods of administration. Where a certain responsibility is given to us, all executive steps in realisation of that responsibility will certainly be taken.

Shri Frank Anthony: May I ask one thing? What is the Government's objection to my amendment No. 42 seeking to ensure that Parliament is not side-tracked? All I am asking for is that the report should come to Parliament and the recommendation of Parliament should go to the President. What is the objection to that? That is the normal parliamentary procedure. Why should Parliament be side-tracked?

Shri Hajarnavis: It is never side-tracked. We are continuously responsible to Parliament. The moment the report is placed before the House and an opinion is expressed, certainly the Government will act upon the opinion which is expressed by the House.

Shri Frank Anthony: It is not clear. The next clause only places an obligation on the Government for sending the report to the President. That is precisely what happened last time. When the report went to the President, the President's Order only reproduced the report. That is my difficulty.

Shri Hajarnavis: The President does not act here except on the advice of the executive. The executive is here. It will certainly be here when the matter is debated. Whatever decision is taken by the Ministry, the Ministry is here to listen to the debate, to partake in the debate and express their views. It will be certainly their responsibility. The word President is a synonym for Government, for the executive.

Shri Hari Vishnu Kamath: May I, on a point of clarification, ask the Minister, because he has partly accepted the position that I adumbrated in the course of my remarks on the amendment. But, he has raised, if I understood him aright, an objection to the report being sent to the State legislatures. I do not see why it cannot be sent or should not be sent. If the report will be sent by the President to the State Governments, certainly, it stands to reason that

[Shri Hari Vishnu Kamath]

Parliament can request the President to send the report to the State legislatures. He functions vis-a-vis the State Governments as the executive head. . . .

Mr. Deputy-Speaker: The Government will consult the legislatures.

Shri Hari Vishnu Kamath: How do you say that they will?

Mr. Deputy-Speaker: They are responsible to the legislature.

Shri Hajarnavis: They are free. I express no opinion against.

Shri Hari Vishnu Kamath: Free means that they may or may not.

Mr. Deputy-Speaker: If they do not consult, they cannot function.

Shri Hari Vishnu Kamath: I do not follow.

Mr. Deputy-Speaker: A vote of no-confidence can be moved against them.

Shri Hari Vishnu Kamath: I am sorry this is being flung in our face every time.

Shri Hajarnavis: Shri Kamath is endeavouring to make another speech.

Shri Hari Vishnu Kamath: You need not say that. The Chair is there to guide. You need not usurp the functions of the Chair. You mind your own business.

Shri Hajarnavis: I am raising this point of order.

Shri Hari Vishnu Kamath: Under what rule do you raise the point of order? Show me the rule.

Mr. Deputy-Speaker: Order, order. What is the clarification?

Shri Hari Vishnu Kamath: A Parliamentary committee is guided by—I invite your attention to rules 279 and 280. Therefore, before the amendment of the Minister or mine is put to the vote, of the House, I will raise

the fundamental point of order against the amendment of the Minister that the amendment of the Minister is out of order according to our Rules of Procedure. According to him, in reply to Shri Frank Anthony's question, he has said that it is a Parliamentary committee.

Shri Hajarnavis: I did not say so. I did not answer his question. I said, for all practical purposes, it is a Parliamentary committee.

Shri Hari Vishnu Kamath: This is on record. This is very vital to the growth of Parliamentary institutions, where the rules are set at naught by the Government. He should concede the point. Let him say that he did not say so. He has said.

Shri Frank Anthony: He said, without reservations.

Shri Hari Vishnu Kamath: You have ears to hear. The records can be seen. I raise a point of order. He said that it is a Parliamentary committee. Here are the records.

Shri Nath Pai (Rajapur): Why not refer to the record?

Shri Tyagi (Dehra Dun): Whatever the Minister might have said, the Committee enjoys the same privileges as the committee mentioned and envisaged in the Constitution.

Mr. Deputy-Speaker: Whatever the Minister might have said, the Speaker made it clear yesterday that it is not a Parliamentary committee.

Shri Hari Vishnu Kamath: He did not say so. Let us have the record. That is with regard to another committee. This is a very vital point which must not be brushed aside. It should be seen.

Shri H. N. Mukerjee (Calcutta Central): It can be seen from the Report itself that it was described as a Committee of Parliament. To say that it is not a Parliamentary Committee, is a peculiar abuse of words.

Shri Hari Vishnu Kamath: I do not accept this.

Shri Tyagi: The language is the same as was in the article of the Constitution. Whatever functions were assigned to that committee, the same functions have been assigned to this Committee. Therefore, it will act in the same manner.

Shri Hajarnavis: That is what I said.

Mr. Deputy-Speaker: This is what the Speaker read out yesterday:

"'Parliamentary Committee' means a Committee which is appointed or elected by the House or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker and the Secretariat for which is provided by the Lok Sabha Secretariat."

This Committee reports to the President.

Shri Hari Vishnu Kamath: This was in another context. He read it out not with reference to this.

Dr. L. M. Singhvi: It was a differentiation between a constitutional Committee and a Committee of Parliament. It is in that context that he said this.

Shri Hari Vishnu Kamath: I would urge, there should not be any controversy at the outset whether he conceded that this is a Parliamentary Committee or not: then I would proceed further on the basis of the rules to show that this amendment No. 161 is out of order.

Shri H. N. Mukerjee: This is a Committee not in terms of the Constitution, but in terms of the Official Languages Bill, 1963. Therefore this is definitely a Parliamentary Committee.

Shri Hajarnavis: May I make a clarification? The hon. Member Shri

Frank Anthony asked whether it was a Parliamentary Committee. I said, I do not know. The first sentence, I do not know. But, I said, for all practical purposes. . . .

Shri Frank Anthony: You said, without reservation.

Shri Hajarnavis: I said, for all practical purposes, without reservation, it will function as if it is a Parliamentary Committee. This is what I said or ought to have said.

Shri Frank Anthony: That is very bad.

Mr. Deputy-Speaker: If you do not agree with him, you may throw out the amendment.

13 hrs.

Shri Hari Vishnu Kamath: No, Sir. That is not the way. This amendment is out of order. How can you put it to vote?

Mr. Deputy-Speaker: There is no point of order in this. . . .

Shri Hari Vishnu Kamath: The amendment is out of order, on the basis of the Rules of Procedure of the House.

Mr. Deputy-Speaker: The amendment has been admitted, it has been discussed, and the hon. Minister has replied.

Shri Hari Vishnu Kamath: He has again shifted his ground. How can he possibly do that? . . .

Mr. Deputy-Speaker: We have had a very long discussion already, and if the hon. Members want. . .

Shri Hari Vishnu Kamath: It is very unfortunate that the hon. Minister makes a serious statement and then shifts his ground immediately. . . .

Mr. Deputy-Speaker: I am sorry. If the hon. Member wants he can throw out that amendment. I shall put it to vote.

Shri Hari Vishnu Kamath: I would invite your attention to rules 279, 280 and 283 of the Rules of Procedure.

Mr. Deputy-Speaker: The hon. Minister has replied already.

Shri Hari Vishnu Kamath: He has not replied to the point about the rules.

Mr. Deputy-Speaker: He has replied. If the hon. Member is not satisfied, he can throw out that amendment.

Shri Nath Pai: May I draw your attention to a basic rule that when a Member rises to adumbrate a point of order, or when a Member seeks your guidance to be allowed to raise a point of order, a ruling cannot be given before he adumbrates the point of order? He must be given the latitude to adumbrate. Shri Kamath has only made a mention, but he has not yet been heard to adumbrate his point of order.

Mr. Deputy-Speaker: He has adumbrated it and the hon. Minister has replied also.

Shri Nath Pai: He was only referring to the rules. He has not yet adumbrated his point of order.

Mr. Deputy-Speaker: Shri Kamath had sat down, and the point was replied to also by the hon. Minister.

Shri Hari Vishnu Kamath: He has denied what he had stated earlier. . .

Shri Nath Pai: Is he a *Bramhadeva*? How can he reply before the point of order is adumbrated?

Shri Hari Vishnu Kamath: It is very tragic. The Government is setting a bad example. The Minister makes a statement and changes it the next moment. It is very tragic.

Mr. Deputy-Speaker: Order, order. The hon. Member cannot go on like this.

Shri Hajarnavis: I have not changed it.

Shri Hari Vishnu Kamath: The records will bear me out.

Mr. Deputy-Speaker: Then, why did the hon. Member sit down when he started replying? The hon. Member could have continued and said that he had not yet finished his speech.

Shri Nath Pai: He had not finished.

Mr. Deputy-Speaker: But he allowed him to reply.

Shri Hari Vishnu Kamath: I did not mind hearing the hon. Minister.

Mr. Deputy-Speaker: What is the explanation that the hon. Member wants now from the hon. Minister?

Shri Hari Vishnu Kamath: My point is that if it is a parliamentary committee, rules 279 and 280 of the Rules of Procedure of this House come into operation, and the report cannot go to the President. Therefore, the amendment is out of order. The report must come before Parliament and not be submitted to the President, under our Rules of Procedure. It must come before Parliament under rules 279 and 280.

Mr. Deputy-Speaker: Has the hon. Member finished?

Shri Hari Vishnu Kamath: Yes.

Mr. Deputy-Speaker: What has the hon. Minister got to say on this?

Shri Hajarnavis: Has he raised a point of order? I have not understood the point of order. Will he repeat it?

Shri Nath Pai: Has the hon. Minister not been listening to my hon. friend? Apart from the casual manner in which points of order are treated, the point sought to be raised is this. If it is a parliamentary committee then its report *prima facie* has got to be laid before this House and not be submitted to the President. That is the second stage. We want to know, since he made a statement here

that the committee will be a parliamentary committee, and he repeated it and elaborated it, what he means by that. Then, he said that the committee is a parliamentary committee. If it is a parliamentary committee, then its report must come before this House and not go to the President. We want his help to know what exactly he has in mind on this point.

Shri Hari Vishnu Kamath: The words are categorical. Rule 279 says "In that case, the report shall be presented to the House . . .".

Mr. Deputy-Speaker: Which is the rule to which the hon. Member is referring?

Shri Hari Vishnu Kamath: It is rules 279 and 280.

Shri C. K. Bhattacharyya (Raiganj): These rules have been referred to so many times that by this time we have got them by heart. Since the hon. Minister himself denies that he said that it was a parliamentary committee . . .

Some Hon. Members: He does not deny.

Shri C. K. Bhattacharyya: . . . it is a point of order in the air. My hon. friend is only trying to create a point of order in the air.

Shri Hari Vishnu Kamath: It is very much on *terra firma*; it is not in the air at all.

Shri Hajarnavis: To the question whether this is a parliamentary committee or not, my answer is that it will be a committee which will have all the characteristics of a parliamentary committee. It will have all the characteristics. I did not then say; without further examination and without further consideration, I cannot answer offhand whether it will exactly be satisfying the tests which are given in rule 280. But I went on to say that the function of the President there was merely Ministerial. Just as a committee is appointed and the committee

deliberates, and someone is authorised to present that report, in the committee itself, during the course of the proceedings of the committee itself someone is authorised to present it to the House, in this case, the law itself says that the President will do it, that means the Minister in charge of the Bill will present it. Therefore, the responsibility is cast upon the Minister who advises the President in this behalf to present it to the House. That is all.

The main thing with which I believe my hon. friend Shri Frank Anthony was concerned was this: Will this come to the House? Will it be discussed in this House? These are the most important things which fall to be considered, to which my categorical answer is that it will be coming before the House and it will be discussed in the House.

Shri Frank Anthony: I rise to a point of order. With great respect I say that it would be quite wrong to put this clause to the vote of the House until Government is clear in its own mind. I am sorry to say this. I was beginning to come round to the view that Government was not tortuous in its motive. Now, either it is a parliamentary committee in law or it is not. I want a categorical answer to this question, because on that will depend whether we can even put this to the vote of the House. I do not want 'for all practical purposes'. I want a straightforward and honest answer. Is this in law a parliamentary committee or not? I do not want the phrase 'for all practical purposes'.

Shri Hajarnavis: Whether it is a parliamentary committee or not, it is for the Speaker, and it is for you to decide. (*Interruptions*). It is for you to decide.

An Hon. Member: He cannot decide it. (*Interruptions*).

Shri Frank Anthony: It is trickery. What is all this?

Shri A. C. Guha: The Speaker gave a decision that it was not a parliamentary committee but it was a committee of Parliament.

Shri Frank Anthony: How long are we going to be imposed upon? I said all along that this was a piece of chicanery. Now, the hon. Minister will not tell us simply and honestly whether this is a parliamentary committee or not . . .

Shri A. C. Guha: It is not a parliamentary committee.

Mr. Deputy-Speaker: May I point out this to the hon. Minister? If this is a parliamentary committee, the report will have to be placed before the House. The hon. Minister has to decide, and he has to tell the House, and he has to take the stand whether it is a parliamentary committee or not.

Shri Tyagi: May I submit that even if the Minister calls it a parliamentary committee, it does not become a parliamentary committee only because the Minister says so? The committee remains as it is envisaged. It is a committee as mentioned in the amendment, and that committee shall function in the manner in which Parliament by law decides. Therefore, no interpretation of the committee, whether it is a parliamentary committee or not, can be given by the Minister.

Shri Frank Anthony: How can we vote on it?

Shri Tyagi: It is a committee as envisaged in the Bill, and, therefore, it will have the functions which are prescribed by Parliament.

Shri Frank Anthony: Nonsense.

Shri A. C. Guha: This question was raised yesterday, and the Speaker decided that it was not a parliamentary committee but that it was a committee composed of the Members of Parliament. And he cited similar other cases also. So, a committee composed of Members of Parliament need not be always a parliamentary committee.

Shri Tyagi: You cannot give an interpretation as to what the complexion of the committee will be. *(Interruptions).*

Shri Hajarnavis: May I make my submission to you?

Sari Nath Pai: In that case, how did you drop the words 'The President will appoint'? You are not explaining it.

Shri Hajarnavis: The first test is this that there shall be election by the Parliament of the committee. This committee satisfies the first test of its being a parliamentary committee. That is the first one. The second is that its report shall be placed before Parliament. The report shall be placed before Parliament with this difference that in the case of other parliamentary committees, when the committee has finished its deliberations, there is a motion made authorising some Member or the other to present the report before Parliament. The main thing is the presentation of the report before Parliament.

Here also, this report will come before Parliament and it will be laid on the Table of the House. The law says, instead of leaving it to the committee itself to decide it, who shall do it. The law unambiguously places the responsibility on the President which means the Minister in charge to lay it on the Table of the House.

Shri Frank Anthony: It is deliberate trickery, legal trickery.

Shri Nath Pai: Where does it say that?

Shri Hajarnavis: Therefore, in all the important aspects, namely in its composition, in regard to the destination of the report, it fulfils all the functions of the Parliamentary Committee. Therefore, it is of no avail to go into the barren question whether it is a parliamentary committee or not, because ultimately what is sought to be elicited from us is this.

Will this report come before Parliament? Will it be discussed in Parliament? On this, I said, unreservedly, yes, it will.

Shri H. N. Mukerjee: May I say . .

Mr. Deputy-Speaker: He has given the reply.

Dr. L. M. Singhvi: He has not given the reply.

Shri Tyagi: I also want to raise a point for your ruling.

Mr. Deputy-Speaker: Let Shri Mukerjee speak first.

Shri H. N. Mukerjee: The Committee which was appointed in 1958 was a Committee appointed in terms of article 344(4) and therefore, it followed the particular procedure laid down specifically for it.

Mr. Deputy-Speaker: That is different from this Committee.

Shri H. N. Mukerjee: That is why it was a Committee of Parliament, not a Parliamentary Committee in the fullest sense of the term. Substantially there may be very little difference between the two, but form is very important in parliamentary matters. On this occasion what we are doing is that we are not having a Committee appointed in terms of the Constitution as specifically laid down; we are appointing a Committee as envisaged by the Government of the day in the formulation of the Official Languages Bill, 1963.

Mr. Deputy-Speaker: What is the particular amendment he is referring to?

Shri H. N. Mukerjee: Shri Lal Bahadur Shastri's amendments Nos. 158, 159 and 160—all these refer to the constitution of a Committee on Official Language. This is a Parliamentary Committee in the fullest sense of the term, formally as well as substantially and therefore, this Committee could function only under the autho-

rity and guidance of the Speaker and according to the terms of the Rules of Procedure of this House, not according to any other rules of procedure to be formulated by the President or anybody else.

My submission is that there being a qualitative difference between the Committee which was appointed in 1958 under the terms of the Constitution itself and the Committee which we are envisaging in terms of the Official Languages Bill, we should look upon this Committee as a purely Parliamentary Committee, and the Report of this Committee should be followed by whatever consequences are envisaged in the Rules of Procedure of this House.

Shri Hajarnavis: To which I agree.

Shri H. N. Mukerjee: Therefore, there is a clear distinction between the two, which must be recognised.

Mr. Deputy-Speaker: I think the Minister also agrees with that position.

Shri H. N. Mukerjee: No, Sir. Substantially, there is a difference.

Mr. Deputy-Speaker: He made the position quite clear.

Shri Tyagi: I entirely agree with my hon. friend that the previous Committee was appointed according to the terms of the Constitution. Therefore, he might make a distinction and say that it was a Committee appointed according to the article of the Constitution. This is a Committee which is being appointed according to the proposed clause of this Bill.

Now, as regards the rules of the House, I can well understand that in the ordinary course, those rules must essentially apply unless by Act the Parliament prescribes some terms of reference specifically for the purpose. Now in this clause, the terms of reference are mentioned which are different from those of the usual parliamentary committee. Now, these terms of reference cannot be changed by raising a point of order (*Interruptions*). They

[Shri Tyagi]

can only be changed by moving an amendment to them and giving it the shape of a Parliamentary Committee. So long as the terms of this Committee remain as they are now, it cannot be treated as a Parliamentary Committee in the true sense.

Shri Frank Anthony: Why not?

Shri A. C. Guha: The other Committee was constituted according to the Constitution. This Committee is going to be constituted according to a certain statute passed by this House. This Committee will not be a Parliamentary Committee; it will be an administrative committee to be formed under a special statute. So it cannot be called a Parliamentary Committee as such.

Dr. L. M. Singhvi: The explanation rendered by the Minister to the House is a piece of legislative evasion and circumlocution, if I may say so. We are entitled to know, before this clause of the Bill is put to vote, what the character of this Committee is going to be—not merely that in all important characteristics this would be a Committee of Parliament or that 'for all practical purposes' this would be a Committee of Parliament. The House is entitled to know this from Government. If the Government, as was confessed by the Minister himself, does not know what its meaning is and wants time to consider and explain this matter, further consideration of this proposed clause should be postponed until such time as the Minister can render a more adequate explanation to the House.

Mr. Deputy-Speaker: The Minister of State said that this was in all respects a Parliamentary Committee.

Shri Tyagi: With prescribed terms of reference.

Mr. Deputy-Speaker: He also said that the Report of the Committee would be presented to the House.

Shri Hajarnavis: Yes, Sir.

Mr. Deputy-Speaker: Here to clause 4 of the Bill, his amendment is:

"for 'the President may appoint a Committee consisting of thirty members', substitute 'there shall be constituted a Committee on Official Language, on a resolution to that effect being moved in either House of Parliament with the previous sanction of the President and passed by both Houses . . .'"

The Minister of Home Affairs (Shri Lal Bahadur Shastri): As far as I can understand it, this Committee will be set up under clause 4 of the Bill, and the Report of the Committee will go to the President. A Parliamentary Committee's Report is always submitted to the Speaker. Here it is quite obvious that it has to go to the President. The President will then cause it to be laid on the Table of each House of Parliament. Therefore, this cannot be a Parliamentary Committee (*Interruptions*). This was very clear.

Shri Frank Anthony: The cat is out of the bag now!

Shri Lal Bahadur Shastri: I do not accept Shri Anthony's charge. He has been levelling that kind of charge throughout this discussion.

Shri Frank Anthony: That substantiates my charge. It is a deliberate legal fraud; it is a deliberate legal fraud.

Shri Lal Bahadur Shastri: There is no legal fraud. I am very sorry . . .

Shri Frank Anthony: It is a deliberate legal fraud on the country.

Shri Lal Bahadur Shastri: I cannot lose my temper like him.

Shri Frank Anthony: It is a calculated fraud (*Interruptions*).

Shri Lal Bahadur Shastri: As I said, I cannot lose my temper like him.

Shri Radhelal Vyas: He says it is a fraud. Can he say that?

Shri Tyagi: It is unparliamentary language to say 'it is a deliberate legal fraud'.

Shri Frank Anthony: It is a deliberate legal fraud on the country—what purports to be a parliamentary Committee. I knew they wanted to sidetrack Parliament. Now this shows that they intended all along to sidetrack Parliament.

Shri Tyagi: On a point of order.

Mr. Deputy-Speaker: The hon. Member is an experienced parliamentarian. He should hear what the Home Minister has to say.

Shri Frank Anthony: I am something of a lawyer too. It is a legal fraud on the country.

Shri Tyagi: In Parliament, words like 'deliberate fraud' etc. are unparliamentary (*Interruptions*). According to parliamentary practice, I can say 'It is untrue', but I cannot say 'You are telling a lie'. This is according to parliamentary convention. (*Interruptions*). The hon. Member is a lawyer. It is unparliamentary to say 'deliberate fraud'. I can understand if one were to say, 'It would be interpreted as a fraud', but to say 'deliberate fraud' is unparliamentary. It must be expunged from the records.

Mr. Deputy-Speaker: He said it is a fraud on the Constitution.

An Hon. Member: He repeatedly used the word 'deliberate'.

Shri A. C. Guha: He repeatedly said it was a deliberate fraud.

Shri Lal Bahadur Shastri: The intention of Government from the very beginning was quite clear and obvious. In fact, what clause 4 provided was only this:

"The President may appoint a Committee consisting of 30 members, of whom 20 shall be members . . . to be elected respectively . . . in accordance with the system . . .".

This clause did not clearly bring out what was, in fact, in our mind.

Shri Frank Anthony: Now it has come out!

Shri Lal Bahadur Shastri: Some Members pointed this out and it is in order to clarify the position that I have brought forward this amendment, that the Committee will be constituted on a motion by the Minister and that the Committee will submit its Report to the President. I made it quite clear in my amendment that the Report will be caused by the President to be laid on the Table of the House. Our intention is absolutely honest. What we wanted to clarify was this, that this Report would definitely be caused by the President to be laid on the Table of the House. It will be discussed and naturally Government will take into consideration the views expressed by the Members, and then naturally, the President.

Shri Frank Anthony: Why 'naturally'?

Shri Lal Bahadur Shastri: . . . after obtaining the views of the State Governments, will issue directions thereon. I think there can be no clearer indication of our intention than this.

Mr. Deputy-Speaker: I think there is no point of order, after the explanation of the Home Minister.

I will put the amendments and the clause to vote.

Shri Hari Vishnu Kamath: On a point of order. Apart from the constitutional obligation of article 100, even under the convention of the House, no voting can take place between 1 P.M. and 2.30 P.M.

Mr. Deputy-Speaker: Only division cannot take place.

Shri Hari Vishnu Kamath: There would be a division on this.

Dr. L. M. Singhvi: Yes.

Mr. Deputy-Speaker: We can dispose of amendments. Amendment No.

158. There are several amendments to this clause. Is Shri Anthony pressing his amendments?

Shri Frank Anthony: I am not pressing those verbal amendments to the amendments of the Home Minister.

Mr. Deputy-Speaker: Does he press Amendment No. 168?

Shri Frank Anthony: It does not matter.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw Amendment No. 168?

Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: What about Dr. Singhvi?

Dr. L. M. Singhvi: I am requesting a division on Amendment No. 173. Amendment No. 172 I am not pressing.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw Amendment No. 172?

Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: Amendment No. 164. Shri Ranga is not here.

The question is:

Page 2, line 19,—

after "President" insert—

"shall not take any decision to reduce the position of English in administrative, legislative and judicial work without the concurrence of all the non-Hindi State Legislatures obtained by resolutions passed by three-fourth of the total strength of each Legislature and" (164).

The motion was negatived.

Mr. Deputy-Speaker: Any other amendments to Amendment No. 158? No.

The question is:

Page 2, lines 9 and 10,—

for "the President may appoint a Committee consisting of thirty members",

substitute—

"there shall be constituted a Committee on Official Language on a resolution to that effect being moved in either House of Parliament with the previous sanction of the President and passed by both Houses.

(1A) The Committee shall consist of thirty members". (158)

The motion was adopted.

Shri Ranga: Sir, I thought between 1 and 3 O' Clock there would be no voting.

Mr. Deputy-Speaker: We do not have a division.

Shri Ranga: So far as my amendment is concerned.....

Mr. Deputy-Speaker: I put it to the House. If the hon. Member is not here, what can I do?

Shri Ranga: I took it for granted that this would not be taken up.

Mr. Deputy-Speaker: Only division will not be taken up. The Hon. Member knows the procedure.

Shri Ranga: It is a question of voting and division.

Mr. Deputy-Speaker: His amendment No. 164 was put to the House and lost.

Shri Ranga: I never understood it would be put to the House, because between 1 and 3 P.M. no question would be put to the House.

Mr. Deputy-Speaker: Does he want me to put it to the House again?

Shri Ranga: Yes.

Mr. Deputy-Speaker: The House has already declared. I cannot put it again.

Amendments to Amendment No. 159.

Shri Hari Vishnu Kamath: On amendments Nos. 162 and 166 I want a division. In fact, on all my five amendments.

Mr. Deputy-Speaker: All right. Amendments Nos. 162 and 166 we will hold up.

Amendment No. 169.

Shri Kashi Ram Gupta: Can it be taken up unless the Government amendments are passed?

Mr. Deputy-Speaker: It is an amendment to Amendment No. 159.

The question is:

That in the amendment proposed by Shri Lal Bahadur Shastri, printed as No. 159 in List No. 11 of amendments,—

before “and the President” insert—

“The Committee shall also report on the restrictions (partial or full) needed in connection with further use and continuance of English as an additional official language and while so recommending the final time limit, if any, required for its continuance.”

The motion was negatived.

Mr. Deputy-Speaker: The question is:

That in the amendment proposed by Shri Lal Bahadur Shastri, printed as No. 159 in List No. 11 of amendments,—

after “State Governments” insert—

“In the meanwhile the Government of India and the State Governments, shall from now onwards take such continuous

effective steps (inclusive of non-official co-operation) in a planned and organised way, that introduction and use of Hindi needed in the respective spheres is possible to be done to such an extent as to minimise to the maximum possible extent all chances of continuance of further use of English as an additional official language, by the time the Committee on the subject is constituted and brought into being.”

The motion was negatived.

Mr. Deputy-Speaker: Amendment No. 173 will be held over. Also Government Amendment No. 159 will be held over.

Amendment No. 160 of Government.

Shri Hari Vishnu Kamath: On Amendments No. 163 and 167 I want a division.

Mr. Deputy-Speaker: What about Amendment No. 161?

Shri Hari Vishnu Kamath: He has changed the scheme. It falls to the ground now.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw Amendment No. 161?

Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Shri Hari Vishnu Kamath: My amendment No. 165 is independent of the Government amendment, but I want a division on it. It is a matter of principle. It is a vital amendment.

Mr. Deputy-Speaker: The question is:

Page 2, line 8,—

for “ten years” substitute “five years”. (66)

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2,—

for lines 9 to 15, substitute—

"section 3 comes into force, the use of Hindi language shall be made for all official purposes of the Union and for the transaction of business in Parliament." (67).

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2,—

for clause 4, substitute—

"4. After the expiration of ten years from the date on which section 3 comes into force, that section shall stand repealed, unless Lok Sabha by a resolution passed by it with the majority of votes of the total number of members representing the non-Hindi area constituencies, resolves that the section shall continue to be in force for any further period not exceeding five years." (64)

The motion was negatived.

Shri Radhelal Vyas: I withdraw Amendment No. 129.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw Amendment No. 129?

Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Shri A. C. Guha: I withdraw Amendments Nos. 133 and 135, but it would have been better if the hon. Home Minister's amendments are put first.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw Amendments Nos. 133 and 134?

Hon. Members: Yes.

The amendments, were, by leave, withdrawn.

Shri Balmiki: I withdraw amendment No. 151.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw Amendment No. 151?

Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Shri Frank Anthony: I am not pressing my amendments.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his amendments Nos. 38, 39, 42, 43, 45 and 46?

Hon. Members: Yes.

The amendments were, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

Page 2,—

for lines 8 and 9, substitute—

"4. (1) After the expiration of five years from the date on which section 3 comes into force, the President shall appoint a Committee." (20)

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2,—

after line 18, insert—

"(2A) The President shall cause to be laid before both Houses of Parliament the report of the Committee." (28)

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, lines 8 and 9,—

for "After the expiration of ten years from the date on which

section 3 comes into force" substitute—

"After the expiration of five years from the date on which the Act comes into force." (70)

The motion was negatived.

Mr. Deputy-Speaker: Amendment No. 173 is held over.

The question is:

Page 2, line 15,—

add at the end—

"The Committee shall go into the detailed question as progress of use of Hindi for the official purposes of the Union, and if in its Report it also mentions some sound grounds for further continuance of English, as additional language, the time limit of such use, can be extended by the President upto a period of five years or for ten years by Parliament provided not less than three-fourth of the Legislatures of Non-Hindi speaking States demand and recommend such an extension, by passing Resolutions to the effect on the strength of not less than two-third votes of the Members present on the days fixed for convening the meetings of the respective Legislatures. Thereafter, English shall also cease to be an additional Official Language."

The motion was negatived.

Mr. Deputy-Speaker: Now, 161 is held over.

Shri Hari Vishnu Kamath: 161 is withdrawn by the leave of the House.

The other amendments 162, 163, 165, 166 and 167 are held over.

Shri Prabhat Kar: Sir, I do not press my amendments because of the new amendments of the Home Minister.

Mr. Deputy-Speaker: Has the hon. Member leave of the House to withdraw his amendments?

The amendments were, by leave, withdrawn.

Clause 5— (Authorized Hindi translation of Central Acts, etc.)

Mr. Deputy-Speaker: We shall have a division over the amendments held over at 2.30. We shall now take up clause 5. There are some amendments. Shri Era Sezhiyan is not here and so his amendments are not moved.

Shri Bhakt Darshan (Garhwal): I move my amendments Nos. 135 and 136.

Shri Bade: Sir, I move my amendments Nos. 86, 87, 93 and 96.

Mr. Deputy-Speaker: Shri Onkarlal Berwa—absent. So, not moved.

Shri Bagri: I move my amendments Nos. 153, 154 and 155.

Mr. Deputy-Speaker: Shri Ram Sewak Yadav—not here and so not moved.

Shri Muhammad Ismail (Manjeri): I move my amendments Nos. 89, 94 and 96.

Mr. Deputy-Speaker: Shri Maniyangadan—not here. His amendment is not moved.

Shri Prakash Vir Shastri: I move my amendment No. 91.

Mr. Deputy-Speaker: Shri Frank Anthony is not here. Shri Barrow is not here. That amendment is not moved. Is Mr. Jyotishi moving his amendment?

Shri J. P. Jyotishi (Sagar): I am not moving.

Mr. Deputy-Speaker: Shri P. R. Chakraverti—not here. So, that is not moved.

Shri Hari Vishnu Kamath: I move my amendment No. 138.

Shri A. K. Gopalan (Kesergod): I move my amendment No. 98.

Mr. Deputy-Speaker: Shri H. N. Mukerjee. Is his amendment the same as No. 98? That is all right.

Shri Bhakt Darshan: I beg to move:

Page 2, line 22,—

for "A translation in Hindi" substitute—"A Hindi version" (135).

Page 2, line 32,—

for "a translation of the same in Hindi" substitute—"a Hindi version" (136)

Shri Bade: I beg to move:

(i) Page 2, line 22,—

for "Hindi" substitute "English". (86).

(ii) Page 2, line 28,—

for "Hindi" substitute—"English". (87).

(iii) Page 2, line 30,—

for "English" substitute "Hindi". (93)

(iv) Page 2, line 32,—

for "Hindi" substitute "English" (96)

Shri Bagri: I beg to move:

(i) Page 2, line 22,—

for "Hindi" substitute "English". (153).

