

SAFEGUARDS FOR THE LINGUISTIC MINORITIES

The safeguards for the linguistic minorities derive their authority from two sources:

- (A) The Constitution of India.
- (B) The Safeguards agreed to the national level from time to time.

(A) CONSTITUTIONAL SAFEGUARDS FOR LINGUISTIC MINORITIES IN INDIA

(i) Article 29: Protection of Interests of Minorities

- (1) 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.
- (2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them.

(ii) Article 30: Right of Minorities to Establish and Administer Educational Institutions

- (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.
- (1A) In making any law providing for the compulsory acquisition of any property of an educational institution established and administered by a minority, referred to in clause (1) the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under the clause.
- (2) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

(iii) Article 347: Special Provision relating to Language Spoken by a Section of the Population of a State:

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 recognized by that State, direct that such language shall also be officially recognized throughout that state or any part thereof for such purpose as he may specify.

(iv) Article 350: Language to be used in Representations for Redress of Grievances:

Every person shall be entitled to submit a representation for the redress of any grievance to any officer or authority of the Union or a State in any of the languages used in the Union or in the State, as the case may be.

(v) Article 350 A: Facilities for instruction in Mother-Tongue at Primary stage:

It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups; and the President may issue such directions to any State as he considers necessary or proper for securing the provision of such facilities.

(vi) Article 350 B: Special Officer for Linguistic Minorities:

(1) There shall be a Special Officer for linguistic minorities to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President, upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament, and sent to the Governments of the States concerned.

(vii) The Articles of the Constitution Guaranteeing to Citizens Certain Fundamental Rights.

Equality before law (Article 14), prohibition of discrimination on grounds of religion, race, caste, sex or place of birth (Article 15) and equality of opportunity in matters of public employment (Article 16) also operate as safeguards for linguistic minorities.

(B) SAFEGUARDS FOR LINGUISTIC MINORITIES AGREED TO AT THE NATIONAL LEVEL

In addition to the Constitutional Safeguards, the detailed scheme for the practical implementation of safeguards has been worked out on the basis of decisions arrived at various Conferences:

- a. Education Ministers' Conference, 1949
- b. Government of India Memorandum, 1956
- c. Southern Zonal Council Decisions, 1959
- d. Chief Ministers' Conference, 1961
- e. Meeting of the Committee of Vice-Chairmen of Zonal Councils, 1961

RESOLUTION ADOPTED AT PROVINCIAL EDUCATION MINISTERS' CONFERENCE (AUGUST 1949, APPROVED BY GOVT.OF INDIA)

“The medium of instruction and examination in the Junior Basic Stage must be the mother-tongue of the child and where the mother-tongue is different from the Regional or State language, arrangements must be made for instruction in the mother-tongue by appointing at least one teacher, provided there are not less than 40 pupils speaking the language in the whole school or 10 such pupils in a class. The mother-tongue will be the language declared by the parent or guardian to be the mother-tongue. The Regional or State language, where it is different from the mother-tongue, should be introduced not earlier than class III and not later than the end of the Junior Basic Stage. In order to facilitate the switching over to the Regional Language as medium in the Secondary Stage, children should be given the option of answering questions in their mother-tongue, for the first two years after the Junior Basic Stage.

In the Secondary Stage, if the number of pupils whose mother-tongue is a language other than the Regional or State language, is sufficient to justify a separate school in an area, the medium of instruction in such a school may be the mother-tongue of the pupils. Such schools, if organized and established by private societies or agencies, will be entitled to recognition and grants-in-aid from Government according to the prescribed rules. The Government will also provide similar facilities in all Government, Municipal and District Board Schools where one-third of the total number of pupils of the school request for instruction in their mother-tongue. The Government will also require aided schools to arrange for such instruction, if desired by one-third of the pupils, provided that there are no adequate facilities for instruction in that particular language in the area. The Regional Language will; however be a compulsory subject throughout the Secondary Stage.

The arrangements prescribed above will in particular be necessary in metropolitan cities or places where a large number of people speaking different languages live or areas with a floating population speaking different language”.

GOVERNMENT OF INDIA, MEMORANDUM OF 1956

The safeguards proposed for the linguistic minorities vide Part IV of the States Reorganization Commission's Report have been examined carefully in consultation with the Chief Ministers of the States and it is the Government of India's intention to accept most of the Commission's recommendations. The action which has been or is proposed to be taken is indicated in the paragraphs which follow:

1. Primary Education

Attention is invited to clause 21 of the Constitution (Ninth Amendment) Bill providing for the addition of a new Article namely, 350A to the Constitution regarding facilities for instruction in the mother-tongue at the Primary stage of education. The directions which may be issued by the President under Article 350A of the Constitution, as it is proposed to be enacted into law, are likely to be based on the Resolution accepted by the Provincial Education Ministers' Conference in August, 1949. The intention is that the arrangements which were generally accepted at this Conference should be brought into force in States and areas where they have not been adopted so far.

2. Secondary Education

The Commission has recommended that the Government of India should, in consultation with the State Governments, lay down a clear policy in regard to education in the mother-tongue at the Secondary stage and take effective steps to implement it. The Commission has expressed the view that so far as Secondary education is concerned, it will have to be treated differently from education at the Primary stage, and has, therefore, not recommended Constitutional recognition of the right to have instruction in the mother-tongue at the Secondary school stage.

3. The Resolution adopted by the Provincial Education Ministers' Conference in August, 1949 contemplated the following arrangements in regard to Secondary education:-

- (a) If the number of pupils whose mother-tongue is a language other than the Regional or State language is sufficient to justify a separate school in an area, the medium of instruction in such a school may be the mother-tongue of the pupils. Such schools organized or established by private agencies will be recognized for the purpose of grants-in-aid from Government according to prescribed rules.
- (b) The Government will also provide similar facilities in all Government and district board schools where one-third of the total number of pupils of the school desire to be instructed in their mother-tongue.
- (c) The Government will also require aided schools to arrange for such instruction, if this is desired by one-third of the pupils, provided that there are no adequate facilities for instruction in that particular language in the area.
- (d) The Regional language will be a compulsory subject throughout the Secondary stage.

4. The Central Advisory Board of Education, after taking into consideration the Report of the Secondary Commission and the Resolution on the subject passed by the All India Council of Secondary Education, has assigned to the mother-tongue an important position in the curriculum at the Secondary stage, so that pupils belonging to linguistic minorities may

be enabled to study their mother-tongue optionally as one of the three languages which are proposed to be taught at the Secondary school stage. The Government of India, as recommended by the Commission, proposed to lay down a clear policy in regard to the use and place of the mother-tongue at the Secondary stage of education in consultation with the State Government and to take effective steps to implement it.

5. Affiliation of Schools and Colleges using Minority Languages

Connected with the proposals contained in the preceding paragraphs is the question of the affiliation of educational institutions located in the new or reorganized States to appropriate Universities or Boards of Education. It is, of course, desirable that every effort should be made to evolve arrangements whereby educational institutions like schools and colleges can be affiliated, in respect of courses of study in the mother-tongue, to Universities and other authorities which are situated in the same State. However, it may not always be possible to make such arrangements, and having regard to the number of institutions of this kind, it may sometimes be convenient, both from the point of view of the Universities or the educational authorities concerned, and from the point of view of the institutions themselves that they should be permitted to seek affiliation to appropriate bodies located outside the State. This may be regarded, in fact, as a necessary corollary to the provisions contained in Article 30 of the Constitution which gives to the minorities the right to establish and administer educational institutions of their choice.

