

15.50 hrs.

CONSTITUTION (AMENDMENT) BILL

(OMISSION OF ARTICLE 331, ETC.)

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

SHRI FRANK ANTHONY (Nominated—Anglo-Indians): I rise to oppose introduction of this Bill. Mr. Deputy-Speaker, I am not insisting on a technicality. We know that under Rule 338, the motion shall not raise a question substantially identical with one on which the House has given a decision in the same session. Hardly six months ago, on the 24th of January, this House, without a single dissentient vote, decided that the safeguards of the Anglo-Indians Community (Articles 331 and 333) should be continued for another ten years; and yet six months after, my friend, who is a party to that decision, has sought unfortunately to bring this Bill forward to scrap these safeguards. Mr. Deputy-Speaker, with the greatest of regret I must expose the motive behind this Bill, the demonstrably mala-fide motive behind it—whatever the attempted rationalisation. I do not want to say anything personally. I do not know the member; I never knew him by sight. I did not know him by name, but Mr. Barrow, my colleague, told me that during the Bill—I was not here—he made observations against it. Then I made some enquiry and I found and I say it with great regret he is a member of the Jan Sangh with usual RSS conditioning... (Interruptions).

SHRI BAPUSAHEB PARULEKAR: There is no Jan Sangh. He has not been properly informed. (Interruptions) I object to the observation that he has made. You are a senior member of this particular House. (Interruptions) This is not the proper way of doing it. (Interruptions)

MR. DEPUTY-SPEAKER: Mr. Parulekar, you can reply when you get an opportunity to reply.

SHRI BAPUSAHEB PARULEKAR: He cannot say like this. It is a wrong statement I oppose this. This should not go on record. (Interruptions)

SHRI FRANK ANTHONY: Mr. Deputy-Speaker, as I have said, my friend knows this, that I have always been an implacable opponent of the RSS, Jan Sangh philosophy, because it does not... (Interruptions) Please listen. It is an evil philosophy, because it is a threat to the secular character of the nation. Now I tell you why? That philosophy means death for the minorities, the Muslims, the Christians and the Anglo-Indian Community. What is the philosophy to which these people are wedded? It is a philosophy which has been set out by their second Sarsangchalak, M. S. Golvalkar. Because the Jan Sangh has consistently opposed the safeguards for the Anglo-Indians Community, stemming from this evil philosophy. What is that philosophy to which they continue to subscribe the non-Hindu people in Hindustan must accept Hindu culture and language; and they have... (Interruptions)

SHRI BAPUSAHEB PARULEKAR: I am on a point of order under Rule 72. It says "If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit brief statements from the member who opposes the motion and the member who moved the motion, may without further debate put the question." The brief statements are with reference to the Bill, not the RSS;

whether I belong to RSS; whether I am a member of the Jan Sangh (*Interruptions*). He cannot go on making a speech like this.

MR. DEPUTY-SPEAKER: He is making a brief statement.

SHRI FRANK ANTHONY: I am making only a brief statement, not a long speech. That was their philosophy. The minorities may stay in this country wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges, not even citizenship rights. This is what my friend is subscribing to...

PROF. N. G. RANGA: ...Unwittingly.

SHRI FRANK ANTHONY: ...Not unwittingly, deliberately. He does not feel that this is an attack on the minorities. This is what I want to expose; these people are all subscribers to that philosophy. That is why another Member of the same group introduced the notorious Bill 'Religious Bill' in the Rajya Sabha.

MR. DEPUTY-SPEAKER: Please be brief.

SHRI FRANK ANTHONY: In 1970, it was the 23rd amendment by which Mrs. Gandhi's government extended for another ten years the safeguards of the Anglo-Indian Community. Once again running true to form, the whole Jana Sangh Party opposed it. Why? I must tell the House, because they have this ill-conceived hatred for my community. Why have they got this hatred for this small minority? Let me tell you why. Because we stand in the way of their linguistic imperialism. Unfortunately, Mr. Deputy-Speaker, you should be with me in this.

MR. DEPUTY-SPEAKER: I shall be with every Member of the House.