Page 2, line 23,—

(ii) for "on and after the appointed day" substitute—

"on and after 26th day of January, 1965". (154).

(iii) Page 2,—

for lines 29 to 33, substitute—

"(2) As from the 26th day of January, 1965, the authoritative text in Hindi language of all Bills to be introduced or amendments thereto to be moved in either House of Parliament shall be accompanied by a translation of the same in English authorised in such a manner as may be prescribed

by rules made under this Act" (155)

Shri M. Muhammad Ismail: I beg to move:

page 2,—

Omit lines 29 to 33. (89).

Page 2, lines 30 and 31,—

omit "or amendments thereto to be moved". (49).

Page 2, line 32,—

after "Hindi" insert—

"and other languages enumerated in the English Schedule of the Constitution". (95)

Shri Prakash Vir Shastri: I beg to move:

Page 2,—

for lines 29 to 33, substitute—

"(2) As from the appointed day, the authoritative text in the English language of all Bills to be introduced or amendments thereto to be moved in either House of Parliament shall be accompanied by an authoritative text in Hindi and by a translation of the same in all official languages of the States adopted under article 345 of the Constitution, authorised in such manner as may be prescribed by rules made under this Act;

Provided that in case of conflict of interpretation between the English and Hindi text of any Bill, amendment or Act, the English version thereof shall prevail for a period of ten years from the appointed day and after that period the Hindi version shall prevail. (91).

Shri Hari Vishnu Kamath: I beg to move:

Page 2, lines 32 and 33,—

for "as may be prescribed by rules made under this Act" substitute—

"as may be prescribed by the Rules of Procedure and Conduct of Business in either House of Parliament". (138)

Shri A. K. Gopalan: I beg to move:

Page 2,—

after line 33, insert—

"Provided that any member expressing his desire in writing to the Speaker of the Lok Sabha that he be supplied with a translation of the same in any other language mentioned in the Eighth Schedule of the Constitution but not in Sanskrit.

Provided further that no member shall be entitled to this other than in Hindi unless the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha is satisfied that the member does not understand either Hindi or English." (98)

Mr. Deputy-Speaker: The above amendments are now before the House.

Shri H. N. Mukerjee: Sir, this clause relates to various Hindi translations of Central Acts, etc. There is a provision here that from the appointed day, 26th January 1965, the authoritative text in the English language of all Bills to be introduced or amendments thereto to be moved in either House of Parliament shall be accompanied by a translation of the same in Hindi authorised in such manner as may be prescribed by rules made under this Act. We support this provision but we want to make an addition and that is why we have put in an amendment which says:

"Provided that any member expressing his desire in writing to

the Speaker of the Lok Sabha that he be supplied with a translation of the same in any other language mentioned in the Eighth Schedule of the Constitution but not in Sanskrit;

Provided further that no member shall be entitled to this other than in Hindi unless the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha is satisfied that the member does not understand either Hindi or English."

Thus we have made this as non-contentious as possible. There are some Members in this House as well as in the other House who are not familiar with Hindi or English and when, very rightly, our own languages come into their own and we have the Hindi version of the authoritative texts of Central Acts and amendments, we should make provision that those who do not understand English or Hindi should be in a position to get copies of these Acts translated for their benefit. The President has been good enough to accord sanction to whatever little financial commitment might be necessary on account of this amendment being accepted. I do believe that this is a very fair, humble and simple request which is only in conformity with the desire of everybody in this House. We want to see that every Member of the House is in a position to follow the proceedings and participate in the proceedings more effectively and that is why we have moved this amendment. With these words I commend our amendment for acceptance by the House.

Shri Hari Vishnu Kamath: Mr. Deputy Speaker, will you kindly read the wording of this clause? Sub-clause 2 says that from the appointed day, the authoritative text in the English language of all Bills to be introduced or amendments thereto to be

[Shri Hari Vishnu Kamath]

moved in either House of Parliament shall be accompanied by a translation of the same in Hindi authorised in such manner as may be prescribed by rules made under this Act. Sub-clause (1) says that a translation in Hindi published under the authority of the President in the Official Gazette on and after the appointed day, of any Central Act or of any Ordinance promulgated by the President, or of any order, rule, regulation, bye-law issued under the Constitution or under any Central Act shall be deemed to be the authoritative text thereof in Hindi. Sub-clause 1 refers to Central Acts or Ordinances or any order, rule, regulation etc., issued under the Constitution whereas sub-clause (2) deals with Bills to be introduced in Parliament and amendments to be moved to those Bills. The authoritative text of the Bill in English has been given a sort of priority and that shall be accompanied by a Hindi translation. Now, the last part of this sub-clause, the tail-piece is rather intriguing: "authorised in such manner as may be prescribed by rules made under this Act." Now, this should be read with clause (8) of the Bill, which is on the next page. Who makes the rules? The Central Government. The Central Government may by notification in the Official Gazette make rules for carrying out the purposes of the Act. The procedure envisaged in clause 5(2) refers to certain procedure and conduct of business in each House of Parliament: how that business shall be conducted, regulated, etc. Therefore, I have moved my amendment No. 138 to this effect.

Mr. Deputy-Speaker: It is not for the conduct of business. It is for giving Hindi or English copies of the Bills that are introduced.

Shri Hari Vishnu Kamath: I am not talking of authentication or the authoritativeness. That is different. It says here about authorising in such manner as may be prescribed by rules.

Mr. Deputy-Speaker: Authorisation has to be done by the Government, whether it is correct translation.

Shri Hari Vishnu Kamath: I am not quite sure.

Mr. Deputy-Speaker: It is not for normal procedure for giving the rule making power. That is about subordinate legislation.

Shri Hari Vishnu Kamath: I thought that some sort of conduct of business might come into it and therefore I have moved my amendment, which says that the matter should be regulated by the rules of procedure.

Mr. Deputy-Speaker: It is only when the rules are discussed here or the Bill is discussed here, the rules of procedure are involved.

Shri Hari Vishnu Kamath: Well, is that the position?
(Interruption).

Mr. Deputy-Speaker: Yes; I think I am correct.

Some Hon. Members: Yes.

Some Hon. Members rose—

Mr. Deputy-Speaker: Shri Bade.

श्री बड़े : माननीय उपाध्यक्ष महोदय, क्लज ५ में इस बात का खुलासा रखा गया है कि कौनसा ग्रायारिटेटिव टैक्स्ट होगा। इस बारे में मैंने क्लज २ में श्री अमेंडमेंट दिया था जो इस प्रकार था :

"'Authoritative text' means the text in Hindi language."

अब आप देखें कि क्लज ५ में लिखा है :

"A translation in Hindi published under the authority of the President in the Official Gazette on and after the appointed day,— . . .

shall be deemed to be the authoritative text thereof in Hindi."

अगर दर असल शासन हिन्दी की प्रगति करना चाहता है तो ग्रायारिटेटिव टैक्स्ट हिन्दी में होना चाहिए या और उसका अनुवाद अंग्रेजी

में होना चाहिए। हो सकता है कि कोर्ट में यह विवाद उठे कि हिन्दी और अंग्रेजी में से कौन सा टेक्स्ट आथॉरिटेटिव है। इसलिए, यह होना चाहिए था कि

The authoritative text should be in Hindi

और उसका अनुवाद अंग्रेजी में होना चाहिए। अगर आप हिन्दी को प्रमुख भाषा बनाना चाहते हैं और अंग्रेजी को सखी भाषा बनाना चाहते हैं तो आपको हिन्दी के टेक्स्ट को आथॉरिटेटिव रखना चाहिए और अंग्रेजी में उसका अनुवाद होना चाहिए था। अगर आप ऐसा नहीं करेंगे तो इससे मालूम होगा कि हिन्दी की इन्फॉरमर पोजीशन है। इस वास्ते मैंने अमेंडमेंट दिया था कि जहाँ हिन्दी है वहाँ अंग्रेजी होनी चाहिए। क्लॉज ५ के सब क्लॉज (२) में लिखा है :

"As from the appointed day, the authoritative text in the English language of all Bills to be introduced or amendments there to be moved in either House of Parliament shall be accompanied by a translation of the same in Hindi authorised in such manner as may be prescribed by rules made under this Act."

इसमें जो लिखा है :

"...as may be prescribed by rules made under this Act."

इससे शंका होती है कि न मालूम वे रूल अलग से क्या बनेंगे। मेरी समझ में नहीं आता। मेरा फिर निवेदन है कि अगर हिन्दी को प्रमुख भाषा मानते हैं तो हिन्दी का टेक्स्ट आथॉरिटेटिव होना चाहिए और उसका अनुवाद अंग्रेजी में होना चाहिए। कोर्ट में अगर विवाद हो तो हिन्दी के टेक्स्ट को देखा जाए यह व्यवस्था करना चाहिए अगर शासन का उद्देश्य हिन्दी को प्रमुख भाषा बनाना है। अभी तक तो शासन यह

घोषणा करता आ रहा है कि हिन्दी को प्रमुख भाषा बनाना है, लेकिन क्लॉज ५ से तो यह स्थिति नहीं रहेगा। इस वास्ते मेरा निवेदन है कि हिन्दी के टेक्स्ट को आथॉरिटेटिव माना जाए। भारतवर्ष में हिन्दी राष्ट्र भाषा होना चाहिए और उसको प्रमुख स्थान मिलना चाहिए और अंग्रेजी उसका दास। हो कर रहे। ऐसा नहीं होना चाहिए कि अंग्रेजी प्रमुख भाषा हो और हिन्दी उसका सखी होकर रहे। इस वास्ते मैंने अमेंडमेंट दिया था।

५

श्री प्रकाशबीर शास्त्री : मैंने जो खण्ड ५ के उपखण्ड २ में अपना संशोधन दिया है उसके शब्द पहले पढ़ कर सुना दूं। वह इस प्रकार है :

"नियत दिन से संसद का किसी सभा में प्रस्तुत किए जाने वाले सब विधेयकों अथवा उनके संशोधनों के अंग्रेजी भाषा के अधिकृत पाठ के साथ हिन्दी में उनका अधिकृत पाठ और संविधान के अनुच्छेद ३४५ के अधिन स्वीकृत राज्यों का सभी राजभाषाओं में इस अधिनियम के अन्तर्गत बनाए गए नियमों द्वारा प्रस्थापित राति से अधिकृत उनका अनुवाद होगा।

परन्तु किसी विधेयक, संशोधन अथवा अधिनियम के अंग्रेजी और हिन्दी पाठ के निर्वाचन में विवाद होने का अवस्था में नियत दिन से दस वर्ष का अवधि तक उसका अंग्रेजी पाठ अधिकृत माना जाएगा, और उस अवधि के बाद हिन्दी पाठ अधिकृत माना जाएगा।"

इस प्रकार से मेरा अपना संशोधन है। जब आपने इस विधेयक का धारा ३ में हिन्दी को प्रमुखता दी है तो गजट में हिन्दी का अनुवाद अधिकृत रूप से आप प्रकाशित करेंगे तो यह दोनों धाराओं में परस्पर विरोध की स्थिति पैदा करेगा। होना यह चाहिए कि अगले दस वर्षों तक यानि सन् १९७५ तक, जितने भी

[श्री प्रकाशवीर शास्त्री]

केन्द्र के विधेयक हैं ये सारे के सारे अंग्रेज़ों और हिन्दी दोनों भाषाओं में प्रामाणिक माने जायेंगे और उनका जो अनुवाद होगा वह सभ्य और भारतीय भाषाओं में होना चाहिए। यह स्थिति सन् १९७५ तक रहेगी। सन् १९७५ के बाद मैं चाहता हूँ कि सरकार फिर वह दुर्बलता न दिखाए जिसके कारण वह अभी तक हिन्दी को उसके आसन पर नहीं बिठा पाया। अगर सन् १९७५ के बाद अगर किसी विधेयक आदि के अंग्रेज़ों और हिन्दी के शब्दों में विवाद का स्थिति पैदा हो तो उस समय हिन्दी के धरान को अधिकृत माना जाएगा ऐसा व्यवस्था होना चाहिए। अभी तो आप समझौता के रूप में अंग्रेज़ों को प्रमुखता दे रहे हैं, लेकिन सन् १९७५ के बाद यह स्थिति नहीं रहना चाहिए। उसके बाद विवाद उठने पर हिन्दी को प्रमुखता मिलनी चाहिए। यहाँ मेरा संशोधन है। मैं निवेदन है कि इस पर गृह मंत्रों द्वारा सम्मेलित से विचार करेंगे। यह हिन्दी का गौरवपूर्ण स्थिति को बनाए रखने में सहायक होगा और इस विधेयक से जो आप चाहते हैं उसके लिए भी इससे लाभ होगा।

Dr. M. S. Aney (Nagpur): Sir, we have passed clause 3 which definitely states as follows:

"Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, the English language may, as from the appointed day, continue to be used, in addition to Hindi,—

(a) for all the official purposes of the Union for which it was being used immediately before that day;.....".

So, it has already been passed. Therefore, the only question before us now is what will be the position of English with regard to passing of the Acts. The Acts may be framed in

English; there was no Commission or any other body in those days for providing translations of the Acts into Hindi. Now, the only thing is, the authoritative text in Hindi is also being provided for. What is stated in regard to English is only the continuation of the practice that has been in existence, and we have already passed clause 3. That is the position. It is a different matter whether one likes it or not. But having passed clause 3, I think there is no other go for us than to accept the position that the English text shall be there and there should also be a Hindi text for which a provision has been made. To that extent, an advance has been made, and so it is incumbent upon the Government to provide a Hindi text also along with the English text. Of course, the Hindi text comes in as a translation of the English text. It is true. That being the case, though the amendment of Shri Bade has been brought forward with the best of motives, it seems to me to be rather difficult to be carried out or accepted by the House.

श्री भक्त दर्शन : उपाध्यक्ष महोदय, पांच दिन की तपस्यापूर्ण प्रतीक्षा के बाद मुझे जो कुछ शब्द बोलने का अवसर मिल रहा है उस के लिए मैं अपने को बड़ा सौभाग्यशाली समझता हूँ।

मैं ने जो संशोधन प्रस्तुत किया है उस की भावना यह है कि संसदीय समिति ने, जो कुछ वर्ष पहले नियुक्त की गई थी, यह सिफारिश की थी कि सन् १९६५ तक अंग्रेज़ी प्रमुख भाषा रहेगी और हिन्दी सहायक राजभाषा रहेगी, लेकिन सन् १९६५ के बाद हिन्दी प्रमुख राजभाषा हो जायगी और अंग्रेज़ी उस की सहायक राजभाषा होगी। इसी योजना को राष्ट्रपति ने अपने आदेश में लिपिबद्ध किया और उस के अनुसार आदेश निकाले गए, और एक प्रकार उसी के आधार पर यह विधेयक भी इस सदन के सामने प्रस्तुत किया गया है। लेकिन जिस प्रकार

की भाषा इस धारा में रखी गई है उस से यही ध्वनित होता है, चाहे गवर्नमेंट के दिमाग में कुछ भी भावना रही हो, कि हिन्दी को वह स्थिति अर्था भी नहीं मिल रही है जो संसदीय समिति ने उस को दी थी और जो गवर्नमेंट का वास्तव में उद्देश्य है।

यहां पर जो संशोधन प्रस्तुत किए गए हैं वे दो बरस सीमाओं के मालूम पड़ते हैं। एक ओर यह स्थिति रखने का प्रयत्न किया जा रहा है कि अंग्रेजी को ही प्रमुखता दी जाय, वहां दूसरी ओर हमारे कुछ मित्रों ने ऐसा संशोधन भी रखे हैं कि हिन्दी को पहले माना जाय और उस के बाद अंग्रेजी को माना जाये। मैं समझता हूं कि यह स्थिति व्यावहारिक नहीं होगी। दोनों की कुछ वर्षों तक, दस या १५ वर्षों तक, साथ साथ चलाना पड़ेगा। इसलिए मैं ने अपना संशोधन दिया है कि इस विधायक में "हिन्दी ट्रान्सलेशन" की जगह "हिन्दी पर्ययन" रखा जाय।

हिन्दी के जो समर्थक हैं, चाहे वे हिन्दी भाषी प्रान्तों के हों या अहिन्दी भाषी प्रान्तों के हों, उन के मन में गवर्नमेंट की मंशा के बारे में आशंका है जैसाकि "शैल" और "मे" के विवाद से स्पष्ट हो गया। उन के दिलों में आशंका है कि क्या अंग्रेजी आगे भी जारी रहेगी। हिन्दी की स्थिति कुछ ऐसी मालूम देती है कि एक पुरुषों के दो पत्नियां हों, और एक के सिर पर राजमुकुट रख दिया जाय—जैसाकि आप ने हिन्दी को संविधान में राज-भाषा मान कर किया है—लेकिन राज दंड दूसरी के हाथ में रहे। तो इस प्रकार शासिका तो दूसरी ही रहेगी। इस भेद को मिटाना आवश्यक है। मैं समझता हूं कि जो राज्य मंत्री जी सदन में बैठे हुए हैं वे थानूनी मामलों के धुरंधर विद्वान् हैं। मैं समझता हूं कि उन्हें इस के अंदर कोई भी कानूनी अड़ान नहीं होनी चाहिए। अगर इस संशोधन का स्वीकार कर लिया जाय तो बीच का रास्ता निकलता है। इस से कोई बड़ा परिवर्तन भी नहीं होता है। यह एक भावना का प्रश्न है और उस के द्वारा वे हिन्दी भाषी लोगों की ओर हिन्दी

के समर्थकों की भावना का आदर करते हैं। इन शब्दों के साथ मैं अपने संशोधनों का समर्थन करता हूं।

श्री दागड़ी : उपाध्यक्ष महोदय, मैं ने भी इस कलाज पर अमेंडमेंट्स दिये हैं। जैसे तो बहुत बड़ी चल रही है, चर्चा बड़ी चल रही है और दिखावा ऐसा किया जा रहा है जैसे अंग्रेजी को मिटा कर हिन्दी बना रहे हैं लेकिन दरअसल उस के पीछे जो इतिहास काम कर रहा है और जैसा कि सरकारी वेंचों की तरफ से दरअसल कोशिश है कि किसी तरीके से अंग्रेजी आगे भी चलती रहे। चूंकि हिन्दी को देश में पूरी तरह से राजभाषा के रूप में लागू करने के लिए सरकार ने १५ साल की अवधि निश्चित की थी, इस तरह की घोषणा सरकार ने की थी, इसलिए जनता उस निश्चय को ले कर सरकार को पकड़ सकती थी क्योंकि इस सरकार ने जनता का पैसा खजाने से ले कर उस निश्चय को पूरा नहीं किया था। इसलिए आज सरकार इस विधेयक रूपी नशे के द्वारा भोली भाली जनता को गार्फिल कर के अंग्रेजी को अनिश्चित काल के लिए जारी रख रही है। सरकार की कयनी और करनी बिलकुल अलग है और बिलकुल उलटी है। कयनी तो यह है कि अंग्रेजी हिन्दी के अतिरिक्त एक रखी भाषा के रूप में जारी रहे लेकिन करनी में यह होता है कि अंग्रेजी मेन भाषा रहेगी और हिन्दी ऐडिशनल यानी सहायक जवान होगी। जितने भी बिल, गज़ट और अन्य सरकारी दस्तावेज होते हैं वे छपे अंग्रेजी में और उन का ट्रान्सलेशन हिन्दी में होगा। अब यह एक बिलकुल विपरीत बात है और हिन्दुस्तान की गरीब जनता के साथ इस सरकार ने भाषा के प्रश्न पर जो विश्वासघात किया है उस को लम्बा चलाने के लिए और उसे धोखे में बनाये रखने के लिए यह सब पड़्यंत्र रचा जा रहा है।

मेरे संशोधन केवल संशोधन ही नहीं हैं बल्कि वे अश्लियत दी और ले जाने वाले हैं और संविधान में हिन्दी के बारे में

[श्री बागड़ी]

जो स्पष्ट निर्देश है उस की पूर्ति की ओर एक कदम है। अगर उन को स्वीकार नहीं किया जाता है तो फिर यह अतलियत और कानून के साथ एक किस्म की हेराफेरी हो जाती है।

जैसा कि धारा ३ में पाठ किया गया है सारे बिल और सारी आप की लिखत-पढ़त अंग्रेजी में ही होगी। इसलिए मैं ने अपने संशोधन दिये हैं कि हिन्दी को उस की उपयुक्त जगह दो और संविधान के निर्देशों का भ्रमल किया जाय। सन् ६५ के बाद सरकारी दल के लोगों को जनता के सामने फिर जाना है इसलिए वह अपना मौजूदा रवैया छोड़े और हिन्दी को गौरव की जगह दे।

Shri Hajarnavis: Sir, I express my gratitude to the hon. Member, Dr. Aney, who has already answered some of the doubts which had been raised by Mr. Bade. When it is permissible to use both languages, it would be necessary to provide authoritative texts in both languages. Law, as I said yesterday, is one; it is the will of the legislature, the law-making authority. That is the rule which is applied in the courts. That will may be expressed in more than one place in more than one language. To say that one is more authentic than the other, when both the languages are permissible, I think, is not to understand the function of the texts.

Questions were raised about what would happen if there happened to be a discrepancy between the two texts. It often happens, when the law is in one statute in one language, one part of it appears to be somewhat contradictory and somewhat different from the law earlier expressed. What does the Judge do then? He reconciles both. Similarly, if there are two texts before the court, assuming that he is invited to consider both the texts, he will know that they express the same objective reality and he will try to reconcile them. So, there is nothing like one text being more authoritative than the other.

At this stage, I would mention that the courts give effect to what is called customary law. Customary law is nowhere written in the texts; yet is i.e. enforced in courts. The courts take evidence and find out, after considering conflicting evidence, what is exactly the law. So, even if there are three texts—one English, one Hindi and one regional language—the court will certainly find out what the law is. It is not the intention that one text, so long as it is authoritative, should have a greater validity than the other. Therefore, acknowledging my debt to Dr. Aney, I oppose Mr. Bade's amendment.

So far as Mr. Prakash Vir Shastri is concerned, his amendment is couched in very sober language. But it does try to bring in a limit to the phase of bilingualism, which we have not accepted. Therefore, I regret to say that I oppose his amendment.

Coming to the word 'version' as against 'translation', again it appears to be based on an assumption that the word 'translation' gives some sort of inferior status.

Some Hon. Members: Yes.

Shri Hajarnavis: We speak of translation from Hindi to English and from English to Hindi.

Shrimati Jayaben Shah (Amreli): May I seek a clarification? After 1965, the Bills will be introduced in Hindi and English. But what will be the main language used after 1965? Then the question will arise about the translation.

Mr. Deputy-Speaker: He explained it a little earlier.

Shri Hajarnavis: If I were free to choose, I would choose the word 'version', which is a good word, but I find that the Constitution itself in article

348(3) uses the word 'translation'. It says:

"a translation of the same in the English language....shall be the authoritative text thereof...."

As you are aware, in courts, when we depart from a phraseology which has been used in an earlier Act, the intention is attributed to us of doing something which is different from the earlier Act. Here we are doing exactly the same thing. All lawyers are aware that the phrase "deemed to be" imports a legal fiction. That is to say, we are bidden to imagine a certain set of facts to exist on the happening of a certain event. What is the event? The event is the translation. If it is translated and if the translation is published in the Official Gazette under the authority of the President, then it shall be deemed to be authoritative text. So, if the dispute arises as to what is the authoritative text, the proof will be given of the fact that this is a translation which has been published under the authority of the President in the Official Gazette. Then, it shall be deemed to be authoritative text. So, that being the phraseology used earlier in the Constitution, the draftsmen have copied it, on account of the fear that if we depart from it and use a different phraseology, it might mean that we are doing something else, which we are not. Therefore, I regret I have to oppose this amendment also.

Shri Hari Vishnu Kamath: If there is any conflict between the authoritative text in Hindi and the authoritative text in English about any particular word or phrase, which will be more authoritative or really authoritative?

Shri Hajarnavis: I have already answered it.

Shri C. K. Bhattacharyya: That is all speculation.

Mr. Deputy-Speaker: Does the hon. Member, Shri Bhakt Darshan, press his amendments?

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श्री भक्त दर्शन : वे हमारे मिनिटर साहब हैं । मुझे अपने संशोधन वापस लेने ही पड़ेंगे ।

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his amendments?

Some Hon. Members: Yes.

The amendments, were, by leave, withdrawn.

14 hrs.

Mr. Deputy-Speaker: Is Shri Bade pressing his amendments?

Shri Bade: Yes, Sir; I press my amendments Nos. 86, 87, 93 and 96. They may be put together.

Mr. Deputy-Speaker: What about Shri Bagri?

Shri Bagri: I press my amendments Nos. 153, 154 and 155.

Mr. Deputy-Speaker: What about the amendments of Shri Muhammad Ismail?

Shri M. Muhammad Ismail: I press my amendments 89, 94 and 95.

Shri Prakash Vir Shastri: 91.

The amendments were put and negatived.

Mr. Deputy-Speaker: What about the amendment of Shri Kamath?

Shri Hari Vishnu Kamath: I am not pressing.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his amendment No. 138?

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: Is Shri Gopalan pressing his amendment?

Shri Prabhat Kar: No, Sir.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his amendment No. 98?

The amendment was, by leave, withdrawn

Mr. Deputy-Speaker: The question is:

"That clause 5 stands part of the Bill".

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6—*Authorised Hindi translation of State Acts in certain cases.*

Mr. Deputy-Speaker: What are the amendments that hon. Members want to move to this clause? Is Shri Bhakt Darshan moving his amendment?

श्री भक्त दर्शन : जी नहीं । इस लिए कि मेरे तर्क भी बही है और उन का उत्तर भी बही है ।

Shri M. Muhammad Ismail: Sir, I beg to move:

(i) Page 2, line 37,—

omit "in Hindi, in addition to a translation thereof". (99)

(ii) Page 3, line 1,—

for "Hindi" substitute "English" (102).

(iii) Page 3, line 3,—

for "Hindi" substitute "English" (103).

Shri Prabhat Kar: Sir, I beg to move:

Page 3,—
for lines 1 to 3 substitute—

"Gazette of that State. The text in the official language prescribed by the State Legislature shall be deemed to be the authoritative text thereof. The Hindi text of the same, will be authorised in such manner as may be prescribed by rules made under this Act if there is a divergence of opinion regarding the Hindi translation." (101)

Shri Prakash Vir Shastri: Sir, I beg to move:

Page 3,—

after line 3 insert—

"Provided that in case of conflict of interpretation between the text of any such Act or Ordinance in the official language of a State and in Hindi, the version in official language thereof shall prevail for a period of ten years from the appointed day and after that period the Hindi version shall prevail." (104).

Shri Bagri: Sir, I beg to move:
Page 3,—

after line 3, insert—

"(2) Immediately after the end of January, 1965 the State Legislatures shall transact business in their own regional languages." (156)

Shri Prabhat Kar: Sir, in clause 6 it is said:

"...on or after the appointed day under the authority of the Governor of the State in the Official Gazette of that State and in such a case, the translation in Hindi of any such Act or Ordinance shall be deemed to be the authoritative text thereof in the Hindi language".

I have suggested in my amendment No. 101:

"The text in the official language prescribed by the State Legislature shall be deemed to be the authoritative text thereof. The Hindi text of the same, will be authorised in such manner as may be prescribed by rules made under this Act if there is a divergence of opinion regarding the Hindi translation".

Sir, the whole discussion will be transacted in the official language and the Bill that will be passed also will be in the official language which has

beer, accepted by the State. When a resolution, ordinance or a Bill has been passed in the official language, the authoritative text of that particular legislation should be in that particular language. The authoritative text of that legislation cannot be in a language in which it has not been discussed or in which it has not been taken into consideration at the time of discussion in the House. Therefore, the original language or the official language of the State should be the language of the authoritative text, and the Hindi text of the same may be authorised in such manner as may be prescribed by rules made under this Act. That is my suggestion. Otherwise, if the authoritative text is to be in Hindi, it will be a completely new thing to the Legislature and it will not be in the language in which it was discussed by them.

श्री प्रकाशवीर शास्त्री : उपाध्यक्ष महोदय, मैं ने विधेयक के वर्तमान खण्ड ६ के बाद इतना अंश और जोड़ने का संशोधन दिया है :

“परन्तु यह कि ऐसे किसी अधिनियम या अध्यादेश के किसी राज्य की राज-भाषा और हिन्दी के पाठ के निर्वाचन में विवाद होने की अवस्था में, नियत दिन से दस वर्ष की अवधि तक उस राज्य की राज-भाषा के पाठ को अधिकृत माना जायेगा और उस अवधि के बाद हिन्दी पाठ को अधिकृत माना जायेगा ।”

इस संशोधन का अभिप्राय स्पष्ट है और इस को और अधिक व्याख्या करने की आवश्यकता नहीं है । दस वर्ष तक तो उन राज्यों की राज-भाषा का पाठ प्रामाणिक माना जाये और दस वर्ष के बाद, जबकि वे राज्य हिन्दी को अच्छी तरह से समझने के योग्य हो जायेंगे, अगर कोई विवाद होगा, तो हिन्दी के

पाठ को प्रामाणिक माना जाये, क्योंकि वह हो देश की प्रमुख भाषा उस समय होगी । मेरे संशोधन का यहाँ अभिप्राय है ।

श्री बागड़ी : उपाध्यक्ष महोदय, मेरे संशोधन का मतलब यह है कि जनवरी, १९६५ के बाद प्रान्तीय सरकारें, फॉरन हॉ अपना काम काज अपनी अपनी प्रान्तीय भाषाओं में चलाये । अगर यह निर्वाचन माना जाता है, तो इस का मतलब यह है कि हम वास्तव में प्रान्तीय भाषाओं और अलग अलग रिजन्स की भाषाओं की उन्नति चाहते हैं । अगर प्रान्तीय भाषाएँ, इलाकाई भाषाएँ और मातृ भाषाएँ तरक्की करेंगी, तो राष्ट्र-भाषा के बारे में संघर्ष नहीं होगा । जब तक हम इन प्रान्तीय भाषाओं और मातृ-भाषाओं की उन्नति नहीं करेंगे, तब तक हिन्दी और अंग्रेजी का संघर्ष चलता रहेगा । अगर सरकार इस संशोधन को मान लेता है, तो इस सम्बन्ध में एक बहुत बड़ा संकट मिट जाता है और अंग्रेजी भाषा को निकालने में सहायता मिलता है । अगर सरकार को तरफ से यह संशोधन नहीं माना जाता है और फिर भी यह कहा जाय कि इस देश में प्रान्तीय भाषाओं का उत्थान और तरक्की हो, तो वह उस के अपने कथन के विपरीत होगा । इसलिए मैं निवेदन करूँगा कि इस संशोधन को मान लिया जाये ।

Shri Hari Vishnu Kamath: Sir, on a point of clarification, may I ask one question? This clause refers to non-Hindi-speaking States. That is to say, where the legislature of a State which is a non-Hindi-speaking State—your State, Sir, is a non-Hindi State—has prescribed a language other than Hindi—Kannada in Mysore or Malayalam in Kerala—then what will happen? Will the Government of that State publish.....

Mr. Deputy-Speaker: Both Hindi and English texts.

Shri Hari Vishnu Kamath:—no, no—..... also text of the Act or

[Shri Hari Vishnu Kamath]

Ordinance, whatever it is, in the regional language also as the authoritative text?

Mr. Deputy-Speaker: I think so.

Shri Hari Vishnu Kamath: That is what I want to know.

Shri Warior (Trichur): Sir, there are certain States which have not accepted as yet the regional language as the official language. Those States will not be publishing the texts of Acts etc., in the regional language in the Official Gazette unless it is provided here. Here there is a provision for publishing them in Hindi and English, but not in the regional language.

Mr. Deputy-Speaker: Here it is said: "Where the Legislature of a State has prescribed any language other than Hindi..." The clause is quite clear. Therefore, the doubt raised by the hon. Member does not arise.

Shri Warior: This means that if it is passed in the English language there is no necessity for publishing it in the regional language.

Mr. Deputy-Speaker: Where any State Legislature has accepted a regional language as the State language, they are bound to publish it in the regional language.

Shri Warior: Supposing the State Legislature has not accepted the regional language as the State language.

Mr. Deputy-Speaker: Then they would not publish it in the regional language.