6. It is, therefore, proposed to advise the State Government that, in all such cases, affiliation to outside bodies should be permitted without difficulty. It is also necessary that any institution which is thus affiliated should not suffer from any disabilities in regard to grants-in-aid and other facilities, merely because it cannot, from an academic point of view, be fitted into the frame work of educational administration within the State. It is, therefore, proposed that irrespective of affiliation to bodies situated within or without the State, all institutions should continue to be supported by the State in which they are located. Legislation regarding Universities or Boards of Education may, where necessary, be reconsidered from this point of view.

7. Issue of Directions by the President under Article 347 Regarding the Recognition of Minority Languages as Official Languages

Attention is invited to Article 347 of the Constitution, which prescribes that 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 desires the use of any language spoken by them to be recognized by that State, direct that such languages at different levels of State administration and take steps under Article 347 to ensure that this code is followed. Language shall also be officially recognized in a portion or the whole of the State. The Commission has recommended that the Government of India should adopt, in consultation with the State Governments a clear code to govern the use of different languages at different levels of State administration and take steps under Article 347 to ensure that this code is followed.

8. The Commission has proposed that a State should be recognized as unilingual, only where one language group constitutes above 70% or more of its entire population and that where there is a substantial minority constituting 30 per cent or more of the population, the State should be recognized as bilingual for administrative purposes. The Commission has further suggested that the same principle might hold good at the district level, that is to say, if 70 per cent or more of the total population of a district consists of a group which is a minority in the State as a whole, the language of the minority group and not the State language should be the Official language in that district.

9. The Government of India are in agreement with these proposals and propose to advise the State Governments to adopt them.

10. The arrangements to be made for the purpose of recognizing two or more Official languages in a State or district which is treated as bilingual will be without prejudice to the right, which may be exercised under Article 350 of the Constitution by any one resident in the State, to submit a representation for the redress of any grievance in any of the languages used in the Union or the State.

11. The Commission has further suggested that in district or smaller areas like municipalities and tehsils, where a linguistic minority constitutes 15 to 20 per cent of the population of that area, it may be an advantage to get important government notices and rules published in the language of the minority, in addition to any other language or languages in which such documents may otherwise be published in the usual course.

12. The Government of India propose to suggest that State Governments should adopt the procedure suggested, as a matter of administrative convenience.

13. Recognition of Minority Languages as the Media for Examinations Conducted for Recruitment to State Services

Attention is invited to the Commission's recommendations that candidates should have the option to elect as the media of examination, in any examination conducted for recruitment to the State services (not including subordinate services), English or Hindi or the language of minority constituting about 15 to 20 per cent or more of the population of State, a test of proficiency in the State language may in that event be held after selection and before the end of probation. The Government of India proposed to advise State Governments that these suggestions should, as far as possible, be adopted. It is also proposed to recommend to the State Government that where any cadre included in a subordinate service is treated as a cadre for a district, any language which has been recognized as an Official language in the district should also be recognized as a medium for the purpose of competitive examination in the districts. The last mentioned suggestion would follow as a necessary corollary to the acceptance of the Commission's recommendations referred to in paragraph 8 of this note.

14. Review of Residence Rules and Requirements

The Commission has emphasized that the domicile tests in force in certain States operate to the disadvantage of minority groups and has recommended that the Government of India should undertake legislation under Article 16(3) of the Constitution in order to liberalize the requirements as to residence. The Government of India have carefully examined various suggestions which have been made from time to time with reference to the form which legislation intended to be enacted by Parliament under Article 16(3) may take. They have reached the conclusion that it is, on the whole, neither necessary nor desirable to impose at the present time any restrictions, with reference to residence, in any branch or cadre of the State services.

15. Certain exceptions may have to be made to the General rule of non-discrimination in the Telengana area, and the question of making special provision in regard to employment opportunities in certain backward areas may also have to be considered. It is expected, however, that these interim arrangements will not be continued beyond a transitional period.

16. The Government of India proposed to undertake legislation as soon as possible in order to clarify the position on the lines indicated. In the meantime, State Governments will be asked to review the rules relating to recruitment to State services in the light of the

position stated in paragraph 14.

17. Restriction of Private Rights in Respect of Contracts etc.

The attention of the State Governments is being drawn to the relevant provisions in the Constitution regarding freedom of trade, commerce and intercourse and the right to equality of opportunity, and it is being suggested that the existing restrictions should be reviewed from this point of view.

18. Recruitment of at Least Fifty Per Cent of the New Entrants to All-India Services From Outside a State

The question has been discussed informally with the Chief Ministers of States. No rigid rules are considered to be necessary, but the recommendation made by the Commission will be kept in view in making future allotments to the All-India Services.

19. Recruitment of One-Third of the Number of Judges From Outside a State

The Commission's recommendations are being brought to the notice of the Chief Justice of India. There may be difficulties in some cases in implementing these recommendations, but it is intended that, to the extent possible, they should be borne in mind in making future appointments.

20. Constitution of Public Service Commissions for Two or More States

The proposals that the Chairman and Members of the Public Service Commissions in the States should be appointed by the President, has not been welcomed by the State Governments and it is not, therefore, being pursued. There is a provision in the Constitution already for the constitution of Public Service Commissions for two or more States vide Article 315. The procedure laid down in this Article may be followed at a later stage, in case it becomes necessary or desirable to constitute Public Service Commissions for two or more States.

21. Agency for Enforcing Safeguards

The States Reorganization Commission has recommended that the services of the States' Governors should be utilized for enforcing the safeguards for linguistic minorities. The Commission had not contemplated the vesting of any discretionary functions in the Governors, and they recommended what was regarded as a simple procedure which could be adopted within the framework of the present constitutional arrangements. In the light, however, of the views expressed both in the Joint Select Committee and in the Parliament on the States Reorganization Bill and the Constitution (Ninth Amendment) Bill, the Government of India now propose to provide for the appointment of a Minorities Commissioner at the Centre on the pattern of the office of the Commissioner for Scheduled Castes and Scheduled Tribes. This officer will submit a report to the President on the working of safeguards for minor language groups at such intervals as the President may direct, and his report will be laid before each House of Parliament.

22. Before concluding, the Government of India would like to endorse the observations of the States Reorganization Commission in the following passage of its report:-

"We wish to emphasize that no guarantees can secure a minority against every kind of discriminatory policy of a State Government. Governmental activity at State level affects virtually every sphere of a person's life and a democratic government must reflect the moral and political standards of the people. Therefore, if the dominant group is hostile to the minorities, the lot of minorities is bound to become unenviable. There can be no substitute

for a sense of fair play on the part of the majority and a corresponding obligation on the part of the minorities to fit themselves in as elements vital to the integrated and ordered progress of the State.”

MINISTERIAL COMMITTEE OF THE SOUTHERN ZONAL COUNCIL, 1959, ON SAFEGUARDS FOR LINGUISTIC MINORITIES

The Ministerial Committee of the Southern Zonal Council to consider safeguards for Linguistic Minorities met at Ootacamund on Saturday, the 16th and Sunday the 17th May. The following persons attended:-

- (1) Sri C. Subramaniam, Minister for Finance, Government of Madras (Convenor);
- (2) Sri E.M.S. Nambudripad, Chief Minister of Kerala;
- (3) Sri S.B.P. Pattabhirama Rao, Minister for Education, Andhra Pradesh;
- (4) Sri K. Brahamananda Reddy, Minister for Finance, Andhra Pradesh; and
- (5) Sri Anna Rao Ganamukhi, Minister for Education, Mysore.

