

(ग) जी नहीं,

(घ) निर्धारित पदोन्नति कोटा उपयुक्त समझा जाता है और इसमें वृद्धि करना दक्षता दृष्टि से ठीक नहीं होगा।

12.20 hrs.

CALLING ATTENTION TO MATTER
OF PUBLIC IMPORTANCE

Oath taking in Urdu in U. P.
Assembly

MR. SPEAKER : Shri Pattiam Gopalan.

SHRI K. SURYANARAYANA (Eluru):
On a point of order, Sir.

MR. SPEAKER : This is question hour.
What is the point of order ?

SHRI K. SURYANARAYANA : Calling attention is not a question, Sir. I want to raise a point of order. The calling attention relates to something that transpired in the legislature of Uttar Pradesh. I am not going into the merits of the question whether oath can be taken in Urdu. My only submission is that this was presumably taken in the presence of the Speaker of the U.P. Assembly. I fail to understand how the Home Minister could get any information about what had taken place under the guidance of the Speaker of the U.P. Assembly. If this is permitted here to-day to be raised in this House, tomorrow some of your decisions and actions or orders in this House may be raised and discussed in the State Assemblies. (Interruptions)

MR. SPEAKER : This is a point of order. I will answer it. (Interruptions)

SHRI K. SURYANARAYANA : My second submission is the extent of the responsibility or accountability of the Home Minister of this Government for what transpired in the U.P. Assembly. I request a ruling on this matter.

श्री कंवर लाल गुप्त (दिल्ली सदर): अध्यक्ष

महोदय, मेरा एक ही बात पर एतराज है कि यह जो कालिग ग्रंटेशन है इसकी जो भाषा है :

Refusal to administer the oath/affirmation to some members of the Uttar Pradesh Legislative Assembly in Urdu language.

तो यह रिफ्यूजल किसने दिया है ? यह रिफ्यूज किया है प्रेसाइडिंग एयारिटी ने जो यू०पी० असेम्बली में प्रेसाइड कर रहा था। उन्होंने यह कहा कि यू०पी० असेम्बली रूल्स के तहत कोई व्यक्ति हिन्दी के अलावा और किसी भाषा में श्राथ नहीं ले सकता। अब वह जो रूलिंग है यू०पी० असेम्बली के स्पीकर की, उसे आज हम यहां पर डिस्कस करें, मेरा ख्याल यह है कि यू०पी० असेम्बली एक सुप्रीम बाडी है अपनी जगह पर तो यू०पी० असेम्बली के स्पीकर की रूलिंग को चैलेंज करना या डिस्कस करना यह बहुत खतरनाक परम्परा होगी। अगर साधारण विषय होता कि किसी मेम्बर को किसी भाषा में श्राथ लेना चाहिए और वह यू०पी० असेम्बली का जिक्र न होता तो मुझे कोई एतराज नहीं था। मैं कोई उर्दू के हक में या उसके खिलाफ बात नहीं कर रहा हूँ। मैं यह कहना चाहता हूँ, मैं मेरिट्स में नहीं जाना चाहता, यह मैंने खुद ने कहा है.... (अध्यक्षान) . . अध्यक्ष महोदय, यहां पर कई बार ऐसा होता है, आप कोई रूलिंग देते हैं, उसमें हो सकता है किसी मेम्बर को एतराज हो, हो सकता है कि वह ठीक भी हो या कई बार गलत हो लेकिन आपकी रूलिंग बिलकुल फाइनल है। अगर आप की रूलिंग राज्य सभा में डिस्कस की जाय या राज्य सभा के चेयरमैन की रूलिंग यहां डिस्कस की जाय या दूसरी असेम्बलीज के स्पीकर की रूलिंग यहां डिस्कस की जाय और आपकी रूलिंग दूसरी असेम्बलीज में डिस्कस की जाय यह बहुत खतरनाक परम्परा है। आपने सभा-चारपत्रों में पढ़ा होगा, यू०पी० असेम्बली के कुछ सदस्यों ने इस बात पर एतराज भी किया है और चीफ मिनिस्टर ने कहा है कि रूल्स बनाने के बारे में और यहां पर किस तरह की

[श्री कंवरलाल गुप्त]

भाषा में श्रोध लेना चाहिए, इसकी फाइनल एथारिटी यू०पी० प्रसेम्बली है। तो मेरा कहना यह है, आर्टिकल 208 के अन्दर यह दिया है :

“A House of the Legislature of a State may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business.”

अध्यक्ष महोदय, यह 208 में अपने रूल्स बनाते हैं। अब जो दूसरा 212 है उसको देखा जाय :

“The validity of any proceeding in the Legislature of a State shall not be called in question on the ground of any alleged irregularity of procedure.”