Shri Hari Vishnu Kamath: The short point is, in those States will the translation into that particular regional language be deemed to be the authoritative text and the English text will be given a subordinate position?

Shri Warior: Then, Sir, I also want to support what Shri Prabhat Kar

has said by amplifying it. In the transitional period the translation in Hindi is going to be the authoritative text. What is going to happen in a State like Kerala, Mysore or Madras. The whole discussion in the Legislature will be either in English or in the regional language and when the authoritative text comes in Hindi neither those people who discussed it nor even the officials sitting there will be able to say whether it reflects the actual discussion that took place in the Legislature. The authoritative text may be at variance with the ideas expressed in the House.

Mr. Deputy-Speaker: Supposing a decree obtained in Kerala Court goes to Uttar Pradesh for execution, they will require an authoritative text.

Shri Warior: That is for decrees from courts.

Mr. Deputy-Speaker: It is to enable such occasions that this provision has been made.

Shri Warior: For that purpose also, if in the transitional period Hindi authoritative text is to be there, what will happen? Take the case of a decree from the Calcutta High Court. If the authoritative text of that is sent in Hindi, what will be the position?

Shri Radhelal Vyas: The English translation will be there.

Shri Warior: But the final authoritative document will be in Hindi, that judgment will be in Hindi. If there is a conflict between the English and Hindi translation, then, naturally, we depend upon the Hindi text. But, can you expect at the present juncture, or even for some years to come, an authoritative Hindi version of what is intended by the Bench of the Kerala, Mysore or Madras High Court? I doubt it very much. So, it will be going against even the ideas entertained by the Bench of the Madras, Kerala or Mysore High Court and a very different interpretation may be given when it is translated in Hindi, which

will adversely affect the parties. We have so many other arguments also. Granted that Hindi version be the authoritative document. What will be the position, especially in the South, where there is so much hesitation in accepting this proposition? So, I think this amendment must be accepted.

Shri Himmatsingka (Godda): I think this clause requires some clarification. Clause 6 contemplates a State Legislature adopting some language other than Hindi—Malayalam, Tamil or Telugu. In such cases, the translation will be both in Hindi and English, and when there is a conflict between these two or three languages, the translation in Hindi will prevail. Does this clause contemplate two languages or three languages? If a Legislature adopts a language other than Hindi, that will be the official language of that State. So, certainly, the text in that language will be the authoritative text. If there is a translation in Hindi and English, the clause provides that the Hindi version will be the authoritative text. But, will it override the official language of the State or will it override only the English translation? That ought to be cleared. The clause is not clear, so far as the conflict between Hindi and the official language of the State is concerned. I think that ought to be cleared. I take it that the text in the official language of the State is the authoritative text and if there is a conflict between Hindi and English, the Hindi text will be preferred. This clause ought to be clarified so that there will be no difficulty in interpretation.

14.13 hrs.

[MR. SPEAKER in the Chair]

Shri Hajarnavis: First of all, under article 345, the State Legislatures are empowered to adopt any language they choose as the official language of the State. It says:

"Subject to the provisions of articles 346 and 347, the Legisla-

ture of a State may by law adopt any one or more of the languages in use in the State or Hindi as the language or languages to be used for all or any of the official purposes of that State."

But, article 348(1) says:

"Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides—

(b) the authoritative texts—

(i) of all Bills to be introduced or amendments thereto to be moved in either House of Parliament or in the House or either House of the Legislature of a State,

(ii) of all Acts passed by Parliament or the Legislature of a State.....

shall be in the English language."

So, if clause 6 does not become law, as heretofore, the Bills etc. will have to be in English.

Then I come to sub-clause (3) of article 348. It says:

"Notwithstanding anything in sub-clause (b) of clause (1), where the Legislature of a State has prescribed any language other than the English language for use in Bills introduced in, or Acts passed by, the Legislature of the State.....a translation of the same in the English language.... shall be deemed to be the authoritative text thereof in the English language under this article."

So far as clause 6 is concerned, it says that in addition to English, which is prescribed under article 348(1), there will be also a Hindi translation, if it is decided by the State Legislature that it will carry on its business in the regional language. Therefore, I might make it clear that what takes

[Shri Hajaranavis]

place is, when there are three authoritative texts in three different languages, none is superior to the rest. That is what I said yesterday, and that is what I say today. It attempts to convey in three languages the will of the Legislature or the will of the House.

Mr. Speaker: Now I will have to put these amendments to the vote of the House. Am I required to put any amendment separately?

Shri Prabhat Kar: Yes, amendment No. 101.

Shri Dasappa: Sir, could I say a word on clause 6?

Mr. Speaker: Now? After the Minister has already replied? I am sorry. Now I will put amendment No. 101 to the vote of the House.

The question is:

Page 3,—

for lines 1 to 3, substitute—

"Gazette of that State. The text in the official language prescribed by the State Legislatures shall be deemed to be the authoritative text thereof. The Hindi text of the same will be authorised in such manner as may be prescribed by rules made under this Act if there is a divergence of opinion regarding the Hindi translation." (101).

The motion was negatived.

Mr. Speaker: I will now put all the other amendments to the vote.

The amendments were put and negatived.

Mr. Speaker: The question is:

"That clause 6 stands part of the Bill".

The motion was adopted.

Clause 6 was added to the Bill

Clause 7.—(Optional use of Hindi or other official language in judgements, etc., of High Courts).

Shri Radhelal Vyas: Sir, I beg to move.

Page 3, lines 6 and 7,—

omit "in addition to the English language". (110).

Shri H. N. Mukerjee: I beg to move:

(i) Page 3, line 6,—

omit "Hindi or". (108).

(ii) Page 3, line 11,—

after "English" insert "and Hindi" (112).

My amendments are very simple. On page 3, line 6, I want to omit the words "Hindi or". Clause 7 reads:

"As from the appointed day or any day thereafter, the Governor of a State may, with the previous consent of the President, authorise the use of Hindi or the official language of the State, in addition to the English language, for the purposes of any judgment, decree or order passed or made by the High Court for that State....."

I do not see any point in having Hindi mentioned here specifically because the "official language of the State" will cover those Hindi-speaking areas where Hindi is the official language of the State. My feeling is that this would mean that the non-Hindi areas would have the obligation or an alternative possibility of having Hindi also to be used for the purposes of any judgment, decree or orders passed or made by the High Court. I think it is a very simple amendment and it should be accepted.

My other amendment, amendment No. 112, wishes to add the words "and Hindi" after the word "English". When there is use of Hindi or other official languages in judgments etc. it

is necessary to have a translation of the same in the English language. When the official language of the State alone is used, a translation should be made available under the authority of the High Court so that there is no difficulty at all. I only want a verbal change in order to assuage any remote possibility of suspicion on the minds of the non-Hindi speaking States in the country, and I make special provision for the Hindi language also, wherever it is necessary, and that is why I have moved these amendments.

श्री राधे लाल व्यास : (उज्जैन) :

अध्यक्ष महोदय, मुझे ख़ुशी है कि आदरणीय शास्त्री जी यहां पर हैं, मैं उन के सामने अपने विचार रखना चाहता हूं। क्लॉज ७ की लाइन ६ में जो "इन ऐडिशन द इंग्लिश लैंग्वेज" है उस को निकालने के लिए मेरा संशोधन है। मैं सदन के सामने यह बतलाना चाहता हूं कि इस संविधान के अमल में आने से पहले ग्वालियर स्टेट में, जिस का मैं बांशिदा हूं, सन् १९४८ तक हाई कोर्ट में सब प्रोसीडिंग्स में डेफ़ी, जजमेंट्स सब हिन्दी में लिखे जाते थे और जब यूनाइटेड स्टेट आफ मध्य भारत बना तब भी सन् १९५० के पहले तक हाई कोर्ट की सब प्रोसीडिंग्स, जजमेंट्स, डिफ़ी, आर्डर्स वगैरह केवल हिन्दी में ही होते थे। आज जो हमारे मध्य प्रदेश हाई कोर्ट के चीफ जस्टिस हैं वे उस समय मध्य भारत हाई कोर्ट में भी जज थे। वे सब जजमेंट्स हिन्दी में लिखा करते थे। क्या "इन ऐडिशन टू इंग्लिश लैंग्वेज" के माने यह है कि आज राज्य सरकार यह करे कि हालांकि हम ने इस संविधान का पालन किया था लेकिन जो हमारा अधिकार था उस को हम छोड़ते हैं और दूसरी भाषा ग्रहण करते हैं देश को एक समान करने के लिये ? हालांकि संविधान कहता है कि आगे चल कर के वहां जजमेंट्स डेफ़ी आर्डर्स वगैरह प्रादेशिक भाषा में हो सकते हैं और इस के लिये पालियामेंट कैन प्रोवाइड बाई ला कि इंग्लिश हटा सकते हैं, तब मेरी समझ

में नहीं आता कि क्यों वहां पर अब इंग्लिश रक्खी जाये जबकि वहां की राज्य सरकार नहीं चाहती, वहां की प्रजा नहीं चाहती। यह तो एक एनेबलिंग चीज है। इस में लिखा है : **वि गवर्नर मे, इफ वि प्रेजिडेंट प्रिन्ट्स**। कोई यह तो है नहीं कि यहां पर "शेल" हो। मेरा निवेदन है कि कम से कम इतनी गुंजाइश तो दें कि अगर कोई राज्य केवल हिन्दी में या केवल प्रादेशिक भाषा में अपने जजमेंट्स लिखना चाहें तो उन्हें उस तरह से लिखने की आज्ञा होनी चाहिये। इस में कोई रुकावट नहीं होनी चाहिये, यह नहीं होना चाहिये कि अगर कोई जज हठधर्मी करे कि मैं तो इंग्लिश में ही लिखूंगा तो उस को इंग्लिश में लिखने की आज्ञा होनी चाहिये। इंग्लिश ट्रांसलेशन की व्यवस्था आप ने की कि अगर हिन्दी में होगा या प्रादेशिक भाषा में होगा तो इंग्लिश ट्रांसलेशन होगा ही, सुप्रीम कोर्ट में आया तो ट्रांसलेशन रहेगा। उस के टेक्स्ट के इंटरप्रेटेशन में कैसे गलती हो सकती है ? बिलों के टेक्स्ट्स में तो गलती हो सकती है, कानून के दो टेक्स्ट्स हो सकते हैं, लेकिन जो जजमेंट्स होते हैं, जो लिखावट में होता है उस में कैसे इंटरप्रेटेशन में गलती हो सकती है। उस का मीटर एक होता है, सबस्टेंस एक होता है, चाहे वह इंग्लिश में लिया जाय या हिन्दी लिखा जाय, चाहे ट्रांसलेशन हो।

मैं नम्रतापूर्वक कहूंगा कि कांस्टिट्यूशन के जरिये जो हमारा हक छीना गया है उस को देने की कृपा करें, हम पर इस इंग्लिश को न थोप, राज्य के ऊपर इंग्लिश न थोप जोकि इंग्लिश को हटाना चाहता है ; कांस्टिट्यूशन भी कहता है कि इंग्लिश को हटाना चाहिये : अगर यह प्रतिबन्ध हमारे ऊपर हमेशा के लिए लगायगे तो यह मुनासिब नहीं होगा। मैं कहना चाहूंगा कि यहां पर "इन ऐडिशन टू इंग्लिश" बिल्कुल रिडन्डेंट है। इस पर गंभीरतापूर्वक सोच कर कम से कम मेरा यह

[श्री राधे लाल व्यास]

अमेंडमेंट स्वीकार कर लेंगे तो उस का स्वागत होगा, साथ ही जो कांस्टिट्यूशन की स्प्रिट है कि कहीं न कहीं तो रेस्ट्रिक्शन लगाया जाय, उस स्प्रिट को इस रूप में मंजूर किया जाय ।

श्री भक्त दर्शन : अध्यक्ष महोदय, इस विषय में मुझे कोई लम्बी बात नहीं कहनी है । केवल एक बात पूछनी है कि ७वीं धारा में केवल हाई कोर्ट के सम्बन्ध में व्यवस्था की जा रही है, लेकिन क्या गवर्नमेंट सोचती है कि कभी भी, दस साल बाद, बीस साल बाद, ऐसा भी होगा कि सुप्रीम कोर्ट में हिन्दी या प्रादेशिक भाषाओं को स्थान मिल सकेगा ? क्या इस पर भी विचार किया जा रहा है ?

Dr. L. M. Singhvi: My submission is very brief. The confusion in which this clause is shrouded gave me reason in the first instance to rise to oppose it, but I feel that because the expression "in addition to the English language" does not mean that any other language, either Hindi or a regional language, could be used as an alternate language, I would rather support the clause as it is worded. There is, however, one difficulty that arises because of the amendments tabled by my hon. friend, **Shri Vyas** and some others. The difficulty is that they want to provide for the untrammelled use of Hindi in certain States which authorise the use of Hindi for Government in High Courts. Although I support the cause of Hindi with all my heart, I feel that if Hindi or any link language for all judgments in the country is not provided for, then it may hurt the judicial and legal unity which we have achieved in this country. Therefore I support the clause as it is worded expressing the hope that it would become possible progressively to provide for the use of Hindi even in the judgments of High Courts and where regional language is adopted in the High Courts the Hindi translation would be stipulated.

Dr. Ranen Sen (Calcutta East): I want to say a few words in support of the amendment moved by **Shri H. N. Mukerjee**, namely, amendment No. 108. There is apprehension in the minds of people residing in the non-speaking areas that while it is being pushed through the regional languages will generally and gradually be eclipsed. Therefore in order to allay the suspicion or the apprehension of the people of the non-Hindi-speaking areas, this amendment might be accepted.

It says here:—

"authorise the use of Hindi or".

The words "Hindi or" may be omitted. If only this is said, namely, "the official language of the State", then that suspicion which is there in the minds of the people of the non-Hindi-speaking people will be allayed and real purpose of developing the Hindi language as well as the official regional languages of the various non-Hindi-speaking States will be served.

Shri Hari Vishnu Kamath: May I by your leave, raise a point of order with regard to this clause? I would invite your attention to article 348. Article 348 says:

"Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides—

(a) all proceedings in the Supreme Court and in every High Court,

shall be in the English language."

as also the authoritative texts etc. It says that the proceedings of the Supreme Court and of every High Court shall be in the English language. Now, there is no specific provision here as to whether we are going to modify this for the High Court only or whether the Supreme Court is also intended because that is

part of one sub-clause, that is, sub-clause (a) which says:—

"all proceedings in the Supreme Court and in every High Court,".

The wording of the clause is somewhat vague. It only refers to—

"in addition to the English language, for the purposes of any judgment, decree or order passed or made by the High Court".

It does not refer to the proceedings. The proceedings are somewhat different from a judgment, decree, order etc. in my opinion. The proceedings mean, if there is an original side to the High Court, evidence and all that. But this clause deals only with judgment, decree and order. It does not refer to other proceedings. So, what will happen to the proceedings of the High Court? Will it be in the English language? That should be made clear.

Shri H. N. Mukerjee: Parliament provides.

Shri Hari Vishnu Kamath: Parliament is not providing in this Bill. Therefore I take it that the proceedings in the High Court shall be in the English language whereas the judgment, decree and order can be in another language. This is incongruous. This clause looks rather incomprehensible.

Shri Hajarnavis: Sir, "all proceedings"—I am reading the words of article 348—"until Parliament by law otherwise provides—all proceedings in the Supreme Court and in every High Court, shall be in the English language."

That is to say, this provision can be varied by law made by parliament.

Shri Hari Vishnu Kamath: Agreed.

Shri Hajarnavis: Now, we come to clause (2) of article 348.

Clause (2) says:—

"Notwithstanding anything in sub-clause (a) of clause (1), the

Governor of a State may, with the President, authorise the use of the Hindi language, or any other language".

This is pertinent because I will be referring to it again while replying to the hon. Member, Shri Mukerjee. It says:—

"with the previous consent of the President, authorise the use of the Hindi language, or any other language used for any official purposes of the State, in proceedings in the High Court having its principal seat in that State."

Then, follows this, namely,—

"Provided that nothing in this clause shall apply to any judgment, decree or order passed or made by such High Court."

That is to say, a Governor can make an order saying that Hindi or any other regional language can be used for a purpose other than for judgment, decree or order. For that purpose we have got to go to clause (1) of article 348 which says that this provision which may not be detracted from under clause (2) can be varied by law made by Parliament. That is what we propose to do.

Mr. Speaker: What about other amendments?

Shri Yashpa' Singh (Kairana): What about my amendment?"

अध्यक्ष महोदय : मैं ने आप का कोई अमेन्डमेंट नहीं देखा । आप ने कोई अमेन्डमेंट मूव नहीं किया ।

Shri Hajarnavis: You will see, Sir, that like article 348(2) clause 7 also gives this power to the Governor of the State in which the High Court has its principal seat 'Governor' means the executive government. And surely the Government is not going to impose any other language than the language which has been accepted by the people. It is not something to be forced from outside. It is a decision

[Shri Hajarnavis]

to be taken by the people of the State as represented by their Government. Therefore any fear that any other language will be imposed on them is certainly groundless.

And clause (2) of the article itself says that for the purposes of the High Court, the regional languages may be used, as well as Hindi may be used.

Dr. L. M. Singhvi: English may also be used.

Shri Hajarnavis: Yes, English may also be used. But, Hindi may be used and the regional languages may be used. So, this is a permissive law which will enable the High Court and empower the High Court, if it finds it economical, to introduce Hindi, just as today the proceedings are in English, the judgments, decrees, order, everything is in English and therefore when the matter goes to the Supreme Court there is no question of translation or difficulties in understanding. Some States may look forward and say Hindi may be introduced immediately or we may begin introduction of Hindi, so that gradually Hindi may be developed as a language in the High Court, so that the expenses of litigation may be curtailed. So that is only permissive. That is a decision which they can take. Nobody is going to force it.

Shri Hari Vishnu Kamath: I am sorry to say that the point that I raised has not been adequately answered. The point at issue is this. So far as article 348 is concerned, what does the proviso to clause (2) say? The proviso says:

"Provided that nothing in this clause shall apply to any judgment, decree or order passed or made by such High Court."

That means to say that all those judgments, decrees and orders shall be in English, because the proviso makes it obligatory that these shall be in English.

Now, the present clause, that is clause 7, permits judgments, decrees or orders to be in Hindi. This is a permissive clause and it permits the judgments, decrees or orders to be in Hindi. But what will happen to the proceedings in the High Courts? Will they continue to be in English as required by article 348(1) (a)? That, Sir, is my difficulty. I am not talking of the judgments, decrees or orders but of the proceedings of High Courts. Shall they be in English?

Mr. Speaker: That is what he has said that clause (2) of the article permits the Governor of a State, with the previous consent of the President, to authorise the use of Hindi or any other language in the proceedings in the High Court. Therefore, that is what is being done by this clause.

Shri Hari Vishnu Kamath: Is this being done in the States?

Mr. Speaker: This is what is being done.

Shri Radhelal Vyas: 'Proceedings' includes judgments, decrees and orders also.

Mr. Speaker: No, it does not.

श्री भक्त वरुण : अध्यक्ष महोदय, मैं ने जो बात पूछी थी, मिनिस्टर साहब ने उस का जवाब नहीं दिया है। अभी जो व्यवस्था की जा रही है वह हाई कोर्टों के बारे में है। लेकिन सुप्रीम कोर्ट के बारे में क्या विचार किया गया है इस का उत्तर उन्होंने ने नहीं दिया है।

अध्यक्ष महोदय : अभी विचार ही नहीं किया है, इसलिए जवाब नहीं दिया।

Shri H. N. Mukerjee: In the Constitution there is separate mention of the proceedings in the High Court and of the judgment, decree or order to be passed by the High Court. But here,

in the Bill, there is no provision in regard to the proceedings in the High Court which according to the Constitution, if it is left without any kind of legislative action by us at the present moment, will have to be conducted in English, and the judgments, decrees and orders could be in Hindi, Bengali, Tamil or Telugu. So Government should come forward with an amendment even at this stage to provide that the proceedings could also be in the Indian languages.

Shri Radhelal Vyas: Some confusion has arisen out of this point or order raised by Shri Kamath. I beg to submit that the expression "all proceedings" used in article 348 (1) (a) does not exclude judgment, decree or order, because the expression used is "all proceedings". But in clause (2) of the article the word "all" is omitted and it refers to proceedings other than judgment, decree or order; and later on, in the proviso to that clause, judgment, decree and order have been excepted.

Mr. Speaker: Both can have their own interpretation.

May I put amendments 108 and 112 together? And the amendment of Mr. Vyas also (No. 110)?

Shri Radhelal Vyas: What is to be done if they are not prepared to allow us to exercise our rights, which we did previously?

Mr. Speaker: So I shall put all these amendments—Nos. 108, 110 and 112—to vote

The amendments were put and negatived.

Mr. Speaker: The question is:

"That clause 7 stand part of the Bill".

The motion was adopted.

Clause 7 was added to the Bill.

Clauses 7A and 7B (New)

Mr. Speaker: What about new clause 7A? Is it being moved?

Shri Prabhat Kar: Yes, Sir. But are we not taking up the other item?

Mr. Speaker: We will take it up later. Let us finish this. I will request just to proceed with this. We might finish it and then take that up later.

Shri Hari Vishnu Kamath: It will take more than an hour. Let us have it on Monday.

Shri Warrior: Some clauses were held up. Are we not going to have voting on them?

Mr. Speaker: Only one clause, I was told, clause 4. I will take it up afterwards.

Shri Prabhat Kar: I beg to move:

Page 3, -

after line 12, insert—

"7A. (1) For State Services, the medium of examination should be the regional language.

(2) For All-India Services, the candidates should have the right to answer papers in Hindi, English and in any other regional language. There should be moderation in marks made in such manner as may be prescribed by rules made under this Act, in favour of those candidates answering questions in a language other than the mother tongue.

(3) After selection the candidates will be required to pass a paper in Hindi for those whose mother tongue is not Hindi and a modern Indian language other than Hindi for those whose mother tongue is Hindi.

(4) Promotion or confirmation of those already in Central Government service on the date of the passing of this Act will not be held up if they are unable to fulfil the conditions of sub-section

[Shri Prabhat Kar]

(3) above provided that they have gained a working knowledge of the language specified therein". (115)

In this connection, Sir, I may just draw the attention of the House to the recommendations made in the report of the Committee of Parliament on Official Language on page 49:

"So far as the medium of examination for entrance to these training establishments is concerned, English and Hindi should be adopted with choice for either with reference to any or all the papers, and an expert Committee should be appointed to examine the practicability of introduction of regional languages as media of without bringing in a quota system."

Then, they say:

"As regards competitive examinations for the all-India and the higher Central Services, the Committee considers:

(i) English should continue to be the medium of examinations, and Hindi may be admitted as an alternative medium after some time and both Hindi and English should be available as alternative media at the option of the candidates for as long as necessary.

(ii) After due notice, there should be two compulsory language papers of equal standard, one in Hindi, and another in a modern Indian language other than Hindi to be selected by the candidate.

(iii) There should be a compulsory paper in the English language even after the medium of examination is changed till English is completely replaced by Hindi for all official purposes."

Now, my amendment is just in terms of these recommendations. There is no doubt that we are all for changing over from English to Hindi.

At the same time there should not be any weightage given to the people who come from the Hindi-speaking area. There are apprehensions like that, and in order to allay those apprehensions I want to put this amendment before the House.

Shri Hajarnavis: The question which the hon. Member has raised is no doubt an important one and will have to be considered. But I submit they fall outside the scope of the present Bill. I, on behalf of the Government, give the assurance to the hon. Member and the House that these aspects of the question will be examined with care and we shall make endeavour to see that no section of the people suffers or there is no kind of discrimination because they are not Hindi-speaking people. With that assurance, I hope, the hon. Member would withdraw his amendment.

Shri Bhakt Darshan rose—

अध्यक्ष महोदय : अब तो जवाब भी हो गया है। अब आप क्या कहना चाहते हैं ?

श्री भक्त दर्शन : श्रीमान्, मुझे आधे मिनट में केवल यही निवेदन करना है कि श्री प्रभात कार का जो संशोधन है और जिस के द्वारा वे यह मांग कर रहे हैं कि सभी भारतीय भाषाओं में अखिल भारतीय सेवाओं की प्रतियोगिताएँ हों, इसको तो व्यवहार में लाना कठिन है। उस के लिए तो संसदीय कमेटी ने एक ऐक्सपर्ट कमेटी बैठाने का मुझाव दिया था। पर हिन्दी के माध्यम द्वारा परीक्षाएँ देने के बारे में उस कमेटी ने सर्वसम्मति से शीघ्रता से अनुमति देने की सिफारिश की थी लेकिन वह अभी तक नहीं हो पायी है इसलिए कम से कम वह छूट तो दी जानी चाहिए।

Mr. Speaker: After the assurance of the hon. Minister, is the hon. Member prepared to withdraw his amendment? Or, am I to put it to the vote of the House?

Dr. Ranen Sen: What is wrong in accepting this amendment?

Mr. Speaker. Shall I put it to the vote of the House?

Shri Prabhat Kar: Yes.

The amendment was put and negatived.

Shr Yashpal Singh: I beg to move!

Page 3,—

after line 12, insert—

"7A. As from the appointed day or any day thereafter, the President may authorise the use of Hindi, in addition to English, for purposes of any judgment, decree or order passed or made by the Supreme Court.

7B. After the expiry of one year from the date on which section 3 comes into force and after every year thereafter, the Central Government shall cause to be laid before both Houses of Parliament a statement showing the progress made in the use of Hindi for official purposes of the Union."

मुझे इस सिलसिले में यह कहना है कि गवर्नमेंट की पालिसी जो हिन्दी के बारे में है और जिस का कि जिक्र कांस्टीट्यूशन में है, वह पालिसी कायम रखी जाय। वह पालिसी न बदले।

यह खेद का विषय है कि इन पिछले १५ सालों में एक बिल भी पार्लियामेंट में ऐसा पेश न हो सका जोकि हिन्दी में हो और न ही सुप्रीम कोर्ट के फैसले हिन्दी में लिखे जा सकें। ऐसी हालत के रहते हम कैसे मान लें कि सरकार की नीयत इस सम्बन्ध में साफ है? सन् १९५८ में सरकार की जो पालिसी थी उस को मैं पढ़े देता हूँ :—

"So far as the language of the Supreme Court is concerned, eventually there can be only one language, that is, Hindi in respect of the entire court proceedings and records including, of course,

the judgement and orders. When the time comes for the change-over, the Supreme Court will have to function only in Hindi languages. The authoritative texts of reported judgements of the Supreme Court will also be published in the same language."

यह वायदा किया गया था और हिन्दी के बारे में यह पालिसी ले डाउन की गयी थी। अगर इस के ऊपर अमल किया जाता तो आज यह कुछ दिन हमें न देखना पड़ता। सरकार को चाहिये कि वह अपने सन् १९५८ के ऐलान पर कायम रहे और उस पर अमल भी करे। गांधी जी ने जो आप को इस विषय में आज्ञा दी थी उस का पालन कीजिये और उन की आज्ञा का पालन कर के अपने को महात्मा गांधी के सपूत बन कर दिखलाइये। महात्मा गांधी की आज्ञा का पालन कीजिये। वैसे भी इस के लिए हम कांस्टीट्यूशन से अलग कोई बात नहीं कहते हैं। मैं अपने अमेंडमेंट को पेश करता हूँ।

Shri Hajarnavis: I oppose the amendment. The time has not yet come for us to introduce Hindi in the Supreme Court.

Mr. Speaker: Am I to put it to the vote of the House?

Shri Yashpal Singh: Yes.

The amendment was put and negatived.

Clause 8- (Power to make rules) "

Shri Dasappa (Bangalore): May I just say a word on this clause 8?

Mr. Speaker: There is no amendment.

Shri Dasappa: I want to say a little on this. The clause 8 refers to the rule making power. I would like to know, when the rules are framed, whether they will provide for the machinery for translation of certain Acts and so on that are passed by the State Legislatures into Hindi. I find

[Shri Dasappa]

there is no machinery provided here. In the first place, I would like to know what kind of machinery will be provided. In the second place, this is what I want to urge upon the House. If every State will have its own Hindi translation of the Acts and so on which may be in English or in the regional language, it may give rise to a lot of confusion in the whole of the administration of law in the land. I would like that the machinery that has got to translate these Acts, etc. from the regional language or from English to Hindi should be the Central machinery and incidentally, of course, I would say it is better that they go to the aid of the States with their own resources. So, I would suggest that in order to avoid all these complications and so on, the advantage will be taken of this rule-making power in seeing that the machinery is such as will bring about a certain uniformity in these translations and, if possible, provide for the necessary financial assistances to the States.

Shri Hajarnavis: It is a very useful suggestion. We will have to have consultations with the State Governments on whose assistance we would have to depend. We will keep the suggestion in mind when the rules are framed and, I believe, apart from the rules such an arrangement can be made.

Shri Tyagi: One more question. Will the vocabulary or the words be common at least? I ask this because in English language all legal words are common. They are recognised as such. Will the Government see to it that in the drafting of the translation of English laws into Hindi all the words are common all over India?

Shri Lal Bahadur Shastri: In fact, there is already a commission set up by the Law Ministry on which are represented members from different States and the effort is in the same direction to have as many common words from different regional languages as possible.

Shri Tyagi: I mean, the technical and legal words.

Shri Lal Bahadur Shastri: Yes. I have said, it is a commission only for having common legal terminology and words.

Mr. Speaker: The question is:

"That clause 8 stand part of the Bill".

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9—(Certain provisions not to apply to Jammu and Kashmir).

Shri Hari Vishnu Kamath: Sir, there is no amendment. But I would like to speak on the clause.

Mr. Speaker: Mr. Anthony.

Shri Frank Anthony: No, Sir.

Shri Hari Vishnu Kamath: Mr. Speaker, Sir, we are treated to a clause of this nature in most of the Bills that come before the House. Here, the clause stipulates that clauses 6 and 7 shall not apply to the State of Jammu and Kashmir. Now, clause 6 refers to non-Hindi States and even in those States clause 6 prescribes or lays down that the translation in Hindi of any such Act or Ordinance shall be deemed to be the authoritative text thereof in the Hindi language. These are not interfering with the regional language of Jammu and Kashmir State, whatever it may be. Clause 6 provides for the authoritative text in the Hindi language even in a non-Hindi State. For instance, in Mysore, Kannada may be the language and in Kerala Malayalam. They have their own texts. Even in those States, authoritative Hindi text is prescribed. Why in this matter, at least, do they make a discrimination with regard to the State of Jammu and Kashmir? They will have their own regional language. Besides that, it does not stand to reason at this time of day when the jurisdiction of the Centre—so many Central Government agencies—is

being rapidly extended to the State of Jammu and Kashmir for the complete integration of the State with the rest of the Indian Union. Why on earth should there be any objection to the extension of the provisions of clause 6 and clause 7 to the State of Jammu and Kashmir?

Before I conclude, I would like to ask this of the Home Minister. He has been heroically persistent in his endeavour to integrate the State of Jammu and Kashmir with the Indian Union ever since last year—last August or even last June 1962. The question was raised, and he then assured the House that he was in correspondence with the Government of that State. May we know from him, on this occasion when this important legislation is on the anvil of the House, when it is going to be passed shortly, whether any progress has been made in that regard? Let him tell the House where the matter stands with regard to integration of Jammu and Kashmir with Indian Union and about the correspondence he is having with the Government of Jammu and Kashmir.

Shri Hajarnavis: It is certainly our intention to extend clauses 6 and 7 also.....

Shri Hari Vishnu Kamath: I could not follow.

Shri Hajarnavis: It is certainly our intention. It will be done after discussion with them and after obtaining their consent.

Mr. Speaker: The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Mr. Speaker: Clause 4 that was held over. Amendment to the Government amendment: is there going to be a division?

Shri Hari Vishnu Kamath: Before you put the amendment to vote, may I invite your attention to Rule 366 and I would like, by your leave, to raise a point of order again. When you were not in the Chair, a vital matter as to whether this is a Parliamentary Committee or the Government committee....

Mr. Speaker: If a decision has been taken.....

Shri Hari Vishnu Kamath: No decision was taken. It was not put to the House.

Shri Krishnamoorthy Rao (Shimoga)
A ruling was given.