Sri R. A. Gopalaswami, I.C.S. Second Member, Board of Revenue, Madras, Sri K. V. Ramanathan, I.A.S. Deputy Secretary to the Government of Madras, Health, Education & Local Administration Department and Sri N. Jayaraman, Deputy Secretary to the Government of Madras, Public (Partition) Department, Sri V. Ramachandran, I.A.S. Deputy Secretary to the Government of Kerala, Education Department, and Sri SiddavaPurnaik, Under Secretary to the Government of Mysore, Education Department and the Private Secretary to the Education Minister from Mysore State also attended.

2. Item 1 of the Agenda: Provision of facilities for instruction of linguistic minorities in the medium of the mother-tongue in the Primary stage of education

The Committee discussed the question of provision of facilities in primary and elementary schools in all States for the instruction of pupils belonging to the linguistic minorities in their own mother-tongue in the light of the Resolution adopted on this subject at the Provincial Education Ministers' Conference held in August, 1949. The question of the study of the Regional language at the Primary and post-Primary stage by pupils belonging to the linguistic minorities was also discussed. The following decisions were finally taken:-

- a. The position in respect of pupils' strength and school facilities including teachers as on 1 November, 1956 in respect of separate schools and separate sections for linguistic minorities will be ascertained and continued without diminution in every one of the four States. Provided that in respect of Telugu pupils in Madras and Tamil pupils in Andhra Pradesh, the crucial date will be 1 October, 1953 and not 1 November, 1956.

If the number of pupils goes down, corresponding reduction of school facilities including teachers may be made but no reduction should be effected in any individual case except under specific orders of the Government applicable to that case. If the number of pupils increases, additional facilities for teaching in the minority languages will be provided including teachers on a scale not less liberal than that applicable to the linguistic majority. There is no objection to any State making provision for teachers on a more liberal scale and in special cases where demand for such provision on a more liberal scale is made; the State Government concerned should take the special features of each such case into account in passing orders.

b. In order to implement the above safeguard, it will be provided that all Primary schools shall entertain applications from parents belonging to the linguistic minority groups for the admission of their children and for their instruction in the mother-tongue for a period of three months ending a fortnight before the commencement of the school year. These applications should be entered in a register. Departmental arrangements should be made to see that no such applicant is refused admission for reasons that the number is insufficient in the particular school where the application is made, and that, wherever necessary, inter-school adjustments are made in the matter of admission of the minority pupils.

c. Facilities will be provided in every one of the four States for the study, by pupils belonging to the linguistic minority groups, of the Regional language as an additional optional language from the IV standard onwards so that pupils belonging to these groups may not be at a disadvantage, if at the Secondary stage they elect to study the Regional language. These facilities will be financed by Government, that is to say, the facility will be provided freely in all schools under public management i.e., Government or local body and the provision of such facilities in aided schools will be eligible for the usual grant from Government.

3. Item 2: Study of Languages in the Secondary Stage of Education

The question of making provision for the study of the mother-tongue by the linguistic minorities at the Secondary stage of education without deviation from the Three-language Formula in the terms already accepted by all the States of the Southern Zone was discussed. It was noted that in every one of the four States provision was being made or would be made under the reorganized syllabus of Secondary education for the study of linguistic minorities of the mother-tongue in the Secondary stage.

In Madras, a pupil belonging to the linguistic minority can offer the mother-tongue as an alternative either to the Regional language (part I of the language course) or to Hindi or other Indian language not included in Part I (Part II of the language course). In Kerala, a pupil belonging to linguistic minority can, in practice, offer the mother-tongue as an alternative only to the Regional language. In Andhra Pradesh and Mysore he can take it as the first language, either as complete alternative to the Regional language or as a part of composite course consisting of more than one language. To the extent that the mother-tongue could be offered as an alternative to the Regional language, in all the States there was no compulsion to study the Regional language. It was decided that this position was satisfactory and should continue. The recommendation of the Government of India that compulsory provision should be made for the study of linguistic minorities at the Secondary stage of education of the Regional language in addition to the mother-tongue was considered and it was decided in view of the number of languages involved that no such compulsion was necessary, desirable or even possible.

4. The question whether such qualification as may be generally prescribed in respect of proficiency in the Regional languages for purposes of public employment need be relaxed in favour of linguistic minority pupils who elect to study their mother-tongue in lieu of the Regional language was considered as part of the question of safeguards to be provided for the linguistic minorities in the matter of recruitment to the Public Services (Item 9 below).

5. Item 3: Provision of facilities for linguistic minorities for instruction with the mother-tongue as the medium of Secondary stage of education

The Committee discussed the question of provision of facilities for instruction of linguistic minorities in their mother-tongue at the Secondary stage of education. The

Committee took note of the Resolution adopted on this subject by the Provincial Education Ministers' Conference in August 1949 which contemplated (i) the opening or recognition by Government of separate schools for linguistic minorities with instruction in their mother-tongue in areas where the number of such minority pupils justified the opening of separate schools (ii) provision by Government of facilities for instruction in minority language media in all Government and Local Body schools where 1/3rd of the total number of pupils desire to be instructed in their mother-tongue and (iii) action by Government to see that aided schools also arranged for such instruction in similar circumstances. The difficulties in providing for instruction in minority language media in the different groups of optional subjects in the academic and diversified courses in the Higher Secondary stage of education were also noted by the Committee. The point of view put forward by Madras was that the reference in the Resolution of Provincial Education Ministers' Conference to 1/3rd was unsatisfactory from the point of view alike of the linguistic minorities and Government, since in large schools separate sections may become necessary and possible even if the ratio was less than 1/3rd while in small schools separate sections may be uneconomical and, therefore, impracticable even if the ratio exceeded one third. This view found general acceptance. There was considerable discussion as to the minimum strength in each class and in the school as a whole which should be insisted upon for provision of facilities for instruction in minority languages. The following conclusions were finally arrived at unanimously:-

a. The position existing on 1st November, 1956 in respect of separate Secondary schools for linguistic minorities as well as separate sections for linguistic minorities in other Secondary schools with particular reference to pupil strength and school facilities including teachers competent to teach in minority language should be ascertained and continued without change.

b. If the number of pupils decreases to such an extent as to justify reduction in any particular local area, such reduction may be effected; but no reduction should be made in any individual cases except under the specific orders of Government applicable to that particular case.

c. If the number of pupils increases, additional teachers should be provided in such relation to the increased pupil strength as may be justified by the rules generally applicable to all schools.

d. For the purpose of providing facilities for instruction in the minority languages where such facilities do not exist, a minimum strength of 60 pupils in new Standards VIII to XI of the Higher Secondary Course and 15 pupils in each such standard will be necessary. Provided that, for the first four years after the commencement of provision of the facilities, a strength of 15 in each standard in which the facilities are provided will be sufficient. This figure of 60 for all the standards and 15 for each standard shall be computed separately for each one of the diversified courses and for the academic courses, and, where different groups of optional subjects are provided in the academic courses, separately for each such group of optional subjects.

