

CHAPTER - IVOFFICIAL LANGUAGE POLICY OF INDIAIN THE POST-INDEPENDENCE PERIOD

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## CHAPTER - IV

### OFFICIAL LANGUAGE POLICY OF INDIA IN THE POST-INDEPENDENCE PERIOD

India got freedom from the British rule on 15th August, 1947 after great struggle and sacrifices. But the country was divided in two dominions viz. India and Pakistan and the princely states were given the option to join any one of these dominions. But by this partition problem of language was solved neither in India nor in Pakistan. India became a secular state while Pakistan became a Muslim state. India gave due recognition to all the major languages of the country while framing its Constitution. At the time of independence, however, English was the official language of India, although the percentage of the population knowing English was hardly one percent.

#### Language Issue in the Constituent Assembly

Constituent Assembly was constituted by the British Government in 1946 to solve the political problems and to draft a Constitution for India. From

the very beginning of the Assembly, the language question became very controversial. Some members of the Assembly were in favour of Hindi while some other were in favour of Hindustani. But there were some members who were in favour of English. However, most of the members of the Assembly were of the opinion that there should be an Indian language through which emotional and National integration can be achieved and it should replace English for the official work of the inter-state and the Union.

During many sessions of the Assembly there were many heated discussions on the question of Hindi and Hindustani, for Congress had adopted Hindustani language at the instance of Mahatma Gandhi.<sup>1</sup>

Therefore Acharya J.P. Kripalani, Mr. R.V. Dulekar and Mr. Ram Nath Gonkar wanted that the proceedings of the Assembly should be in Hindustani, and the Constitution should be drafted in it and it should be authoritative one.<sup>2</sup> Similarly, Mr. Pocker Sahib Bahadur from Madras, out of the loyalty to Mahatma Gandhi,

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1. P.Kodanda Rao, "Language Issue in the Indian Constituent Assembly 1946-50" Bombay, The International Book House Pvt. Ltd., 1969, p.28.

2. Ibid. p.28.

suggested that Hindustani should be the official language,<sup>1</sup> and Mr. L.H. Sahu suggested Hindustani not only as official language but also as the National Language.

But political conditions of the country changed as India got freedom. Moreover, on 30th January, 1948 Mahatma Gandhi also died. Under these circumstances Hindustani lost its status and was eliminated even from the VIIIth schedule of the Constitution.

In the Constituent Assembly P.D. Tandon, Seth Govind Das, Sampurna Nand, K.M. Munshi and Mr. Ravi Shukla were the leaders who strongly favoured Hindi as the official language. Shri S.V. Krishna Murti Rao from Mysore in a meeting of the Constituent Assembly made a statement and declared that only Hindi written in Devanagri script should be official language.<sup>2</sup>

But some members mostly who belonged to the non-Hindi areas were not in favour of Hindi to be the official language. Mr. T.T. Krishnamachari bitterly opposed Hindi.<sup>3</sup> Mr. Naagappa said that peoples who belong

1. "Constituent Assembly Debates" - Vol. VII, Delhi; Manager of Publications, Govt. of India, 1949, p.363.

2. Ibid, pp.382-383.

3. P.Kodanda Rao, "Language Issue in the Indian Constituent Assembly 1946-50", Bombay: The International Book House Pvt. Ltd., 1969, p.31.

to the Hindi speaking areas want to thrust Hindi upon the non-Hindi speaking people.<sup>1</sup> Mr. R.R. Diwakar said that Hindi is not developed as English, so English should continue for some period. However, Shri Jawaharlal Nehru favoured Hindi but said that it should not be forced on Non-Hindi people. Mr. Purshotam Das Tandon said that English can continue till Hindi is fully developed.