इसी तरीके से 210 है जिसमें भाषा के बारे में कहा गया है :

“Notwithstanding anything in XVII, but subject to the provisions of article 348, business in the Legislature of a State shall be transacted in the official language or languages of the State or in Hindi or in English :”

मेरा कहना यह है कि जब उन्होंने रूल्स में यह प्रोवाइड किया है कि हिन्दी हो तो अब यह किसी की राय हो सकती है कि हिन्दी में होना चाहिए या मातृभाषा में होना चाहिए, इस पर जनरल डिस्कशन आप करें जिसमें यू०पी० प्रसेम्बली का जिक्रन हो तो आप बिल्कुल परफेक्टली विदिन राइट्स हैं लेकिन जब यू०पी० प्रसेम्बली के स्पीकर ने मना कर दिया तो उस पर डिस्कशन यहां उचित नहीं है।

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, मैं एक निवेदन करना चाहूंगा कि जिस बात को ले कर यह मामला उठा है वह बात खत्म हो गई है। जिन्होंने हिन्दी में शपथ लेने से इन्कार कर दिया था उन्होंने हिन्दी में शपथ ले ली है। अब इस मामले को उठाने का कोई अर्थ नहीं है। इसका मतलब है कि मुद्दे सुप्त गवाह सुप्त है।

SHRI H. N. MUKERJEE (Calcutta North-East) : My submission is that the point of order does not lie because this matter is not merely relating to the U. P. Legislature and its functions but this affects the country, all the citizens of the country and their fundamental rights. Before making an oath or affirmation a member is not a full fledged member of the House; he is not in a position to invoke his privilege as a member of the House; he is not in a position to assert his rights and get his rights determined by the Speaker. In this case what happened was- I am not going into merits- that some citizens of this country who had an indefeasible fundamental right guaranteed by the Constitution regarding the unfettered use of their language and script were disabled from taking the oath or making the affirmation in the language which they chose, which we do here as a matter of course. Therefore, this is a matter not relevant to the functioning of the U. P. or any other State Legislature but to the deprivation on account of certain happenings of fundamental rights in regard to a subject which is under the Central jurisdiction. We have the Commissioner of linguistic minorities and all that appointed only to guarantee the fundamental rights in regard to my own language. Therefore it has nothing whatever to do with, nor is any reflection involved on the Speaker who might have in his discretion done something which may or may not be right but we are going into a matter which is completely separate from it and which is a matter of fundamental importance.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय मैं एक निवेदन करना चाहूंगा कि ध्यान आकर्षण के नोटिस को स्वीकार करना आपका, बिल्कुल संविधान और नियमों के अनुसार है। यह बात सही है कि उत्तर प्रदेश विधान सभा के अपने नियम हैं। लेकिन जो धारा स्वयं कंवरलाल जी ने पढ़ी उसमें कहा गया है कि इन नियमों को भी जैसे लोक सभा के नियम हैं, संविधान के दायरे के अन्दर रहना है। अब संविधान में धारा 29 (1) जो है फंडामेंटल राइट्स के बारे में; उसमें कहा गया है कि नागरिकों को अपनी भाषा की रक्षा करने का पूरा

अधिकार है। इतना ही नहीं 8वीं सूची में 15 भाषाएं गिनाई गई हैं और अपने मित्र अटल बिहारी जी से मैं कहूंगा कि सिन्धी का समावेश करने के लिए उन्होंने स्वयं जोर दिया था। इसलिए किसी भी भाषा के खिलाफ काम हो या रोक लगे यह संविधान की भावना नहीं है।

अन्तिम मेरी बात यह है कि धारा 355 के दूसरे हिस्से में साफ शब्दों में लिखा है कि केन्द्र का फर्ज है—क्या फर्ज है—

“To ensure that the Government of every State is carried on in accordance with the provisions of this Constitution.”

श्री अटल बिहारी बाजपेयी : यह दूर की चीज है।

श्री मधु निमये : दूर की चीज नहीं है, यह केन्द्र के दायरे में कैसे आती है, यह बतला रहा हूं। अगर कोई विधान सभा का सभापति या विधान सभा के नियम संविधान की हत्या करेंगे तो इस केन्द्र की पार्लियामेंट को, इस लोक सभा को पूरा अधिकार है कि उसके बारे में यहां पर चर्चा करे।

श्री मु० अ० खां (कासगज) : अध्यक्ष महोदय, मेरा पहला सवाल यह है कि जिस वक्त वहां शोध ली गई, उस वक्त तक स्पीकर का चुनाव नहीं हुआ था। इस लिये स्पीकर के रूलिंग का सवाल ही पैदा नहीं होता, क्योंकि वह तो गवर्नर के जरिये शोध दिलाने के लिये नोमिनेट किया गया था।

