

Rajya Bhasha Karma Parishad in reply to the latter's letter that there will be no question of banning entry of Assamese language into the Cachar District after the Assamese Language Act undergoes change as per Shastri formula; and

(b) if so, what will be the position of Assamese language in the Hill Districts of Assam when Hindi will replace English there?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes. The Prime Minister is of the view that none of the languages mentioned in the Constitution can be prohibited or disallowed in any State. To what extent any language is used for administrative or educational purposes is a matter to be determined in view of the circumstances prevailing in any area. Recently at the Chief Ministers' Conference held in Delhi a code on the use of minority languages was laid down. This should be followed wherever necessity arises. This will apply to the use of Assamese or any other language in Cachar district, even though the major language for official use there would be Bengali.

(b) According to the proposals made by the Prime Minister for the Hill Districts of Assam, the people of those districts will determine what language or languages they will use. How far Assamese is to be used there, in accordance with the provisions for minorities, will therefore be determined by the people of those districts.

Shri P. C. Borooah: May I know whether the Assamese Language Act, which is going to be modified as per the Shastri formula, will be in conformity with the policy of the Government of India that was adopted at the Chief Ministers' Conference? If not, will the Government be pleased to issue instructions to the Assam Government to see that the Act is so changed as to keep it in conformity with the policy of the Government of India?

Shri Sadath Ali Khan: It is the view of the Prime Minister that there is no necessity for any amendment of the Assamese Language Act. A similar request was made to him some time ago and in reply to that he said that there was no necessity for such a change.

Shri Hem Barua: In view of the fact that the purpose of an official language lies in its use in correspondence between the State administrative headquarters and the district administrative headquarters and in view of the fact that the Hill Districts are not unilingual, may I know what is the difficulty in having the declared official language of the State introduced in the Hill Districts?

Shri Sadath Ali Khan: It is for the State Government to take a decision in this regard. I do not think the Centre can intervene.

Shri P. C. Borooah: If after the passing of the Assamese Language Act, as modified by the Shastri formula, if any Hill district or districts want to adopt the Assamese language for administrative and educational purposes, will they be able to do that?

Shri Sadath Ali Khan: There are too many "ifs". It is a hypothetical question.

British Citizenship for Phizo

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*1335. { Shrimati Mafida Ahmed:
Shri P. C. Borooah:
Shri Shree Narayan Das:
Shri D. C. Sharma:
Shrimati Ila Palchoudhuri:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that the leader of the Naga Hostiles, Phizo, has applied to the British Government for naturalization; and

(b) if so, what is that Government's response to his application?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). The

U.K. Government have informed our High Commission in London that Phizo has applied to them for the grant of the U.K. citizenship.

It is for the U.K. Government to take a suitable decision on the application. They have, however, kept us informed about this matter.

Shrimati Mafida Ahmed: In view of the fact that Shri Phizo has refused to accept the constitutional settlement for Nagaland, and in view of the fact that he is solely responsible for the killing of hundreds of our military men, Government officials and public and also for the recent death of Dr. Ao, President of the Naga Peoples' Convention, may I know why Government are not demanding his return as wanted criminal?

Shri Sadath Ali Khan: This has been answered often on the floor of this House by the Prime Minister. We have not asked for his return. He can return, if he likes.

Mr. Speaker: It is stated that he is responsible for all the murders that are taking place. Therefore, have the Government asked that Government to return him by way of extradition as a criminal?

Shri Sadath Ali Khan: There is no charge against him. He is just sitting in London.

Shri Tyagi: May I take it that there is no criminal charge against him?

Shri Sadath Ali Khan: He is not a fugitive criminal. As far as I am aware, there is no charge against him.

The Minister of Law (Shri A. K. Sen): Sir, may I answer that? It should not have been put in that way, namely, that there is no charge. Charge is one thing and a pending case is another. We can only ask for extradition of a fugitive criminal under the Fugitive Offenders Act if there is a case pending against a particular person and if he has taken refuge in another country, subject to all the restrictions which are followed

under international law in this matter of extradition.

Shri Tyagi: May I take it that no warrant of arrest on any charge has been issued against this citizen of India? He is a citizen of India.