Mr. Speaker: Mr. Kamath will excuse me, if he raised a point of order and a decision also was given by the presiding officer, I cannot reopen.....

Shri Hari Vishnu Kamath: What we wanted and the House wanted was that the records should be called and the record should be consulted as to what exactly the Minister said. The Minister says something, then shifts his ground shilly-shallies and evades.....

Mr. Speaker: Order, order. He should not copy the Minister now.

Shri Hari Vishnu Kamath: I am not. I am sticking to my ground. He does not.

Mr. Speaker: That is exactly what I am asking him. He should stick to the ground.

Shri Hari Vishnu Kamath: I am sticking so far as my amendments are concerned.

Mr. Speaker: He will kindly resume his seat.

Shri Hari Vishnu Kamath: We would like a ruling from you.

Mr. Speaker: That is not possible. Mr. Kamath should appreciate what

[Mr. Speaker]
the rules are. When an objection was raised and the Presiding officer has given a decision on that how can I open it now?

Shri Hari Vishnu Kamath: Rule 366 says.....

Mr. Speaker: Again, he is going to open it.

Shri Hari Vishnu Kamath: Only when you have collected the voice vote, I cannot speak on it. You have not collected the voice vote. Even at that stage I objected to that. It was not put to the voice vote. Therefore, under rule 366, I can speak on the question. It was not submitted to the voice vote. After you have collected the voice vote, I cannot speak.

Shri C. K. Bhattacharyya (Raiganj): Though vanquished, he would argue still.

Shri Hari Vishnu Kamath: I could not catch.

Mr. Speaker: He only said that though vanquished, he still argues.

Shri Hari Vishnu Kamath: He is a professor or a teacher in a village school. He knows.

Shri Bade: He comes from a deserted village.

Shri Hari Vishnu Kamath: He is perhaps a village school master and he has been doing it all his life.

Mr. Speaker: Order, order. We have every respect for school masters as well as civilians.

Shri Hari Vishnu Kamath: He quoted from a poem about a school master. That is why I said that.

Mr. Speaker: I will put Mr. Kamath's Amendment No. 162. It is an amendment to Government No. 159.

Shri Hari Vishnu Kamath: Will you kindly read it? The House has now re-assembled after. . . .

Mr. Speaker: The question is:

That in the amendment proposed by Shri Lal Bahadur Shastri, printed as No. 159 in List No. 11 of amendments,—

after "State Governments" insert

"and State Legislatures". (162)

The Lok Sabha Divided.

Mr. Speaker: Any mistakes to be corrected?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): I am for 'Noes'.

The Parliamentary Secretary to the Minister of Education (Shri M. R. Krishna): Sir, every time he makes a mistake. Is there any punishment for that?

Shri Thimmaiah: This machine is not working properly since a week.

Shrimati Ganga Devi: 'No'.

Mr. Speaker: Two for 'Noes'. For Ayes? None.

The result of the Division

The Minister of Finance (Shri Morarji Desai): May I say there is one abstention? It has to be deducted.

Mr. Speaker: Abstention, we do not want.

Shri Morarji Desai: Otherwise, the accounting will be wrong.

Mr. Speaker: Abstention, we do not want. The total might be wrong. So far as 'Ayes' and 'Noes' are concerned, that is right.

AYES

Division No. 18]

[14.59 hrs.

Anthony, Shri Frank
Banerjee, Shri S.M.
Barrow, Shri
Barua, Shri Hem
Basant Kunwari, Shrimati
Daji, Shri
Elias, Shri Mohammad
Gopalan, Shri A.K.
Gupta, Shri Priya
Himmatsinhji, Shri
Kamast, Shri Hari Vishnu
Kar, Shri Prabhat

Krishnapal Singh, Shri
Kunhan, Shri P.
Laxmi Dass, Shri
Marandi, Shri
Mehta, Shri Jasvant
Mia, Dr. U.
Mukerjee, Shri H.N.
Murmu, Shri Sarkar
Nair, Shri Vasudevan
Nath Pai, Shri
Pandey, Shri Sarjoo
Pottakatt, Shri
Prithvi Raj, Shri

Ranga, Shri
Reddy, Shri Esware
Sen, Dr. Ranen
Shashank Manjari, Shrimati
Singh, Shri J.B.
Singha, Shri Y.N.
Solanki, Shri
Soy, Shri H.C.
Swamy, Shri M.N.
Swamy, Shri Sivamurthi
Vimla Devi, Shrimati
Vishram Prasad, Shri
Warior, Shri

NOES

Abdul wahid, Shri T.
Achuthan, Shri
Alegesan, Shri
Alva, Shri Joachim
Aney, Dr. M.S.
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Balakrishnan, Shri
Balmiki, Shri
Barkataki, Shrimati Renuka
Basappa, Shri
Bera, Shri
Bhagat, Shri B.R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L.N.
Bhatkar, Shri
Bhattacharyya, Shri C.K.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Chakraverti, Shri P.R.
Chanda, Shrimati Jyotsna
Chandrasekhar, Shrimati
Chavan, Shri D.R.
Chavda, Shrimati
Chettiar, Shri Ramanathan
Daljit Singh, Shri
Das, Shri N.T.
Dasappa, Shri
Dass, Shri G.
Deo Bhanji, Shri P.C.
Desai, Shri Morarji
Deshmukh, Dr. P.S.
Deshmukh, Shri Shivaaji Rao S.
Dhaon, Shri
Dhuleshwar Meena, Shri
Dinesh Singh, Shri
Dubey, Shri R.G.
Dwivedi, Shri M.L.
Elayaperumal, Shri
Gahmari, Shri
Ganapati Ram, Shri
Gandhi, Shri V.B.
Ganga Devi, Shrimati

Ghosh, Shri N.
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Ram Ratan
Hajarnavis, Shri
Hansda, Shri Subodh
Haq, Shri M.M.
Heda, Shri
Hem Raj, Shri
Himatsinghka, Shri
Jadhav, Shri Tulashidas
Jamunadevi, Shrimati
Jedhe, Shri
Jema Shri
Joshi, Shrimati Subhadra
Iyotishi, Shri J.P.
Kabir, Shri Humayun
Kadadi, Shri
Kappen, Shri
Kedaria, Shri C.M.
Keishing, Shri Rishang
Krishna, Shri M.R.
Kureel, Shri B.N.
Lakshminanthamma, Shrimati
Lalit Sen, Shri
Mahadeo Prasad, Shri
Mahadeva Prasad, Dr.
Mahtab, Shri
Mahishi, Shrimati Sarojini
Malhotra, Shri Inder J.
Malliah, Shri U.S.
Manan, Shri
Mandal, Dr. P.
Mandal, Shri Yamuna Prasad
Mehrotra, Shri Braj Bihari
Mehta, Shri Jashvant
Melkote, Dr.
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Mohanty, Shri G.
Morarka, Shri
More, Shri K.L.
More, Shri S.S.
Mukane, Shri,

Murli Manohar, Shri
Muthiah, Shri
Naskar, Shri P.S.
Oza, Shri
Pande, Shri K.N.
Pandey, Shri Vishwa Nath
Pant, Shri K.C.
Patel, Shri Chhotubhai
Patel, Shri Man Singh P.
Patel, Shri N.N.
Patel, Shri P.R.
Patel, Shri Rajeshwar
Patil, Shri D.S.
Patil, Shri M.B.
Pattabhi Raman, Shri C.R.
Pratap Singh, Shri D.D.
Puri, Shri D. D.
Raghuramaiah, Shri
Raj Bahadur, Shri
Raju, Dr. D.S.
Ram Sewak, Shri
Ram Singh, Shri
Ram Swarup, Shri
Ramaswamy, Shri S.V.
Ramaswamy, Shri V.K.
Rane, Shri
Ranga Rao, Shri
Rao, Dr. K.L.
Rao, Shri Krishnamoorthy
Raut, Shri Bhola
Reddiar, Shri
Reddy, Shrimati Yashoda
Saha, Dr. S.K.
Sahu, Shri Rameshwar
Samanta, Shri S.C.
Sammani, Shri
Sanji Rupji, Shri
Saraf, Shri Sham Lal
Satyabhama Devi, Shrimati
Sen, Shri A.K.
Sen, Shri P.G.
Shah, Shri Manabendra
Shah, Shrimati Jayaben

Shaahi Ranjan, Shri
Shastri, Shri Lal Bahadur
Sheo Narain, Shri
Shree Narayan Das, Shri
Shrimali, Dr. K.L.
Siddiah, Shri
Singh Shri D. N.
Singh, Shri R.P.
Singhvi, Dr. L.M.
Sinha, Shrimati Ramdulari
Sinha, Shrimati Tarkeswari
Sonavane, Shri

Subbarman, Shri
Subramanyam, Shri T.
Sumat Prasad, Shri
Sunder Lal, Shri
Swaran Singh, Shri
Tahir, Shri Mohammad
Tantia, Shri Ramswar
Thimmaiah, Shri
Tiway, Shri D.N.
Tiway, Shri K.N.
Tiway, Shri R.S.
Tula Ram, Shri

Tyagi, Shri
Uikey, Shri
Upadhyaya, Shri Shiva Dutt
Varma, Shri M.L.
Varma, Shri Ravindra
Venkatasubbaiah, Shri P.
Vidhyalankar, Shri A.N.
Vyas, Shri Radhelal
Wadiwa, Shri
Yadav, Shri N.P.
Yadav, Shri Ram Harkh

Mr. Speaker: The result of the Division:

Ayes 38;

Noes 165

The motion was negatived.

15 hrs

Mr. Speaker: Now, I shall put the next amendment of Shri Kamath, namely amendment No. 166 to the vote of the House.

Do hon. Members want a division on each of the remaining amendments separately, or can I dispose of some them by voice vote?

Some Hon. Members: We want division.

Mr. Speaker: I shall first put amendment No. 166 to vote. The question is:

That in the amendment proposed by Shri Lal Bahadur Shastri, printed as No. 159 in List No. 11 of amendments,—

Division No. 19]

AYES

[15-02 hrs.

Anthony, Shri Frank
Bade, Shri
Banerjee, Shri S.M.
Barrow, Shri
Barua, Shri Hem
Basant Kumari, Shrimati
Brij Raj Singh Kotah, Shri
Daji, Shri
Elias, Shri Mohammad
Gopalan Shri A.K.
Gupta, Shri Kanahi Ram
Gupta, Shri Priya
Himmatsinghji, Shri
Kakkar, Shri Gauri Shanker
Kamath, Shri Hari Vishnu

Kar, Shri Prabhat
Kriahnapal Singh, Shri
Kunhan, Shri P.
Laxmi Dass, Shri
Mehta, Shri Jaswant
Misra Dr. U.
Mukerjee, Shri H.N.
Murmur, Shri Sarkar
Nair, Shri Vasudevan
Nath Pai, Shri
Pandey, Shri Sarjoo
Pottakkatt, Shri
Prithivi Raj, Shri
Ranga, Shri

Reddy, Shri Esvara
Sen Dr. Ranen
Shashank Manjari, Shrimati
Shastri, Shri Prakash Var
Sing, Shri J.B.
Singha, Shri Y.N.
Singhvi, Dr. L.M.
Solanki, Shri
Swamy, Shri M.N.
Swamy, Shri Sivamurthi
Vimla Devi, Shrimati
Vishram Prasad, Shri
Warior, Shri
Yashpal Singh, Shri

for "and the President shall cause the report to be laid before each House of Parliament" substitute—"and the report shall be laid before each House of Parliament." (166).

Let the Lobby be cleared.

The Lok Sabha divided.

Shri Abdul Wahid (Vellore): The button on my table did not work. I want to vote for 'Noes'.

Shri Morarka (Jhunjhunu): Shri S. V. Ramaswamy's vote also has to be added. The button on his table also has not worked.

Mr. Speaker: Shri Morarka only wants that there ought to be a demonstration that the Deputy Minister of Railways also stood up.

Shri S. V. Ramaswamy: The button on my table also did not work. I want to vote for 'Noes'.

NOES

Abdul Wahid, Shri T.
 Achutan, Shri
 Alegesan, Shri
 Alva, Shri Joachim
 Asad, Shri Bhagwat Jha
 Babunath Singh, Shri
 Balakrishnan, Shri
 Balmiki, Shri
 Barkatakj, Shrimati Renuka
 Basappa, Shri
 Beatra, Shri
 Bhagat, Shri B.R.
 Bhakt Darshan, Shri
 Bhanja Deo, Shri L.N.
 Bhatkar, Shri
 Bhattacharyya, Shri C.K.
 Brahm Prakash, Shri
 Brajeswar Prasad, Shri
 Chakraverti, Shri P.R.
 Chanda Shrimati Jyotsna
 Chandrasekhar, Shrimati
 Chavan, Shri D.R.
 Chavda, Shrimati
 Chettiar, Shri Ramanathan
 Daljit Singh, Shri
 Das, Shri N.T.
 Dasappa, Shri
 Dass, Shri G.
 Deo Bhanj, Shri P.G.
 Desai, Shri Motarji
 Deshmuk, Dr. P.S.
 Deshmukh, Shri Shivaji R.
 Dhaon, Shri
 Dhuleshwar Meena, Shri
 Dinesh Singh, Shri
 Dubey, Shri R.G.
 Dwivedi, Shri M.L.
 Elayaperumal, Shri
 Gahmari, Shri
 Ganapati Ram, Shri
 Gandhi, Shri V.B.
 Ganga Devi, Shrimati
 Ghosh, Shri N.R.
 Govind Das, Dr.
 Guha, Shri A.C.
 Gupta, Shri Kam Ratan
 Hajarnavis, Shri
 Hansda, Shri Subodh
 Haq, Shri M.M.
 Heda, Shri
 Hem Rai, Shri
 Himatsinghka, Shri
 Jadhav, Shri M.L.
 Jamunadevi, Shrimati
 Jedhe, Shri

Jena, Shri
 Joshi, Shrimati Subhadra
 Jyotishi, Shri J.P.
 Kabir, Shri Humayun
 Kadadi, Shri
 Kappen, Shri
 Kedaria, Shri C.M.
 Krishna, Shri M.R.
 Kureel, Shri B.N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Mahadeo Prasad, Shri
 Mahadeva Prasad, Dr.
 Mahtab, Shri
 Mahishi, Shrimati Sarojini
 Malhotra, Shri Inder J.
 Malliah, Shri U.S.
 Mansen, Shri
 Mandal, Dr. P.
 Mandal, Shri Yamuna Prasad
 Marandi, Shri
 Mehrotra, Shri Braj Bihari
 Mehta, Shri Jashvant
 Melkote, Dr.
 Mishra, Shri Bibhuti
 Mishra, Shri Bibudhendra
 Mohanty, Shri G.
 Morarka, Shri
 More, Shri K.L.
 More, Shri S.S.
 Mukane, Shri
 Murli Manohar, Shri
 Muthiah, Shri
 Nashkar, Shri P.S.
 Oza, Shri
 Pande, Shri K.N.
 Pandey, Shri Vishwa Nath
 Pant, Shri K.C.
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri N.N.
 Patel, Shri P.R.
 Patel, Shri Rajeshwar
 Patil, Shri D.S.
 Patil, Shri M.B.
 Pattabhi Raman, Shri C.R.
 Pratap Singh, Shri
 Puri, Shri D.D.
 Raghuramaiah, Shri
 Raj Bahadur, Shri
 Raju, Dr. D.S.
 Ram Sewak, Shri
 Ram Singh, Shri
 Ram Swarup, Shri
 Ramaswamy, Shri S.V.
 Ramaswamy, Shri V.K.
 Rane, Shri
 Ranga Rao, Shri
 Rao, Dr. K.L.
 Rao, Shri Krishnamoorthy
 Raut, Shri Bhole
 Reddiar, Shri
 Reddy, Shrimati Yashoda
 Saha, Dr. S.K.
 Sahu, Shri Rameshwar
 Samanta, Shri S.C.
 Samnani, Shri
 Sanji Rupji, Shri
 Saraf, Shri Sham Lal
 Satyabhama Devi, Shrimati
 Sen, Shri A.K.
 Sen, Shri P.G.
 Shah, Shri Manabendra
 Shah, Shrimati Jayaben
 Shashi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Sheo Naran, Shri
 Shree Narayan Das, Shri
 Shrimali, Dr. K.L.
 Siddia, Shri
 Sing, Shri D.N.
 Singh, Shri R.P.
 Sinha, Shrimati Ramdulari
 Sinha, Shrimati Tarkeshwar
 Sonavane, Shri
 Soy, Shri H.C.
 Subbaraman, Shri
 Subramanyam Shri T.
 Sumat Prasad, Shri
 Sunder Lal, Shri
 Swaran Singh, Shri
 Tahir, Shri Mohammad
 Tantia, Shri Rameshwar
 Thimmaiah, Shri
 Tiwary Shri D.N.
 Tiwary, Shri K.N.
 Tiwary, Shri R.S.
 Tula Ram, Shri
 Tyagi, Shri
 Ukey, Shri
 Upadhyaya, Shri Shiva Dutt
 Varma, Shri M.L.
 Varma, Shri Ravindra
 Venkatasubhaiah, Shri P.
 Vidyalankar, Shri A.N.
 Vyas, Shri Radhela
 Wadiwa, Shri
 Yadab, Shri N.P.
 Yadav, Shri Ram Harkh

Mr. Speaker: The result of the division is as follows:

Ayes 43;

Noes 165.

The motion was negatived.

Mr. Speaker: Now, I shall put Amendment No. 173 by Dr. L. M. Singhvi to the vote of the House.

The question is:

That in the amendment proposed by Shri Lal Bahadur Shastri, printed as No. 159 in List No. 11 of amendments,—

omit "and sent to all the State Governments". (173)

The Lok Sabha divided.

Division No. 20]

Aney, Dr. M.S.
Bagri, Shri
Kakkar, Shri Gauri Shanker
Marandi, Shri

AYES

Ram Singh, Shri
Shashank Manjari, Shrimati
Shastri, Shri Prakash Vir

[15-05 hrs.

Singhvi, Dr. L.M.
Soy, Shri H.C.
Utiya, Shri

NOES

Abdul Wahid, Shri T.
Achuthan, Shri
Alegesan, Shri
Alva, Shri Joachim
Anthony, Shri Frank
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Balakrishnan, Shri
Balmiki, Shri
Banerjee, Shri. S. M.
Baski, Shrimati Renuka
Bhatnagar, Shri
Bhena, Shri Hem
Basant Kunwar, Shrimati
Bhasappa, Shri
Bhasra, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L. M.
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Chakraverti, Shri P. R.
Chanda, Shrimati Jyotsna
Chandrasekhar, Shrimati
Chavan, Shri D. R.
Chavda, Shrimati
Chettiar, Shri Ramannatham
Daiji, Shri
Daljit Singh, Shri
Das, Shri N. T.
Dasappa, Shri
Das, Shri G.
Deo Bhanj, Shri P. C.
Desai, Shri Morari
Dehmukh, Dr. P. S.
Dehmukh, Shri B. D.
Dhoben, Shri
Dhuleshwar, Meena, Shri
Dinesh Singh, Shri
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Dhayagumati, Shri
Eljas, Shri Mohammad
Gahmar, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri N. R.
Gopalan, Shri A. K.
Govind Das, Dr.
Guba, Shri A. C.
Gupta, Shri Kanshi Ram
Gupta, Shri Ram Ratan

Gupta, Shri Ram Ratan
Hajarnavis, Shri
Hanada, Shri Subodh
Haq, Shri M.M.
Heda, Shri
Hem Raj, Shri
Himatsingka, Shri
Himmatsinbi, Shri
Jadhav, Shri Tulshidas
Jamunadevi, Shrimati
Jedhe, Shri
Jena, Shri
Joshi, Shrimati Subhadra
Jyotishi, Shri J.P.
Kabir, Shri Humayun
Kaddai, Shri
Kamath, Shri Hari Vishnu
Kappen, Shri
Kar, Shri Prabhat
Kedaria, Shri C.M.
Keishing, Shri Rishang
Krishna, Shri M.R.
Krishnapal Singh, Shri
Kunham Shri P.
Kureel, Shri B.N.
Lakshminanthamma, Shrimati
Lalit Sen, Shri
Laxmi Dass, Shri
Mahadeo Prasad, Shri
Mahadeva Prasad, Dr.
Mahtab, Shri
Mahishi, Shrimati Sarojini
Malhotra, Shri Inder J.
Malliah, Shri U.S.
Manuen, Shri
Mandal, Dr.
Mandal, Shri Yamuna Prasad
Mehrotra, Shri Braj Bihari
Mehta, Shri Jashvant
Melkore, Dr.
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Misra, Dr. U.
Mohanty, Shri G.
Morarka, Shri
More, Shri K.L.
More, Shri S.S.
Mukane, Shri
Mukerjee, Shri H.N.
Murli Manohar, Shri
Murmu, Shri Sarkar
Muthiah, Shri
Nair, Shri Vasudevan
Naskar, Shri P. S.
Nath Pai, Shri

Pande, Shri K.N.
Pandey, Shri Sarjoo
Pandey, Shri Vishwa Nath
Pant, Shri K.C.
Patel, Shri Chhotaubhai
Patel, Shri Man Singh P.
Patel, Shri N.N.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri D.S.
Patil, Shri M.B.
Pattabhi Raman, Shri C.R.
Pottakkatt, Shri
Pratap Singh, Shri
Prithvi Raj, Shri
Puri, Shri D.D.
Raghuramaiah, Shri
Raj Bahadur, Shri
Raju, Dr. D. S.
Ram Sewak, Shri
Ram Swarup, Shri
Ramaswamy, Shri S. V.
Ramaswamy, Shri V. K.
Rane, Shri
Ranga, Shri
Ranga Rao, Shri
Rao, Dr. K. L.
Rao, Shri Krishnamoorthy
Raut, Shri Bhola
Reddiar, Shri
Reddy, Shri Eswara
Reddy, Shrimati Yashoda
Saha, Dr. S. K.
Sahu, Shri Rameshwar
Samanta, Shri S. C.
Samnani, Shri
Sanji Rupji, Shri
Sarat, Shri Sham Lal
Satyabhama Devi Shrimati
Sen, Dr. Rinan
Sen, Shri A. K.
Sen, Shri P.G.
Shah, Shri Manabendra
Shah, Shrimati Jayaben
Shashi Ranjan, Shri
Shastri, Shri Lal Bahadur
Sheo Narain, Shri
Shree Narayan Das, Shri
Shrimali, Dr. K.L.
Siddiah, Shri
Singh, Shri D. N.
Singh, Shri J. B.
Singh, Shri R.P.
Sinha, Shrimati Ramdutt
Sinha, Shrimati Tarkeshwar

Solanki, Shri
 Sonavane, Shri
 Subbaraman, Shri
 Suramanyam, Shri T.
 Sumat Prasad, Shri
 Sunder Lal, Shri
 Swamy, Shri M. V.
 Swamy, Shri Sivamurthi
 Swaran Singh, Shri
 Tahir, Shri Mohammad

Tantia, Shri Rameshwar
 Thimmaiah, Shri
 Tiwary, Shri D.N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tula Ram, Shri
 Tyagi, Shri
 Uikey, Shri
 Upadhyaya, Shri Shiva Dutt

Varma, Shri M. L.
 Varma, Shri Ravindra
 Venkatasubbaiah, Shri P.
 Vidyalankar, Shri A. N.
 Vimla Devi, Shrimati
 Vyas, Shri Radhela
 Warior, Shri
 Yadav, Shri N.P.
 Yadav, Shri Ram Harkh

Mr. Speaker: The result of the division is:

Ayes 10;

Noes 193.

The motion was negatived.

Mr. Speaker: Now, I shall put Government amendment, namely amendment No. 159 to the vote of the House.

The question is:

Page 2, after line 18, insert:

"and the President shall cause the report to be laid before each House of Parliament, and sent to all the State Governments". (159)

The motion was adopted.

Mr. Speaker: Now, I shall put clause 4, as amended, to vote.

Shri Hari Vishnu Kamath: There are some more amendments still to be disposed of.

Mr. Speaker: There are now amendments No 163, 165 and 167 still to be disposed of.

Shri Hari Vishnu Kamath: Amendment No. 163 falls through, because amendment No. 162 has been lost already.

Mr. Speaker: I shall now put amendment No. 165 to vote.

Shri Hari Vishnu Kamath: I hope that the Members of Parliament will vote for this.

Mr. Speaker: The question is:

Page 2, line 18,

for the President substitute "Parliament" (165).

The Lok Sabha divided.

Shri Krishnapal Singh (Jalesar): I want to vote for 'Ayes'. My vote has not been recorded.

Shri Dharon (Lucknow): I want to vote for 'Noes'.

Shri Hari Vishnu Kamath: Why should Members of Parliament vote against this amendment?

Shri Frank Anthony: Their whip is cracking.

Division No. 21

AYES

[15-08 hrs.

Anthony, Shri Frank
 Bade, Shri
 Bagri, Shri
 Banerjee, Shri S. M.
 Barrow, Shri
 Barua, Shri Hem
 Basant Kunwar, Shrimati
 Brij Raj Singh, Shri
 Daji, Shri
 Elias, Shri Mohammad
 Gupta, Shri Priya
 Himanatsinhji, Shri
 Kakkar, Shri Gauri Shanker

Kamath, Shri Hari Vishnu
 Kar, Shri Prabhat
 Krishnapal Singh, Shri
 Laxmi Dass, Shri
 Mehta, Shri Jashvant
 Misra, Dr. U.
 Murmu, Shri Sarkar
 Nath Pai, Shri
 Pandey, Shri Sarjoo
 Pottakkatt, Shri
 Prithvi Raj, Shri
 Ram Singh, Shri
 Ranga, Shri

Reddy, Shri Eswara
 Sen, Dr. Ratan
 Shastri, Shri M. L.
 Singh, Shri J. B.
 Singha, Shri Y. N.
 Singhvi, Dr. L. M.
 Solanki, Shri
 Swamy, Shri M. N.
 Swamy, Shri Sivamurthi
 Utiya, Shri
 Vimla Devi, Shrimati
 Vishram Prasad, Shri
 Warior, Shri
 Yashpal Singh, Shri

NOES

Abdul Wahid, Shri T.	Jamunadevi, Shrimati	Ramaswamy, Shri S. V.
Achuthan, Shri	Jedhe, Shri	Ramaswamy, Shri V. K.
Alegesan, Shri	Jena, Shri	Rane, Shri
Alva, Shri Joachim	Joshi, Shrimati Subhadra	Ranga Rao, Shri
Aney, Dr. M. S.	Jyotishi, Shri J. P.	Rao, Dr. K. L.
Azad, Shri Bhagwat Jha	Kabir, Shri Humayun	Rao, Shri Krishnamoorthy
Babunath Singh, Shri	Kadadi, Shri	Raut, Shri Bhola
Bade, Shri	Kappen, Shri	Reddier, Shri
Balakrishnan, Shri	Kedaria, Shri C. M.	Reddy, Shrimati Yashoda
Balmiki, Shri	Keishing, Shri Rishang	Saha, Dr. S. K.
Barkataki, Shrimati Renuka	Krishna, Shri M. R.	Sahu, Shri Rameshwar
Basappa, Shri	Kureel, Shri B. N.	Samanta, Shri S. C.
Beara, Shri	Lakshmikanthamma, Shrimati	Samnani, Shri
Bhagat, Shri B. R.	Lalit Sen, Shri	Sanji Rupji, Shri
Bhakt Darshan, Shri	Mahadeo Prasad, Shri	Saraf, Shri Sham Lal
Bhauja Deo, Shri L. N.	Mahadeva Prasad, Dr.	Saha, Dr. S. K.
Bhatkar, Shri	Mahtab, Shri	Sen, Shri A. K.
Bhattacharyya, Shri C. K.	Mahishi, Shrimati Sarojini	Sen, Shri P. G.
Brahm Prakash, Shri	Malhotra, Shri Inder J.	Shah, Shri Manabendra
Brajeshwar Prasad, Shri	Malliah, Shri U. S.	Shah, Shrimati Jayaben
Chakraverti, Shri P. R.	Mansen, Shri	Shashi Ranjan, Shri
Chanda, Shrimati Jyotima	Mandal, Dr. P.	Shastri, Shri Lal Bahadur
Chandrasekhar, Shrimati	Mandal, Shri Yamuna Prasad.	Shao Narain, Shri
Chavan, Shri D. R.	Marandi, Shri	Shree Narayan Das, Shri
Chavda, Shrimati	Mehrotra, Shri Braj Bihari	Shrimati, Dr. K. L.
Chettiar, Shri Ramanathan	Mehta, Shri Jashvant	Siddiah, Shri
Daljit Singh, Shri	Melkote, Dr.	Singh, Shri D. N.
Das, Shri N. T.	Mishra, Shri Bibhuti	Singh, Shri R. P.
Desappa, Shri	Mishra, Shri Bibudbendra	Sinha, Shrimati Ramdulari
Dass, Shri G.	Morarka, Shri	Sinha, Shrimati Tarkeshwari
Deo Bhanji, Shri P. C.	More, Shri K. L.	Sonavane, Shri
Desai, Shri Motarji	More, Shri S. S.	Soy, Shri H. C.
Deshmukh, Dr. P. S.	Mukane, Shri	Subbaraman, Shri C.
Deshmukh, Shri Shivaji Rao S.	Murli Manohar, Shri	Subramanyam, Shri T.
Dhason, Shri	Muthiah, Shri	Sumat Prasad, Shri
Dhuleshwar Meena, Shri	Naskar Shri P. S.,	Sunder Lal, Shri
Dhooch Singh, Shri	Oza, Shri	Swaran Singh, Shri
Dubev, Shri R. G.	Pande, Shri K. N.	Tahir, Shri Mohammad
Dwivedi, Shri M. L.	Pandey, Shri Vishwa Nath	Tantia, Shri Rameshwar
Elayaperumal, Shri	Pant, Shri K. C.	Thimmaiah, Shri
Gahmari Shri	Patel, Shri Chhotubhai	Tiwary, Shri K. N.
Ganapati Ram, Shri	Patel, Shri Man Singh P.	Tiwary, Shri R. S.
Gandhi, Shri V. B.	Patel, Shri N. N.	Tula Ram, Shri
Ganga Devi, Shrimati	Patel, Shri P. R.	Tyagi, Shri
Ghosh, Shri N. R.	Patel, Shri Rajeshwar	Ukey, Shri
Govind Das, Dr.	Patil, Shri D. S.	Upadhyaya, Shri Shiva Dutt
Guba, Shri A. C.	Patil, Shri M. B.	Varma, Shri M. L.
Gupta, Shri Ram Ratan	Pattabhi Raman, Shri C. R.	Varma, Shri Ravindra
Hajarnavis, Shri	Pratap Singh, Shri	Venkatasubbaiah, Shri P.
Hansda, Shri Subodh	Puri, Shri D. D.	Vidyalankar, Shri A. N.
Haq, Shri M. M.	Raghuramaiah, Shri	Vyas, Shri Radhelal
Heda, Shri	Raj Bahadur, Shri	Wadiwa, Shri
Hem Raj, Shri	Raju, Dr. D. S.	Yadav, Shri Ram Harkh
Himatsingka, Shri	Ram Sewak, Shri	Yadava, Shri B. P.
Jadav, Shri M. L.	Ram Swarup, Shri	

Mr. Speaker: The result of the division is as follows:

Ayes 40; **Noes** 163.

The motion was negatived.

Mr. Speaker: Amendment No. 167.
The question is:

"That in the amendment proposed by Shri Lal Bahadur Shastri, printed as No. 160 in List No. 11 of amendments,—

after "expressed by" insert "Parliament and" (167)

Shri Hari Vishnu Kamath: Not merely the State Governments' views, but also of Parliament.

The Lok Sabha Divided.

Shri Rameshwar Tantia: I am for 'Noes'; my vote has not been recorded.

Shrimati Jayaben Shah: There is no light here.

Division No. 22)

AYES

(15-10 hrs.