दूसरे—जैसा मधु निमये साहब ने फरमाया कांस्टीचूशन ने यह अधिकार दिया है कि हम किसी भी सदन में अपनी मादरी-जुबान में बोल सकते हैं, अपनी मादरी जुबान में काम कर सकते हैं और जैसा कि यह लोक सभा इजाजत दे चुका है—कुछ सदस्यों ने उर्दू में भी शपथ ली है—यह इस बात का मार्गदर्शन है। कांस्टीचूशन के खिलाफ काम करने का किसी

को हक नहीं है, हम उसको यहां चेलेन्ज कर सकते हैं।

तीसरी बात—वहां के प्रसाइडिंग आफिसर के इस प्रमल से वहां के सात सदस्यों का एक बड़ा जबरदस्त डेमोक्रेटिक राइट मारा गया है, जिनको स्पीकर के चुनाव में बोट देने का अधिकार था। राज्यों में अब ऐसी स्थिति पैदा हो गई है कि एक-एक दो-दो बोट से सरकारें बनती और बिगड़ती, है उन सात प्रादमियों को स्पीकर के चुनाव में हिस्सा लेने से रोका गया, अगर इसके बारे में हम अपनी भाषा इस सदन में नहीं उठा सकते, तो बतलाइये हम कहाँ जायं। यही एक आखरी मजलिस है, जहां जस्टिस हो सकती है।

SHRI HEM BARUA (Mangaldai) : Whether oath-taking in an Assembly or in Parliament constitutes part of the proceedings of the Assembly or Parliament is a debatable point, and we have to think about it. We do not want to censure the Assembly there in Uttar Pradesh for its own procedures. It has a right to lay down its procedures, but, at the same time, we are concerned about one thing. I would say this : this Calling Attention motion is not happily worded. From the Calling Attention motion the impression gained is that as though there is an attempt to censure the Assembly in Uttar Pradesh. We do not want to censure the Assembly in Uttar Pradesh. But, at the same time, we do not want and we cannot do it also, according to the Constitution. Whatever that might be, we find that an Indian language has been insulted and every Indian citizen has a right to take the oath in his own language. I would go a step further and tell you that Urdu is as much an Indian language as any other language of India; it is as much an Indian language as is mine. We do not want to say a single word about the Assembly procedure, but the point is, an Indian language has been insulted—and it is an insult to the Indian citizens, and the House has every right to pass its own judgment and comment on it.

SHRI M. MUHAMMAD ISMAIL (Monejri) : Sir, generally speaking, the Ass-

[Shri M. Muhammad Ismail]

embly has got the right to regulate its procedure and for moving resolutions, but supposing, some rule, even a definite rule, is against the Constitution, what is the remedy? Here, we are not Members of that Assembly, and you are not the Speaker of that Assembly. Here, we are Members of Parliament; we are not Members of that Assembly and we are not supposed to question the ruling of the presiding officer there.

Supposing a wrong has been done to the Constitution by some rule or procedure of the Assembly of a certain State, have we not got the right, as Members of Parliament, to raise the question and ask, what is the remedy? How can anybody object to it? It is a vital question which affects the whole country. Let the answer be anything, but if this Parliament has not got the right to raise that question even, where is it that such questions have to be raised?

SHRI R. D. BHANDARE(Bombay Central): I think the call attention is quite in order. The refusal to allow a member to take the oath in Urdu is an abrogation of a fundamental right. In the ordinary course of events, the remedy would have been under article 32. The person whose right is violated can seek remedy in the Supreme Court. But here it is a peculiar position. When the presiding authority curtails the fundamental rights, which is the forum on which a person can seek remedy? I think this is a point which can be decided in the conference of the presiding officers, of which you are the Chairman. Every House is master of its own internal procedure and it cannot be challenged in any court. Since it arises out of the action of a presiding officer, this House, being a sovereign body, is the right forum on which this question can be raised and challenged.

SHRI S. KANDAPPAN (Mettur) : This is a more basic issue than what is made out by Mr. Bhandare. The basic issue involved is the fundamental right of the people. Article 347 says :

"On a demand being made in that behalf, the President may, if he is satisfied that a substantial proportion

of the population of a State desire the use of any language spoken by them to be recognised by that State, direct that such language shall also be officially recognised throughout that State or any part thereof for such purpose as he may specify."

There is a constitutional failure on the part of the Centre because so far they have not acted on the specific stipulation in the Constitution. There is also the Commissioner for Linguistic Minorities who is expected to make recommendations now and then. On that basis also, Government has not acted. Therefore, there is a constitutional failure on the part of the Centre and the calling attention is very relevant.

SHRI RANGA (Srikakulam) : This discussion has enlightened a number of us. In the beginning, I was wondering whether it was right for us to discuss this calling attention at all. But now I realise that it was not the regularly elected Speaker of the Assembly who had done it, but it was the Chairman who was appointed by the Government. Till now we have not considered this aspect of it, either here or at the presiding officers' conference. This question ought to be considered in future.