SHRI FRANK ANTHONY: They were spearheading the Hindi imperialism movement. I am not against Hindi. Hindi is my second language; they were spearheading that movement and they were responsible for all the violence in Hindi-speaking States. I am justified in showing how they perverted the whole thing. This is the slogan which they propagated, which no Hindi lover would subscribe to. I said this in my report; mine was the only minute of dissent to the Report of the Parliamentary Language Committee. This was the slogan of the RSS-Jana Sangh: "Hindi, Hindu, Hindustan, na rahega Sikh, Isai ya Musalman". They have put up among the Christians. They have got an added incentive against us because I have fought this imposition... (*Interruptions*). That was the evil slogan. My friend here is a DMK leader. I toured the South; lakhs of people came to hear me and I wanted to expose this evil philosophy. I fought it alone.

On 7th August, 1959, Jawaharlal Nehru saw the the danger to this country by this terrible linguistic resurgence because of this evil philosophy and on my private Member's resolution in this House, announced his formula which saved the country: English shall be the associate, alternate language as long as the Non-Hindi speaking people so desire. This is what they hate, that I should have got this; they hated it with a consuming hatred. I went to the court, when a person who subscribed to that philosophy tried to destroy my language and my schools; my language happens to be English and they felt that unless they wiped out my English medium schools, they could never impose Hindi. My friend thinks, it is innocuous and he brings forward this Bill because of political considerations; he is going to look after my community. I saw the objects and reasons; my hon. friend is going to look after my community.

What I want to say is this. I argued this case. Let me tell my friends this, if they are capable of learning, that I got this imprimatur from the Supreme Court that English is an Indian language; it is as much Indian as any other language, because it is the language of a recognised minority. What my friends tried to do at that time was, they said that no Indian could learn through the medium of English language and because of that, the case went to the Supreme Court and the Supreme Court struck it down. Today there are between 25 and 30 million Indians at any one stage studying through the medium of English from the primary to the University stage. They may not like it; they in fact hate it. That is why this hatred is directed against us. It is a great tragedy.

MR. DEPUTY-SPEAKER: Please conclude.

(Interruptions)

MR. DEPUTY-SPEAKER: Shri Parulekar speaks very good English, Mr Frank Anthony.

SHRI FRANK ANTHONY: I would not comment on it. He may do it. They have never dared. . . (Interruptions) I managed to get these safeguards from Pandit Jawaharlal Nehru and Sardar Vallabh Bhai Patel. Sardar Patel speaking for the whole party said this—we must give safeguards to the small minority because they are *suigeneris*. So, Homi Mody, Pilon Mody's father asked for the safeguards for the Parsis. He was told 'no'. He was told, you are not in the same category as these people are. So, I got these safeguards and Sardar Patel gave the reason that we must get representation. How do we give it to them? We cannot give them the reserved seats as we give to the Scheduled Castes. They are too small, too

scattered. The only way to give them effective representation is to give them nominations in the Lower House and they have done that. I believe, we have made some contribution to this House. All I want to say is this—they dare not vote against Article 334, because they dare not lose the votes of the Scheduled Castes and the Scheduled Tribes. But they feel that now by this Amendment (they do not mind losing our votes because this is a small minority) they will achieve their greater objective to wipe out this community. There will be nobody left in this country to claim English as his mother tongue. They will wipe out English medium schools. They will be able to achieve the objective of this language chauvinism. I oppose the introduction.

SHRI BAPUSAHEB PARULEKAR:

I have heard very patiently Mr. Frank Anthony who is opposing the introduction of this particular Bill. With all respect to him I must say that he has been totally mis-informed about me and I deny the motives which he has attributed. I regret to mention that this is not expected of my friend Shri Frank Anthony. He said that this Bill has been motivated because I belong to Jan Sangh. For his information I may tell him that Jan Sangh is no more. Jan Sangh was merged long back with the Janata Party in 1977. It is not correct to say. . .

(Interruptions)

MR. DEPUTY-SPEAKER: You must allow him to speak. You must hear him. Silence please. Order, order.

(Interruptions)

SHRI BAPUSAHEB PARULEKAR: With reference to R.S.S. . . . (Interruptions) I will not yield unless I finish my speech. I will request you not to ring the bell.

MR. DEPUTY-SPEAKER: How much time will you take?

SHRI BAPUSAHEB PARULEKAR: Less than what Shri Frank Anthony took. He has taken fifteen minutes.

MR. DEPUTY-SPEAKER: He has taken ten minutes. You also take that much of time.

SHRI BAPUSAHEB PARULEKAR: Coming to the objections, I feel the purpose for which I wanted to introduce the Bill has been served because my learned friend perhaps for the first time in his life time was required to do lobbying. He did lobbying throughout the day. He met the Members. He circulated his objections and said that this Bill should be opposed.

