

Bill No. 20 of 2021

THE CONSTITUTION (AMENDMENT) BILL, 2021

By

SHRI BHARTRUHARI MAHTAB, M.P.

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further to amend the Constitution of India.

BE it enacted by Parliament in the Seventy-second year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2021.

Short title
and

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

commencement.

Substitution
of new article
and sub-
heading
thereto for
article 29.

2. In the Constitution, for the sub-heading “Cultural and Educational Rights” and article 29, the following sub-heading and article shall be substituted, namely:—

“Cultural, Linguistic and Educational Rights

Protection of
linguistic
heritage and
interests of
minorities.

29. (1) Any section of the citizens residing in the territory of India or any part thereof having a distinct culture of its own shall have the right to conserve the same. 5

(2) The State shall take steps to conserve linguistic heritage of the country.

(3) Any section of the citizens residing in the territory of India or any part thereof having distinct language shall have the right to conserve the same.

(4) 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.”. 10

STATEMENT OF OBJECTS AND REASONS

India is a diverse country. This diversity is manifested in different forms, be it dance, dress, food, rituals, etc. Linguistic diversity is perhaps the most important among them.

India is home to more than one hundred major languages. Considering that each language has a number of dialects, the significance of the Hindi proverb “*Kos Kos par badle Pani, Char Kos par badle vani*” becomes evident. Underlying the importance of India’s linguistic diversity, Hon’ble Prime Minister while speaking in Houston, Texas recently stated “Languages are symbol of India’s liberal and democratic society. Hundreds of languages have co-existed and developed in India for ages and still continue to be mother tongue of crores of people..... Unity in diversity is our heritage and this diversity is the base of our vibrant democracy. This is our strength and inspiration”.

The Eighth Schedule to the Constitution recognizes only twenty-two languages, namely Assamese, Bengali, Bodo, Dogri, Gujarati, Hindi, Kashmiri, Kannada, Konkani, Maithili, Malayalam, Manipuri, Marathi, Nepali, Odia, Punjabi, Sanskrit, Santhali, Sindhi, Tamil, Telugu and Urdu. Among these languages, six languages have been conferred the status of classical languages. These are Tamil, Telugu, Sanskrit, Kannada, Malayalam and Odia. These languages have a recorded history over 1000-2000 years and body of ancient literature. Take the example of Odia, it has a history of over 2000 years and during all this period, Odia was a language which was least affected by external influences of Arabic and Persian. Odia is the only Indo-Aryan Language other than Sanskrit. It is spoken and read in West Bengal, Jharkhand and parts of Andhra Pradesh adjoining Odisha.

The richness of Tamil and Sanskrit literature is well known to us. The Prime Minister himself quoted famous Tamil poet Kaniyan Pungundranar and admired Tamil as amongst the most ancient languages of the world during his address in the United Nations General Assembly recently. Sanskrit has had the greatest literary exponents, including Kalidasa, Ashvaghosh, Bhavabhuti, etc. who have produced immortal classics admired world over.

Similarly, there is an abundant linguistic heritage associated with each Indian language. Since language is central to each culture, it is important that we conserve our linguistic heritage. Though linguistic minorities have been given fundamental right to conserve their linguistic heritage, it is even more important that State takes proactive initiatives in this direction so we do not have to repent at some later stage for losing this rich heritage.

With the above objects in view, the Bill seeks to amend article 29 of the Constitution to enjoins upon the State to take steps to conserve our linguistic heritage.

Hence this Bill.

NEW DELHI;
October 30, 2019

BHARTRUHARI MAHTAB

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

* * * * *

Cultural and Educational Rights

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Protection of
Interests of
minorities.

29. (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.

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(Shri Bhartruhari Mahtab, M.P.)