Kindly consider the seriousness of the act done by this Chairman. The very next day or within two days, the election of the Speaker was to take place. There were seven of them. The difference in the strength between two parties may be only 2 or 3. What would be the fate of the election of the Speaker if such a thing is allowed to be done without being questioned anywhere at all? It might result in the election of the wrong man as Speaker, so far as the total view of the legislature is concerned. Therefore, it is a very relevant and important question which has to be finally decided. At the same time, I am glad you have an opportunity to this House to look into this matter. I am sure even these hon. friends who have raised this point of order are not opposed to those Members taking their oath in their own mother tongue. Suitable amendments will have to be made to the law and I hope they will come forward with them in good time.

SOME HON. MEMBERS *rose.*

MR. SPEAKER : It is not a question of our discussing the Speaker's action there. The question is whether anybody can take the oath or affirmation in his own mother tongue. Here we allow all languages. Some take in Tamil, some in Bengali, some in Telugu, some in Kannada and so on.

SHRI ATAL BIHARI VAJPAYEE : That could have been done in the U. P. Assembly also.

SHRI SHEO NARAIN (Basti) ; Sir, let us. . .

MR. SPEAKER : Order, order. Let me have my say, I have heard everybody. Let there be no interruption now. I thought Shri Bhandare. . . .

SHRI SHEO NARAIN : it is not a question of Shri Bhandare giving our views. We represent Uttar Pradesh.

MR. SPEAKER : It is not U. P. Assembly, it is the Parliament of India. My point is this. Supposing a citizen belonging to a minority is elected either in Madras, Andhra, Bengal, U. P. or Mysore, are you going to deny him the right to take oath or affirmation in his mother tongue ?

AN HON. MEMBER : Never.

MR. SPEAKER : Therefore, greater damage will be done to Hindi by this method by saying that nobody can take oath or affirmation in any language other than Hindi. I am looking it from that angle. It is not the Speaker's action at all that we are considering. The U. P. Assembly has full right to frame its own rules. As parliament we have to take notice that what they are doing is the proper thing for unity of the country, for Hindi and for integration. Without going into the action of the Speaker and other things I thought if we discuss this broad question before this House it would be better. Therefore I admitted it and it is on the Order Paper now. It is going to be answered.

SHRI S. M. BANERJEE (Kanpur): Sir.

I am a Bengali. The people of U. P. have elected me thrice. There is narrow-mindedness in the leadership of U. P. today.

श्री शिव नारायण : अध्यक्ष महोदय, ये लोग बकवास करते हैं। वहाँ की लीडरशिप पर हिट करते हैं। आज पेपर में है, लीडर आफ दि हाउस ने बयान दिया है कि यह स्पीकर ने नहीं किया है, न लीडर आफ दि हाउस ने किया है। तब तक स्पीकर तो चुना भी नहीं गया था। यह लोग चीप पापुलेरिटी गेन करना चाहता है।**** (व्यवधान) ... हम लोगों ने उत्तर प्रदेश में बंगाली चीफ मिनिस्टर बनाया था।

SHRI P. GOPALAN (Tellicherry) : Sir, 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 :

“Reported refusal to administer the oath/affirmation to some members of the Uttar Pradesh Legislative Assembly in the Urdu language.”

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): Mr. Speaker Sir, according to the information furnished by the State Government, 7 Members of the U. P. Legislative Assembly had refused to make and subscribe before persons appointed by the Governor in this behalf an oath or affirmation according to the form set out for the purpose in the Third Schedule to the Constitution. The view taken by the persons appointed to administer the oath or affirmation was that as the administration of oath or affirmation was an official purpose of the State, in accordance with the U. P. Official Language Act, 1951, as amended, an oath could be taken or affirmation made only in the official language of the State, viz. Hindi. It is learnt that these Members have since made and subscribed the requisite oath or affirmation.

I would like to add that the Government of India would be happy if the convention followed in the parliament under which Members may make oath or affirmation in Hindi or in any of the languages specified in the Eighth Schedule to the Constitution is

[Shri Vidye charn Shukla]

followed also in the States. I am happy to report that the Government of U. P. propose to take necessary steps in this direction.

SHRI P. GOPALAN : Sir, as has been already pointed out, this is a very serious matter, involving certain fundamental constitutional issues of a vital nature, which even a layman like me can understand very well. In Uttar Pradesh seven members of the Legislative Assembly have been denied their legitimate and fundamental right to take oath in their mother tongue. The question is not whether the official language of Uttar Pradesh is Hindi or not but whether a member belonging to a minority language group has the right to take oath in his own mother tongue or not. The information furnished by the Uttar Pradesh Government, which seems to be most ridiculous, is that seven members of the Uttar Pradesh Legislative Assembly have refused to take oath before the Governor, or the authority appointed by the Governor according to the form set out in the Third Schedule of the Constitution. Article 188 of the Constitution clearly lays down

MR. SPEAKER : That was all argued; you are only repeating them.