Anthony, Shri Frank
Bade Shri
Bagri, Shri
Banerjee, Shri S. M.
Barrow, Shri
Barua, Shri Hem
Basant Kunwari, Shrimati
Brij Raj Singh Kotah Shri
Elias, Shri Mohammad
Gopalan, Shri A. K.
Gupta, Shri Kanshi Ram
Gupta, Shri Priya
Himmatsinhji Shri
Kakkar Shri Gauri Shankar

Kamath, Shri Hari Vishnu
Kar, Shri Prabhat
Krishnapal Singh, Shri
Laxmi Dass, Shri
Mehta, Shri Jashvant
Misra, Dr. U.
Mukerjee, Shri H. N.
Murmu, Shri Sarkar
Nair, Shri Vasudevan
Nath, Shri
Pandey, Shri Sarjoo
Pottakkatt, Shri
Prithvi Raj, Shri
Ranga, Shri

Reddy, Shri Eswara
Sen, Dr. Ranen
Shashank Manjari, Shrimati
Singh, Shri J. B.
Singha, Shri Y. N.
Singhvi, Dr. L. M.
Solanki, Shri
Swamy, Shri M. N.
Swamy, Shri Sivamurthi
Uikey, Shri
Vimala Devi, Shrimati
Vishram Prasad, Shri
Warior, Shri
Yashpal Singh, Shri

NOES

Abdul Wahid, Shri T.
Achuthan, Shri
Alegesan, Shri
Alva, Shri Joachim
Aney, Dr. M. S.
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Balakrishnan, Shri
Balmiki, Shri
Barkutaki, Shrimati Renika
Basappa, Shri
Batra, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L. N.
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Chakraverti, Shri P. R.
Chanda, Shrimati Jyotima
Chandrasekhar, Shrimati
Chavan, Shri D. R.
Chavda, Shrimati
Chettiar, Shri Ramanathan
Dallit Singh, Shri
Das, Shri N. T.

Dasappa, Shri
Dass, Shri G.
Deo Bhanj, Shri P. C.
Desai, Shri Morarji
Deshmukh, Dr. P. S.
Deshmukh, Shri Shivaji Rao S.
Dhaon, Shri
Dhuleshwar Meena, Shri
Dinesh Singh, Shri
Duley, Shri R. G.
Dwivedi, Shri M. I.
Elayaperumal, Shri
Gahmari, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri N. R.
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Ram Ratan
Hajarnavia, Shri
Hansda, Shri Subodh
Haq, Shri M. M.
Heda, Shri
Hem Raj, Shri
Himatsingka, Shri
Jadhav, Shri Tulshidas

Jamunadevi, Shrimati
Jedhe, Shri
Jena, Shri
Joshi, Shrimati Subodh
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kadadi, Shri
Kappen, Shri
Kedaria, Shri C. M.
Keishing, Shri Risha
Krishna, Shri M. R.
Kureel, Shri B. N.
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Mahadeo Prasad, Shri
Mahadeva Prasad, Dr.
Mahatab, Shri
Mahishi, Shrimati Sarojini
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Mannaen, Shri
Mandal, Dr. P.
Mandal, Shri Yamuna Prasad
Marandi, Shri
Mehrotra, Shri Braj Bihari
Mehta, Shri Jashvant
Melkote, Dr.

Misra, Shri Bibhuti
 Mishra, Shri Bibudhe
 Mohanty, Shri G.
 Morarka, Shri
 More, Shri K. L.
 More, Shri S.S.
 Mukane, Shri
 Murlī Manohar, Shri
 Muthiah, Shri
 Naskar, Shri P. S.
 Oza, Shri
 Pande, Shri K. N.
 Pandey, Shri Vishwanath
 Pant, Shri K. C.
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri N. N.
 Patel, Shri P. R.
 Patel, Shri Rajeshwar
 Patil, Shri D. S.
 Patil, Shri M. B.
 Pattabhi Raman, Shri C. R.
 Pratap Singh, Shri
 Puri, Shri D. D.
 Raghuramaiah, Shri
 Raj Bahadur, Shri
 Raju, Dr. D. S.
 Ram Sewak, Shri

Ram Singh, Shri
 Ram Swarup, Shri
 Ramaswamy, Shri S. V.
 Ramaswamy, Shri V. K.
 Rne, Shri
 Ranga Rao, Shri
 Rao, Dr. K. L.
 Rao, Shri Krishnamoorthy
 Raut, Shri Bhola
 Reddiar, Shri
 Reddy, Shrimati Yashoda
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Samanta, Shri S. C.
 Samnani, Shri
 Sanjit Rupji, Shri
 Saraf, Shri Sham Lal
 Satyabhama Devi, Shrimati
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shah, Shrimati Jayaben
 Shashi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Sheo Narain, Shri
 Shree Narayan Das, Shri
 Shrimati, Dr. K.L.
 Siddiah, Shri

Singh, Shri D. N.
 Singh, Shri R. P.
 Sinha, Shrimati Ramdulari
 Sinha, Shrimati Tarkeshwari
 Sonavane, Shri
 Soy, Shri H. C.
 Subbaraman, Shri
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Sunder Lal, Shri
 Swaran Singh, Shri
 Tahir, Shri Mohammad
 Thimmaiah, Shri
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tula Ram, Shri
 Tyagi, Shri
 Ukey, Shri
 Upadhyaya, Shri Shiva Dutt
 Varma, Shri M. L.
 Varma, Shri Ravindra
 Venkatasubbaiah, Shri P.
 Vidyalkar, Shri A. N.
 Vyas, Shri Radhmal
 Wadiwa, Shri
 Yadav, Shri N. P.
 Yadav, Shri Ram Harkh

Mr. Speaker: The result of the Division is:

Ayes 42; Noes 166.

The motion was negatived.

श्री त्यागी : मेरी एक दरखास्त है । जब डिविजन शब्द कहा जाय तो उस के बाद कम से कम आधे मिनट का वक्त हमें दिया जाया करे ताकि हम लोग अपनी उंगलियां बगैरह ठीक तरह से रख सें ।

अध्यक्ष महोदय : जितना आप चाहेंगे, मिलेगा । अगर आप ने तो गलती कभी नहीं की है ।

Mr. Speaker: The question is:

Page 2, line 20,—after “in subsection (2),” insert—

“and the views if any expressed by the State Governments thereon.” (160)

The motion was adopted.

Mr. Speaker: The question is:

“That clause 4, as amended, stand part of the Bill.”

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 1 was added to the Bill.

Mr. Speaker: The question is:

"That the Enacting Formula and the Title standpart of the Bill."

Shri Bade: To that I have an amendment; instead of 'Languages' it should be 'Language' only, in the Title.

श्री बड़े : अध्यक्ष महोदय, मेरा कहना यह है कि कांस्टीट्यूशन में हमें ने यह निश्चय कर लिया है कि एक ही हमारी लैंग्वेज रहेगी । उस हालत में इस बिल का लैंग्वेज बिल नाम क्यों रखा गया है, यह मेरी समझ में नहीं आया है । आगे चल कर यह लिखा हुआ है कि उस का ट्रांसलेशन हुआ करेगा, अंग्रेजी का ट्रांसलेशन हिन्दी में हुआ करेगा । इस का साफ मतलब यह होता है कि आफिशल लैंग्वेज तो केवल एक ही रहेगी, राजकाज की भाषा तो केवल एक ही रहेगी और उस भाषा का अनुवाद हुआ करेगा । ऐसी सूरत में इस का नाम आफिशल लैंग्वेज बिल क्यों रखा गया है, यह मेरी समझ से बाहर की बात है । हमारे राष्ट्र की भाषा एक ही मानी गई है और वह है हिन्दी । इसलिए लैंग्वेजिज न लिख कर लैंग्वेज लिखा जाना चाहिये था ।

Mr. Speaker: There is one thing that I might point out. We have already adopted clause 1, which reads thus:

"This Act may be called the Official Languages Act, 1963."

Therefore, the Long Title also should be in conformity with that.

श्री बड़े : इसलिए लैंग्वेजेज बिल न लिख कर लैंग्वेज बिल लिखा जाना चाहिए ।

It may be called the Official Language Bill.

Mr. Speaker: अब तो हम ने पास कर दिया कि हम इस को लैंग्वेजेज बिल कहेंगे । उस वक्त आप ने कुछ नहीं कहा । वह चीज तो अब खत्म हो गई है ।

The question is :

"That the Title and the Enacting Formula stand part of the Bill".

The motion was adopted.

The Title and the Enacting Formula were added to the Bill.

Shri Hajarnavis: I beg to move:

"That the Bill, as amended, be Passed".

Mr. Speaker: Motion moved.

"That the Bill, as amended, be Passed"

Shri H. N. Mukerjee: I shall be brief, particularly because we have already spent considerable time. But I am intervening only in order to register the feeling among different sections of the House that this is an occasion of very considerable importance and that is why we should have some discussion at this third reading stage.

I have tried in the course of the discussion to explain our point of view which was that we accord full support to this measure, and we have endeavoured to make it as effective as possible, and we have tried to stress that reassurance to the non-Hindi areas has got to be given in the maximum possible measure in the interests of national integration.

The Government has accepted some of our ideas, and the Government has come forward itself with some reassuring formulations, but I do hope that further efforts would be conducted so that all doubts and apprehensions in the minds of the people who live in the non-Hindi areas are laid at rest.

I would suggest, for instance, that the Home Minister himself, and surely, the Prime Minister, should approach the people and should go on the air as quick as possible and tell

[Shri H. N. Mukerjee]

them about the significance of this measure and particularly try to convince the people who live in the non-Hindi areas that this is a measure which we are adopting only order that people can really and truly come into their own in the administrative sphere as they have done already in the political sphere.

We have, therefore, accorded our support to this measure, and we do hope that every effort is made in order to allay whatever apprehensions and doubts remain in the minds of the people of the non-Hindi areas.

I would also like to say, however, that in certain quarters of the country, a slogan has been raised 'Hindi never, English ever'. I have read this formulation, according to the report, as having been made by the leader of the Swatantra Party, Shri Rajagopalachari. I do expect that our friend Shri Ranga who leads that party with so much distinction in this House would be able to persuade himself to repudiate the connotation of slogans of that sort which seem to rivet the chains of domination by the English language round our neck for all time to come, and that this House has made by means of this Bill a gesture to the country that we are not going to have the domination of the English language, that English will continue on sufferance, that English will continue to be used only because for objective historical reasons the people living in different parts of the country are not yet able to use their own languages for the purposes which are indicated in this Bill as also in the Constitution.

We are, therefore, passing a measure of very great importance, and I do wish that Government makes further efforts to see to it that all apprehensions are allayed and the country goes forward hand in hand together, the Hindi areas as well as the non-Hindi areas, in the great effort to use our own languages in which alone we can express our-

selves, in which alone we can creatively develop to the fullest stature of our national being.

Shri Ranga: I wish my hon. friend Shri H. N. Mukerjee had not made any reference to the views held or the stand taken, according to him, by my leader Rajaji. So far as this question is concerned, as I have said already, I think, yesterday, it was Rajaji who made the effort first in the whole of this country, as the Prime Minister of the Madras Government of those days, to try and introduce Hindi as a compulsory second language in our schools, and he learnt his lessons, as I said, and, therefore, ever since then, he has been advising our people not to try and also not to appear to be trying to impose Hindi on people who do not want it. At the same time, he has been second to none in trying to spread Hindi. He has done his best, and I am sure even those friends who have later come to me, the President of the Hindi Sahitya Sammelan and Samiti and others, can only say that they can claim to have done just as much as Rajaji has done in the non-Hindi speaking areas for the spread of Hindi. Possibly they have done more in the Hindi-speaking areas. But so far as the non-Hindi speaking areas are concerned, the Dakshin Bharat Hindi Prachar Sabha still holds the pride of place and Rajaji has been its godfather and spiritual father also.

Therefore, let us not try now to say harsh or wrong things about Rajaji in regard to Hindi. I do not think my hon. friend, Hiren Babu, has properly interpreted Rajaji's stand when he said 'English ever, Hindi never'. There may be some people who say 'English never, Hindi ever'. But that is not Rajaji's stand. Rajaji certainly stands for English. It is not only Rajaji who does so. Quite a large number of people....

An Hon. Member: How many?

Shri Sheo Narain (Bansi): 2 per cent.

Shri Ranga: . . . veterans in our national struggle who have grown grey in their patriotic efforts, still hold English useful, necessary and essential in present circumstances as a national language, as any other national language which we have in our country. It is no good saying all the time that it is an alien language. It was an alien language in those days when we were fighting against the British. We felt like that then. But after the British have gone, we have had to reconsider our own national language, whatever we consider to be useful, and we have come to that conclusion, that English also is a good language as any other language in our country and it serves a useful purpose.

I have already said yesterday that speaking for myself, I have no quarrel with Hindi. On the other hand, I am extremely anxious that Hindi should be propagated in the south and all other non-Hindi speaking areas. I would only be too glad when that time comes when almost all of us in all parts of India would come to hail the advent of Hindi as our official language. I am sure that will satisfy everybody in this House also. At the same time, I cannot say that this Bill satisfies us.

Let me also make another point very clear. Our Party has made it very clear to the country as well as to our Prime Minister that we have not chosen to give any party whip in regard to this particular matter. We have given complete freedom to our members in this respect (*Interruptions*).

Shri Nath Pai: Shri Yashpal Singh holds a view contrary to his. Which wing is he speaking for? Hindi Wing or English Wing?

Shri Ranga: Every wing has its own way. I am sure every political party here has a Hindi wing as well as a non-Hindi wing.

Some Hon. Members: No, no.

Shri Ranga: Otherwise, it cannot be an all-India party. What the use of trying to deceive ourselves? The Congress is all over India. Therefore, it has got to please and satisfy every section of people all over India. So is the case with every other political party. The only difference is that so many of these other political parties have not chosen to give that freedom to their members to act according to their own conscience as our party has done.

Shrimati Vimla Devi (Eluru): Why does he refer to other parties? He can refer to his own party.

Shri Ranga: I have not singled out the communist party.

Mr. Speaker: Where is the dispute here?

Shri Ranga: I do not know what they are fighting about. I have only said that so many other parties have not done it. I have not said anything about the communist party in particular. In fact, on so many of these amendments, the communists have voted with us. We have all gone on record in that way.

श्री यशपाल सिंह : चार मेम्बरों के सिवाय सब हिन्दी चाहते हैं ।

Shri Ranga: That only shows how much of freedom we have given to ourselves. We have claimed to be a 'freedom' party and implemented our professions in the way in which we have behaved on this particular occasion.

Let me say in conclusion that, unfortunately, for us the hon. Home Minister has succeeded in not implementing in spirit as well in letter the assurance, as we have read it, as we have understood it, given by the Prime Minister, not merely as Jawaharlal Nehru but as Prime Minister and as head of this Government and also speaking, as he said himself, for the general sense of this particular House. He has helped this Parliament to vote against its own right

[Shri Ranga]

to demand that particular Report to be brought back again to itself. He has helped this Parliament to vote against itself, and in that way, to negate itself, negative itself and belittle itself also. It is a very unfortunate thing. It does not stand to his credit. At the same time he has achieved it, because he has got an overwhelming majority here. I am extremely sorry for this, for what they have achieved by simply saying that the Report of that Committee is not to come back to this Parliament but is to go only to the President.

Therefore, I cannot associate myself with this Bill, although some of our Members will certainly associate themselves with it.

श्री यशपाल सिंह : हमको भी मौका दीजिए ।

Shri Hem Barua: He has his own point of view.

Mr. Speaker: I will also see if I can accommodate Shri Yashpal Singh. But there ought not to be any impatience.

श्री बजरंग सिंह (बरेली) : एक ही पार्टी के दोनों हैं, उन को निपट जाने दीजिए ।

श्री बागड़ी : अध्यक्ष महोदय, क्या अंग्रेजी वाले ही पहले बोलगे ?

अध्यक्ष महोदय : पहले पीछे का क्या सवाल है, क्या मैं हिन्दी वालों को नहीं बुलाता हूँ ? यह रिकलेक्शन ठीक नहीं है ।

Shri Frank Anthony: I shall be more than brief. I oppose the Bill in four sentences—because it is a travesty of the Prime Minister's assurance given to the non-Hindi speaking people; because it is a calculated scheme for a blanket imposition of Hindi by the back-door; because it is a calculated scheme for side-tracking not only the non-Hindi speaking legislatures but Parliament; and finally because, in effect, the Bill is a

fraud in law on the non-Hindi speaking people.

डा० गोविन्द दास (जबलपुर) : अध्यक्ष जी, श्री एन्थनी साहब ने इस विधेयक का विरोध किया अपनी दृष्टि से, मैं इसका विरोध करता हूँ अपनी दृष्टि से । यह आश्चर्य की बात है । अंग्रेजी में एक कहावत है :

Two extremes meet.

यह, कर्मा कर्मो सत्य हो जाता है ।

जब मैं इस का विरोध करता हूँ उस समय मुझे अत्यधिक दुःख होता है । मैं ने उस दिन भी कहा था, श्रीर आज फिर कहता हूँ कि जिन पंडित जवाहर लाल जी नेहरू के चरणों में बैठ कर मैं ने सारी जिन्दगी काम किया, जिन श्री लाल बहादुर जी शास्त्री के साथ मैं वर्षों काम करता रहा, उनके मतों के विरुद्ध आज मुझे कुछ कहना पड़ रहा है । मैं ने उस दिन भी कहा था श्रीर आज भी कहता हूँ कि यह मेरी अंतरात्मा श्रीर मेरी कान्धोस का सवाल है । इस के पहले दो बार ऐसे मौके आए थे—एक, जब संविधान सभा मैं अंकों का प्रश्न आया श्रीर दूसरा, जब गो वध बंदी सम्बन्धी मेरे विधेयक यहां पर आए ।

अभी श्री रंगा साहब ने कुछ कहा । मैं उन्हें याद दिलाता हूँ कि संविधान सभा के अवसर पर वह पहले व्यक्ति थे, जिन के पास मैं गया था श्रीर उन्होंने सब से पहले इस बात पर हस्ताक्षर किये थे कि इस देश की राजभाषा देवनागरी लिपि में लिखी हुई हिन्दी होगी । आज जैन की एक बात सुन कर मुझे आश्चर्य हुआ । उन्होंने कहा कि जब यहां पर अंग्रेजी राज्य था, उस समय अंग्रेजी विदेशी भाषा थी, लेकिन आज वह विदेशी भाषा नहीं रही । अजीब तर्क है । मेरी समझ में नहीं आया कि अंग्रेजों के रहते यदि वह विदेशी भाषा थी, तो आज वह स्वदेशी भाषा कैसे हो गई । अजीब बात है ।

जहाँ तक द्रविड़ मुन्नेत्र कड़गम के सदस्यों का सम्बन्ध है और जहाँ तक अन्योन्य साहब का सम्बन्ध है, एक भारत का विभाजन चाहते हैं और दूसरे आज भी भारत में रहते हुए इंग्लिस्तान को और देखते हैं। तो ऐसे लोगों से मुझे कुछ नहीं कहना है। लेकिन जो हृदय में राष्ट्रीय विचार रखते हैं, उन से मैं आज फिर इस बात को दोहराना चाहता हूँ कि जब तक अंग्रेजी का चलन इस देश में रहेगा, तब तक भारत सच्चा भारत नहीं हो सकता, तब तक यहाँ की जनता स्वतंत्रता और स्वराज्य के श्रव्य को नहीं समझ सकती, तब तक इस देश में सच्ची एकता नहीं हो सकती, क्योंकि जो दो फीसदी लोग अंग्रेजी जानते हैं और जो ९८ फीसदी लोग अंग्रेजी नहीं जानते हैं, उन के बीच मैं एक खाई खुदो हुई है, एक दीवार खड़ी हुई है। जब तक वह खाई न पट जायगी, जब तक वह दीवार न ढह जायगी, तब तक इस देश में सच्ची एकता नहीं हो सकती है।

जो विधेयक इस देश में एकता लाने का प्रयत्न करने के लिए लाया गया है, मेरा नम्र निवेदन है—इस में मतभेद हो सकता है—कि मेरा यह मत है कि वह एकता को भंग करने के लिए सब से बड़ा साधन है। इस से न जनता स्वराज्य का श्रव्य समझ सकती है, न इस से देश में एकता हो सकती है, न इस से आर्थिक उन्नत हो सकती है क्योंकि तीव्र गति से वैज्ञानिक तैयार नहीं हो सकते—, न उस से प्रजातंत्र चल सकता है। इस लिए बड़े भारी हृदय से, बड़े दुःख के साथ, हृदय के ऊपर अपनी छाती पर पत्थर रख कर मुझे इस विधेयक का विरोध करना पड़ रहा है।

Shri A. N. Vidyalkar: I am glad that by and large this House has fully endorsed this Bill. Although certain extremist elements attempted to spoil the cordial atmosphere in this House as well as outside, I am glad that the House did not fall into that trap.

This Bill is only an enabling measure. It removes the barriers that the Constitution could have placed

from 26th January, 1965 on the use of English. We felt that the whole country was not yet prepared for the use of Hindi and the other Indian languages. So, that barrier has been removed, and I do not feel that there should be any opposition, I do not see why we should feel that we have discarded Hindi only because we have removed that barrier.

During the British period and thereafter when the Britishers had left, Indian languages had been left in a state of cripplehood. All the Indian languages including Hindi were not ready to be properly used in our administration. This state of cripplehood still continues. The constitutional and political physicians in the Constituent Assembly thought that within 15 years this cripplehood would go and the limping man would be able to stand erect and walk properly, but now we feel that still we are not in that healthy state.

One extreme thought that even the crippled man should be forced and the aids that had been provided in the Constitution should be snatched away at once on the 26th January, 1965. The other extreme thought that we should continue to use the aids for life and that English should continue. We have not accepted both these extreme views. If the first extreme view had been accepted, it would have been very cruel and it would have practically disqualified a large section of our country and people from taking a proper part in our national life. Therefore, I feel that this Bill is really helpful, and I congratulate every section of the House on having accepted this Bill in good spirit.

I remember that some years ago some extremists started in Punjab an imagination against Punjabi. The hon. Member from Karnal was the leader of that agitation, and I am glad that even he today accepts, is prepared to accept, all the Indian languages. I hope when he goes back to his constituency in Punjab, he will encourage the people to study Punjabi,

[Shri A. N. Vidyalkar]

which was being opposed by his followers till today, and that he will not start that kind of agitation again as it will only encourage the DMK people to start a similar agitation in the South as a reaction.

Because we accept all the Indian languages as equal, as everybody has stated, I hope the spirit that has been created here will be maintained, and that no linguistic controversy would be started, that we will all encourage Hindi and the other Indian languages so that very soon we are properly able to use our own languages for all purposes. I think we should once for all understand that English cannot continue to be the link language for ever because the Indian people will not accept it. Therefore, I hope the atmosphere that we have created will continue and we will encourage our own languages and our people to study them.

Mr. Speaker: Shri Alva. Shri Bhakt Darshan.

श्री भक्त दशन : अध्यक्ष महोदय, आज हम सब के लिए आत्म निरीक्षण का समय है। हम जो थोड़े बहुत इस सदन में हिन्दी के सेवक और समर्थक रहे हैं, उन को भी आत्म-निरीक्षण करना है। जब कि मैं देखता हूँ कि केन्द्र के बहुत से मंत्री, और स्वयं प्रधान मंत्री जी, हमारे हिन्दी के पत्रों का जवाब हिन्दी में देते हैं, तब मुझे यह देख कर लज्जा आती है कि उत्तर प्रदेश तथा कई अन्य हिन्दी-भाषी राज्यों के मंत्री महोदय जहाँ की राजभाषा कई वर्ष पहले हिन्दी घोषित हो चुकी है और उसे कानूनी जामा पहनाया जा चुका है, अभी तक हिन्दी के पत्र के उत्तर अंग्रेजी में देते हैं। वैसे ही इस सदन में जितने भी हिन्दी-भाषी विद्वान लोग हैं, वे अंग्रेजी में—लड़खड़ाती हुई और टूटी-फूटी अंग्रेजी में—हो भाषण देने में अपनी योग्यता का प्रदर्शन करते हैं। ऐसी स्थिति में हिन्दी का एक सेवक होने के नाते मुझे बड़ी लज्जा आती है कि मैं अपने अहिन्दी-भाषी मित्रों से यह अनुरोध करूँ कि वे हिन्दी का

प्रयोग करें, जब कि हम हिन्दी वाले स्वयं उस का प्रयोग नहीं करते हैं।

मैं सरकार से भी यह अनुरोध करना चाहता हूँ कि यद्यपि पिछले तीन या चार वर्षों में हिन्दी की जो प्रगति हुई है, वह बहुत उत्साहवर्धक है, शिक्षा मंत्रालय, गृह मंत्रालय और दूसरे क्षेत्रों में भी इस बारे में बड़ा प्रयत्न कार्य हो रहा है और विधि आयोग की जो स्थापना की गई है, वह भी बहुत प्रयत्न कार्य हुआ है, मगर उस में और तेज़ी लाने की जरूरत है। लोगों में यह भ्रम फैल रहा है कि दस वर्ष की जो मियाद रखी जा रही है, इस बीच मैं सरकार हाथ पर हाथ रख कर बैठ रही हूँ। मैं आशा करता हूँ कि हमारे गृह मंत्री महोदय इस बारे में पूरी ताकत से कार्य करेंगे और दस वर्षों के अन्दर बड़ी तेज़ी से हिन्दी को जारी करने का प्रयत्न करेंगे।

अहिन्दी-भाषी मित्रों से मुझे यह कहना है कि उन्हें हिन्दी के प्रति किसी भी प्रकार की दुर्भावना नहीं रखनी चाहिए। मैं एक कवि की छोटी सी कविता पढ़ कर समाप्त करता हूँ। एक हिन्दी कवि ने अहिन्दी-भाषी मित्रों को सम्बोधित करते हुए ये शब्द लिखे हैं :—

भारत की सारी भाषाएँ बुलबुल हैं,
सब के स्वर में अनुपम आल्हादकता बसती
आकाश एक की अगर चहक सुन झुक जाता,
संगीत अगर का सुन धरती लहरा उठती
हिन्दी सब की है बड़ी बहन, शासिका नहीं,
सब की खातिर उसकी छाती में ममता है।

इसकी छाया में सब का संवर्धन होगा,
इसके अंचल में सब की निहित सफलता है।

अध्यक्ष महोदय : अब बहुत से मيمबर साहिबान खड़े न होते जायें। सब को समय दे सकना सम्भव नहीं होगा।

श्री बागड़ी : दो दो या चार चार मिनट सब को दे दिये जायें।

श्री बड़े : आज का यह समय और आज का यह दिन आने वाले इतिहास में बहुत बुरा दिन गिना जाएगा। हम तो यह चाहते थे कि जो पूज्य बापू जी ने कहा था कि जब स्वराज्य मिलेगा तो भारतीय भाषा भी अपनी रहेगी, वह पूरा नहीं हुआ है। अंग्रेज तो चले गए लेकिन अंग्रेजी भाषा यहां रह गई है, वह अभी भी यहां कायम है। आज उसको अमर करने की चेष्टा की जा रही है, उसको कायम रखने की कोशिश की जा रही है। मैं समझता हूं कि जब तक अंग्रेजी रहेगी तब तक हिन्दी का कभी उत्कर्ष नहीं होगा। इसलिए यदि हिन्दी का उत्कर्ष करना है तो मैं समझता हूं कि यह जो बिल है, वह वैसा नहीं कर सकेगा और यह हिन्दी की हत्या करने वाला बिल सिद्ध होगा।

जो हमारा दृष्टिकोण है, उसको मैं आपके सामने रखता हूं। मेरी मातृभाषा मराठी है। लेकिन ऐसा होते हुए भी हमारा दृष्टिकोण यह है कि जब तक हिन्दी पार्लियामेंट में नहीं आती है, सरकारी भाषा नहीं बनती है, तब तक यहां पर ही नहीं बल्कि सारे भारतवर्ष में यहीं कहा जाएगा कि हिन्दी की हत्या करने वाला यह बिल है। इसलिए मैं इसका विरोध करता हूं। आज हमारी आशा थी कि जब कांग्रेस का शासन है तो कम से कम पूज्य गांधी का नाम लेने वाले कांग्रेसी जो हैं, उनकी फोटो सामने रख कर उनकी पूजा करने वाले जो लोग हैं, वे तो कम से कम बापू जी की इच्छा की पूर्ति करेंगे। उनको चाहिये था कि हिन्दी भाषा को भारतवर्ष की भाषा रखते।

हमारे फ्रेंड एन्थोनी सरिखे तथा रंगा साहब सरिखे नेताओं ने इंग्लिश के बारे में इतना हंगामा मचा दिया कि हमारी सरकार को झुकना पड़ गया और कम्प्रोमाइज करना पड़ गया। जो कम्प्रोमाइज उन्होंने किया, जो वह झुक गए, उसी के परिणामस्वरूप उन्होंने इस बिल को यहां पेश किया।

मैं अपनी तरफ से तथा अपनी पार्टी को तरफ से इस बिल का विरोध करता हूं।

Some Hon. Members— rose.

Mr. Speaker: All hon. Members cannot be accommodated. In spite of all these efforts, in spite of the fact that we have spent over 20 hours it is not possible to accommodate everyone.

Shri Sham Lal Saraf: Sir, I come from a State that is a so-called non-Hindi State. I wholeheartedly support this Bill and find it perfectly constitutional and also in keeping with the assurance that was given by the hon. Prime Minister in September 1959. I may not have spoken but I submit that I heard some voices on this side about Urdu. Shri Badrudduja also referred to this. I can assure him that Urdu is spoken in a number of States in our country. As far as my State is concerned, our regional language is Urdu and the script is Persian. All the same we have taken to Hindi in keeping with the spirit of the Constitution of our country. We teach English also to our students.

Shri Ranga for whom I have got great respect said one or two things. When trouble broke out in Kashmir in 1947-48 and instantaneously armies were flown there from different parts of the country, I know the situation at that time. I can assure him that in a very short time, we found that the sepoys from the south and from other parts of the country within a few days were speaking Hindi. They did not find any difficulty in dealing with the local population. I do not agree with him when he says that Hindi will create a big wall of separation. Even today in my part of the country 90 per cent of the people are non-Hindi-speaking. But I can assure him that we are going ahead wholeheartedly in keeping with the spirit of the Constitution and the decision of this Parliament.

I want to assure Shri Ranga one more thing. He said that people in the

[Shri Sham Lal Saraf]

South have regard and respect and sanctity for Ganges, Jamuna and other things. It seems he did not know that people in the north have no less sanctity for rivers and holy places of all religions in the South. I was very young in those days when with great devotion. I travelled right up to Rameshwaram. In my morning prayers, I always pray for Godavari, Krishna and Cauveri, Narmada and Tapti as I pray for the Ganges. People in the country treat this country as a whole as our sacred motherland. We have to keep our sacred motherland free from harmful influences.

Some of my friends want to go ahead with Hindi with very great briskness.

Mr. Speaker: The hon. Member's time is up.

Shri Sham Lal Saraf: I would say this to them. Let us persuade those of us who do not know Hindi and let us bring them up with this policy by persuasive methods in furthering a proper understanding of the spirit of the Bill before us. Sir, I wholeheartedly support this Bill.