6. Item 4: Provision of facilities for instruction of linguistic minority pupils with English as the medium in the Secondary stage of education

Is it necessary that provision for instruction in the English medium should be made at all in Secondary schools which are maintained or aided by the State? If such provision is necessary, should it be limited to any category of pupils or should it be available to all pupils without any restriction? These questions were discussed at length by the Committee. It was noted that it was the accepted policy of all the four States that the Regional language should be the medium of instruction at the Secondary stage of education and that the only exception to this general rule was that pupils belonging to the linguistic minorities should be given

instruction in the medium of their respective mother-tongue. In the guise of providing instruction in the English medium as a concession to linguistic minorities, this general policy should not be modified or deviated from. The Convenor was of the view that the children of migratory parents (whether belonging to the linguistic majority or the minorities) could be allowed to be educated in the English medium; since, at present, that was the only language in which instruction was available in all parts of India. There was no case, however, for provision of similar facilities for children of non-migratory parents. If children of non-migratory parents of the linguistic minority groups could not for any reason be given facilities for instruction in their own mother-tongue, they should be educated in the Regional language rather than in English. There was general agreement that provision should be made for imparting instruction in the English medium to children of migratory parents and that children of non-migratory parents of the linguistic majority groups in each State should be educated only in the Regional language. There was considerable discussion as to whether provision for instruction in the English medium should not be made for at least certain categories of children of non-migratory parents of the linguistic minority groups, the Andhra Education Minister expressing the view that where it was not possible to provide for instruction of linguistic minority pupils in their own mother-tongue, they should be allowed to opt for instruction in the English medium if facilities for such instruction were available. The following conclusions were finally arrived at unanimously:-

- a. The position existing on 1 July, 1958 in respect of facilities for instruction in the English medium in separate sections of recognized Secondary schools should be ascertained and continued without change.
- b. Children of linguistic minority groups should be assured of the availability of places in such sections, in numbers not falling short of the position as on 1 July, 1958. Whether or not a similar assurance should be provided in respect of children of linguistic majority groups is a matter for each State to decide for itself.
- c. Consistently with the foregoing, the State Government should be free to implement their policy in respect of the medium of instruction in Secondary schools effectively. They should be under no obligation to increase the facilities for instruction in the English medium Secondary schools in excess of the position existing on 1st July 1958, except in so far as the need therefor may arise as a result of future increase in the numbers of children of migratory parents (whether these belong to the linguistic majority group or linguistic minority groups).

7. Item 5: Affiliations of schools and colleges using minority languages to bodies outside the State

The Government of India's proposal to advise State Governments that affiliations of schools and colleges and other educational institutions to bodies outside the State in which they are functioning should be permitted without difficulty and that institutions thus affiliated should not suffer from disabilities in regard to grants-in-aid and other facilities was considered by the Committee. It was unanimously decided that there was no need to provide for affiliation of schools in any State to bodies outside the State. As for colleges, it was a matter for the Inter-University Board to consider.

8. Item 6: Use of Minority Languages for Official Purposes

The State Reorganization Commission has recommended that where there is a substantial minority constituting 30 per cent or more of the population of a State, the State should be recognized as bilingual for administrative purposes and that, if 70 percent or more of the total population of a district is constituted by a group which is a minority in the State as a whole, the language of the minority group and not the State language should be the Official language in that district. In districts, municipal areas and smaller units where there

are minorities constituting 15 to 20 per cent of the population, Government notices, Electoral Rolls etc., should be printed in both the languages and documents in minority languages should be permitted to be filed in courts. These recommendations were considered by the Committee which noted that there was no single minority group in any of the four States constituting more than 30 per cent of the total population of the State or 70 per cent or more of the population of a district. It observed that neither the two safeguards contemplated by the States Reorganization Commission (viz., declaring the State to be bilingual or declaring a language other than that of the majority as the Official language of a district) had any application to any of the four States. As regards the suggestion of the Commission regarding recognition of minority languages for specified purposes in district or a smaller area, it was decided that every municipal town, and the non-municipal area of every taluka should be treated as a separate local area for this purpose and that a list of such local areas where 20 per cent of the people of a taluka or a municipality spoke a language different from that of the majority language of the State should be prepared for each State. The following steps should be taken in respect of every local area included in the list thus prepared:-

- a. All important Government Notices and Rules, Electoral Rolls etc., should be published in the minority language or languages.
- b. Forms etc., to be used by the public should be printed both in the Regional language and in the minority languages.
- c. Facilities for registration of documents in the minority languages should be provided.
- d. Correspondence with the Government offices in the minority languages should be permitted.
- e. Permission should be given to file documents in the minority languages in the Courts in the areas.
- f. An endeavour should be made to secure, in so far as this may be found practicable with due regard to administrative conveniences, that the officers posted to work in such local areas are persons who possess adequate knowledge of the minority language.

The Andhra Pradesh Government which had originally proposed to take up the question of acceptance of the suggestions of the Commission in this matter along with the main question of prescribing the Official Language of the State agreed to fall in line with the other States in this matter.

9. Item 9: Safeguards for Linguistic Minorities in the matter of recruitment to the Public Services of the State

Item 9 being a general question of which items 7 and 8 were parts, it was taken up before consideration of the latter items.

10. The Committee noted that, in the matter of recruitment to the Public Services of the State, linguistic minority groups would not be put to any special difficulty where the Official language of a State continued to be English and no conditions were imposed that a knowledge of the majority language of the State was necessary for recruitment to the services or that competitive examinations for recruitment to the services should be written only in the majority language of the State. But Madras had declared Tamil to be the Official language of the State and had provided that, to be eligible for appointment to any service by

the direct recruitment, a person should have an adequate knowledge of the Official language of the State, namely, Tamil, a person with an adequate knowledge of Tamil being defined as one:-

- a. Who has acquired knowledge in Tamil in the High School course;
or
- b. Who, whether his mother-tongue is Tamil or not, is able to speak,
read and write Tamil;
or
- c. Who has passed a second class language test in Tamil.

Madras had also withdrawn the option given till 1958 to candidates taking the group IV examinations conducted by the Madras Public Service Commission for recruitment of persons to the Madras Ministerial Services, Madras Judicial Ministerial Services, etc., to answer in Telugu, Kannada, Malayalam or Urdu, the papers which should be answered in the Regional language, thus making it necessary for a candidate taking this examination to answer these papers only in Tamil. This had created problems for the linguistic minorities who had suddenly been called upon to possess an adequate knowledge of Tamil as a condition precedent to State employment and to compete with Tamil speaking applicants in examinations in which Tamil was the medium. The same problems would be faced by linguistic minorities in the other States, when in due course they switched over from English to the respective State majority language as the Official language. All the States, therefore, recognized the need for defining in precise terms the people who would be affected by policy decisions such as those taken by the Madras Government in this matter and to provide special safeguards for them in the matter of possession of adequate knowledge of the Regional language and of the medium of competitive examinations for recruitment to the Public Services of the State. The Committee discussed specifically the following questions:-

- a. how the persons to whom special safeguards should be given in the matter should be defined;
- b. what special safeguards should be given to them; and
- c. for what duration these safeguards should continue to be given.