SHRI P. GOPALAN : That article reads :

"Every member of the Legislative Assembly . . . shall, before taking his seat, make and subscribe before the Governor, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third Schedule."

Nothing is mentioned in the Third Schedule about the language in which the oath has to be taken. Nowhere in the Constitution is it mentioned that a member should take oath in a particular language. A citizen of India has every right to take oath in any Indian language.

MR. SPEAKER : He is only repeating what the Minister has said. I am only worried about the time.

SHRI P. GOPALAN : It is a clear and naked violation of the principles and provisions of the Constitution. Lastly, a move has been going on in Uttar Pradesh during the last few years for the elimination of Urdu, which I will substantiate by quoting certain examples.

MR. SPEAKER : We are only concerned with the oath that is to be taken. Do not go into the old history; that will take two hours.

SHRI P. VISWAMBHARAN (Trivandram) : This is the culmination of that process.

SHRI P. GOPALAN : According to the Report of the Commission for Linguistic Minorities :

"In UP a number of complaints were received about non-inclusion of the term 'mother tongue' in the three-language formula adopted by the UP Government, although the term 'mother tongue' is specifically mentioned in the three-language formula accepted by the Chief Minister' Conference in 1961. Urdu speakers allege that this situation has prevented their children from offering Urdu language in the three language formula".

Articles 29 of the Constitution gives protection to the languages of the minorities; but this is not being protected in Uttar Pradesh. As Shri Madhu Limye has clearly stated, under article 350A of the Constitution, the President of India has the right to direct the States concerned to protect the interests of the minority language groups. I would like to know what the Government have done in this matter. Have they advised the President of India to give such a direction to the UP Assembly in this particular case.

SHRI VIDYA CHARAN SHUKLA : We have a Commissioner for Linguistic Minorities, who is appointed under the Constitution. It is his job to look into these things and submit a report to the Government, which in turn is presented to Parlia-

ment. It is a fact that such instances of violation of the rights of the linguistic minorities in various States of the country come to our notice from time to time and then we take remedial measures in this respect. So far as the question of Urdu in Uttar Pradesh is concerned, we are actively engaged with this question and I can assure this House that it is our intention to uphold rights of all linguistic minorities all over the country.

SHRI P. GOPALAN : What about the last part of my question, whether the President has given any directive....(Interruption)

MR. SPEAKER : Order, order. Shri Badrudduja.

SHRI BADRUDDUJA (Murshidabad) : Mr. Speaker, Sir, a very delicate question has naturally touched the sensitive chords of various Members in this House. Persistent and systematic denial to Urdu language, in violation of the spirit and letter of Constitution, of its legitimate status and position, which has been guaranteed unto it under the Constitution in the Eighth Schedule, has, I am afraid, been responsible for the unfortunate developments in the U. P. Legislative Assembly. We are not here to cast any reflection on the Speaker or any person appointed to administer the oath to the members of the Assembly, but the fact remains that this atrocious step, this most uncalled for, undignified, unconstitutional step would never have been resorted to but for this unsympathetic approach to the problem by the Central administration since the commencement of the Constitution.

Sir, may I here refer to article 29 (1) of the Constitution ? It has been referred to so often, mine will only be a repetition of the same argument, a rehash of the same trend of reasoning. Article 29 (1) of the Constitution says :

"Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same".

In other words, out of the 15 languages,

Urdu language is also entitled to the same status, the same position, the same opportunities, the same facilities for its growth and expression in every shape or form and no Assembly, not even this Parliament, has any right to thwart the growth of this language.

Sir, an impression has been sought to be created in this country by a section of the people, by a volume of opinion, that Urdu language is the language of the Muslim minority. I do not subscribe that view. It is the language of the Hindus, of the Muslims and the Sikhs. Some of the great leaders, savants and litrateurs, belonging to the great Hindu community, like Ratan Lal Sarshad, Kaifi, Tej Bahadur Sapru, Dr. Rajendra Prasad of revered memory, Anand Narain Mulla and many other have contributed so magnificently to Urdu language and literature. It is the language not of a minority, but of the majority of people spoken by vast millions of people.

Quite apart from the fact that it had a distinct role in the struggle for independence apart from the fact that this language is one of the richest in India. . . (Interruptions)

MR. SPEAKER : All this is accepted.

SHRI BADRUDDUJA : I am coming to my point.

Sir, even conceding, even admitting for argument's sake that this is the language of a minority, even then, a linguistic minority, as I have pointed out, is entitled to all sorts of safeguards and guarantees given in the Constitution. Going further, in order to make assurances doubly sure, under article 347 two memoranda, under the signature of 20 lakhs of people from U. P. and 10 lakhs of people from Bihar were submitted to the then President, Dr. Rajendra Prasad, by no less a person than Dr. Zakir Husain, the President of Union today. But these memoranda have been thrown in the cold storage.