अध्यक्ष महोदय : श्री देशमुख ।

जो माननीय सदस्य बोल चुके हैं, उनको फिर से मौका नहीं दिया जा सकता है ।

श्री बागड़ी : जितने बोले हैं, वे सब पहले भी बोल चुके हैं ।

अध्यक्ष महोदय : जितना समय आप बिना इजाजत बोलने में ले जाते हैं, उसको अगर जमा किया जाए तो आप अपनी बारी में बहुत ज्यादा वक्त ले चुके हैं ।

श्री शिवाजीराव शं० देशमुख (परभणी): अध्यक्ष महोदय, जो आपने मुझे बोलने का अवसर दिया है, उसके लिए मैं आपका बड़ा आभारी हूँ ।

जो विधेयक आज सदन के सामने है, वह उस आवासन के परिणामस्वरूप लाया गया है

जो कि राष्ट्र की ओर से हमारे प्रधान मंत्री जी ने इस सदन में दिया था और जिस को इस सदन ने स्वीकार करने का अब निश्चय किया है । इससे मुझे बड़ी खुशी होती है ।

मैं अपनी टूटी फूटी हिन्दी भाषा में इसके सम्बन्ध में दो चार शब्द कहना चाहता हूँ और मैं आशा करता हूँ, अपेक्षा करता हूँ कि इस सदन के सम्माननीय सदस्य, श्री शास्त्री जी तथा भक्त दर्शन जी मुझे क्षमा करेंगे यदि मेरी भाषा में कोई गलती हो ।

इस विधेयक पर चर्चा सुनते समय, वाद-विवाद सुनते समय ऐसा प्रतीत होता है कि यह सवाल आंग्ल भाषा और हिन्दी के बीच इसलिए पैदा हुआ है कि ग्रहिन्दी भाषा भाषी प्रान्तों के चन्द सरकारी कर्मचारी यहाँ के सचिवालय में हैं और साथ ही साथ इसलिए भी पैदा हुआ है कि अगर हिन्दी भाषा को प्रामाणिक भाषा मान लिया जाएगा और अगर हिन्दी में ही सरकारी कार्रवाई करनी शुरू कर दी जाएगी तो ग्रहिन्दी भाषा भाषी राज्यों के जो लोग हैं, उनका सरकारी नौकरियों में शामिल होना मुश्किल हो जाएगा । मैं समझता हूँ कि सरकार का परम कर्तव्य जनता की सेवा करना है और अगर जनता की सेवा प्रामाणिक रूप में की जाना आवश्यक है तो जिस भाषा को जनता समझ सके, उस भाषा में सरकारी कर्मचारियों को और सरकारी प्रवक्ताओं को पत्र-व्यवहार करना चाहिये । यह बहुत जरूरी है । इस दृष्टिकोण से अगर देखा जाए तो ग्रहिन्दी भाषा भाषी राज्यों में से चन्द सेवक सरकारी कर्मचारियों में शामिल न भी हो सकें तो भी जिस भाषा में जनता राज्य का कारोबार समझ सकती है, उस भाषा में अगर राज्य का कारोबार होता है तो जिस लोकतंत्र को हम ने स्वीकार किया है, उस लोकतंत्र का कुछ अर्थ बच जाएगा ।

अध्यक्ष महोदय, इस सदन का नाम लोक सभा है और अगर लोक सभा को वास्तव में

लोक सभा रहना है जैसा कि हर एक माननीय सदस्य का मंशा है तो यह लोक सभा सही मानों में लोक सभा नहीं होगी अगर एक मामूली कर्मचारी अपनी मातृभाषा के सिवा दूसरी कोई भाषा न जानता हो, जिस पर जनता का विश्वास हो, उस भाषा को न जानता हो। जनता के सेवकों के रूप में जब हम इस सदन में उपस्थित हुए हैं, तो अपनी मातृभाषा में यदि हम अपने विचार यहां नहीं रख सकते हैं तो हमारा लोक तंत्र में विश्वास आएगा, ऐसा नहीं माना जा सकता है। हमारे परम मित्र मेलको जी ने जो सुझाव आपके सामने रखा है, उसको कार्यान्वित करने के लिए अगर संविधान में संशोधन करना जरूरी हो तो वंसा भी किया जा सकता है और जो चौदह भाषायें हैं, उन सब भाषाओं में से किसी में भी सदस्यों को अपने विचार प्रकट करने के लिए अनुमति लेने की आवश्यकता नहीं होनी चाहिये।

चूंकि हिन्दी भाषा का विकास इतना नहीं हुआ है कि सरकारी कर्मचारी उसका उपयोग कर सकें, इस लिए आंग्ल भाषा को प्रामाणिक स्वरूप देने के उद्देश्य से जो विधेयक सदन में आया है, उसका मैं समर्थन करता हूं और आशा करता हूं कि सदन इसको अपनी सम्मति दे देगा।

Mr. Speaker: Shri Kamath. He will be very brief. He has spoken several times.

Shri Hari Vishnu Kamath: I will take even less than five minutes. At this historic moment when the Lok Sabha is about to put its final seal of approval, its imprimature on this measure, which is essentially a compromise measure, which is a golden mean, what I might call, the *Swarna Madhyam* of legislation, with which my party—as adumbrated by my hon. friend Shri Hem Barua, in the first reading—has expressed agreement in principle, I am sorry only on two counts. First, because it was not re-

ferred to a Select Committee. Secondly, I am sorry because the very sober and very reasonable amendments which I had moved investing the Parliamentary Committee with the right that is its due, with the functions that is its due under the rules of procedure, were also negated by the Government. And I am constrained to say that Parliament has stultified itself in rejecting those two or three amendments.

Be that as it may, now that the Bill has been passed, I hope the dust of controversy will be laid both here and outside the House. To those of my hon. friends who oppose English, may I plead with them, in all humility, with all earnestness, that we fought against British rule; against the British imperialism, but we did not fight against their language. To fight against a language is most irrational. What happened, Sir, to India when the Moghuls came to India? There was no Urdu at that time. But today we have adopted Urdu as one of our own national languages. Is that not a remarkable demonstration of India's genius for synthesis or for synthetic assimilation, a genius which this nation has demonstrated throughout the millennia of her history? On this occasion, therefore, I would appeal to those of my friends who are opposing, to look at it in this light; let us all be true to our own genius, to our own heritage which we cherish.

Mr. Speaker: The hon. Member's time is up.

Shri Hari Vishnu Kamath: Before I close, to those who plead for the continuance of English indefinitely, I would only appeal to them also that it is in our national interest that Hindi, spoken as it is by the largest single group, comes to occupy an honoured place in the life of our nation but not to the detriment of the other 13 national languages which we have enshrined in the Eighth Schedule to our Constitution.

[Shri Hari Vishnu Kamath]

One last word and I have done. I look forward to the day, along with my hon. colleagues here in the House and the millions of our countrymen outside, envisaged in article 351 of the Constitution where it has been said very clearly, honourably and categorically, that all of us shall bend our energies to "promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India and to secure its enrichment by assimilating without interfering with its genius, the forms, style and expressions used in Hindustani and in the other languages of India prescribed in the Eighth Schedule—".

Mr. Speaker: The hon. Member's time is up.

Shri Hari Vishnu Kamath: I shall finish now:—"and by drawing, wherever necessary or desirable, for its vocabulary, primarily on Sanskrit and secondarily on other languages also." I hope that "other languages" means not merely the languages mentioned in the Eighth Schedule but also European languages, not merely English, but other European languages like German, French, Russian and other languages of the world. And thereby we will enrich Hindi and make Hindi really the Taj of languages in the world.

श्री शिव नारायण : अध्यक्ष महोदय, मैं आप की सेवा में निवेदन करना चाहता हूँ कि रहीम ने लिखा है :

"भार शोक सब भार में रहि मन उतरे पार"
आज इस सरकार ने हिन्दी और अंग्रेजी के बारे में जो उस की जिम्मेदारी है उस से छुटकारा पा लिया। आज इस मुल्क की एक बहुत बड़ी प्राब्लेम हल हो गई (laughter) यह हंसने की बात नहीं है। हमारे मुल्क के दक्षिणी हिस्से ने अंग्रेजी के लिये बड़े जी जान से इस हाउस में कोशिश की। एक एक पार्टी को

छोड़ कर नान-पार्टी का हो कर चला। लेकिन आज हमारी गवर्नमेंट छुट्टी पा गई, हमारे लाल बहादुर छुट्टी पा गये, प्राइम मिनिस्टर छुट्टी पा गये। अब वह पूरी तरह से जनता की चीज है। इंग्लैंड में भी एक डिमाक्रेटिक सेट-अप है और इंडिया में भी एक डिमाक्रेटिक सेट-अप है। वहां पर लिटरेचर पब्लिक स्फियर की चीज है। वही हिन्दुस्तान में रहा है। अकबर कालीन भारत में तुलसीदास और सूरदास जैसी हस्तियां पैदा हुईं। हमारे प्राइम मिनिस्टर ने कहा कि उर्दू में बड़ा लिटरेचर है, ठीक है। उर्दू में भी खजाना है और हिन्दी में भी खजाना भरा है। आज सरकार ने इस झगड़े से छुट्टी ले ली, यह बड़ा अच्छा हुआ। मैं इस पार्लियामेंट की तरफ से और आप के जरिये कहना चाहता हूँ, जनता से निवेदन करना चाहता हूँ कि जनता इस के लिये कोशिश करेगी तब हिन्दी पनपेगी, जनता तंगदिली को छोड़ कर आगे बढ़ेगी तब हिन्दी फलेगी और फूलेगी क्योंकि वह सब से सरल जवान है। भारत की उर्दू भी भारत में पैदा हुई इस लिये उर्दू भी इस मुल्क में पनपी। काश्मीर से ले कर हैदराबाद तक, बंगाल तक हिन्दी और उर्दू मिली हुई है और सादी हिन्दी जिसे आप कहते हैं वह इस देश में चलती है। कुली भी वही बोलता है, रिक्शा वाला भी वही बोलता है। मैं ने हिन्दी का साहित्य देखा है, मैं हिन्दी का प्रेमी हूँ, हिन्दी का प्रचारक हूँ, मैं चाहता हूँ कि वह फले फूले। उसी से इस देश का कल्याण होगा। अंग्रेजी से मुझे कोई ग्रज नहीं है, जितने लोग उस को सीखना चाहें सीखें। एम० ए० तक जो चाहे वह हिन्दी पढ़ सकता है पन्द्रह सालों के अन्दर। जो आज दर्जा चार में पढ़ रहा है वह पन्द्रह सालों में एम० ए० कर सकता है इंग्लिश में। लेकिन मैं प्राइम मिनिस्टर से प्रार्थना करता हूँ कि आगे से हिन्दी वाले लड़कों को लिया जाय, चाहे वह दक्षिणी भारतवर्ष से आया हो या उत्तरी भारतवर्ष से आया हो। उन को सब जगह पर प्रिफरेंस दिया जाय और जो नेकटार्ड और कालर वाले हैं उन्हें रिजर्व किया जाय।

जब इस तरह से होगा तब आप की कुल प्रब्लेम हल हो जायेगी ।

इन शब्दों के साथ मैं बिल का समर्थन करता हूँ ।

श्री यशपाल सिंह : मुझे इन्साफ मिलना चाहिये । मैं न्याय की मांग करता हूँ ।

श्री बजराल सिंह (बरेली) : पार्टी का एक व्यू रंगा साहब ने एक्सप्रेस कर दिया, दूसरा व्यू इन को एक्सप्रेस करने दिया जाय ।

अध्यक्ष महोदय : हर एक पार्टी में दो दो व्यू है तो क्या किया जाय ? (Interruption)

श्री बजराल सिंह : मेरी पार्टी का एक ही व्यू है ।

Mr. Speaker: This cannot go on indefinitely. Shri Yashpal Singh also has expressed himself. He was the first speaker.

Shri Yashpal Singh All have expressed themselves.

Mr. Speaker: Not all.

Dr. L. M. Singhvi: I have a submission to make. Particularly, when Shri Frank Anthony spoke, he spoke just for a minute and a half, and so, even if you were to allow five minutes to each, still, I am entitled to have three minutes or so.

Mr. Speaker: He has already taken three minutes now.

श्री गौरी शंकर कक्कड़ (फतेहपुर) : अध्यक्ष महोदय, मुझे ज्यादा समय नहीं लेना है । मेरे कुछ विचार हैं जो मैं सदन के सम्मुख रखना चाहता हूँ । मुझे इस बात का दुःख है कि आज इस सदन में हम लोगों ने एक ऐसा विधेयक पारित किया जिस के अनुसार अंग्रेजी भाषा को आगे के लिये, एक अनिश्चित समय के लिये, बढ़ा दिया गया है । मुझे तो केवल यह कहना है कि जब संविधान में हम ने पन्द्रह वर्ष के लिये इस को रखने का निर्णय कर लिया

था तब भी उस समय के बीच में सरकार ने इस ओर कोई कदम नहीं उठाया । अगर व्यावहारिक रूप में केवल थोड़े समय के लिये अंग्रेजी को बढ़ाने की मंशा सरकार की है तो ठीक है, वरना अगर अंग्रेजी को रख कर, जैसा मैं ने इस सदन में पहले भी निवेदन किया, सिर्फ अंग्रेजियत को बढ़ाने की मंशा है तो मैं समझता हूँ कि यह एक बड़े दुःख की चीज होगी ।

अभी हमारे मित्र श्री शिव नारायण जी ने कहा कि अब पंडित जी का और शास्त्री जी का कर्तव्य समाप्त हो गया । लेकिन मैं तो कहूंगा कि सही मानों मैं उन का कर्तव्य अब शुरू होता है । आज उन के ऊपर एक बहुत बड़ी जिम्मेदारी आ गई है । मैं तो देखना चाहता हूँ कि अगर वास्तव में उन की मंशा सही तौर से हिन्दी की, जो कि आफिशल लैंग्वेज है, तरक्की की है तो उस ओर कदम बढ़े । मैं तो सिर्फ उन को इस ओर बढ़ते देखना चाहता हूँ कि वास्तविक रूप में अंग्रेजी के रहते हुए भी हिन्दी अपना उचित स्थान ले ले और इस प्रकार का दिन आ जाय कि अंग्रेजी की आवश्यकता न हो कर हमारा सब काम हिन्दी में होना आरम्भ हो ।

अध्यक्ष महोदय : श्री बागड़ी ।

श्री यशपाल सिंह : अध्यक्ष महोदय, . .

अध्यक्ष महोदय : श्री यशपाल सिंह अगर ममसते हैं कि उन के साथ न्याय नहीं हो रहा है तो बार बार खड़े न हों, वे बैठे रहें तो शायद मैं उन को समय दे सकूँ ।

श्री बागड़ी : अध्यक्ष महोदय, आज मैं एक बात इस पवित्र सदन में आप की मार्फत कहना चाहता हूँ कि आज तक दुनिया के इतिहास में किसी भी सरकार ने अपने विधान को इतनी बेदरदी से नहीं कुचला, जिस बेदरदी से आज इस अंग्रेजी के काले कानन को देश की जन्ता पर लाद कर हिन्दुतान के प्रधान मंत्री अपने हाथों से देश के विधान को

[श्री बागड़ी]

कुचल रहे हैं। हिन्दुस्तान की जनता को सन् १९५० में विश्वास दिलाया गया था। लेकिन मैं नहीं मानता कि वह प्रधान मंत्री जी का विश्वास था। वह तो बापू का विश्वास था क्योंकि उससे कुछ ही पहले बापू शहीद हुए थे। उस वक्त उनका असर देश के अन्दर और कांग्रेस पार्टी पर भी था। इसलिए उस वक्त फँसला कर लिया गया कि १५ वर्ष बाद अंग्रेजी नहीं रहेगी। लेकिन वह हवा खत्म हुई, बापू का असर खत्म हुआ। आज हिन्दुस्तान की सरकार पर असर है पूँजीपतियों का जिन्होंने देश के गरीब वर्ग को लूटा है और शोषण किया है। इसी कारण जो विश्वास हिन्दुस्तान की जनता को दिया गया था आज १५ साल बाद उस पर कुठाराघात किया गया। आज दुःख के साथ कहना पड़ता है कि अभी भी हिन्दुस्तान के अन्दर अंग्रेजी भाषा रहेगी। आज सरकार राष्ट्र भाषा का नाम लेकर इस देश की गरीब जनता पर अंग्रेजी लाद रही है, और आज इस प्रकार हिन्दुस्तान की एकता को, हिन्दुस्तान के सम्मान को, हिन्दुस्तान की संस्कृति को, हिन्दुस्तान की मानवता को और हिन्दुस्तान के संगठन को धक्का पहुँचाया है, जिसके द्वारा वह अपनी सरहदों को बचा सकता था।

16 hrs.

आज एक दक्षिण और उत्तर की आवाज उठ रही है, लेकिन इसकी पैदा करने वाली सरकार ही है। अगर सरकार राष्ट्र भाषा को आगे बढ़ाती और प्रान्तीय भाषाओं को आगे ले जाती तो यहां भाषाओं का कोई झगड़ा नहीं हो सकता था। सरकार को उसकी दिलमिल नीति ने और अंग्रेजी के मोह ने मजबूर कर दिया इस कदम को उठाने के लिए, और आज देश में ऐसा वायुमंडल बन गया है कि राजभाषा नहीं बन सकती।

मैं आपकी मारफ़त इस सदन से निवेदन करूंगा कि हिन्दुस्तान के करोड़ों इंसानों के आप प्रतिनिधि हैं जिनकी भाषाएं प्रान्तीय

भाषाएं हैं, अंग्रेजी उनकी भाषा नहीं है। वह तो उनकी भाषा है जिनके बच्चे पांच पांच सो और हजार हजार रुपए महीने दे कर पढ़ते हैं। देश का हरिजन, देश का नंगा, भूखा, मजदूर किसान, आपको अपना नेता समझ कर आपके ऊपर अपनी आशाएं लगाए बैठा है, लेकिन आज इस सदन में अंग्रेजी के इस काले कानून को लाकर उनकी आशाओं का खून किया जा रहा है।

मुझे इतना ही निवेदन करना था।

Shrimati Yashoda Reddy (Kurnool):
Mr. Speaker, Sir, to solve any problem in a dogmatic unyielding manner is not only impracticable, but almost foolish. I am very glad the Government, as I have already said, has followed a *via media* policy. That is the only successful thing to do. Just now my friend, Shri Bagri said it is a black Bill. He has not only brought down the honour of India—I could not understand him properly, but I would tell him that this policy of tolerance, this policy of appreciation of the people who are not constitutionally as powerful as the others, is the greatness of Panditji and Lal Bahadurji. If Panditji has got a great name in international field on account of his policy of co-existence, here it has been repeated by his tolerance. By their tolerance, the Government have not only honoured themselves, but they have honoured India.

I am coming from a South Indian State and we welcome this. Maybe we may not have been as much satisfied as we would have wanted to be; for instance, having 'shall' instead of 'may'. But that is not the thing. In the national interest and spirit of sacrifice, we have unanimously accepted whatever the Government wanted, because we understood their motives better. But there is one appeal I would like to make to the Hindi-speaking people. We will go and tell our people why Hindi has to be learnt. But I would

appeal to my Hindi brothers not to incite their people against us, but to explain to them why extra time has to be given to us, because it is a historic accident that we have learnt English and we need some more time to learn Hindi. The hon. Minister was pleased to mention by name and said, he hoped that I would not change my opinion of him because he has not accepted my amendment. Certainly, our opinion of him is not based on his accepting or not accepting the amendment. By their fanatical approach, our Hindi brothers are not only distressing us, but they are endangering their own cause.

Some Hon. Members: No.

Shrimati Yashoda Reddy: Yes; Certainly, because after all, language is a thing which is more pertaining to the heart and head. You can clamp a lion by force, but you cannot make a flower blossom. Only by love and affection you can achieve it and not by force.

श्री यशपाल सिंह : अध्यक्ष महोदय, हमारी पार्टी—यूनिटी इन डाइवर्सिटी—को मानती है। जैसा कि ब्रह्मसिंह वेद व्यास ने लिखा है : —

श्रुतयोपि भिन्नाः स्मृतयोपि भिन्नाः,
नैकः मुनीनां बचन प्रमाणम् ।

जब देश की रक्षा करनी होती है तो विचार वैषम्य होता है। वह पार्टी ही क्या है जो पार्लिटिकल डिफेंस को न निभा सके। वह पार्टी ही क्या है जिसमें खयाली इखितलाफ न निभ सके।

हमने राजाजी को समझाया है और आश्वासन दिया है कि हम हिन्दी के लिए जी जान से लड़ेंगे क्योंकि अगर हिन्दी बचेगी तो समस्त भाषाएं बचेंगी, अगर हिन्दी नहीं बचेगी तो देश की कोई भी भाषा चाहे वह बंगला हो, गुजराती हो, उर्दू हो, असमिया

हो, कन्नड़ हो, नहीं बच सकती। हमको आज हिमालय की रक्षा करनी है। और अगर हिमालय हंसेगा तो हिन्दी से हंसेगा। यह नहीं हो सकता कि जिस जवान के लिए हम वायदा कर चुके हैं कि इसको खत्म कर देंगे, उसको दोबारा जारी करें। सरकार का बश चीन पर नहीं चला, सरकार ने हिन्दी को कत्ल कर दिया। जो बहादुरी चीन के खिलाफ दिखानी चाहिये थी वह हिन्दी के खिलाफ दिखायी गयी। अगर हम एक भाषा बोलते और एक ही प्रकार से सोचते तो चीन की हमारे ऊपर हमला करने की हिम्मत नहीं हो सकती थी। आज भी सरकार सुधार कर सकती है क्योंकि

It is never too late to mend.

सरकार चाहेगी वह होगा। जापान ने चाहा था कि उसकी अपनी राष्ट्र भाषा आवे, तो सन् १९२३ में उन्होंने कानून बना दिया था कि जिनके बच्चे मां बाप से मम्मी और डैडी कहेंगे उनको ६ महीने की सजा दी जायेगी। अगर आज यह सरकार और यह सदन हिन्दी को नहीं अपनाएगा तो हिन्दी नहीं पनप सकेगी। मुझे अपने देश की सारी भाषाओं से प्यार है, चाहे वह बंगला हो, या गुजराती हो, या मराठी हो या और कोई भाषा हो। उसके लिए मैं लड़ सकता हूँ। लेकिन जो पांच हजार मील की भूमि की जवान है, जो कि हमारी दासता की प्रतीक रही है और जिसने हमारे दिल और दिमाग पर बुरा असर डाला है उस अंग्रेजी को, जो कि हमारी गुलामी की भाषा थी, हम स्वीकार नहीं कर सकते और उसको स्वीकार करके हम हिमालय को नहीं बचा सकेंगे। हम अंग्रेजी को नहीं बरदाश्त कर सकते। जिस तरह एक बूंद जहर एक बाल्टी दूध को खराब कर सकता है, इसी तरह अंग्रेजी हम को नुकसान पहुंचा सकती है। हमको आज देश की रक्षा करनी है और हिन्दी की रक्षा करनी है। हमारे लाल बहादुर जी शास्त्री ने लाला लाजपत राय के साथ मिल कर हिन्दी के द्वारा

[श्री यशपाल सिंह]

देश का निर्माण करने का संकल्प किया था। आज हम उन को छोड़ कर कहां जाएं।

किससे फिर शिकवाएं बेदार करें अहले चमन, चाक कलियों के जिगर को जो बहारों कर दे।

आज शास्त्री जी की जिम्मेवारी बढ़ गई है और हमारी जिम्मेवारी भी डबल हो गयी है। एक तो हम को सरकार की डिवाइड एंड रूल की पालिसी से लड़ना है और दूसरे इस देश के ४४ करोड़ इन्सानों को एक सूत्र में बांध कर देश की रक्षा करनी है, हिन्दी की रक्षा करनी है। हमारा संकल्प है कि हम देश की एकता भी कायम रखेंगे, देश की रक्षा भी करेंगे और हिन्दी की रक्षा भी करेंगे।

Shri Joachim Alva (Kanara): I may be given a chance. Sir, I have been sitting for 4 days. I did not hear my name being called.

Mr. Speaker: Who is to blame? May I know whether those hon. Members around him did hear his name being called or not?

Shri Joachim Alva: No, Sir. They did not hear my name being called.

Mr. Speaker: Then how does he know that I had called him?

Shri Joachim Alva: I did not hear, not from this bench, Sir.

Mr. Speaker: All right.

Shri Joachim Alva: Thank you, Sir. It has always been my lot to be the last speaker on the third reading of an outstanding Bill. It is rather an unfortunate lot, but let me straight-away come to the Bill.

This is a very historic occasion. There are three outstanding traits of small and great nations. They are one flag, one language and one song. Our song of freedom was rendered by great Tagore in the sea of bloody patriotism. There are masses of people who fought both for Vande Mataram

and Jana Gana Mana. When we hear the song Jana Gana Mana sung in the capitals all over the world, the hearts of our countrymen are thrilled. I may tell you in all humility that this song Jana Gana Mana stands as one of the three greatest national songs in the world in regard to its tune, music and song.

In regard to the flag, many men from your own community, Sir, have shed blood holding it high in the days gone by, when the British had not left the country. Blows were rained on their heads, but they stood strongly by that flag. That flag today has become the emblem of every child and every Indian wherever we go, in every part of the world. The process of a national language was not completed. The language was not completed because we were confused in our own minds as to what should be our national language, when it should come, after what period it should come and all that. It was Mahatma Gandhi who when he came back here after having worked for a long time in South Africa found that it was impossible to do any public work until he approached the masses through the medium of a powerful language. It was Mahatma Gandhi who decided it, Mahatma Gandhi who came from a non-Hindi-speaking area. I for one, in my humble way, has come to the conclusion, after hearing all the speeches here, that unless Hindi is made the instrument of our national policy we cannot forge ahead.

The great tragedy is that the 14 languages of India have not been fostered like an umbrella. They should have been developed like mighty trees, in which the songs, the dramas and the poems should have been rejuvenated. We have not done that.

I beg to differ from the hon. Prime Minister on one point. These 14 languages should have grown like mighty trees on the foundation of Sanskrit.

Sanskrit is the foundation of our culture. We have to have the Devanagiri Script and no other script. Shri Frank Anthony said that we should have the Latin script. It is far away from reality. Shri Anthony does not move with the times. The Vatican is the most powerful church in history. They are changing a major rule in their 2000 years' history. The Vatican summoned the largest assembly of Bishops in Rome this year. There they have almost decided to change the Latin language. They have almost decided that their Mass, the principal ritual of the catholic church shall be in the languages of the peoples of the world, in whichever country their religion is preached. When this conference is taking place this year and when they are taking such a decision after 2000 years, Shri Anthony, though not a Catholic, does not move with the times.

There is one point about language and science. Science can move only on the wheels of the language of the country—the child sucking the mother's milk, as they say. Russia today has gone so fast by the power of their own language. I heard Dr. Teller, the maker of the atom hydrogen in America in 1960. I took particular care to attend his lecture. He said: "unless we Americans revolutionise our system of scientific education we have no chance of survival against Russia". This is what Dr. Teller said. Those words are still ringing in my ears. I heard him myself in Boston and I made a note of it. He even went to the extent of saying that Russia can make the atom bomb without information from spies. How was that achieved. That was achieved by the power of the Russian language. Our 100 million Russians are today trained in that language.

16.13 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Our boys and girls in the schools will have to learn one language by

which the treasures of science will be opened out to them. Language is the key to a man's heart, a woman's heart and a child's heart. Unless we speak to a man, a woman or a child in their own language, we would not be able to build up our nation.

That is why, Sir, I say that today this historic Bill fulfils our national traits and aptitudes. The Prime Minister and the Home Minister have joined together and this historic measure has been achieved. Sir, my mother tongue is konkani. I speak and say my prayers in Konkani. I have learnt English. In my vast constituency I speak in Marathi, Tulu Hindusthani and Kannada. In Bombay I got some knowledge of Gujarati. If we keep our minds shut against languages, we will not be able to march forward. We have to keep our minds flung open far and wide so that our country may become great and in the next ten years to come we shall assuredly march ahead and achieve more and more progress.

Dr. L. M. Singhvi: Mr. Deputy-Speaker, Sir, the manner in which the clause-by-clause passage of the Bill was piloted was alarmingly casual and supremely perfunctory, if I may say so. The Minister of State who piloted the clause-by-clause discussion exuded much heat without being able to shed enough light. I am reminded of a cavalier inscription which says in a cynical manner: "They say so; let them say". This appears to be the attitude of the Minister of State who piloted the clause-by-clause consideration.

Sir, I feel that the constitutional validity of the Bill is doubtful. Its impropriety is obvious. I feel that not specifying the purpose for which English is going to be used and failing to specify the duration and to delimit it, the Government has shown scant regard for the Constitution. I would like to say also that after the Minister of State treated us to several shifting

[Dr. L. M. Singhvi]

variations of his versions of what this committee under clause 4 is going to be, we were told finally by the Home Minister that this committee is going to be a statutory committee and not a parliamentary committee. This would mean that the Parliament would be precluded from discussing the report in a real and substantive way, because we will not be able to move any amendment or reject it or accept it as such.

In the end, Sir, I would like to say that the Bill fails fully to assure the nation that the Government continues to be committed constructively, ceaselessly, sincerely and unremittingly to work for the progressive use of Hindi as the official language of the Union. In having failed to do this they have not only acted in contravention of the spirit of the constitutional provisions but also in disregard of large public sentiment.

I feel that in rejecting the demand for appointing a Commissioner for Hindi the Government have also rejected the demand for ensuring that Hindi shall be progressively used and introduced for the official purposes of the Union.

In the end, I would like to say that for the next ten years the noblest, the greatest and the most engaging task of this nation would be to see to it that Hindi is brought actually in use as the official language of the Union, and towards this task I hope the Government would, in a much more determined manner than they have done hitherto, devote itself in a sincere way.