11. Definition of persons eligible for safeguards

The Government of Madras had originally proposed that safeguards in the matter of recruitment should be given to a particular class of people to be described as Linguistic Minorities for this purpose and that such Linguistic Minorities should be defined as consisting of every person whose mother-tongue is Telugu, Malayalam, Kannada or Urdu, provided that either parent of such a person was born within the present territorial limits of Madras State or has been permanent resident within such limits. While the Government of Mysore wanted that continuous residence of either parent for five years or more or specific evidence of a desire to settle permanently should be the qualification for definition of linguistic minorities, the Commissioner for Linguistic Minorities was of the view that the residential qualification prescribed in the Madras definition would contravene the provisions of the Constitution. The Government of Madras, thereupon, obtained the opinion of their Advocate General regarding the constitutional validity of the definition proposed by them. His opinion which had been received by the time the Committee met was considered by the Committee. He was of the view that while there was no objection to limiting the class of beneficiaries eligible for relaxation of recruitment rules to a limited group among linguistic minorities, it was wrong to define the expression Linguistic Minorities itself so as to include only this limited group. The place of birth of the citizen or his parent could not be made the criteria for any general definition of linguistic minorities. He, therefore, suggested that, the present objective being a strictly limited one, it was not necessary to define the term Linguistic Minorities but the persons to whom the benefit of relaxation of the recruitment rules would be

given could be termed non-Tamilian candidates or candidates having a mother-tongue other than Tamil and defined as consisting of every person whose mother-tongue is other than Tamil and who has passed the examination qualifying for the post in question through a college, school or other institutions within Madras State. The Committee decided to accept this suggestion of the Advocate-General of Madras and agreed that relaxation of the rules relating to adequate knowledge of the Regional language and medium of competitive examination in the matter of recruitment to services should be given to non-Tamilians in Madras, non-Telugus in Andhra Pradesh, non-Kannadigas in Mysore and non-Malayalis in Kerala who would be defined as all persons whose mother-tongue is a language other than Tamil (or Telugu or Kannada or Malayalam, as the case may be) and who have passed the examination qualifying for the post for which recruitment is to be made from an Educational Institution within Madras (or Andhra Pradesh or Mysore or Kerala) State. Persons belonging to the linguistic minorities who have not passed the qualifying examination from an institution within the State would not be ineligible for recruitment to the services but they would not be entitled to the benefit of the relaxation of the rules referred to above.

12. Nature of the Safeguards

As regards the nature of the relaxation to be given, Madras had made the following proposals:

a. Adequate knowledge of Tamil as condition of eligibility for recruitment

It should be open to any candidate belonging to the linguistic minorities of the State to apply for any post notwithstanding that at the time of such application he does not possess adequate knowledge of Tamil within the meaning of the general rules. He should be eligible for selection subject to the conditions specified in (iii) below:

b. Medium of examination

Where Tamil is required to be offered as the medium of examination for any public examination held by the Madras Public Service Commission, any candidate who is a member of linguistic minority in Madras State may, if he so desires, offer his mother-tongue in lieu of Tamil subject to the conditions specified in (iii) below:

c. Conditions attached to the relaxation of the rules

The relaxation of the general rules in terms in terms of (i) or (ii) above will be subject to the conditions that the selected candidate should pass the second class language test in Tamil within the time prescribed therefore as a condition precedent to completion of probation and confirmation of appointment to the permanent Public Services of the State.

The Committee approved of the above safeguards subject to the following modifications;

i. They shall be applicable to all non-Tamilians in Madras, non-Telugus in Andhra Pradesh, non-Kannadigas in Mysore and non-Malayalis in Kerala who are eligible for relaxation of rules with reference to the criterion specified in the previous paragraph.

ii. The option in respect of the medium of examination should be to offer any one of the six languages namely, Tamil, Telugu, Kannada, Malayalam, Urdu and English. It should be open to each of the State to provide for option to answer the examination in other Indian languages also.

iii. The selected candidate should pass a test in the Regional language whose

standard should be a matter of common agreement between all the four States..

13. Duration of Continuance of Safeguards

As regards the duration of these safeguards, the unanimous view was that the safeguards should be instituted now without a terminal date and a review of the question undertaken as soon after 1st July, 1964 as possible when information regarding the number of the persons availing themselves of the concessions would have become available

14. Item No. 7: Recognition of minority languages as media in examinations conducted for recruitment to State Services

The Committee considered the suggestion of the States Reorganisation Commission that for recruitment to services known as State Services, that is to say, superior or gazetted services by competitive examination, a candidate should have the option to elect as medium of the examination the Union Language-English or Hindi or the language of a minority constituting 15 to 20 per cent or more of the population of the State as an alternative to the main language of the State, a test of proficiency in the State language being held after selection and before the end of the period of probation. It was noted that this was only a part of the bigger problem dealt with under item 9 and that at present no linguistic minority was put to any difficulty in any of the four States in the matter of recruitment to the State Services as the medium of such competitive examinations as were held was English. It was agreed that safeguards for linguistic minorities in this matter should be provided by all the States in the following terms:

a. Such safeguards would be applicable only to linguistic minorities whose mother-tongue is Tamil, Telugu, Kannada, Malayalam or Urdu and in Andhra and Mysore States only to Marathi.

b. In the event of the medium of the competitive examinations for recruitment to any State service being changed from English to the Regional language of the State, the option to answer the examination in English or Hindi should be given to these minorities.

c. There is no objection to any State extending this concession to linguistic minorities who speak languages other than those mentioned in item (i) above.

15. Item No. 8: Recruitment to Cadres of Subordinate Services treated as Cadres for the Districts

The Government of India propose to recommend that, where any cadre included in the subordinate services of a State is treated as a cadre for a district, any language which has been recognized as an Official language in the district should also be recognized as medium for the purposes of the competitive examinations in the districts. The Committee noted that there was no district in any of the States in the Southern Region where 70 per cent of the people spoke a language other than the language of the State, which according to the States Reorganization Commission was the condition necessary for declaration of a minority language as the Official language of a district. This recommendation of the Government of India had, therefore, no application to any of the States of the Southern Region.

16. Item No. 10: Review of Residence Rules and Requirements

The Committee noted that all restrictions by way of domicile qualifications for entry into the services of a State having been abolished with the enactment by the Government of

India of "the Public Employment (Requirements as to Residence) Act, 1957" no action was necessary in this matter.

17. **Item No. 11: Restriction of private rights in respect of contracts etc.**

The Committee noted that there was no discriminatory treatment of minorities in the field of Commerce, trade and industry in any of the four States.

18. **Item No. 12: Recruitment of a minimum percentage of the new entrants to All-India Services from outside the State**

Item No. 13: Recruitment of a fixed number of the judges of the High Courts of a State from outside the State

Item No. 14: Constitution of Public Service Commission for two or more States

No State Government had any comments to offer on any of the questions.

19. **Item No. 15: Agency for enforcing Safeguards**

The Committee noted that a Commissioner for Linguistic Minorities had been appointed at the Centre by the Government of India to submit a report to the President on the working of the safeguards for minority language groups at such intervals as the President may direct. The Committee took the view that it was also necessary to appoint a Standing Committee of the Southern Zonal Council to be the Agency for review and coordination of the implementation of the safeguards for linguistic minorities as accepted by all the States of the South Zone. Each one of the States of the Council would be represented on this Standing Committee by one of its Ministerial representatives on the Southern Zonal Council. This Committee would discuss all problems that arose with regard to the working of the safeguards for linguistic minorities. It was unanimously agreed that such a Committee should be constituted.