Sir, I have been very much impressed by the assurances held out by the Minister of State for Home Affairs. I am very

[Shri Badrudduja]

grateful to him for all the assurances. But are these assurances only meant to be implemented not in the observance, but in the breach? I have watched these years with very close attention and have found that these fundamental rights of the linguistic and political minorities, very often of the religious minorities, have not been implemented; they have been thrown into cold shade of neglect.

Sir, they have got an angle of vision of their own. We have a different angle. Their angle may be acute or obtuse, but will never be right angle. There has so far no proper approach to the problem of the linguistic minorities. May I have a categorical assurance from the Minister of State for Home Affairs that these assurances and promises, that are held out from time to time, will be implemented and that the fundamental rights, incorporated in the Constitution, will be properly implemented? Majority or minority I do not understand; I look to the Constitution, the sanctity of the Constitution, the dignity of the Constitution, that should be preserved in all its implications, significance and repercussions upon the course of events in the country. I would again appeal to the hon. Minister to implement the assurances.

SHRI VIDYA CHARAN SHUKLA :

Sir, so far as the question of angle is concerned, I do not think there is any difference in our angle and the angle that has been propounded by the hon. Member on the glory and the place of Urdu language in the country. Our angle is the same. There is no difference in the angle so far as this matter is concerned.

So far as the question of assurances is concerned, we have not only fulfilled the assurances that we have given but, in cases where our executive fiat does not run, in State field and other fields, we have been trying to persuade them, whenever there is injustice to linguistic minorities to see that is removed and justice is meted out to them. As far as the Central Government's own role about Urdu is concerned, it is well known that the Central Government went to the extent of issuing a special state-

ment on Urdu in 1958 laying the policy, the Central Government clarifying the policy in that regard. We have done several things after that. I do not want to catalogue them, the Ghalib Centenary and all that. This is the policy of the Central Government which we wish to follow in future also.

SHRI H. N. MUKERJEE (Calcutta North-East) : It is common ground that we all have the fundamental right in regard to use of our language. It is also common ground that there is great importance, symbolic as well as otherwise, regarding the taking of the oath or affirmation in our own language. But in U. P., the refusal of the facility did not happen in a mere technical vacuum. In U. P., there has been a great deal of communally-motivated hostility towards Urdu engineered specially by elements like R. S. S. and others. In Varanasi, there is the Bharat Mata Mandir set up under the national auspices in the late thirties where there is the map of India in which every language is exhibited but not Urdu because that happens to have a foreign script. The sort of a thing is there. We seem to share the view that Urdu is our own language just as any other Indian language is. My question to the Government is : Why should it wait for a possible report from the Commissioner for Linguistic Minorities and why should it not, in view of the matter having been ventilated in both House of Parliament, send a direction from the Centre, as you have the provision in the Constitution, here and now in regard to U. P., particularly, where this kind of communally-motivated agitation has gone on, regarding the refusal of this kind of facility to linguistic minorities?

SHRI P. VENKATASUBBAIAH (Nandyal) : Has the Bharat Mata Mandir been set up or constructed by the Government of India or the U. P. Government to which he made a reference?

MR. SPEAKER : That is only a passing reference. He is not asking that question.

SHRI VIDYA CHARAN SHUKLA : Sir, the Commissioner for Linguistic Min-

tities goes into the instances of injustice meted out to the linguistic minorities. In a large number of cases, they are able to correct injustice done and get justice for them. In case, justice is not done to the linguistic minorities the report is made to us and then we take up the matter with the respective State Governments. As a matter of fact, sometime back, the Prime Minister wrote a letter regarding the position of Urdu and justice for Urdu Speaking people to various Chief Ministers. The Home Minister also wrote to the Chief Ministers drawing their attention to the deficiencies here and there. We do not go to the extreme step of issuing a directive. But we take all the action as is necessary and our action has been, by and large, effective and, wherever there is greater need for action, we shall take that in future also.

MR. SPEAKER : Shri George Fernandes. Be brief because it has been accepted.

13 hrs.