From the above it may be concluded that although oppositions were made for Hindi as the national and official language of the Indian Union yet the Hindi members were unitedly "preside the claim of their mother-tongue, the non-Hindi members were torn on the horns of a dilemma".<sup>2</sup>

As far as state language is concerned in the Constituent Assembly Shri Sardar Singh from Punjab advocated that Punjabi should be their state language. While discussing the state language, question Shri Purshotam Das Tandon stated that a minority language of 20% in a state might be made an official language of the state.

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1. "Constituent Assembly Debates Vol.I", Delhi, Govt. of India, 1949, p.253.
  2. P. Kodanda Rao, "Language Issue in the Indian Constituent Assembly 1949-50", Bombay: The International Book House Pvt. Ltd., 1969. p.38.

Question on national language was also raised in the Constituent Assembly. But after the great discussion with some opposition, Hindi was adopted as the National Language. On January 27, 1948 President Rajendra Prasad said that when Constitution will be finalised, it should be adopted as the national language.<sup>1</sup>

Thus in the Constituent Assembly the question of national language and the official language for the centre and the state were discussed.

As there were differences of opinion on the national language and official language and on Hindi and Hindustani in the same way there was difference of opinion on the numerals also. The issue of adopting a form of numerals arose after Hindi was accepted as the official language. This issue was raised by the members who were in favour of Hindi, they were in favour of Hindi numerals. The non-Hindi leaders viz. Gopalaswami Ayyengar, Pattabhi Sitaramayya, N.G. Ranga signed on the statement which was read by Seth Govind Das stating that if Hindi has been accepted as the official language then Hindi numerals should also be accepted. On the other hand

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1. "Constituent Assembly Debates, Vol. I",  
Delhi, Govt. of India 1949, p.19.

Dr. P. Subbarayan, Mr. B.M. Gupta, Mr. Mohammad Ismail and Pt. Jawaharlal Nehru etc. were among the leaders who favoured the international numerals. Dr. Rajendra Prasad said that as the South Indian have accepted Hindi language in Devanagari script, North India should also accept the international numerals.<sup>1</sup>

At last the Constitutional Assembly, accepted Hindi written in Devanagari script as the official language of the union and as regards numerals, international (Roman) numerals were accepted. Thus a long-standing issue of official language was ultimately resolved and the integration of the country was saved. With this decision the other main languages of the country also got due justice as they were listed in the VIII Schedule so that any one of them and/or Hindi may be recognised by different states as their official language. Articles concerning language policy as accepted by the Constituent Assembly mentioned in part XVII of the Constitution of India are given in Appendix. 1.

Study of the above articles relating to the language of our Indian Constitution lead us to the

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1. Ibid. p.1491.

conclusion that our Constitution has been planned keeping in view all the aspects of the language policy. The Constitution adopted the language policy after giving due justice to all the major languages. In the following section we may discuss those articles of Indian Constitution which are related with the language policy on rational basis.

When Indian Constitution was drafted, there was no Indian language in use as an all-India Language. English was in use for official purpose all over India and to some extent for some non-official purposes also. But as English is not an Indian language and hardly known to one or two percent of the population. So English was not considered to be adopted as official language. Hindi or Hindustani as it was called then, is the language known by the largest number of our people , therefore it was accepted in the Constitution in its Article 343(1) to be the official language of the Union in the Devanagari script along with international numerals. This reflects the wishes of the majority of the Indians.<sup>1</sup> But as Hindi was not so developed and could not be accepted in place of English at that time

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1. M.P. Desai, "The Language Pattern under the Constitution" Ahmedabad: Navajivan Publishing House, 1957, pp.9-10.

therefore provision was made in the Constitution to allow the use of English in official work for 15 years. Article 343 (Clause 2) of the Constitution lays down that English can be used for 15 years as the official language of India as was in use prior to independence. Because Hindi was not known to non-Hindi speaking areas. However, there is provision in the Constitution that the Hindi language can be used in addition to the English language for any of the purpose of the union with the approval of the President.<sup>1</sup> Article 343(3): The third clause of the Article 343 authorises the Parliament to make law for continuance of the use of English even after 15 years for such purpose as may be specified in the law.