20. The Commissioner for Linguistic Minorities had sent a note to the Committee in which he had referred, among other things, to the practice prevailing in certain States of insisting upon adequate knowledge of the Regional language as a condition precedent for admission to the Science courses in Arts and Science Colleges and to all courses in Professional Colleges and Polytechnics in the State and the complaints he had heard to the effect that the qualification is insisted on only in order to deny admission to linguistic minority candidates. The Committee noted that no such fanaticism existed in any of the four States of the Southern Region.

1. Modifications made to the report above at a meeting of the Southern Zonal Council held at New Delhi on 16th April, 1960 were as follows:-

a. The question whether schools in the State in the Southern Zone should be allowed to be affiliated to the institutions outside the State was discussed. Shri C. Subramaniam, Education Minister, Madras clarified that as far as colleges were concerned it was a matter for the inter-University Board to decide and not for the Governments. It was further clarified in the discussions that the examinations were held in schools in the States in the various minority languages, and not only in the Regional language of the State. Should any problem arise, it would be considered by the Standing Committee, the establishment of which the Ministerial Committee has recommended.

b. During the discussion, Shri Subramaniam stated that while any citizen of India

with the requisite necessary qualifications was eligible to compete on equal terms for entry into the State Services, the Ministerial Committee had recommended the grant of certain concessions to linguistic minorities within each State. For this purpose, a candidate would be considered to be a member of linguistic minority of a State if he had passed the requisite qualifying examination from that State and his mother-tongue was other than the Regional language of the State. Recruitment to the Public Service was not, however, limited by domiciliary restrictions which would offend against the Public Employment (Requirements as to Residence) Act, 1957. No such restriction existed in any of the four States of the Southern Zone.

It was agreed that Hindi should be added to the list of languages in which members of the linguistic minorities might answer the examination for recruitment to the Public Services.

c. After some discussion, the Council approved of the Report and it was agreed that if any difficulty arose in giving effect to the decision of the Committee, the matter should be referred to the Standing Committee. As regards the composition of the proposed Standing Committee, it was decided that each State should be represented by a Minister, and the Vice Chairman of the Zonal Council for the year should be the Convenor of the Committee. The Secretary of the Zonal Council for the year would be the Secretary of the Committee. It was also agreed that the Commissioner for Linguistic Minorities should be associated with the Committee.

MEETING OF THE CHIEF MINISTERS OF STATES AND CENTRAL MINISTERS (AUGUST 1961)

The meeting of Chief Ministers of the States convened to consider the question of national integration began on August 10, 1961. The Prime Minister presided and Cabinet Ministers and some other Ministers of the Central Government and from the States also participated in the meeting.

All the Chief Ministers were present from the 10 August onwards, except Dr. B. C. Roy, Chief Minister of West Bengal, who joined the meeting on the 11th and 12th August on his return from abroad. The Chief Minister of Rajasthan was also not present as he had unfortunately met with an accident on August 10 while coming in car from Jaipur to Delhi to attend the meeting.

August 10

1. In his opening address, the Prime Minister referred to the various aspects of national integration: cultural, educational, linguistic and administrative. He dealt with the problems of communalism and linguism and indicated the proper all-India approach to these questions.
2. The Union Home Minister referred to the discussions held at the last Conference of Chief Ministers held on 31st May and 1st June 1961, and to the steps taken by the Central Government to deal with the question of communalism. He explained the provisions of the two bills to amend Section 153A of the Indian Penal Code, which had been already introduced in the Parliament and the proposal to amend the Representation of the Peoples Act.
3. The meeting agreed that it should be made a penal offence for any individual or group to advocate secession of any part of the country from the Indian Union. This matter would be considered further later.
4. The Prime Minister referred to the recommendation of the States Reorganization Commission that more all-India Services be constituted. The Principle of having all-India Services in the Engineering, Medical and Forest departments was accepted, subject to schemes being drawn up and circulated to State Governments for consideration.
5. The meeting was of the opinion that the rule of rotation of officers in existing all- India Services between the Centre and the State should be more rigorously followed.
6. The meeting also accepted the desirability of having in every High Court some judges drawn from outside the State.

August 11 and 12

1. The meeting of the Chief Ministers and Central Ministers continued its deliberations on August 11 and 12, with the Prime Minister in the chair. It met both in the morning and afternoon of August 11 and in the morning of August, 12.
2. The main subject for discussion was the question of language in its various aspects. The Prime Minister opened the discussion by inviting attention to the provisions in the Constitution on the subject. He referred, in particular, to Articles 29, 30, 350A and 350B. He also referred to the Government of India's Memorandum of 4 September, 1956 which had been prepared after considering the recommendations of the States Reorganization Commission in regard to

safeguards for linguistic minorities. This had been issued after consultation with the Chief Ministers of the States. This Memorandum was in the nature of an all-India code indicating the agreed minimum safeguards to be provided to the linguistic minorities in all the States.

3. While the general principles of this Memorandum were re-affirmed, certain variations were agreed to, as stated below:-

- a. **Primary Education:** The right of linguistic minorities to have instruction in their mother-tongue at the Primary stage of education was reaffirmed. This had indeed received constitutional recognition from Article 350A and the President is empowered to issue directions where necessary.

The decisions of the States in the Southern Zone in regard to primary education were accepted in principle. As these decisions had been taken in view of certain recommendations of the States Reorganization Commission, they dealt with a particular situation then existing and are not wholly applicable to other States. But the principle was accepted and necessary adaptation can be made. The main objective is that no facilities previously available should be reduced and, wherever possible further facilities should be given.

- b. **Secondary Education:** Here also the general provisions of the 1956 Memorandum were reaffirmed and the meeting accepted in principle the decisions of the States of the Southern Zone. These principles should be considered by the State Education Departments with a view to adaptation to the present conditions prevailing in their States.

The mother-tongue formula could not be fully applied for use as the medium of instruction in the Secondary stage of education. This stage gives a more advanced education to enable students to follow a vocation after school-leaving age and also prepares them for a higher education in Universities.

The languages used should be modern Indian languages mentioned in the Eighth Schedule of the Constitution as well as English. An exception might be made, however, in the case of hill districts of Assam and the district of Darjeeling in West Bengal, where special arrangements may be made.

4. The importance of providing suitable text books in schools, both at the Primary and the Secondary stages was emphasized. Normally, these text books should be produced by the State Governments and not be left to private enterprise. The text books should be so designed as to inculcate in the minds of pupils an integrated outlook and a sense of the unity of India as well as of the basic cultural background of India. Also, they should provide an introduction to modern conditions in India and elsewhere. The preparation of such text books should be entrusted to persons of high quality. The Central Government should prepare model text books both for the Primary and Secondary stages.

5. The growth of the regional languages of India and their progressive use in education makes it essential to develop rapidly an all-India language for inter-State communication, a purpose which has thus far been served by English. Although English will continue as such medium for some time to come, it is clear that urgent steps should be taken to promote Hindi so as to fulfill that purpose as early as possible. Otherwise, there is a danger of no adequate connecting links, in so far as language is concerned between the different States.

6. It is important both from the point of view of international communication and the growth of modern knowledge, more especially, science, industry and technology, in India, that there should be widespread knowledge of an international language. While this

language may be any one of the important European languages in effect, English will serve this purpose more easily as it is fairly well known in India. The study of English, therefore, is important.