श्री जार्ज फरनेन्डीज (बम्बई दक्षिण) : अध्यक्ष महोदय, हिन्दी राष्ट्र-भाषा हो जाय उस के लिए प्रयास करने वालों में मैं भी हूँ हालांकि मेरी मातृभाषा हिन्दी नहीं है, मैं दक्षिण का हूँ। लेकिन ऐसी जगह घटनाएँ होती हैं जहाँ इस मुल्क की भाषाओं को कभी कभी दायम या उग के नीचे का स्थान देने का प्रयास विशेष कर हिन्दी के इलाकों में हुआ करता है। तब मुझ जैसे लोगों को बहुत परेशानी होती है। ऐसी घटनाओं का उत्तर देना बहुत मुश्किल होता है। उर्दू के बारे में एक गलतफहमी हिन्दुस्तान में फैलाने का प्रयास चल रहा है। कई लोगों की ओर से जानबूझ कर कि यह उर्दू भाषा मुसलमानों की है और यह एक विदेशी भाषा भी है इसलिए इस उर्दू भाषा को मिटाने का या इस को दबाने का प्रयास किया जाता है। मुझ को यह चीज आज यहाँ साफ करनी है कि मैंने 1963 में उर्दू की जो सब से पहली किताब पढ़ी वह थी मुन्शी प्रेमचन्द की "कबला"। कल बम्बई में महाराष्ट्र के मुख्य मन्त्री श्री नायक की सभारत में उर्दू

की सेवा करने और उपन्यास लिखने के लिए श्री कृष्णचन्द्र को इनाम दिया गया। अब उस किताब या उपन्यास के लेखक अर्थात् श्री कृष्णचन्द्र कोई मुसलमान नहीं है इसलिए इस तरह की गलतफहमी लोगों के मन में नहीं पैदा होने देनी चाहिए कि उर्दू कोई मुसलमानों की जवान है अथवा यह कि वह कोई विदेशी जवान है जिससे कि देश में जातीयता या झगडाव की भावना फैले। जरूरत इस बात की है कि देश में एक सही भावना फैलाई जाय कि उर्दू भी अन्य भाषाओं की तरह इसी देश की एक भाषा है और उस को भी उच्च स्थान मिलना चाहिए। मैं हमेशा इकबाल के कहे हुए शेर को उर्दू में ही बोलना चाहता हूँ :

"सारे जहाँ से अच्छा हिन्दीस्तां हमारा,
हम बुलबुले हैं उस की यह गुलिस्तां हमारा"

मैं इस इकबाल के शेर को उर्दू में ही बोलना चाहूँगा और किसी जवान में नहीं कहना चाहूँगा... ..

श्री अटल बिहारी वाजपेयी (बलरामपुर) : इन्हीं इकबाल साहब ने बाद में पाकिस्तान की भी मांग की थी यह बात उन्हें नहीं भूलनी चाहिए।

SHRI BADRUDDUJA : It was a language which was used in our struggle for Independence.

श्री जार्ज फरनेन्डीज : किस ने क्या मांगा था इस बहस में मैं इस अवसर पर नहीं पढ़ना चाहता।

मन्त्री महोदय ने जब उत्तर दिया तब अध्यक्ष महोदय, आपने कहा कि हम यह चाहेंगे कि जो कन्वेंशन हम लोग इस बारे में यहां बना रहे हैं वहीं वहां भी चलाया जाय। लेकिन मैं कहना चाहता हूँ कि यह कन्वेंशन की बात नहीं है बल्कि यह कांस्टिट्यूशन की बात है। इस मामले में कन्वेंशन की बात हम लोग न

[श्री जार्ज फर्नेन्डीज]

करें। इस सदन में आर्टिकल 99 के आधार पर हम लोग श्रोथ या एफरमेशन लेते हैं। इसी तरह से राज्यों के लेजिस्लेचर्स के माननीय सदस्य कांस्टीट्यूशन के आर्टिकल 183 के तहत श्रोथ या एफरमेशन लेते हैं। अब इन दोनों आर्टिकल्स में सिर्फ इतना फर्क है।

In the case of Parliament, the President or a person appointed by him; and in the case of Legislative Assembly, the Governor or a person appointed by him.

दूसरे एक भी शब्द का इन दोनों में फर्क नहीं है। इसलिए मैं यह कहना चाहूंगा कि इस में न तो संविधान की बात आती है और न कन्वेंशन की बात आती है। मैं यह निवेदन करूँ कि आज यह घटना जिससे देश में काफी गलतफहमी इन पिछले सात दिनों में निर्माण हो गई। इस से देश में जिस राष्ट्रीय एकात्मकता की बात आप करते हैं उस को काफी धक्का पहुंचा है। यह पिछले सात दिनों वाली चीजें आगे फिर कभी न पैदा हो जायं इसलिए क्या आप उत्तर प्रदेश की सरकार से ऐसा निवेदन करेंगे कि जो उत्तर प्रदेश का आफिशिएल लैंग्वेज एक्ट है उस के अन्दर वह उचित तरमीम करें ताकि इस तरह का भ्रंश फिर कभी हम लोगों के सामने न आये ?