Under Article 344 the President is to appoint a Language Commission after five or ten years from the date of promulgation of the Constitution which should consist of the representatives of the 14 regional languages (specified in the VIIIth schedule of the Constitution). The main purpose of these Commissions was to recommend the use of Hindi or to restrict the use of English.

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1. "Report of the Official Language Commission (1956) " Govt. of India, p.105.

The recommendations of these Commissions are to be examined by a Joint Committee of the two Houses of the Parliament consisting of 10 members from the Rajya Sabha and 20 members from the Lok Sabha. On the basis of the Commission the President may issue necessary directives. Article 345 deals with the official languages of the states. The legislatures of the states may adopt by law one or more regional languages for one or any of the official purposes of the State in place of English.

Article 346 pertains to the official language for communication between one State and another or between a state and the union. It says that official language of the union shall be the official language for communication between one state and another state and between a state and the union. But if one or more States agree that Hindi should be the official language for communication between such states then, it may be used for such communications.

Article 347 entitles the President on a demand from a substantial proportion of the population of the state to allow the use of any language spoken by them to be recognised by that State and to direct that such language should be the official language of the state either throughout the state or any part thereof for such purposes as he may specify. This in fact, give the right

to minorities of a state to use their languages.

Article 348 relates to the language to be used in the Supreme Court and in the High Courts and for Acts and Bills etc. So far as the language of the Court is concerned it provides certain safeguards against possible confusion during the transitory period of change-over from English to Hindi. According to Article 349 state legislature can prescribe a language of other than English for use in Bills etc. provided an authorised translation in English is also made.

Article 350 prescribes the languages making representations for the redress of any grievance to any office or authority of the union or the state in any of the languages used in the union or in the state as the case may be. This provision gives protection to the linguistic right of the minority.

Article 351 defines Hindi as the official languages of the union, regarding its form, style and relationship with the languages mentioned in the VIIIth schedule and to develop and enrich it for making it fit for the use as the official language of the union.

Chapter III of the Constitution contains some fundamental rights relating to education and culture of the minorities based on the base of culture or religion. They are embodied in Article 29(1), 29(2), 30(1) and 30(2) of the Constitution.

Under Article 29 of the Constitution any section of the citizens of India having a distinct language script or culture of its own have the right to converse in it. This article also gives the right to every citizen for admission in and to any state educational institution or the institution receiving grants-in-aid from the state funds. Article 30 gives the right to all institutions whether based on religion or language to establish and administer educational institutions of their liking. State shall not make any distinction against any educational institutions in granting aid.

Article 120 and 210 of the Constitution of India deals with the languages for the Parliament and the Legislature, respectively. Article 120, subject to the provision of Article 348, prescribing languages Hindi and English for the transition of the business, entitles a member who cannot express in Hindi or English to address the House in his mother-tongue with the permission of the Chairman of

the Rajya Sabha or Speaker of the Lok Sabha. The English language was deemed to be omitted on the expiry of a date of 15 years.

In accordance with the provision of the Article 210 subject to the provision of Article 348 the business of the legislature of the State is to be conducted in the official language or the language of the Union ~~and~~ in Hindi or in English. But any member who cannot express himself in any of these languages can address the House in his mother-tongue with the permission of the Speaker of the Legislative Assembly or Chairman of the Legislative Council. On the expiry of the period of 15 years the English was to be omitted from this. Thus it reveals that our Constitution has been planned keeping in view all the aspects of Indian linguistic scene and may be described to be quite liberal and democratic.

