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LOK SABHA

Thursday, 5th May, 1955

The Lok Sabha met at Half Past Ten of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

10-44 A.M.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE  
APPOINTMENT OF A COMMISSION ON HINDI

**Mr. Deputy-Speaker:** There is a motion calling attention to a matter of urgent public importance by Shri S N. Das. He is absent.

**Shri M. L. Dwivedi (Mamirpur Distt.):** I have got that paper. May I request the hon. Minister of Home Affairs to answer it?

**Mr. Deputy-Speaker:** The hon. Member may read it out.

**Shri M. L. Dwivedi:** Under Rule 216, I beg to call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"Appointment of a Commission on official language under article 344 of the Constitution."

**The Minister of Home Affairs (Pandit G. B. Pant):** I am making this statement as desired.

In accordance with article 344 of the Constitution, the Government of India

145 L.S.D.—1

propose to constitute a Commission on Hindi consisting of a Chairman and other members representing the different languages specified in the Eighth Schedule of the Constitution. A notification appointing the Commission and defining its terms of reference is expected soon to issue. I am glad to be able to tell the House that Shri B. G. Kher has agreed to be the Chairman.

The terms of reference of the Commission are likely to be to make recommendations to the President as to—

- (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;
- (c) the language to be used for all or any of the purposes mentioned in article 348 of the Constitution;
- (d) the form of numerals to be used for any one or more specified purposes of the Union;
- (e) the preparation of a time schedule according to which and the manner in which Hindi may gradually replace English as the official language of the Union and as a language for communication between the Union and State Governments and between one State Government and another.

In making their recommendations, the Commission shall have due regard to the industrial, cultural and scientific advancement of India, and the just claims and the interests of persons be-

[Pandit G. B. Pant]

longing to the non-Hindi speaking areas in regard to the public services.

It is hoped that the Commission will be able to make their report as soon as possible within a year.

#### 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 rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha, that the Rajya Sabha, at its sitting held on the 4th May, 1955, agreed without any amendment to the State Bank of India Bfl, 1955, which was passed by the Lok Sabha at its sitting held on the 30th April, 1955."

#### COMMITTEE ON ASSURANCES

##### SECOND REPORT

**Shrimati Sucheta Kripalani** (New Delhi): I beg to present the Second Report of the Committee on Assurances.

#### CORRECTION OF ANSWER TO STARRED QUESTION No. 2435

**The Minister of Labour (Shri Khandubhal Desai):** With your permission, I wish to make a correction to the reply that I gave to starred question No. 2435 asked by Shri Bhagwat Jha Azad on the 20th April, 1955.

The correct answer to part (a) should be 'No' and to parts (b) and (c) "39 casual women workers were retrenched due to reduction in work".

#### HINDU MARRIAGE BILL—concl'd.

##### Clauses 24 to 28

**Mr. Deputy-Speaker:** The House will now proceed with clause by clause consideration of the Bill to amend and codify the law relating to marriage among Hindus as passed by the Rajya Sabha. The hon. Minister was to reply.

**The Minister in the Ministry of Law (Shri Pataskar):** We are now proceeding with the discussion on clauses...

**Shri Veeraswamy (Mayuram-Reserved-Sch. Castes):** On a point of information, I want to know when the Report of the Commissioner for Scheduled Castes and Scheduled Tribes which was held over from the last session for discussion in this session, will be discussed.

**Mr. Deputy-Speaker:** This will be conveyed to the Government. The hon. Member might have asked the hon. the Home Minister.

**Shri Pataskar:** I started replying yesterday to the several amendments which had been moved to clauses 24 to 28. I think the main objections that could be categorised are with respect to the provision regarding custody of children in clause 26. With respect to that, I would like to point out that there is no question here as to whether the mother is the proper person to have the custody or the father is the proper person. All that is out of place so far as the present provision in clause 26 is concerned. The provision is that if, unfortunately, the father and mother go to court for the purpose of getting divorce, the court may under this Act from time to time pass such interim orders and make such provisions in the decree as it may deem just and proper with respect to the custody, maintenance and education of minor children. So the whole matter will be left to be decided by the court, with respect to the interests of the unfortunate children whose parents do not find it congenial to continue in married life and go to a court of law for the purpose of getting a divorce. So, here, we need not enter into the question as to who is the proper person to have the custody of the children. That is entirely a matter to be decided by the court.

With respect to the provision in sub-clause (3) of clause 25, about chastity particularly, I shall read it:

"If the court is satisfied that the party in whose favour an order has