With reference to R.S.S., I do not deny that I had and have associations with R.S.S. and I am proud of that. But this is not correct to say that the R.S.S. or the Jan Sangh ideology has motivated this Bill. If you want

16.00 hrs.

to attribute this motivation, you will have to attribute this motivation to those who were the framers of the Constitution. I would invite the attention of the House to the speech of one of the Members of the Constituent Assembly, which was accepted by Dr. Ambedkar. Mr. Ananthasayanam Ayyangar, while speaking on this article—it was article 293 at that time—said this provision is the only exception of its kind in this constitution; it is not intended to perpetuate this exception, but it is for only a temporary period. He said further:

“These Anglo-Indians were once part-rulers of this country and therefore, they should be shown some partiality for some time to come.”

Does Mr. Frank Anthony want this partiality for all time? That is the question.

Nomination is only for Anglo-Indians. It is not even there for Scheduled Castes. Nomination is against the democratic principle. We have seen that in the last 30 years, only one person has been coming as the representative of the Anglo-Indians. I have many Anglo-Indian friends and they say, “We want to join the mainstream. But because of this nomination, only one person is coming to Parliament and we are not given any opportunity”.

It is under these circumstances that we have to see whether this particular article 331 should be deleted or not. The question now is only about the introduction of this Bill. I would very much welcome the other members to express their views, which is possible only during the debate on the Bill. I do not appreciate why Mr. Anthony is scared about a debate on this Bill and why he is opposing its introduction. I strongly oppose the motivations attributed to me and the ideology and the suggestions made by him. As I said, the opinion expressed by the Members of the Constituent Assembly was that it was only for a limited period. 30 years have passed and if we find that in 30 years the Anglo-Indians could not join the mainstream, it is most unfortunate.

This is something like a charge against all the communities to say that except the Anglo-Indian community, no other community is capable of taking care of the Anglo-Indians. That shows the secessionist attitude in the mind of Shri Frank Anthony that Muslims, Hindus and other communities cannot take care of that particular community.

Firstly, nomination is against the democratic principle. Secondly, it is against the views expressed by the members of the Constituent Assembly. Thirdly, the times have changed. Therefore, I would say that the introduction should be allowed.

(Shri Bapusaheb Parulekar)

He referred to rule 338. Rule 338 will not apply here because the Constitution Amendment Bill referred to by Sri Frank Anthony was for the extension of the time and not for the deletion of the article. Therefore, rule 338 will not apply. I would, therefore, request the hon. members to consider whether in this August House we should have a debate on this particular issue or whether that debate should be barred. If there is a debate, members having different opinions will be able to express their views. If you do not allow the introduction of this Bill, the people in the country will get the impression that we Members in this House are not ready to discuss the issue and to hear the others' views.

With these words, I oppose whatever Shri Anthony has said and request the hon. members to allow the introduction of this Bill.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was negatived.

16.06 hrs.

PENSIONS BILL

SHRI V. N. GADGIL (Pune): I beg to move for leave to introduce a Bill to provide for the grant of pension, gratuity, dearness and other allowances and benefits, payable by the Central Government to its employees, or their dependents, on retirement voluntary or otherwise, or on the death of the Government servant and for other matters connected therewith.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the grant of pension, gratuity, dearness and other allowances and benefits, payable by the Central Government to its employees, or their dependents, on retirement voluntary or otherwise, or on the death of the Government servant and for other matters connected therewith."

The motion was adopted.

SHRI V. N. GADGIL: Sir, I introduce* the Bill.

16.07 hrs.

LAND ACQUISITION (AMENDMENT) BILL

(AMENDMENT OF SECTION 4)

SHRI G. M. BANATWALLA (Ponnani): I beg to move for leave to introduce a Bill further to amend the Land Acquisition Act, 1894."

MR. DEPUTY-SPEAKER: The questions is:

"That leave be granted to introduce a Bill further to amend the Land Acquisition Act, 1894."

The motion was adopted.

SHRI G. M. BANATWALLA: I introduce the Bill.

16.07 hrs.

CONSTITUTION (AMENDMENT) BILL

(AMENDMENT OF ARTICLE 155)

PROF. MADHU DANAVATE (Rajapur): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*Introduced with the recommendation of the President.