#### Presidential Orders regarding use of Hindi

##### Presidential Order 1952:

Part XVII of the Constitution of India deals with the official language of the Union. Clause (1) of Article 343 provides that the official language of the Union shall be Hindi in Devanagari script. The form of numerals to be

used for the official purposes of the Union shall be the international form of Indian numerals. In clause (2) of this Article it has been stated that English shall continue to be used for all the official purposes of the Union for fifteen years after the enforcement of the Constitution. Moreover, the President was given powers to authorise the use of Hindi language in Devanagari script in addition to English language for any of the official purposes of the Union. Under these powers the President issued an Order on May 27, 1952, authorising the use of Hindi, in addition to the English language and of the Devanagari forms of numerals, in addition to the international forms of Indian numerals, for warrants of appointment of (i) Governors of States, (ii) Judges of the Supreme Court, and (iii) Judges of High Courts.

#### Presidential Order 1955

According to the Article 343 Clause (2) of the Constitution, the President issued another Order called "The Constitution (Hindi language for official purposes) Orders, 1955"<sup>1</sup> in which he has authorised the use of Hindi

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1. See Appendix II.

language for the official purposes in addition to the English language for the official purposes.

The promulgation of the Presidential Orders to authorise the use of Hindi, clearly shows that there was a need to make Hindi as the official language of the Union. It also has to prepare the grounds for switching over to Hindi from English for the official work. According to Article 346, if two or more states agree that the Hindi language should be the official language for inter-communications between such states, Hindi language may be used for such communications by such states.

In an inter-departmental meeting, it was decided that Hindi should also be used along English. In this meeting it was also suggested that all the Ministeries of the Government of India should use Hindi in their official work. In this connection the Ministry of Home Affairs issued an Office Memorandum dated 8.12.1955. In this Memorandum it was suggested that as far as possible:

- "1. The letters received in Hindi should also be replied in simple Hindi.
2. Administrative Reports, Government Journals, the Reports to be placed in the Parliament, should be published both in Hindi and English.
3. Legislative Acts etc. should be issued in Hindi as well as English. But it should be made clear that the English version will be treated as authentic.

4. The States which have adopted Hindi as their Official Language, the correspondence should be done in English with Hindi translation where possible."

REPORT OF THE OFFICIAL LANGUAGE COMMISSION

Article 344 of the Constitution of India has made provision that at the expiry of five years from the commencement of the Constitution and there after at the expiry of ten years from such commencement, the President by order, shall constitute a Commission consisting of a Chairman and such other members to make necessary recommendations for the progressive use of Hindi for all the official purposes of the Union and restrictions on the use of the English language for all or any of the official purposes of the Union. Thus in pursuance with this Article 344, the President of India, Dr. Rajendra Prasad appointed the Official Language Commission on June 7, 1955. The main emphasis of the Official Language Commission was in respect of the development of Hindi language for official purposes and the consequential imposition of restrictions on the use of English for purposes of work of the Central Government. It should be noted that the Commission was charged with making recommendations for the preparations

of a time-schedule regarding the manner in which Hindi should replace English.<sup>1</sup>

The main recommendations of the official language Commission are given as below:<sup>2</sup>

1. Keeping in view the basis of the Indian democracy under the Constitution, it is not possible to accept English as an all-India mass media. The Compulsory Elementary Education can be enforced only in Indian languages.
2. This is not done on the basis of the prejudice against the foreign language and for international communication, scientific knowledge and research and diplomacy etc. knowledge of English language will have to be cultivated by appropriate categories of persons. But there is a vital distinction between using a foreign language as a second language for specific purposes and for certain categories of persons, and its use as the principal or exclusive medium of education or for the conduct of the day-to-day business of the country.
3. Though all the languages of India are rich, yet the linguistic medium of all India purposes should be in Hindi.

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1. S.Mohan Kumarmangalam, "India's Language Crisis " Madras: New Century Book House (P) Ltd., 1965, p. 35.