श्री बिद्याधरण शुक्ल : मैं माननीय सदस्य से इस बात में सहमत हूँ कि जो लोग इस उर्दू भाषा को किसी धर्म विशेष से सम्बद्ध करने का प्रयत्न करते हैं वह एक बड़ी गलत बात करते हैं और एक बड़ा अपराध करते हैं। भाषा को किसी धर्म के साथ नहीं जोड़ा जा सकता। बहुत सी भारतीय भाषाएँ हैं जिन्हें कि विभिन्न धर्मों के लोग बोलते हैं और मानते हैं।

जहाँ तक कि संविधान या कन्वेंशन का सवाल है इस के बारे में इस समय कोई बहस नहीं करना चाहता बाकी जिस तरीके से यू०पी० गवर्नमेंट ने हमारे पास खबर भेजी है उस से

पता लगता है कि इस बारे में वह एक ऐसा कदम उठाने वाले हैं जिससे कि आगे चल कर इस तरह की कठिनाई वहाँ के सदस्यों के सामने न आये।

SHRI K. RAMANI (Coimbatore) : Sir, when we actually sent this Calling Attention Notice, we were not having any intention to infringe the right of the U. P. Vidhan Sabha. That was not in our mind. The question here is a very fundamental one. Everybody has talked about it. It has been recognised now in this country that a citizen is having a right--whether he knows some other language or not--to write letters in his own mother-tongue and also to send petitions and representations in any language to the President of India, to the Prime Minister of India, and to anybody else. We have always heard in this House certain things about the language question. We have discussed that again and again. In this House we are having the right to take our oath in our own mother-tongue. But every proceeding that is taking place in this House is not so satisfactorily taking place to see that everybody can understand all the proceedings. Certain hon. Members are there who do not know either English or Hindi. They are not able to understand what is taking place. It is not a question of the temporary Speaker of U. P. Vidhan Sabha refusing to administer the oath or affirmation which created such a complication, but it is the attitude of the Central Government about the language policy which leads to such kinds of complications. So, I want to know this from the Government : what actions are they going to take in this regard ? Many things have been suggested, but I want to know from the Government categorically as to what action they are going to take, in order to protect the right of Urdu-speaking people there, not only in U. P., but in all the States in India. It is a very old language which has got a great and rich heritage. Therefore, the Parliament must know what action the Government is going to take. What is it that they are going to do to protect the right of the Urdu speaking people as well as other people speaking different languages ? I want to know

whether any constitutional amendment will be brought forward or any directive through the Governor will be issued. Even the Central Government takes action through the Governor to dismiss the elected Chief Ministers as well as the legislatures. In such a situation, why don't they issue a directive to the U. P. Government through the Governor to change this kind of rules and regulations of the U. P. Assembly and to transact business in such a manner that it will protect the interests of the minorities?

SHRI VIDYA CHARAN SHUKLA :

Sir, whatever action we want to take in this respect or whatever action we have taken in this respect has already been indicated in my earlier answers. So, I do not think there is any answer called for on this point. So far as the language followed in this House is concerned, it is the discretion of the Speaker here and at your discretion you have been allowing various languages to be spoken here and we have not been insisting on anything. As far as that is concerned I do not think any Member could have any objection on that point.

13.08 hrs.

PAPERS LAID ON THE TABLE

Notifications under Essential Commodities Act

THE DEPUTY-MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI K. S. RAMASWAMY) : Sir, on behalf of Shri Annasahib Shinde, I beg to lay on the Table---

(1) A copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955-

(i) The Roller Mills Wheat Products (Price Control) Amendment Order, 1969, published in Notification No. G. S. R. 760 in Gazette of India dated the 3rd March, 1969.

(ii) The Bihar Roller Mills Wheat Products (Price Control) Order 1969, published in Notification No. G. S. R. 761 in Gazette of India dated the 3rd March, 1969, [Placed in library. See. No. L T-414/69]

(2) A copy of the Annual Report of the Haryana Agro-Industries Corporation Limited, Chandigarh for the year 1967-68 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [Placed in Library. See No. L T-415/69.]

Notifications under Indian Telegraph Act

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING, AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI SHER SINGH) :

Sir, I beg to lay on the Table--

(i) The Indian Telegraph (Fourth Amendment) Rules, 1969, published in Notification No. G. S. R. 280 (English version) and G. S. R. 282 (Hindi version) in Gazette of India dated the 15th February, 1969.

(ii) The Indian Telegraph (Third Amendment) Rules, 1969, published in Notification No. G. S. R. 281 (English version) and G. S. R. 283 (Hindi version) in Gazette of India dated the 15th February, 1969. [Placed in Library. See No. LT-416/69]

PUBLIC ACCOUNTS COMMITTEE

Fifty-Sixth Report

SHRI M. R. MASANI (Rajkot) : Sir, I beg to present the Fifty-sixth Report of the Public Accounts Committee on Para 16 (ii) of Audit Report (Civil) on Revenue Receipts, 1958, regarding over-invoicing of the value of Imported Hides and Skins.

MR. SPEAKER : We will take up the next item in the afternoon.