श्री कमल नयन बजाज (वर्धा) :
उपाध्यक्ष महोदय, हमारे सामने जो सवाल है, राजभाषा और राष्ट्रभाषा का है। आज जिस तरह की मनःस्थिति मेरी हो रही है, उस में कुछ खेद भी है, सुख भी है, मैं लाचारी भी महसूस करता हूँ और कर्तव्यवश जो कुछ हमें करना पड़ रहा है, वह भी करने में हम को एक प्रकार का संतोष है।

हम ने माना था कि पंद्रह साल के अन्दर हम इस तरह की अवस्था में पहुँच जायेंगे कि हिन्दी और प्रादेशिक भाषाओं के विकास के साथ साथ अंग्रेजी की भी जो कुछ उन्नति होगी, उस को हम अपना सकेंगे और बिना अंग्रेजी के हम अपने दफ्तरों का कार्य आसानी से कर सकेंगे। लेकिन हमें खेद के साथ यह तो मन्जूर करना पड़ेगा कि जितनी तरक्की हम चाहते थे, उतनी हम नहीं कर पाए। लेकिन इस का यह कोई अर्थ नहीं हो जाता है—जैसा कि कुछ भाइयों ने कहा—कि हम में किसी प्रकार भी हिन्दी का अपमान करने का या उस पर किसी तरह का दोषारोपण करने का सवाल होता।

राजभाषा का जहाँ तक सवाल है, सरकारी कर्मचारियों को उस भाषा का आना और उसमें अपना कार्य करना एक बात है, लेकिन जनता को सरकार के साथ में जो काम करना है, उस को किस भाषा में, या किन भाषाओं में, करने में सुविधा और आसानी हो सकती है, इसके बारे में देश और राज्य के नेताओं को हमेशा सोचना पड़ेगा। ऐसी परिस्थिति में जनता को पूरी तरह से महत्व देना जरूरी हो जाता है। क्योंकि एक गंवारू आदमी से, जो पढ़ा-लिखा नहीं है, यदि हम यह उम्मीद करें कि वह अपनी प्रादेशिक भाषा या राष्ट्र-भाषा में न लिख कर किसी दूसरी पराई भाषा में लिखे, तो वह नहीं लिख सकेगा और उसको किसी न किसी के पास जा कर लिखवाना पड़ेगा। लेकिन जो लोग विद्वान और पढ़े-लिखे हैं, जो भाषा वे नहीं भी जानते हैं, यदि देश के हित में उस को जानना जरूरी है, वे उसको आसानी से जान सकते हैं। उसके लिए जो अवधि हमने दी थी, वह पूरी नहीं साबित हुई, उस को हमें मन्जूर करना चाहिए और आगे इस संबंध में खाली भावना के साथ सोचने की बनिस्बत व्यावहारिक तरीके से भी हम को सोचना चाहिए और हम किस तरह से हिन्दी को जल्दी से जल्दी अपना सकते हैं और उस को राष्ट्र-भाषा

और राजभाषा का उन्नत और उच्च स्थान दे सकते हैं, इस तरफ हम को विचार करना चाहिए ।

हमारे हिन्दी के भी जो प्रदेश हैं, उत्तर प्रदेश है, बिहार है, राजस्थान है, मध्य प्रदेश है, वहां के कर्मचारी, वहां की सरकार के प्रयत्न करने के बावजूद भी पूरा काम हिन्दी में आज तक नहीं कर पा रहे हैं । ऐसी हालत में मैं मानता हूं कि पहले वहां पर हमारा काम हिन्दी में होना चाहिये । दूसरे दर्जे में हम पंजाब, गुजरात, महाराष्ट्र को शामिल कर सकते हैं और वहां पर भी प्रादेशिक भाषाओं के साथ साथ हिन्दी में काम शुरू कर सकते हैं । तीसरे नंबर पर बंगाल, उड़ीसा, असम हैं । वहां पर भी प्रादेशिक भाषाओं के अलावा हिन्दी में काम शुरू होना चाहिए । जब यह सब हो जाए तब ऐसी स्थिति आ सकती है जबकि दक्षिण वाले लोगों से भी हम उम्मीद कर सकते हैं कि वे भी अपना काम प्रादेशिक भाषाओं के अलावा हिन्दी में करें । ऐसी अवस्था जब तक राष्ट्र में न आए तब तक इस बात को लेकर किसी प्रकार की कटुता अथवा वैमनस्य पैदा करना देश के हित में नहीं होगा, उसके खिलाफ होगा । इस बात को हमें समझ लेना चाहिये ।

मैंने अहिन्दी भाषा भाषी सदस्यों को यहां पर सुना है । उनकी भाषा में भावना का अतिरेक था लेकिन फिर भी जितनी संयत भाषा में उन्होंने विचार प्रकट किए, उतनी संयत भाषा में शायद हमारे हिन्दी के जो प्रेमी हैं, या हिन्दी भाषा भाषी लोग हैं, उन्होंने नहीं किये हैं, उतनी संयत भाषा में वे नहीं बोल सके हैं । इसका भी दिल के ऊपर असर पड़े बिना नहीं रहा है ।

हमें इस बात को व्यावहारिक दृष्टि से सोच कर देखना होगा कि आगे हम किस तरह से हिन्दी को बढ़ावें, इसका प्रचार करें । तमिलनाडु में आज भी देखा जाता है कि ४०० एम० के० के लोग दिन भर यही हिन्दी के

खिलाफ प्रचार कार्य करते हैं राजनीतिक कारणों से तो रात में जा करके हिन्दी भी पढ़ते हैं । ऐसी परिस्थितियां वहां हैं कि आज लाखों लोग हिन्दी पढ़ रहे हैं और रोजाना उनकी तादाद बढ़ती ही जा रही है । मुझे दिखाई देता है कि वह दिन जल्दी आएगा जब हिन्दी की परीक्षाएँ केन्द्रीय सरकार में भरती होने के लिए ली जाने लगेंगी तो दक्षिण के लोग ज्यादा और अब्बल नम्बर पर आयेंगे और उत्तर भारत वालों को, हिन्दी जिन की मातृभाषा है, उनको पछाड़ देंगे । ऐसी हालत में मुझे कोई बुरे दिन भारत के नहीं दिखायी देते हैं । अंग्रेजी राज्य खत्म हुआ और उसकी मोटर गाड़ी गई परन्तु उसकी धूल अभी उड़ती है । इसी प्रकार अंग्रेजी भाषा की मोटरगाड़ी जाने के बाद उसकी धूल के स्वरूप में कुछ रोज हम इसको ग्रहण करने जा रहे हैं । उसके बाद जब स्वच्छ हवा होगी तो मैं मानता हूं कि भारत आगे बढ़ेगा ।

श्री प्रकाशवीर शास्त्री (बिजनौर) :
संविधान सभा द्वारा जब संविधान तैयार किया जा रहा है और उसमें हिन्दी को राज भाषा का पद दिया जा रहा है तो उस समय बहुत देर तक विवाद चलता रहा इस बात पर कि कितने वर्षों के बाद हिन्दी को राज भाषा का स्थान दिया जाए । उस समय हिन्दी के सर्वोच्च संरक्षक राजर्षि पुरुषोत्तम दास जी टंडन इस बात से सहमत नहीं थे कि पंद्रह वर्ष के पश्चात् हिन्दी को राज भाषा के आसन पर बिठाया जाए । वह इस समय में कुछ कमी चाहते थे । मुझे संविधान सभा के एक उत्तरदायी सदस्य ने यह बात कही है कि कुछ प्रमुख लोग उनके पास शिफ्ट मंडल ले कर गये और उन से कहा कि सर्वसम्मति से निर्णय हो जाने दीजिए । इस पर इन्होंने पंद्रह वर्ष की अवधि को मान तो लिया लेकिन साथ ही सुना जाता है कि उन्होंने आंखों में पानी भर कर कहा कि तुम सब के कहने से मैं इस बात को स्वीकार तो कर लेता हूं लेकिन मैं तुम्हें विश्वास दिला कर कहता हूं कि

• [श्री प्रकाशवीर शास्त्री]

जब पंद्रह वर्ष पूरे होंगे बहुत संभव है कि उस समय तक मैं जीवित न रहूँ पर तुम देख लेना कि हिन्दी राज भाषा के पद पर नहीं बैठ पायेगी। आज राजपि जी द्वारा कही गई यह बात सही निकली है। मैं चाहता हूँ कि शास्त्री जी जो इस विधेयक को इस सदन में स्वीकृत कराने जा रहे हैं, आज इसके साथ साथ अपने मन में और सरकार अपने कार्यों में इस प्रकार का व्रत ले, प्रतिज्ञा करें कि जो उपेक्षा और जो अक्रमयता पिछले पंद्रह वर्षों में रही है, राज भाषा के संबंध में, उस प्रकार की उपेक्षा वृत्ति आगे नहीं रहेगी।

अंग्रेजों ने मध्य में आ कर हिन्दी और भारतीय भाषाओं को आपस में लड़ाया है। मैं यह भी चाहता हूँ कि गृह मंत्रालय और भारत सरकार इस के संबंध में भी कुछ उदार निर्णय ले और इसके लिए सही कदम यही हो सकता है कि जैसे सभी राज्यों के मुख्य मंत्रियों ने एक मत से यह निर्णय लिया है कि बहुत सी दूसरी भारतीय भाषाएँ इस प्रकार की हैं कि जिन में शब्दों का साम्य है लेकिन लिपि की दीवार बीच में होने से उनके एक दूसरे के निकट आने में बहुत कठिनाई हो रही है, इनके लिए कोई एक सामान लिपि अपनाई जाए लेकिन उसके साथ ही साथ उनकी अपनी जो लिपियाँ हैं, उनको भी सुरक्षित रखा जाए। एक सामान्य लिपि यदि सब के लिए स्वीकार कर ली जाए जिस में सभी भाषाएँ लिखी जा सकें, जैसा कि साहित्य अकादमी ने प्रयास आरम्भ किया है, तो मैं समझता हूँ कि भारतीय भाषाएँ जो एक ही परिवार की सदस्य हैं, उनके आपस में एक दूसरे के निकट आने में बहुत कुछ सहायता मिल सकती है।

उपाध्यक्ष महोदय, एक बात मैं आपकी आज्ञा से विशेष रूप से रखना चाहता हूँ। मैं इससे सर्वथा सहमत हूँ कि हिन्दी को कभी राजनीतिक शस्त्र नहीं बनाया जाना चाहिये, न निर्वाचन के नाम पर, न प्रान्तों के नाम

पर और न हो बड़ी बड़ी राजनीतिक पार्टियों के नाम पर। मैं देश के उन नेताओं से सहमत नहीं हूँ जिन्होंने अंग्रेजी को राजनीतिक हथियार बनाया है। बल्कि मैं तो इस विषय में कुछ और भी कड़ा निर्णय लिये जाने के पक्ष में हूँ। मैं तो यहां तक कहने के लिये तैयार हूँ कि जिस प्रकार से पीछे आपने एक यह निर्णय लिया है कि भारत में रहते हुये भारत के विभाजन की मांग करने वाले जिस प्रकार संविधान की दृष्टि में अपराधी माने जायेंगे उसी प्रकार से भाषा को राजनीतिक हथियार बना कर भाषा जैसे कोमल और पवित्र प्रश्न को जो लोग एक दूषित वातावरण में फेंकना चाहते हैं, उसको भी राजनीतिक दृष्टि से अपराध स्वीकार किया जाना चाहिये। इस विषय में सरकार को जो भी कड़ा निर्णय लेने पड़े वह ले।

एक बात विशेष रूप से मैं गृह मंत्री जी से कह कर अपना स्थान ग्रहण कर लूंगा। गांधी जी की प्राथना सभाओं में कई बार मुझे भी सम्मिलित होने का अवसर मिला है और शास्त्री जी भी कई बार सम्मिलित हुए हैं। सारी प्राथना में बापू हाथ जोड़े बैठे रहते थे, मुंह से कुछ उच्चारण नहीं करते थे। लेकिन जब ये शब्द आते थे

रघुपति राघव राजा राम, पतित पावन
सीता राम

तो गांधी जी अपनी आंखें खोल देते थे और बहुत देर तक सब के साथ मिल कर इसका गान करते रहते थे। जब गांधी जी ने इस संसार से विदा ली तो अंतिम समय में उनके मुख पर दो ही शब्द थे, "हे राम"। गांधी जी के राम कौन से थे, जो रघुपति थे, जो राघव थे, जो सीता के राम थे। दूसरे शब्दों में यों कह सकते हैं कि उनके राम वही राम थे जो तुलसी के राम थे। इसलिए यदि गांधी को जीवित रखना है तो गांधी के राम को जीवित रखना होगा और गांधी के राम को जीवित

रखना है तो तुलसी को जीवित रखना होगा और तुलसी को जीवित रखना है तो तुलसी के साहित्य की भाषा हिन्दी को जीवित रखना होगा, उसको विकसित करना होगा। यही मेरा निवेदन है।

Mr. Deputy-Speaker: Shri Lal Bahadur Shastri.

Shri J. P. Jyotishi: Sir, I have stood up many times.

Mr. Deputy-Speaker: I am sorry. We have taken too long a time on this Bill.

Shri J. P. Jyotishi: Sir, I want only two minutes.

Mr. Deputy-Speaker: Order, order. I have called Shri Lal Bahadur Shastri.

Shri Lal Bahadur Shastri: Mr. Deputy-Speaker, Sir, if the House will permit me, I am prepared to speak in Hindi, at least once. I do not know if it is perhaps a subject on which it might be advisable for me to speak in English. Otherwise, I would certainly prefer to speak in Hindi.

Mr. Deputy-Speaker: Then, many Members of the House may not be able to follow it.

श्री प्रकाशवीर शास्त्री : जो अहिन्दी भाषा भाषियों से संबंधित है, उसको अंग्रेजी में कह लीजिए और बाकी कुछ हिन्दी में कह दीजिये।

Shri Lal Bahadur Shastri: Therefore, I started in English. Sir, with your permission, I shall say a few words in Hindi first and then speak in English.

मुझे इस बात का दुख है कि कुछ आज इस सदन में ऐसी बातें कही गई हैं जिससे बाहर देश में बड़ा ध्रम फैल सकता है और एक गलत फहमी पैदा हो सकती है कि हम प्रधान मंत्री जी की बातों को पूरा नहीं कर रहे हैं। दूसरी बात यह कही गई है कि प्रधान

मंत्री जी एक तरफ जा रहे हैं और गृह मंत्री दूसरी तरफ और उन दोनों में कोई समन्वय नहीं है, कोई मेल नहीं है, साथ ही साथ इतनी कुछ गर्म बातें हमारे साथी एंथोनी साहब ने कहीं कि जिन को सुन कर मुझे आश्चर्य हुआ। हमारे कामत साहब जिन्होंने इस बिल का अखिर में समर्थन किया, जिस के लिए मैं उनका मशकूर हूँ, उनको धन्यवाद देता हूँ, उन्होंने भी कई ऐसी बातों पर अपनी राय इस तरह जाहिर की जिसमें एक कड़वापन पैदा होने की बात थी। मैं तो समझता हूँ कि मुझे को उनके मुकाबले में कानून आदि के बारे में बहुत कम जानकारी है, अपने को बहुत कम जानकर मानतः हूँ—करीब करीब वह तो जानी हूँ और मैं अपने को अज्ञानी अगर कहूँ तो ठीक है—लेकिन जिस तरह से उन्होंने संविधान के आर्टिकल और धाराओं के संबंध में अपनी राय दी, उसको सुन कर मुझे थोड़ा ताज्जुब हुआ। और ऐसा लगा मुझे कि मैं भी कुछ थोड़ा बहुत समझ सकता हूँ आर्टिकल्स को और कॉन्स्टिट्यूशन की बातों को। खैर, यह तो हुआ। मेरी इच्छा यह है कि हम इस संबंध में कोई ऐसी बात न करें, इस पार्लियामेंट में क्योंकि पार्लियामेंट को इस बात का ध्यान रखना है कि हम ४०, ४५ करोड़ आदमियों का नेतृत्व करते हैं यहां बैठ कर। यह मैं मानता हूँ कि पार्लियामेंट में बैठ कर हर एक को अपनी बात कहने का मौका है और उस को आजादी है। कहनः भी चाहिये। मगर जहां सवाल ऐसा हो, जो सवाल सारे राष्ट्र से बंधा हुआ हो, जिस से ४०, ४५ करोड़ आदमियों का संबंध हो, ताल्लुक हो, उस में कोई ऐसी बात कहे जिस से बाहर ध्रम फैले, आपस में एका में कमी हो, बजाय मेल के हमारे अन्दर विरोध और एंस्तरलाफ पैदा हो, तो उसका परिणाम, उसका नतीजा अभी अच्छा नहीं हो सकता। इसलिए मैं आशा करता हूँ कि जो भी बिल पास हो रहा है उसके बाद हम इन बातों को भूल कर, कन्धे से कन्धा मिला कर आगे बढ़ेंगे। तभी हम अपनी क्षेत्रीय भाषाओं को

[श्री लाल बहादुर शास्त्री]

और अपनी आफिशयल लैंग्वेज हिन्दी को एक सही और ऊंचा स्थान दे सकते हैं।

मैं निवेदन करूंगा कि हिन्दी के क्षेत्र से आने वाले भाइयों से खास तौर पर, कि अगर हम सहिष्णुता से, बर्दाश्त से, काम नहीं लेंगे तो इस में कोई संदेह नहीं कि हमारे उद्देश्य को हानि पहुंचेगी। मैं इस को मानने के लिए तैयार हूं कि मेरी राय पार्लियामेंट में आने से पहले कुछ भिन्न थी, कुछ दूसरी थी। लेकिन पार्लियामेंट में आ कर मैंने अनुभव किया, क्योंकि मेरा सम्पर्क हुआ और प्रदेशों के, और सूबों के, भाइयों से, सारे देश की स्थिति को हमें देखने का और समझने का मौका मिला कि यह बात सही है। मैं मानने के लिए तैयार हूं कि मेरी राय कुछ बदली, और वह यह की हम हर काम में हिन्दी को ले आने में जल्दी नहीं कर सकते और हमें इस को धीरे धीरे ही सारे देश में फैलाना होगा। अगर हम जल्दी करेंगे तो टकरायेगे और गिरेंगे।

मैं श्रद्धंय टंडन जी का नाम नहीं लेना चाहता, लेकिन प्रकाशवीर जी ने उनका नाम लिया। आज वह हैं नहीं और न मैं उन की किसी बात को कह कर कोई फायदा उठाना चाहता हूं, लेकिन इतना आप से निवेदन करना चाहता हूं कि टंडन जी ने पिछले पांच छः वर्षों में, अपनी बीमारी के बीच में और आखीर में, जिस समय मैंने एलान कर दिया था कि हम ऐसा कानून लायेंगे, उस के बाद भी कई बार मैं टंडन जी से मिला हूं, अनेक बातों में वे मेरी और गवर्नमेंट की बातों की समालोचना किया करते थे, मैं नहीं जानता क्यों उन्होंने एक शब्द भी मुझ से आखीर तक नहीं कहा कि यह जो कानून का मस्विदा तुम ला रहे हो या पेश करने जा रहे हो, वह अनुचित है, ऐसा नहीं करना चाहिये, तुम बहुत गलत काम कर रहे हो। सिर्फ इस लिए मैंने कहा कि उन्होंने मुझ से

कुछ कहा नहीं। लेकिन मैं उन के साथ अन्याय नहीं करना चाहता क्योंकि वह बहुत बड़े आदमी थे और जबर्दस्त राय रखते थे। लेकिन मुझे ताज्जुब हुआ उन्होंने कभी इस के विरुद्ध राय नहीं दी जबकि दस बातों में राय और सम्मति देते रहे हैं। कभी इसके संबंध में उन्होंने कुछ नहीं कहा। खैर, उन की बात को बिल्कुल छोड़ दिया जाय क्योंकि वे हैं नहीं। मैं उनके नाम की चर्चा न करता अगर प्रकाशवीर जी न कहते इस तरीके पर। लेकिन इस सदन में आप ने देखा कि जितना हम जोर लगाते हैं, जितनी हम जल्दी करने की कोशिश करते हैं, उस की प्रतिक्रिया, उस का कुछ उल्टा असर दूसरे भाइयों पर, दूसरे साथियों पर होता है। यही नहीं, इस तरफ की बेंच पर बैठें हुए भाई चाहे मद्रास से आये हुए हों, चाहे आंध्र से या केरल से या असम से या बंगाल से आये हुए हों, एक सच्ची ढंग की भावना है कि हिन्दी हमारी आफिशल भाषा हो, लेकिन फिर भी वह भाई बार बार कहते हैं कि आप ऐसा कोई कदम न उठायें जिस से उन का काम मुश्किल हो जाय और एक विरोध पैदा हो, और उस को हमें बचाना चाहिये निस्संदेह।

मैं अंग्रेजी के पक्ष का नहीं। मैं अंग्रेजी जानता भी नहीं। बहुत साधारण जानता हूं। मुझे कोई लज्जा नहीं इस को स्वीकार करने में, लेकिन अंग्रेजी के गुण को न मानना, उस से इन्कार करना, यह बात ठीक नहीं है। अंग्रेजी एक भाषा है जो भरी हुई है बहुत सी बातों से, बहुत से गुणों से, जिसमें से हम बहुत सी बातें ले सकते हैं, सीख सकते हैं। मगर यह बात में भी मानता हूं कि उस हालत में भी अंग्रेजी कभी हमारे देश की मातृ-भाषा नहीं बन सकती, या हमारे देश की मातृ भाषा तो छोड़िये, प्रमुख भाषा भी नहीं हो सकती। हमारी भाषाओं में, कांस्टिट्यूशन में जो भाषायें हैं, उन के अन्दर अंग्रेजी को एक भाषा मान लिया जाय, मैं नहीं समझता कि यह

कभी सम्भव हो सकता है और देश उसे कबूल कर सकता है उस माने में। लेकिन दो बातों से अंग्रेजी का ज्ञान कितना आदमी प्राप्त कर सके हमारे देश में वह अशुद्ध है। एक तो वह अन्तर्राष्ट्रीय भाषा है, दूसरी तरफ जब तक अंग्रेजी चले, जब तक हिन्दी उस की जगह न ले ले तब तक अगर आप अंग्रेजी के रास्ते में बाधा डालेंगे, तो जैसा प्राइम मिनिस्टर साहब ने कहा, कोई कामन लिंक नहीं रहती, कोई एक भाषा नहीं रहती जो एक कोने से दूसरे कोने तक देश को जोड़े। इस दृष्टि से अंग्रेजी को चलने देने में हमारे मन में कोई विरोध आये या हम समझें कि हम हिन्दी को गिरा रहे हैं, दबा रहे हैं तो मुझे इस पर ताज्जुब होता है। इस कानून के जरिये हिन्दी को हमेशा के लिये पीछे फेंके दे रहे हैं और हिन्दी की कोई जगह नहीं रखते हैं, अंग्रेजी को ही प्रश्रय दे दिया गया है, अंग्रेजी हमेशा के लिये आ जायेगी, मैं नहीं जानता कि किस तरीके पर यह बात कही जाती है जब कि बिल्कुल इस के विपरीत दूसरे भाई कहते हैं कि हम तो हिन्दी को ही स्थान देना चाहते हैं। जो हमारे दक्षिण के भाइयों को मानना है, जो दक्षिण और बंगाल के अहिन्दी भाषी हैं और जो हिन्दी भाषाभाषी हैं, उन दोनों को जो एक बात माननी है, वह यह है कि हिन्दी को हमारे संविधान में एक खास जगह दी गई है और वह जगह कायम रहे, हम सब इस को स्वीकार करते हैं, मानते हैं। दूसरी बात यह है कि जब तक हिन्दी अंग्रेजी का स्थान नहीं लेती तब तक अंग्रेजी को सहूलियत के साथ और सुविधापूर्वक चलने देना चाहिये। इस में कोई बाधा नहीं डालनी चाहिये, और हलके हलके हमें कोशिश करनी चाहिये कि हम दूसरे प्रदेशों में हिन्दी का प्रचार करें प्रसार करें। मैं इस को मानता हूँ जैसा कि श्री दासप्पा ने कहा या और लोगों ने कहा, कि हिन्दी के लिये ज्यादा खर्च होना चाहिये उन प्रदेशों में जहां हिन्दी नहीं जानी जाती। करना पड़ेगा और जगह भी खर्च लेकिन वहां ज्यादा खर्च करना चाहिये जहां

हिन्दी नहीं जानी जाती। काफी रुपया भारत सरकार को देना चाहिये। चाहे शिक्षा विभाग दे या गृह विभाग दे, लेकिन देना चाहिये।

दूसरी बात मैं यह कहना चाहता हूँ कि जो प्रदेश आज हिन्दी भाषाभाषी हैं वे क्यों नहीं शत प्रतिशत, १०० फी सदी, अपना काम हिन्दी में करते। उनको यह करना चाहिये यह अत्यन्त आवश्यक है। मैंने पहले भी कहा था कि वे रास्ता दिखलायें। जैसा भक्त दर्शन जी ने कहा, यह एक आश्चर्य की बात है कि वहां से उन के पत्रों का उत्तर हिन्दी में नहीं मिला। अगर उत्तर प्रदेश या बिहार या मध्य प्रदेश या राजस्थान इस तरफ रास्ता दिखलायेंगे तो और प्रदेशों को भी मदद करेंगे और सारे देश को मदद करेंगे। इस से अधिक समय मैं आप का नहीं लेना चाहता इस में। इतना ही निवेदन करना चाहता हूँ कि मुझे खुशी है कि प्रकाशवीर जी ने कहा कि इस को राजनीतिक प्रश्न न बनाया जाय। उस से उठ कर हम कोशिश करें कि हिन्दी को तरक्की मिले, हिन्दी को हम बढ़ाये और साथ ही जब तक एक भाषा, एक कामन लिंक, देश को जोड़ने वाली चीज नहीं बनती तब तक आज की जो स्थिति है उसको हमें मंजूर करना चाहिये।

I am sorry, Sir, that both Shri Anthony and Shri Ranga tried to create an impression that the hon. Prime Minister does not stand on his old assurance and partly perhaps they held me responsible, in a way, that I am not trying to fulfil the assurance of the hon. Prime Minister.

Before I say anything, may I in the very beginning again read out, to remind the House, as to what the Prime Minister had said the other day while speaking on this Bill? He had said:

"I had given on the last occasion an assurance about no major-change being made in regard to the use of English without the consent, without the approval of the

[Shri Lal Bahadur Shastri]

non-Hindi-speaking people. That was made by me and that represents not only my view point but the view point of our Government. And, when it was made, it was clear to me that it was made, largely, with the approval of this House."

He further said:

"We stand by that completely. There is not an iota of difference from what we had said then. And, apart from that, what I may have said or not said, there are circumstances in the country which inevitably point to that direction."

This is what the Prime Minister has again said in this House and I do not think that a better reference could be made on the subject making the position absolutely clear as to what the attitude of the Prime Minister is and what the attitude of the Government of India would be on this matter. I was rather surprised that only for one word, Mr. Anthony tried to make a distinction between what I said and what the Prime Minister had said, in spite of these observations of the Prime Minister, because I did not accept the word 'shall', did not accept that 'may' should be substituted by 'shall'. He said, the Prime Minister goes one way and the Home Minister is going the other way.

I am sorry, Sir, I shall take a few minutes more.

Mr. Deputy Speaker: Take your own time.

Shri Lal Bahadur Shastri: Even on those two words 'shall' and 'may' may I place before the House what the Prime Minister had said? Mr. Frank Anthony asked the Prime Minister.

"How are the non-Hindi-speaking people going to be consulted? How is 'may' going to be

prevented from being interpreted as 'may not'?"

The Prime Minister:

"I shall deal with those points. I do not see how this Bill was going to say anything about the consultation of non-Hindi-speaking people."

..Shri Frank Anthony:

"Why not?"

The Prime Minister:

"I say according to my thinking, it is quite absurd and unconstitutional."

..Shri Frank Anthony:

"Why is it unconstitutional? Give us some reasons. I am a lawyer and the Prime Minister also is. Why is it unconstitutional?"

The Prime Minister:

"The assurance has nothing to do with the Bill or the Act being passed in this Parliament by the vote only of one part of the Parliament. The whole thing seems to be absurd on the face of it, limiting the power of Parliament, limiting the power of Assemblies and other bodies in that way....

Shri A. P. Jain: This is perfectly right.

Shri Lal Bahadur Shastri:

"It is an assurance which has to be given effect to in other ways. For the Government to see to it that nothing is done against it, for the Government when the time comes to consult the State legislatures also, I can understand. But to say in this House we give an assurance that a future legislation will have to be passed by

only one half, or whatever the figure is,—is may be two third and others should not vote, seems to be quite extraordinary..”

And then he added:

“As for the words ‘may’ and ‘shall’—I would again say that when people get excited they do not see quite straight—the word ‘may’ is the most ordinary word always used in this connection in the English language.”

Then, at the end, he said:

“I disagree with the hon. Member in this context. I say it is not the natural meaning in this context”.

that is, ‘may’ means ‘may not’.

This is what the Prime Minister had said. I shall not actually quote what I had said. But I can say this much at least that I had put forward this idea in a much milder form and milder manner. So to create that impression, as I said, that I was going in some other direction or moving in some other direction is not at all justified.

Then, there was a good deal of discussion over the appointment of this committee. And again, it was said that we were trying to commit a fraud on the Constitution or..

Shri Tyagi: Deliberately.

Shri Lal Bahadur Shastri: And we are trying to somehow deceive this House. Mr. Anthony said a good deal as to what had happened in the last meeting of the Parliamentary Committee. With your permission, I shall only mention one or two matters. When the Committee was formed, appointed—the last Committee of Parliament—the Committee decided to adopt a set of rules for regulating its procedure. One of the rules

adopted by that Committee was that the sitting of the Committee shall be held in private. Mr. Anthony gave the impression that the proceedings of the Committee were deliberately kept confidential and secret and the press was not allowed. The hon. Members will see that the Committee itself had framed rules for itself and one of the rules was that the proceedings of the Committee shall be held in private. May I also add that all Members of the Committee including Members of Opposition were agreed on this point. Only Mr. Anthony, of course, dissented. But it will be seen that all the other Members, both of the Congress Party as well as Members of the Opposition, unanimously agreed that the proceedings of the Committee should be held in private.

Further on, I may say, how voting was resorted to. Mr. Anthony said, “A whip was issued and no Member was free to vote or express his opinion.” Even in this regard, he is not correct. Voting was resorted to on four or five occasions chiefly in discussions over matters of detail or emphasis and on all occasions the majority of the Members of the Congress Party and almost all Opposition Members, except Mr. Anthony, voted together. There were the notes of dissent also—notes written by Members of the Congress Party. The minutes of dissent were submitted by Mr. Anthony on one side and Dr. Raghu Vira, Shri Harish Chandra Sharma, Shri Bhanj Deo on the other and a note was also given by Shri P. D. Tandon and Dr. Govind Das indicating their dissatisfaction with the majority report. There is nothing here to suggest even remotely any cracking of the Party whip as was mentioned by Mr. Anthony. May I also add that when the copies of the Committee’s report were sent to a State Government, the the Madras Government issued a memorandum expressing their general agreement with the Committee’s stand and differing with the approach indicated in Mr. Anthony’s minute of dissent to the Committee’s report?

[Shri Lal Bahadur Shastri]
16.49 hrs.

[MR. SPEAKER in the Chair]

So, the House will thus see that there was a good measure of agreement, a common approach on various matters. Of course, on certain matters, on important matters, there were differences of opinion, but the effort was to evolve something which would be acceptable to the whole country.

Now, it has been suggested that there should be a committee of 50 or 60 or even 100—one of the Members said. Are we going to form such an unwieldy Committee to consider such a vital matter? This Committee should be a purposeful Committee. This Committee will be considering most delicate matters concerning the different parts of the country, questions concerning the language, the official language. So, it would be much better to have a small Committee—and then 30 will not be a very small Committee—which can function with some purpose behind it and evolve something which would be generally, as I said, acceptable to the country as a whole. I, therefore, feel that the appointment of this Committee, as suggested in this Bill, is perfectly all right. It is just possible—as I said, I do not know much of English—that sometimes I may say or I may have said 'parliamentary committee'. I do not know. I have not seen my speech. But if Shri Anthony and Shri Kamath will catch me and says 'You had used the word 'parliamentary committee''. I would say that if I had used it, I had used it perhaps without fully understanding the connotation of it. What I meant throughout was a committee of Parliament.

Shri Hari Vishnu Kamath: In your absence, your colleague definitely said so.

Shri Lal Bahadur Shastri: But the unfortunate part of it is that, howsoever my colleague might try to answer and explain it—he might have

slipped—Shri Kamath would not accept what he would say now. After all, sometimes if we accept our mistake, Shri Kamath should certainly accept that much. But I do not know what happened; I was not present then.

Shri Hajarnavis: On a matter of personal explanation. I did something which no lawyer ought to do, namely, gave an opinion without consulting the books, and I safeguarded my own position by saying that I cannot say. Having consulted the books now and gone into the question, I find that it cannot be described as a parliamentary committee.

Shri Nath Pai: We drew your attention to that at that time.

Shri Hari Vishnu Kamath: He said, 'entirely', 'without reservations'—all these expressions were used.

Shri Hajarnavis: On the two aspects, I said it would resemble a parliamentary committee, namely..

Dr. L. M. Singhvi: He said 'all the characteristics of parliamentary committee'.

Shri Hajarnavis: I own my mistake.

Shri Lal Bahadur Shastri: He is a lawyer and I am a layman.

Shri Hari Vishnu Kamath: So am I—a layman.

Shri Lal Bahadur Shastri: The views are different. But we are quite clear about our intention. Shri Frank Anthony said 'the cat is out of the bag' and all that. Those observations, imputing motives, are wholly unjustified. It is quite clear that in this matter Government must have its own say. It is such a vital and important matter that it could not be left to anyone else. Of course, Government must know the views of

State Governments, Government must know the views of Parliament. These are absolutely important things. But after all, the implementation of it has to be done by Government.

Shri Bade: He said not only 'the cat is out of the bag', but 'it is a deliberate fraud'. Those undignified words were used.

Shri Lal Bahadur Shastri: I do not mind his words. I do not want to waste much of the time of the House. I do not mind his words. Of course, he has been using very strong language. But I have never said a word like that in reply to him, nor am I capable of doing so. But as I said, the appointment of this Committee, is an important provision of this Bill, and the purpose is that a Committee of Members of Parliament should give thought to this matter before Government shall proceed to take any decision in this regard.

As regards Shri Ranga, I do not want to say much. I have already read out what the Prime Minister had said. I would say I was amazed, not once, but twice at least or may be thrice, at what Shri Ranga said. He had referred to what the Prime Minister had said and said that the assurance was not being fulfilled—something like that. He showed me an advertisement also which had appeared in *The Hindu*. I do not deny it. It was given by our Information and Broadcasting Ministry. I was shocked at what Shri Ranga said. If he will compare what I have read out just now word for word with that has appeared in the advertisement in *The Hindu*, he will find that it is exactly the same. There is absolutely no difference. If the Prime Minister's words are not complied with, if the Prime Minister's words are not fulfilled, where will we be? Where will this Government be?

It is a very serious matter I say it in all seriousness that it is our duty as his colleagues and as members of his Cabinet to see

to it that his wishes, his desires on such vital important matters are completely fulfilled. The difficulty with Shri Anthony is that he will catch the words, not the spirit. He does not mind what the spirit of his speech or of his observations are. To deal with that is a very difficult matter, and the result is that in spite of what the Prime Minister said the other day in his speech, which I am aware has given great satisfaction outside,—I am especially talking of the non-Hindi speaking areas—if the word "may" is not substituted by "shall", all kinds of interpretations are put on it; it is not for me, it is for the House to judge whether the attitude adopted by Shri Anthony or Shri Ranga was in any way justified. But I was most amazed that of all persons Shri Ranga should be referring to the old Muslim League dispute and saying that we did not enter into any compromise with the Muslim League then in U.P., and his pointing out that it led to the division of the country or the partition of the country. Well, it is something which has amazed me and pained me the most. I never knew that the policy of the Swatantra Party was also that of the division of the country.