2. Based on "Report of the Official Language Commission (1956) " Government of India.

4. Gradually the English language will be replaced by Hindi, at central level and other languages (regional) will also get their due place for the official work of the states concerned.
5. For the change over of linguistic medium after the 15 years of the commencement of the Constitution, necessary steps must be taken.
6. For the development of the Union language an adequate terminology should be coined which should be clear and simple. International terminology may also be adopted if they suit the genius of Indian languages.
7. For evolving terminology in Union language as well as in regional language, suitable arrangements should be made.
8. According to the Article 45 of the Constitution, the state shall endeavour to provide for free and compulsory education for all children until they complete the age of 14 years, therefore, every student should have sufficient literacy in the Hindi language; so that every citizen may be in a position to comprehend and keep in touch with trends and movements in public life at par with Indian levels including the activities of the Union government.

9. For those students who have studied through regional language as a medium of instruction or subject, it is necessary that in the later three or four years of their education instructions should be given in Hindi.
10. At the secondary stage Hindi should be compulsory all over the country.
11. For the higher education English medium can be replaced by Indian languages. But it is not necessary that this change-over should be simultaneous. For some courses of studies it may be more appropriate to use Hindi, for some courses the regional medium can be adopted.

Thus keeping in view the availability of the suitable teaching facilities all the universities should consult each other in this respect and decide which medium should be adopted for different courses of study at different stages.

12. In the technical, scientific and higher educational institutions, if the students belong to the one linguistic region, then the medium of instruction should be the regional language concerned and if the students belong to different regions, then the medium of instruction should be Hindi.

13. The official language Commission chalk out a programme for changing over the medium for all official purposes. The Government servants should be required to have a knowledge of Hindi within a reasonable period.
14. It is necessary to evolve a measure of permanent bilingualism with Hindi for internal purposes and regional languages for other public dealings in their concurrent regions.
15. For these Government departmental recruitment rules should be modified so that a person should have a knowledge of regional language with a required standard of Hindi. Moreover after recruitment, in-service facilities should be provided for the raising of the standard.
16. The statutory publication of the Government of India should necessarily be in the official language of the Union. Translations of such publications should be published in the regional languages concerned.
17. Hindi will not take the place of English which means that English would continue to be used till at least the time of the second language commission to be appointed by the President after 1960.
18. The acquisition of knowledge of Hindi language should be compulsory for central and state government servants

for communication between the centre and state and inter-states. They should be encouraged to acquire a knowledge of this by giving rewards and incentives.

19. So far as the language of legislation is concerned in both the Houses of the Parliament, it should be Hindi. But for the convenience of the public, translations of the enactment should be published in different regional languages and in state legislation this should be in the regional languages concerned.

20. As far as the language of the court is concerned, it was suggested that the original issues should be in Hindi and wherever necessary their "authorised translations" should be issued in regional languages.

21. Apart from the option of delivering judgements in English, there may be an option to High Court judges to deliver judgements in their regional languages provided English or Hindi translations of such judgements are authenticated by them.

22. The language of the Supreme Court should be Hindi but where the issues addressed to a non-Hindi region where mother-tongue is not Hindi, then the translation should be accompanied in the language understood by the people.

23. So far as the central and All-India services are concerned it is necessary for them to have a knowledge of Hindi language. So compulsory paper in Hindi should be introduced for the entrance examination. Keeping in view the non-Hindi candidates, the paper should be of the low standard.

24. For the justification with the non-Hindi speaking candidates, the Hindi speaking candidates must offer a paper in a regional language other than Hindi.

25. So far as the medium for all India and central services is concerned, the alternative of the Hindi medium in addition to the existing English medium may be introduced after due notice. Such an atmosphere should be created, as soon as possible so that English does not remain the medium of the competitive examination.

26. Public Service Commission of the states should also encourage the use of Hindi.

27. When the pros and cons of the Devanagari and the Roman script and the common script for all Indian languages was examined, the Commission came to the conclusion that the Devanagari script is most suitable. Government should take steps for the reform of the Devanagari script.

28. Government should take necessary steps for the development of the vocabulary and technical expression in Hindi and other regional languages.

29. The setting up of the National Academy of Indian Languages will be useful for the development of the central and regional languages.