7. It must be remembered that languages, if they are to be known at all well must be learnt at an early age when it is easy for the child to pick them up. Therefore, both Hindi and English should be taught at an early stage.

8. The meeting was of opinion that a common script for all-India languages was not only desirable, but would be a powerful link between the different languages of India and, therefore, of great help in bringing about integration. Such a common script in India in existing circumstances can only be Devanagari. While it may be difficult to adopt a common script in the near future, this objective should be kept in mind and worked for.

9. A Three-language Formula had been evolved by the Government of India in consultation with the State Governments for adoption at the Secondary stage of education for teaching language subjects. It was agreed that the formula should be simplified and the language subjects for teaching at the secondary stage of education should be as follows:

- a. The Regional language and mother-tongue when the latter is different from the Regional language;
- b. Hindi or, in Hindi speaking areas, another Indian language; and
- c. English or any other modern European language.

10. The question of affiliation of schools and colleges using minority languages to Universities and other authorities situated outside the State was considered. It was agreed that in most cases it should be possible to arrange for the affiliation of such institutions to Universities or Boards within the State. But where there were insuperable difficulties in making arrangements for such affiliation within the State, they might be affiliated to Universities or Boards outside the State.

11. While a State may have one or more languages for its official purposes, it must be recognized that no State is completely unilingual. It is because of this that arrangements are suggested for minority languages for education etc. An Official language is meant largely for official purposes. For communication with the public, however, the objective should be that the great majority of the people should be in a position to understand what they are told. Therefore, wherever publicity is required, other languages in use in the area should be employed, even apart from Official language.

12. Where at least sixty per cent of the population of a district speaks or uses a language other than the Official language of the State, this language of the minority group should be recognized as an Official language. Recognition for this purpose may, however, be given ordinarily only to the major languages of India specified in the VIII Schedule of the Constitution. Exceptions may be in regard to the hill districts of Assam and the district of Darjeeling in West Bengal where languages other than those mentioned in the VIII Schedule may be used.

13. Whenever, in a district or a smaller area like Municipality or Tehsil, a linguistic minority constitutes 15 to 20 per cent of the population, it would be desirable to get important Government notices and rules published in the language of the minority in addition to any other language or languages in which such documents may otherwise be published in the usual course.

14. The internal work of the Administration, that is noting on files, correspondence

between different Government offices, should be normally and conveniently carried on in the Official language of the State or the Union Official language. But for dealings of the Administration with the public, petitions and representations in other languages should also be received from the public and arrangements should be made for replies to be sent, wherever possible, in such other languages to letters received in them from the public. Arrangements should also be made for the publication of translations of the substance of important laws, rules, regulations, etc., in minority languages in States or districts or wherever a linguistic minority constitutes 15 to 20 per cent of the population. For this purpose, it was agreed that it would be desirable for the States to set up a Translation Bureau at State Headquarters. Where a circular or other order of a State Government or notification is to be issued for the information of the local public, the District Authorities may be authorised to get it translated in the local language of the district or municipal area, as the case may be.

15. Correspondence between the State Headquarters and the district falls in the sphere of internal administration. Ordinarily, therefore, it would be appropriate to use the Official language of the State for correspondence between the State and District Headquarters and vice-versa. The use of the Union Official language should also be permitted for this purpose in place of the Official language of the State. This Union Official language will thus be either English or Hindi.

16. In recruitment to State Services under the State Government, language should not be a bar. Therefore, besides the Official language of the State, option should be given of using Hindi or English as the medium of examination. A test of proficiency in the State Official language should be held after selection and before the end of probation.

17. For purposes of recruitment to Services in a State, where eligibility requires the possession of a University degree or a diploma, degrees or diplomas granted by all Universities or institutions recognized by the Central University Grants Commission should be recognized.

18. The question of the medium for University education was discussed at length. The tendency of Regional languages to become the media for University Education will suffer for lack of a common link between Universities in different linguistic areas. The importance of such a common linguistic link between Universities was emphasized. Such a common link can only be English or Hindi. Ultimately, it will have to be Hindi, and it is necessary, therefore, that every attempt should be made to make Hindi suitable for this purpose. The change-over to Hindi and generally to a Regional language as a medium of education will only be effective when such language has adequately developed for the purpose of modern education, and more especially for scientific and technical subjects. Every effort should be made to develop Hindi and the other languages for this purpose. Till such time as this happens, English may be continued. It may also be possible and desirable for the change-over from English to Hindi or a Regional language to be phased or divided up into subjects. Thus, scientific and technical subjects may be taught as long as necessary in English while other subjects may be taught with Hindi or the Regional language as the medium. In any event, the standard of teaching both in Hindi and English should be improved and maintained at a high level in schools and colleges.

19. As already decided by the Central Government, all technical and scientific terminology should be based on international usage and should be common to all the Indian languages.

20. The meeting welcomed the declaration made on behalf of the Central Government that English would continue to be used as an associate language for all-India official purposes even after Hindi becomes the all-India Official language. This has been further

confirmed in the Presidential order issued in regard to the Union Official language.

21. It was agreed that the implementation of the policy herein laid down for safeguarding of the interests of linguistic minorities and the promotion of are described in Article 350B of the Constitution. Though he cannot obviously be entrusted with executive function for the implementation of the safeguards, it was reiterated that full co-operation should be given to him by all the States. The Commissioner for Linguistic Minorities should not only prepare the annual reports, but make more frequent reports on important subjects which he should send to the Chief Ministers concerned and to the Home Ministry who will circulate it to all the Chief Ministers.

22. The Zonal Council should pay particular attention to the implementation of this policy in their zonal areas. A Committee consisting of the Vice-Chairmen of the Zonal Councils should be set up under the Chairmanship of the Union Home Minister. If considered necessary, the Union Home Minister may invite other Chief Ministers or other Ministers to meetings of the Committee. This Committee would keep in touch with the working of the various safeguards for linguistic minorities and the promotion of national integration.

23. In view of the great importance of promoting national integration, more frequent meetings of the Chief Ministers and Central Ministers should take place to review the action being taken and to suggest further steps whenever necessary. Success in realizing this objective depended on continued vigilance and the co-operation of all the States and the Union Government.

24. The meeting agreed that it was desirable to promote better and more widespread publicity for promoting national and emotional integration. The Union Ministry of Information and Broadcasting would prepare a paper dealing with this subject and circulate it to the Chief Ministers for consideration at a subsequent meeting.

25. In view of the vital importance of national integration it was agreed that this should be dealt with on a national plan. For this purpose, a larger Conference should be convened consisting of, besides Chief Ministers and Central Ministers, leading members of different parties in Parliament and other eminent personalities including educationists, scientists and professional men.