Shri A. K. Sen: The question is that if there is a pending case, the court will issue a warrant of arrest.

Shri Tyagi: Why has a case not been registered against him? Is it on political or on diplomatic grounds that this has not been done? Let us make it quite clear.

Shri A. K. Sen: Shri Tyagi knows that in this country a man cannot be convicted just by filing a case. The evidence has to be forthcoming of what he did inside Nagaland. Does he expect that those witnesses will be coming in a court of law?

Shri Hem Barua: On a previous occasion the hon. Prime Minister said on the floor of this house that there are charges of murder pending against Shri Phizo who is a fugitive just now in London. If that is so, these charges are to be framed against him. In his application he has asked the UK Government to recognise him not as an Indian citizen but as a citizen of independent Nagaland. In view of this, our Government should ask the UK Government to repatriate Shri Phizo who is a fugitive from Indian justice in London.

Shri A. K. Sen: I think the hon. Member is not a lawyer, but those who are would appreciate that in this country Government cannot treat its citizens just as it likes by bringing charges on the floor of the House. This has to be done through a regular case in courts of law which function independently and impartially. Any charge, if it is preferred, has to be sustained on evidence. If the hon. Member knows the conditions prevailing under which Shri Phizo functioned, he will appreciate that the charges may be substantially true yet they may not be so easy to be sustained in a court of law.

Shri Hem Barua: May I clarify my position? I made a reference to the hon. Prime Minister's statement. I know that the hon. Prime Minister was not making these allegations in the air or in the vacuum, because he had solid facts with him when he was making those allegations. Therefore my contention is that in the face of the allegations made by the hon. Prime Minister, why were the charges not framed against this man?

Mr. Speaker: Evidently, hon. Members want to know this. Repeatedly it has been said that that man has not submitted to the jurisdiction or the attempted Constitutional administration there. He is the one man who is leading the whole rebellion and the revolt. If he is a citizen of India, would the hon. Minister allow him or anybody to organise violence and kill so many people? There are so many Air Force officers in custody. Had Shri Phizo nothing to do with all this? To say that it is one thing to bring it up and another to have a charge, get him arrested and so on, is rather strange to hear now after all these things. Almost every day some murder or something is taking place and the one man who is leading the rebellion is that man. By saying that there is no charge, does the hon. Minister expect any one Member to assist him? There may be a case in a court or there may be a case pending with the Police. I think in a murder case, the Police can arrest and a warrant can be issued by themselves.

Shri Tyagi: It is an open case of treason.

Mr. Speaker: If there is one man who is leading a rebellion, if he is a citizen of India, he is that man. To say that we cannot take steps for extradition is strange. I will ask the hon. Minister to go into this even more leisurely. Next question.

Shrimati Ila Palchoudhuri: May I ask.....

Mr. Speaker: There is no good pursuing it.... (Interruption).

Shri H. N. Mukerjee: I cannot believe why the hon. Law Minister is so shaky on the law of extradition. When a criminal runs away and charges are made against him, before the indication of the charges.... (Interruption).

Mr. Speaker: The difficulty is that the hon. Minister has said that he is not a criminal.... (Interruption).

Shri Tyagi: Is treason no crime in this land?

Mr. Speaker: We are not going to decide it here. If we were sitting for some more days, I would have certainly allowed a discussion over this matter.... (Interruption). But today is the last day. That is unfortunate. God willing, we will have a discussion about it next time. Next question.

Shrimati Ila Palchoudhuri: May I ask one question?

Mr. Speaker: There is no good pursuing this matter. When he is the prime cause of the rebellion, even an extradition application is not sent to the other country? I am sure the House expects some kind of a more reasonable explanation. I have no time, otherwise I would have allowed a discussion over it.... (Interruption). Next question.

Repatriation of Indians from Ceylon

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*1336. { Shri P. C. Borooah:
Shri D. C. Sharma:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Ceylonese Government had repatriated a large number of Indians in the year 1960; and

(b) if so, how many; and

(c) what action has been taken by the Government of India in this matter?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): (a) and (b). In the year 1960 a total of 7866 Indians left Ceylon—3451 on