Shri Ranga: It is for unity of India.

Shri Lal Bahadur Shastri: What Shri Ranga said was like that, and I think he will see it if he is good enough to go through the speech again. I have no doubt that he must have created tremendous embarrassment for his other colleagues outside. After all, in his party there are others also who do not come from Andhra, and they must be forewarned as to what the attitude of the leader of the Swatantra Party is in regard to the unity and solidarity of the country.

Shri Kamalnayan Bajaj (Wardha): His leader Rajaji advocated partition.

Shri Lal Bahadur Shastri: But, on the whole, I must admit that there has been a general agreement, and this House has exhibited a wonderful

[Shri Lal Bahadur Shastri]

spirit. Barring half a dozen speeches here and there, the House fully realises the importance of this measure, and instead of getting compliments from the Members of the Opposition for moving this Bill much earlier than 26th January, 1965, there were some Members—as I said only may be four or five, not more than that—who have criticised us. We did it, as the Prime Minister said the other day, only to remove all doubts in the minds of those who come from the non-Hindi-speaking areas.

After all, we have to consider the practical steps. It is impossible to introduce Hindi for all purposes or even in regard to certain specific purposes at once. How do we do it? After all, there is one extreme, I know there is one extreme which says that it has to be done immediately. There is the other extreme which says that it should never be introduced, and it is the opinion may be of a very small number that the provision of the Constitution itself in regard to language should be scrapped. These are the extremes, and between these two extremes we have to devise ways and means to carry the country with us in so far as evolving of our official language policy is concerned.

17 hrs.

Hindi is there according to the Constitution, but other regional lan-

guages must grow and develop, and they are developing, they are growing, and Hindi has also to grow. But English has also to continue during this interim period. I quoted the words of the Madras memorandum the other day in which they had said that it will have to be English, it will have to be used, and it should be some form of prolonged bilingualism. I think that is the correct position. If we are practical people, and we have to be, we must pursue this course and then alone Hindi will also grow as also the whole country. I agree that this is an important occasion, and as some Members said, in a sense it is historic also. I can say that my effort has been throughout to steer clear extreme views as I said just now. I wanted to avoid controversies. I have kept myself constantly in touch with different viewpoints and I would again appeal that on this national question let us rise above party and political considerations. Let us be practical and let us take practical steps. A common language I agree is an important medium of creating a common bond among our countrymen. Let us, therefore all of us, unite in our efforts to build up and strengthen our country and make India a strong and united nation.

Mr. Speaker: The question is:

"That the Bill, as amended, be passed."

The Lok Sabha divided.

Division No. 23]

AYES

[17.04 hrs.

Abdul Wahid, Shri T.
Alva, Shri Joachim
Aney, Dr. M. S.
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bajaj, Shri Kamalnayan
Balakrishnan, Shri
Balmiki, Shri
Barua, Shri Hem
Barua, Shri R.
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri

Bhanja Deo, Shri L. N.
Bhattacharya, Shri C. K.
Bisat, Shri J. B. S.
Brajeshwar Prasad, Shri
Chakraverti, Shri P. R.
Chanda, Shrimati Jyotana
Chandrasekhar, Shrimati
Chaudhry, Shri C. I..
Chavan, Shri D. R.
Chavda, Shrimati
Chettiar, Shri Ramanathan
Chuni Lal, Shri

Daji, Shri
Daljit Singh, Shri
Das, Shri N. T.
Deo Bhaol, Shri P. C.
Desai, Shri Morarji
Deshmukh, Dr. P. S.
Deshmukh, Shri Shivaji Rao S.
Dihon, Shri
Dnulleshwar Meena, Shri
Dinesh Singh, Shri
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Elayaperumal, Shri

Pirodia, Shri
 Gahmarl, Shri
 Gaitonde, Dr.
 Ganapati Ram, Shri
 Gandhi, Shri V. B.
 Ganga Devi, Shrimati
 Gopalan, Shri A. K.
 Gupta, Shri Priya
 Gupta, Shri Ram Ratan
 Gupta, Shri Shiv Charan
 Hajarnavis, Shri
 Hansda, Shri Sudbodh
 Haq, Shri M. M.
 Hassarika, Shri J. N.
 Hedra, Shri
 Hem Raj, Shri
 Himatsingka, Shri
 Jadhav, Shri M. L.
 Jagivan Ram, Shri
 Jain, Shri A. P.
 Jamir, Shri S. G.
 Jedhe, Shri
 Jena, Shri
 Jha, Shri Yogendra
 Joshi, Shrimati Subhadra
 Jyotishi, Shri J. P.
 Kabir, Shri Humayun
 Kadadi, Shri
 Kamath, Shri Hari Vishnu
 Kanungo, Shri
 Kar, Shri Prabhat
 Kedaria, Shri C. M.
 Keishing, Shri Rishang
 Khadilkar, Shri
 Khanna, Shri Mehr Chand
 Krishna, Shri M. R.
 Kunban, Shri P.
 Kureel, Shri B. N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laxmi Das, Shri
 Mahadeo Prasad, Shri
 Mahadeva Prasad, Dr.
 Mahtab, Shri
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Malliah, Shri U. S.
 Manacn, Shri
 Mandal, Dr. P.
 Mandal, Shri Yamuna Prasad

Maruthiah, Shri
 Mehrotra, Shri Braj Bihari
 Mehta, Shri Jashvant
 Melkote, Dr.
 Menon, Shri Krishna
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibudhendra
 Misra, Dr. U.
 Morarka, Shri
 More, Shri K. L.
 More, Shri S. S.
 Mukane, Shri
 Mukerjee, Shri H. N.
 Murthy, Shri B. S.
 Muthiah, Shri
 Naik, Shri Maheswar
 Noir, Shri Vasudevan
 Nanda, Shri
 Naskar, Shri P. S.
 Nath Pai, Shri
 Nehru, Shri Jawaharlal
 Nigam, Shrimati Savitr.
 Oza, Shri
 Pande, Shri K. N.
 Pandey, Shri Vishwa Nath
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri N. N.
 Patel, Shri P. R.
 Patel, Shri Rajeshwar
 Patil, Shri D. S.
 Patil, Shri M. B.
 Patil, Shri S. K.
 Patnaik, Shri B. C.
 Pillai, Shri Nataraja
 Pratap Singh, Shri
 Puri, Shri D. D.
 Raghavan, Shri A. V.
 Raghuramaiah, Shri
 Raj Bahadur, Shri
 Ram, Shri T.
 Ram Sewak, Shri
 Ram Swarup, Shri
 Ramdhani Das, Shri
 Rampure, Shri M.
 Rane, Shri
 Ranga Rao, Shri
 Rao, Shri Krishnamoorthy
 Rao, Shri Muthyal
 Reddiar, Shri

Reddy, Shri Eswara
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Samanta, Shri S. C.
 Samnani, Shri
 Saraf, Shri Sham Lal
 Satyabhama Devi, Shrimati
 Sen, Dr. Ranen
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shah, Shrimati Jayaben
 Sham Nath, Shri
 Sharma, Shri D. C.
 Shashi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Sheo Narain, Shri
 Shree Narayan Das, Shri
 Shrimati, Dr. K. L.
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Singh, Shri R. P.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Ramdulari
 Sinha, Shrimati Tarkeshwari
 Sonavane, Shri
 Soy, Shri H. C.
 Subbarman, Shri C.
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Swamy, Shri M. N.
 Swaran Singh, Shri
 Tantiya, Shri Rameshwar
 Thimmaiah, Shri
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tule Ram, Shri
 Tyagi, Shri
 Ukey, Shri
 Upadhyaya, Shri Shiva Dutt
 Varma, Shri M. L.
 Venkatasubbaiah, Shri P.
 Vidyasankar, Shri A. N.
 Vimla Devi, Shrimati
 Virbhadra Singh, Shri
 Vishram Prasad, Shri
 Wadiwa, Shri
 Yadab, Shri N. P.
 * *

NOES

Bade, Shri
 Bagri, Shri
 Basant Kunwari, Shrimati
 Brij Raj Singh, Shri
 Govind Das, Dr.

Gupta, Shri Kashi Ram
 Kakkar, Shri Gauri Shanker
 Ram Singh, Shri
 Shashank Manjati, Shrimati
 Shastri, Shri Prakesh Vir

Singhvi, Dr. L. M.
 Swamy, Shri Sivamurthi
 Tan Singh, Shri
 Utiya, Shri
 Yashpal Singh, Shri

Mr. Speaker: The result of the division is:

Ayes 188; Noes 15.

The motion was adopted.

श्री बागड़ी : अध्यक्ष महोदय, इसके विरोध में मैं वाक आउट करता हूँ।

अध्यक्ष महोदय : आर्डर, आर्डर।

(Shri Bagri then left the House.)

श्री बड़े : अध्यक्ष महोदय, मैं दो मिनट चाहता हूँ।

17-06 hrs.

COMPULSORY DEPOSIT SCHEME BILL—contd.

Mr. Speaker: We had decided that we would continue with the discussion of the Bill till it is finished. The Private Members' Resolutions that were fixed for yesterday were put up today, and we had expected that we might be able to start the non-official business by 2.30. But that was not possible. And now, at 5 O'clock, we have also fixed the further discussion on the Compulsory Deposit Scheme Bill. There was an objection taken and I was asked to give a ruling on that matter. I am prepared with that also. So, we have to postpone one or the other, because both cannot be taken. Either the non-official business can be taken up now or the further discussion of the Compulsory Deposit Scheme Bill. *(Interruptions).*

Shri Hari Vishnu Kamath (Hoshangabad): We can take up the Compulsory Deposit Scheme Bill on Monday.

Shri A. P. Jain (Tumkur): The Compulsory Deposit Scheme Bill may be taken up now.

Shri Gauri Shankar Kakkar (Fatehpur): It may be taken up on some other day.

Mr. Speaker: There is one difficulty. If we do not take up the non-official business today, that will lapse.

Shri Daji (Indore): We have 2 hours for non-official business. It is the only period when private Members' Bills and Resolutions could come up. So, one hour will not be sufficient. 2½ hours must be allotted next week.

Mr. Speaker: We can give one hour to the first Resolution. There is only one hour left to the first Resolution tabled by Shrimati Subhadra Joshi. If we can allow that, the second one can be taken up only for five or ten minutes. But that will not lapse then, and it could come up again.

What about the Compulsory Deposit Scheme Bill?

Some Hon. Members: It can be taken up on Monday.

Mr. Speaker: As regards the merits of that Bill, we can continue the discussion on Monday, but I will take only five minutes for disposing of the objection that had been taken.

Shri S. M. Banerjee (Kanpur): We have to raise other points also, Sir.

Mr. Speaker: I am not concerned with them. They could be dealt with as and when they come up. Now, there is only one point.

Shri S. M. Banerjee: The hon. Minister submitted yesterday that this House cannot move such a motion.

Mr. Speaker: I am going to give my decision on that. Now, an objection was taken, and a motion has been made by Shri A. P. Jain that this House advise the Government to ask or call for the Attorney-General to come and give his opinion on the constitutional point whether the

whole or part of this Bill is *intra vires*.

The objection was taken by the hon. Finance Minister that this House is not competent to consider such a motion at this stage. He said that the House cannot call the Attorney General; it cannot entertain such a motion. He has also questioned under what rule it was being made. These two objections have been taken by the hon. Finance Minister.

So far as the first is concerned, whether the House can consider such a motion or not, whether the House is competent to act or not, this House has power to make recommendations. It may be only for the executive Government to call the Attorney General. I am not giving any decision on that; I am leaving that aside. But even if only Government can call him, then too it is open and within the competence of this House, by a motion or a resolution, to ask the Government, to advise the Government, to request the Government and to recommend to the Government. All these are the forms of the resolutions and motions that are given and the House can express its opinion. "This House is of the opinion". "This House recommends to the Government". "This House requests the Government"—all these forms are there. Therefore, the House can always express its opinion and ask the Government to act in a particular manner. It is a different thing whether the Government accepts it or not or what the consequences might be. Therefore, there is no hindrance in the House expressing an opinion on a motion like that.

Then I come to the next thing. Already what we are discussing, what is before us, is the motion. "That clause 4 stand part of the Bill". There is one motion before the House. Therefore, at one and the same time, there cannot be two motions that can be discussed. The only provision that we have got under the rules is this. When a Bill is being discussed, in the course of the discussion, the only motion that

can be moved before anything else is taken is under rule 109 where it is laid down that:

"At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker."

That is the only motion that can be made and no other motion can be taken up or moved in the House while another motion is being discussed in the House. Therefore, while the motion before the House is "That clause 4 stand part of the Bill", unless that discussion is postponed and a motion is made to that effect, no other motion can be moved. Therefore, this House cannot consider and I cannot entertain or put a question to this House about the motion that Mr. A. P. Jain has made. It has really been done in all the cases where the Attorney General has been invited to speak on the Bills. Even in that Cattle Preservation Bill, that was exactly what was followed at that time. A request was made and of course, the Government agreed there. Then the discussion on the Bill was postponed. Pandit Thakur Das Bhargava made a regular motion which was adopted. Then that discussion was postponed and afterwards the other motion about the Attorney General was made.

"Therefore, so far as that motion of Mr. A. P. Jain in that form is concerned, that cannot be considered so long as we are in the midst of the discussion on the motion "That clause 4 stand part of the Bill". Therefore, the only thing that could have been done, if the House wanted, was a motion under rule 109 that the discussion be postponed. Because that is not before me, therefore, I cannot....

Shri A. P. Jain: I shall make that motion now. I beg to move:

"That the discussion on clause 4 of this Bill be adjourned."

Mr. Speaker: The question is:

"That the discussion on clause 4 of the Bill be adjourned."

Those in favour may say "Aye".

Some Hon. Members: "Ayes".

Mr. Speaker: Those against may say: "No".

Several Hon. Members: No.

Mr. Speaker: The "Noes" have it.

Some Hon. Members: The "Ayes" have it.

Mr. Speaker: Let the lobbies be cleared.

Shri A. P. Jain: No canvassing please. (*Interruptions*).

Mr. Speaker: Order, order.

Shri Priya Gupta (Katihar): Is the Parliament under the grip of the Minister for Parliamentary Affairs?

Mr. Speaker: Order, order. He is not allowing me to speak a word. The way in which Whips have to go round or pass their word is one thing. But that should not appear in the House as if it is being done. They can send round their word.

Shri Daji: There is no convention for anything, for procedural matters. This is the first time in Parliament that whip is being issued.

Mr. Speaker: I am not concerned with that. I cannot order that they should not do it.

Shri Daji: Sir, I rise to a point of order. Can a Member move across and in between the seats and make signs?

Mr. Speaker: That I have already said. What is the point of order then?

Shri Daji: The Minister must express regret for it.

Mr. Speaker: I have already stopped him.

Shri Ranga (Chittoor): What is it that you have stopped, Sir?

Shri Daji: He must withdraw.

Shri Ranga: You have stopped him, Sir, but the mischief of has been done already. (*Interruptions*).

Mr. Speaker: How can I withdraw, if something has already been done?

Shri Daji: He must himself withdraw it he; must express regret.

Shri H. N. Mukerjee: Sir, the Leader of the House is there. The Minister is sitting to his right. The Minister of Parliamentary Affairs behaved, quite obviously, in a manner which drew your censure. We do expect that the Leader of the House should intervene and ask the Minister of Parliamentary Affairs to apologise to you, Sir, and to the House. If they do not do it, we can draw our own conclusions. After all, what you have said is the property of the country. (*Interruptions*). Lords of creation, is that what they imagine they are?

Mr. Speaker: The question is:

"That the discussion on clause 4 of this Bill be adjourned".

The Lok Sabha divided.

Mr. Speaker: The result of the division, as shown by the machine, is Ayes 75; Noes 124. Are there any mistakes that I have to correct?

An Hon. Member: I am for 'Ayes'. It should be recorded.

Another Hon. Member: I am for 'Noes'.

Mr. Speaker: All right.

Division No. 24]

AYES

[17.18 hrs.

Aney, Dr. M. S.
Azad, Shri Bhagwat Jha
Bade, Shri
Banerjee, Shri S. M.
Barua, Shri Hem
Basant Kunwari, Shrimati

Bist, Shri J. B. S.
Brij Raj Singh, Shri
Chanda, Shrimati Jyotsna
Daji, Shri
Das, Shri N. T.
Deshmukh, Shri Shivaji Rao S.

Dhaon, Shri
Dharamalingam, Shri
Dwivedi, Shri M.L.
Elayaperumal, Shri
Gaitonde, Dr.
Gopalan, Shri A. K.

Gounder, Shri Muthu
Gupta, Shri Kanahi Ram
Gupta, Shri Priya
Himmatsingka, Shri
Ismail, Shri M.
Jadhav, Shri M. L.
Jain, Shri A. P.
Joshi, Shrimati Subhadra
Kadadi, Shri
Kakkar, Shri Gauri Shankar
Kamath, Shri Hari Vishnu
Kar, Shri Prabbhat
Khadilkar, Shri
Krishnapal, Singh, Shri
Kunhan, Shri P.
Kureel, Shri B. N.
Lalit Sen, Shri
Laxmi Dass, Shri
Manoharan, Shri
Mehta, Shri Jashwan

Menon, Shri Krishna
Misra, Dr. U.
Mukane, Shri
Mukerjee, Shri H. N.
Murmur, Shri Sarkar
Nair, Shri Vasudevan
Nath Pai, Shri
Pande, Shri K. N.
Patil, Shri D. S.
Patil, Shri M. B.
Pillai, Shri Nataraja
Prithvi Raj, Shri
Raghavan, Shri A. V.
Rajaram, Shri
Ranga, Shri
Reddy, Shri Eswara
Reddy, Shri Narasimh
Saha, Dr. S. K.
Sen, Dr. Ranen

Sezhiyan, Shri
Sharma, I.
Shashi Ranjan, Shri
Sharma, Shri Prakash Var
Shro Narain, Shri
Singhvi, Dr. L. M.
Sinha, Shrimati Ramdulari
Sonavane, Shri
Soy, Shri H. C.
Sumat Prasad, Shri
Swamy, Shri M. N.
Swamy, Shri Sivamurthi
Tan Singh, Shri
Tiwary, Shri D. N.
Varma, Shri M. L.
Vimala Devi, Shrimati
Vishram Prasad, Shri
Yashpal Singh, Shri

NOES

Abdul Wahid, Shri T
Alva, Shri Joachim
Anjanappa, Shri
Babunath Singh, Shri
Bajaj, Shri Kamalnayan
Balakrishnan, Shri
Balmiki, Shri
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L. N.
Bhattacharyya, Shri C. K.
Brajeshwar Prasad, Shri
Chakraverti, Shri P. R.
Chandrasekhar, Shrimati
Chaudhry, Shri C. L.
Chavan, Shri D. R.
Chavda, Shrimati
Chuni Lal, Shri
Daljit Singh, Shri
Das, Shri Sudhanu
Dasappa, Shri
Deo Bhanji, Shri P. G.
Desai, Shri Morari
Deshmukh, Dr. P. S.
Dhuleshwar Meena, Shri
Dinesh Singh, Shri
Firodia, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Govind Das, Dr.
Gupta, Shri Ram Ratan
Gupta, Shri Shiv Charan
Hajarnavis, Shri
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Himmatsingka, Shri
Jagjivan Ram, Shri
Jasvir, Shri S. G.
Jedhe, Shri

Jena, Shri
Jha, Shri Yogendra
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kajrolkar, Shri
Kamungo, Shri
Kedaria, Shri C. M.
Keishing, Shri Rishang
Khanna, Shri Mehr Chand
Krishna, Shri M. R.
Lakshminanthamma, Shrimati
Mahadeo Prasad, Shri
Mahadeva Prasad, Dr.
Mahtab, Shri
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Malliah, Shri U. S.
Mandal, Shri Yamuna Prasad
Maruthiah, Shri
Mehrotra, Shri Braj Bihari
Melkote, Dr.

Mirza, Shri Bakar Ali
Mishra, Shri Bibudhendra
Morarka, Shri
More, Shri K. L.
More, Shri S. S.
Murthy, Shri B. S.
Musafir, Shri G. S.
Naik, Shri Maheshwar
Nanda, Shri
Naskar, Shri P. S.
Nehru, Shri Jawaharlal
Nigam, Shrimati Savitri
Oza, Shri
Pandey, Shri Vishwa Nath
Patel, Shri Chhotubhai
Patel, Shri Man Singh P.
Patel, Shri N. N.
Patel, Shri P. R.
Patel, Shri Rajeshwar
Patil, Shri S. K.
Patnaik, Shri B. C.

Pattabhi Raman, Shri C. R.
Pratap Singh, Shri
Puri, Shri D. D.
Raghuramiah, Shri
Raj Bahadur, Shri
Ram, Shri T.
Ram Swarup, Shri
Rampure, Shri M.
Rane, Shri
Ranga Rao, Shri
Rao, Shri Krishnamoorthy
Rao, Shri Mythyal
Reddiar, Shri
Sahu, Shri Rameshwar
Sanj Rupji, Shri
Saraf, Shri Sham Lal
Satyabhama Devi, Shrimati
Sen, Shri A. K.
Shah, Shrimati Jayaben
Sham Nath, Shri
Sharma, Shri D. C.
Shastri, Shri Lal Behadur
Shrimati, Dr. K. L.
Singh, Shri D. N.
Singh, Shri R. P.
Sinha, Shri Satya Narayan
Sinha, Shrimati Tarakeshwari
Subbaraman, Shri
Subramanyam, Shri T.
Swaran Singh, Shri
Thimmaiah, Shri
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tula Ram, Shri
Tyagi, Shri
Uikey, Shri
Upadhyaya, Shri Shiv Dutt
Venkaiah, Shri Kolla
Wadiwa, Shri
Yadab, Shri N. P.
Yadava, Shri Ram Sewak

Mr. Speaker: The result of the division is: Ayes 76; Noes 125. The Noes have it.

The motion was negatived.

Mr. Speaker: So, the discussion on clause 4 would continue.

The Minister of Finance (Shri Morarji Desai): Sir, may I make a submission? I should like to make only one submission in this matter. Last night, I was very unhappy to learn that there is a feeling going round that we do not want the opinion of the Attorney-General to be brought before the House because, it is said, it is against the Bill. I was very unhappy to learn that such an opinion could have been there before anybody. I had said that the Attorney-General had not been consulted, because the Government was quite sure of the legal position in this matter. But, I am very unhappy that there should be such a feeling. In order to remove that feeling, I am certainly prepared to get the opinion of the Attorney-General and submit it to the House.

Shri S. M. Banerjee: Let him come before this House. Let him make a statement.

Shri A. P. Jain: Sir, I want to say a few words. With all respect, I would submit that getting the opinion of the Attorney-General and putting it before this House is no substitute for my proposal. There have been instances in the past when the Attorney-General came before the House and the whole House was thrilled to hear the Attorney-General making the statement. We asked some questions and he clarified them. Now, my position is that it is the privilege of the House that the Attorney-General should assist this House in forming its opinion, and I hold that propriety demands, I appeal to the Prime Minister and I appeal to the Finance Minister, that they should observe propriety. We are a nascent democracy and we are laying down traditions. Let us not lay down traditions which may not be to our credit in future.

Mr. Speaker: That is all. Now the appeal has been made to the Government. Government have to consider it. Now I have to proceed with clause 4 of the Bill. What is the pleasure of the House?

Shri Hari Vishnu Kamath: Adjourn or take up Private Members' Business.

Mr. Speaker: We can continue the discussion on clause 4 on Monday. At what time?

Shri Tyagi (Dehra Dun): Sir, I want to know one thing. By what time will the opinion of the Attorney-General be made available to us?

Shri Morarji Desai: I cannot say by what time he will give it. I can only request him to give it as soon as he can.

Shri Tyagi: In that case, the difficulty is, after passing the Bill, it is no use getting his opinion.

Mr. Speaker: Order, order. I appreciate that point.

Shri Morarji Desai: I will try to obtain it by Monday.

Mr. Speaker: Then, I will not put it up for discussion on Monday. First let us have the opinion placed on the Table of the House. Then, we will fix the date.

Shri Hari Vishnu Kamath: Sir, on a point of clarification. The Finance Minister has been pleased to say that he is not averse to getting the opinion of the Attorney-General. Then, what further objection is there to the Attorney-General appearing before Parliament in person and giving his opinion? I thought that is much fairer to the Attorney-General than getting his opinion on paper.

Mr. Speaker: Order, order. I have put the motion to the House and it has been decided that the discussion would continue.

Shri S. M. Banerjee: I am only making an appeal.

Mr. Speaker: Those appeals they can make themselves. I am not to be brought in.

Shri Hari Vishnu Kamath: We were not referring to you; only to the Government.

Mr. Speaker: The House will now take up Private Members' Resolutions.

17.25 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTIETH REPORT

Shri Krishnamoorthy Rao (Shimoga): Sir, I beg to move:

"That this House agrees with the Twentieth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 24th April, 1963."

Mr. Speaker: The question is:

"That this House agrees with the Twentieth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 24th April, 1963."

The motion was adopted.

RESOLUTION RE: NATIONALISATION OF BANKS—Contd.

Mr. Speaker: Now the House shall take up further consideration of the following Resolution moved by Shrimati Subhadra Joshi on the 29th March, 1963:—

"In view of the emergency created by the Chinese aggression, this House is of opinion that banks should be nationalised in order to mobilise the national resources."

Time allotted was two hours of which 54 minutes have been taken up and 1 hour and 6 minutes remain. Shri P.K. Deo. He is not present. Shri Banerjee.

Shri S. M. Banerjee (Kanpur): Sir, I rise to support the Resolution moved by my hon. friend, Shrimati Subhadra Joshi. I definitely know that the hon. Finance Minister had expressed many times in this House that Government was not prepared to nationalise banks.

Mr. Speaker: Order, order. Will he kindly resume his seat? May I know how many hon. Members more want to participate in this debate. I see about ten hon. Members rising. The time left is only one hour.

Shri S. M. Banerjee: Time may be extended.

Shrimati Subhadra Joshi (Balrampur): Time should be extended.

Mr. Speaker: By how much should it be extended.

Shrimati Subhadra Joshi: By one hour.

Mr. Speaker: I will be prepared to do that, but then the House may not like to sit after 6 o'clock and this discussion will have to be postponed. So, some hon. Member might move a motion.

Shrimati Subhadra Joshi: Sir, I move:

"That the time allotted for this Resolution be extended by an hour."

Shri D. C. Sharma (Gurdaspur): I second it.

Mr. Speaker: That is agreed; that is the sense of the House.

Shri A. K. Gopalan (Kasergod): What about my Resolution?

Shri D. C. Sharma: Sir, I move:

"That the House may be adjourned now."

Mr. Speaker: Order, order. If the House is not prepared to sit after 6 o'clock then the only thing we can do, is that the discussion on this Resolution might be postponed.

Shri D. C. Sharma: We have done very important work today.

Mr. Speaker: Then some hon. Member should move a regular motion.

Shri Joachim Alva (Kanara): Sir, I move:

"That this House be adjourned in view of the great physical strain on everybody including you for the last four days."

Mr. Speaker: That is not the purpose. First the motion should be that discussion on this Resolution be postponed to some future date.

Shri D. C. Sharma: Sir, I move:

"That discussion on the Resolution moved by Shrimati Subhadra Joshi on the 29th March, 1963 be postponed to the next day for Private Members' Resolutions."

Mr. Speaker: I find the sense of the House is that it should be postponed.

Shri D. C. Sharma: It is the unanimous sense of the House.

Mr. Speaker: The question is:

"That discussion on the Resolution moved by Shrimati Subhadra Joshi on the 29th March, 1963 be postponed to the next day for Private Members' Resolutions."

The motion was adopted.

Shri S. M. Banerjee: Sir, may I seek a clarification? Will I be in possession of the House? I have spoken for half a minute.

Mr. Speaker: Records do not show it.

Shri S. M. Banerjee: Records show it.

17.28 hrs.

RESOLUTION RE: DEFENCE OF INDIA ACT

Mr. Speaker: Shri Gopalan. He may take ten minutes because the House is not in a mood to sit longer. Therefore he might take ten minutes now and continue during the next session.

Shri A. K. Gopalan (Kasergod): Sir, I move:

"This House is of opinion that the powers under the Defence of India Act have been abused with a view to carrying on attack on the Communist Party and a number of Trade Union and other organisations and calls upon the Government to release all political and mass leaders detained under the Defence of India Rules."

17.29 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Sir, as the time at my disposal is short, I do not want to go into the question of the Defence of India Rules, the emergency under which it had been enacted and also other problems concerning whether the Defence of India Act itself is unconstitutional or not. I do not take up those points. I will refer to those points on the next day. So now I only want to discuss the abuse of the powers under the Defence of India Act as also the treatment of persons inside jails and other matters connected with that. When we were discussing the demands for grants of the Ministry of Home Affairs, Shri Lal Bahadur Shastri had given a reply. I want to quote some portions of that reply and then comment on them. He said:

"I would like to ask especially the Members of Opposition to put their hands on their heart and say if the emergency powers had really been misused. Of course, here and there we may have made mistakes or there has ever been a great miscarriage of justice.

No party has been asked to discontinue its works or its activity, unlawful or illegal....".

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Sir, I thought he would only move his Resolution and then it might be taken up on the next day. That was the sense of the House because all felt tired after the passing of this Official Languages Bill.

Shri A. K. Gopalan: The hon. Speaker told me, "You move it and take 10 minutes." I will take 15 minutes.

Mr. Deputy-Speaker: Let him take 10 minutes.

Shri Lal Bahadur Shastri: There must be reply to that. Why his speech alone go on record?

Mr. Deputy-Speaker: Does the hon. Member want to continue on the next day?

Shri A. K. Gopalan: Yes. I have moved the Resolution.

Shri C. K. Bhattacharyya (Raiganj): The Resolution has been moved. He may continue on the next day.

Mr. Deputy-Speaker: The hon. Member may continue his speech on the next day.

Shri D. S. Patil: The names of the Members who want to speak on the Resolution regarding the nationalisation of Banks may be recorded.

Mr. Deputy-Speaker: The House stands adjourned till Monday.

17.33 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, April 23, 1963/Vaisakha 9, 1885 (Saka).

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COLUMNS

COLUMNS

MESSAGE FROM RAJYA SABHA

12325

Secretary reported a message from Rajya Sabha that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Finance Bill, 1963, passed by Lok Sabha on the 20th April, 1963.

BILL PASSED

12336—523

Further clause-by-clause consideration of the Official Languages Bill, 1963 continued. The discussion was concluded and the Bill was passed, as amended.

BILL UNDER CONSIDERATION

12523—33

Further discussion on clause 4 of the Compulsory Deposit Scheme Bill, 1963 commenced. Shri Ajit Prasad Jain moved a motion that the discussion on Clause 4 of the Bill be adjourned. The motion was negatived.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED

12533

Twentieth Report was adopted.

PRIVATE MEMBERS' RESOLUTIONS UNDER CONSIDERATION

12533—38

1. Further discussion on resolution regarding Nationalisation of Banks moved by Shrimati Subhadra Joshi on the 29th March, 1963 was postponed to the next day for Private Members' Resolutions.
2. Shri A. K. Gopalan moved his resolution *re* : abuse of power under Defence of India Act. The discussion was not concluded.

AGENDA FOR MONDAY, APRIL 29, 1963/VAISAKHA 9, 1885 (SAKA)

Discussion and passing of the Bengal Finance (Sales Tax) (Delhi Amendment) Bill, 1963.

Discussion and passing of Demands for Grants, (General) 1960-61.

Discussion and passing of Supplementary Demands for Grants (Railways) for 1963-64.

Discussion and passing of the Appropriation (Railways) No. 4 Bill, 1963.

Discussion and passing of the Constitution (Fifteenth Amendment) Bill, 1962, as reported by Joint Committee.

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