FIRST MEETING OF THE COMMITTEE OF VICE-CHAIRMEN OF ZONAL COUNCILS (NOVEMBER 1961)

Present

- | | | |
|----|---|-----------------|
| 1. | Shri Lal Bahadur Shastri,
Home Minister | Chairman |
| 2. | Shri Pratap Singh Kairon,
Chief Minister, Punjab,
(Vice-Chairman, Northern Zonal Council) | |
| 3. | Shri Y.B. Chavan,
Chief Minister, Maharashtra,
(Vice-Chairman, Western Zonal Council) | |
| 4. | Shri B.P. Chaliha,
Chief Minister, Assam,
(Vice-Chairman, Eastern Zonal Council) | |
| 5. | Shri C.B. Gupta,
Chief Minister, Uttar Pradesh,
(Vice- Chairman, Central Zonal Council) | |
| 6. | Shri C. Subramaniam,
Finance Minister, Madras,
(Representing the Vice-Chairman of Southern Zonal Council) | |

OFFICERS OF THE GOVERNMENT OF INDIA

1. Shri B.N. Jha, Secretary, Home Ministry.
2. Shri V. Vishwanathan, Special Secretary, Home Ministry.
3. Shri P.N. Kripal, Secretary, Education Ministry.
4. Shri Hari Sharma, Additional Secretary, Home Ministry.
5. Shri L.P. Singh, Additional Secretary, Home Ministry.
6. Shri R. Prasad, Joint Secretary, Home Ministry.
7. Shri R.P. Naik, Joint Secretary, Education Ministry.
8. Shri P.N. Kaul, Deputy Secretary, Home Ministry.

2. Item No.1 of the Agenda. The name by which the Committee may be described:

It was agreed that the Committee should be called "The Committee of Zonal Council for National Integration".

3. Item No.2 of the Agenda. The pattern of the Agency for the Implementation of safeguards for Linguistic Minorities at (a) Zonal level, and (b) State level:

(a) **Zonal level:** It was agreed that each Zonal Council should appoint a Standing Committee consisting of the Chief Ministers of the Zone to review from time to time the progress of implementation of the various policy decisions taken by the Chief Ministers' Conference relating to safeguards for linguistic minorities and national integration.

(b) (i) **State level:** The Committee considered that the responsibility for the co-ordination of work relating to national integration (including safeguards for linguistic minorities) should be assumed by the Chief Minister who may be assisted in this task by the Chief Secretary. It was also agreed that there should be a special officer in each state who will work under the direction of the Chief Secretary.

It was also agreed that this officer should prepare a note periodically reviewing (i) the progress of implementation of the safeguards for linguistic minorities; (ii) pending correspondence, if any, on linguistic minorities with the Government of India, the Commissioner for Linguistic Minorities and other State Governments; (iii) visits, if any, of the Linguistic Minorities Commissioner; and (iv) other matters relating to National Integration.

(c)(i) **District level:** The Committee agreed that, at the district level, responsibility for co-ordination of work relating to safeguards for linguistic minorities and national integration should vest in the district officer. It was also agreed that the State Governments might see whether any amendments are necessary to the laws governing local bodies to ensure that policy decisions relating to national integration are implemented by these bodies.

4. **Item No. 3 of the Agenda. Review of action taken by the State Governments on the decisions taken by the Chief Ministers' Conference held on August 10 to 12, 1961:**

It was noted that reports had been received so far only from 7 State Governments and 4 Union Territories and the information furnished was incomplete in some cases. The Committee reviewed the position as regards implementation of the various policy decisions embodied in the Statement issued by the Chief Ministers' Conference held on August 10 to 12, 1961 on the basis of information that was readily available, and took the following decisions:

a. **Right of linguistic minorities to have instruction in their mother-tongue at the primary and secondary stages of education (Para 3 of the Statement)**

It was agreed that the attention of all State Governments (excepting those in the Southern Zone) should be invited to the need for early implementation of the decisions taken by the States in the Southern Zone which had been accepted in Principle by the Chief Ministers' Conference.

The Committee desired further that information should be collected regarding the number of schools for minority language groups, number of pupils belonging to each such group and the number of teachers available for each group at the primary and secondary stages during the last 4-5 years in each State, so as to enable the Committee to make an objective assessment of the situation.

b. **Provision of suitable text books (Para 4 of the Statement)**

It was noted that the Union Ministry of Education had drawn up a programme for preparation of model text-books after examination of the existing text-books in use in primary and secondary stages in different States and that they also proposed to constitute a high powered Advisory Board as recommended by the National Integration Conference. It was agreed that the question of preparation of text-books should be left to be dealt with by the Ministry of Education in consultation with the State Governments, but detailed reports should be obtained of the action taken by

the various State Governments for a general review by the Committee at a subsequent meeting.

c. Teaching of English and Hindi at an early stage (Para 7 of the Statement)

It was agreed that the State Governments should be requested to give consideration to the decision taken by the Chief Ministers' Conference in this regard.

d. Three Language Formula (Para 9 of the Statement)

The Committee desired that information should be collected from all States as regards the action taken or proposed to be taken by the State Governments so that the matter could be considered more fully at a subsequent meeting.

e. Affiliation of schools and colleges to outside bodies (Para 10 of the Statement)

It was agreed that the position regarding affiliation of schools and colleges using minority languages to Boards or Universities in different States should be examined by the State authorities with a view to ensure that such institutions were not put to any difficulties in the matter of affiliation.

f. Use of minority languages for communication with the public and for purposes of publicity (Paras 11 and 13 of the Statement)

It was agreed that the State Governments which had not so far prepared lists of districts or smaller areas like municipalities or tehsils where a linguistic minority constituted 15 per cent or more of the population, should be requested to do so.

g. Recognition of a minority language as an official language at the district level (Para 12 of the Statement)

It was noted that in accordance with the decision taken by the Chief Ministers' Conference official recognition had been given to the Bengali language in the district of Cachar (Assam) and to the Nepali language in the district of Darjeeling (West Bengal).

h. Use of minority languages for dealings of the Administration with the public (Para 14 of the Statement)

It was noted that in some States translation bureau already existed at State headquarters, although there might be need for strengthening them. It was considered that the attention of all the State Governments should be invited to the decision taken by the Chief Ministers' Conference in this regard and a detailed report of the action taken by the various State Governments placed before the Committee at its next meeting.

i. Correspondence between the State headquarters and the district (Para 15 of the Statement)

It was noted that, at present, the Union official language (Hindi or English) was used for correspondence with district headquarters in all States either solely or in addition to the Official language of the State.

j. Recruitment to State Services (Para 16 of the Statement)

It was noted that Commissioner for Linguistic Minorities had already taken up the matter with the few States where compulsory tests were held in the regional language for purposes of recruitment. The Committee decided to review the position at a subsequent meeting after a final reply had been received from the States concerned by the Commissioner and the Union Home Ministry.

k. Recognition of degrees or diplomas granted by all recognized Universities (Para 17 of the Statement)

The Committee considered that the State Governments concerned should be requested to take early action for amending the existing rules in accordance with the decision taken by the Chief Ministers' Conference. It was agreed that the position might be reviewed by the Committee at its next meeting in the light of further information received from the State Governments.

l. Medium of University education (Para 18 of the Statement)

This item would be considered at a subsequent meeting of the Committee.

m. Appointment of one-third number of Judges from other States

The Chairman informed the Committee that he had written to all the Chief Ministers on the subject on 23rd September, 1961 but a final reply had been received only from Orissa. After some discussion, it was agreed that the Chief Ministers might discuss the matter with their Chief Justices with a view to expedite the matter.

n. Constitution of new All-India Services

The Chairman informed the Committee that schemes for the establishment of All-India Services in Engineering, Forestry and Health had been prepared and these would be forwarded to the State Governments shortly for their comments. He expressed the hope that the State Governments would give early consideration to these schemes so that necessary action could be taken to introduce a Bill in Parliament without undue delay.

5. Item No. 4 of the Agenda. The scope of Committee's work:

It was agreed that the Committee should deal with all matters pertaining to national integration including safeguards for linguistic minorities.