From the minutes and dissent notes enclosed with the Report of the Official Language Commission, it is clear that some of the non-Hindi speaking members viz. Dr. Suniti Kumar Chatterjee, Dr. P. Subramaniam and Shri M.P. Desai, etc. did not agree with all the recommendations. They were of the opinion that the replacement of English will not be in the interests of the country. Thus the Official Language Commission's Report "instead of solving the problem, in fact, re-opened the controversy".<sup>1</sup>

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1. Satyender Narayan Mazumdar, "Marxism and the Language Problem in India", New Delhi, People's Publishing House, 1970 p.73.

Report of the Committee of Parliament  
on Official Language.

On 12 August, 1957, the official Language Commission's Report was placed on the table of both the Houses of the Parliament. According to the clause (4) and (5) of Article 344 of the Constitution of India, a Committee was appointed to examine the recommendations of the Commission. The Committee considered the recommendations of the Commission and the report was placed before the President on 8th February, 1959 and was submitted to the Parliament in April, 1959. The main suggestions of the Committee are as given below:<sup>1</sup>

1. For giving the in-service training to the Government servants, the Committee agreed with the views of the Commission and suggested that employees aged 45 and above should be exempted to learn Hindi.
2. So far as the question of the medium for competitive examinations is concerned, the Committee suggested that for any one or all the papers the candidates should have the option to offer either English or Hindi. The Committee had no objection to introducing the Regional

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1. Based on the Report of Committee of Parliament on Official Languages 1958, Govt. of India, New Delhi, 1959.

Languages as the medium for the entrance to All-India services. The Committee also suggested that an Expert Committee should be appointed to examine the feasibility of introducing the regional languages as media without bringing in a quota system.

3. So far as the recruitment to the All-India and Higher Central Services is concerned, even after the medium of examination had been changed, there should be a compulsory paper in English. This should continue till the English is completely replaced by Hindi for all official purposes.

4. The Committee suggested that English should continue to be the medium for the competitive examinations for All India and Higher Central Services and Hindi may also be admitted as an alternative medium.

5. After due notice, there should be two compulsory language papers of equal standard, one in Hindi and the other in a Modern Indian language, other than Hindi to be selected by the candidate.

6. The Committee wanted the Union Government to prepare and implement a plan of action for the progressive use of Hindi as the official language of the Union.

7. In the Government Publications the Union Government should adopt a uniform policy using the Devanagari numerals in addition to the international form of numerals.

8. It was suggested by the Committee that after 1965 when Hindi will be the official language, English should be used as "subsidiary language for the purpose to the specified by the Parliament" as long as necessary.

9. Under Article 343 of the Constitution, the State Legislatures may adopt their State Language for official work but in addition to that an authentic text should also be published in English. Moreover, if the text is written in the language other than Hindi then its Hindi translation may also be accompanied.

10. So far as the language of the High Courts of the States is concerned, the Committee suggested that with the previous consent of the President, either State's official language or Hindi can be used in High Courts. But at the same time judgements, decrees and orders which are in the language other than English, then its English translation should also be accompanied. Moreover the Hindi translation of all the reportable judgements and orders should also be done.

11. The technical terms in English should be used for an indefinite period. But the Committee feels that these terms should continue to be used till it is not considered necessary to evolve Indian terminology.
12. According to the Committee it would be advisable for the planning and implementation of the programmes relating to the preparation of legal terminology and glossaries and the translation of statutes in Hindi to constitute a Standing Commission, consisting of legal experts representing the different national languages of India.
13. It would be useful for the judges to have a knowledge of Hindi and regional languages but it would not be proper to prescribe any examination for them.
14. It would not be desirable to penalise the employees if they do not acquire the prescribed knowledge of Hindi within the prescribed period.
15. The Committee was of the opinion that it is not possible for a democratic Government to function indefinitely in a language which is not understood by majority of the people. It is necessary therefore to adopt a language more widely understood by the people to discharge official function efficiently. Therefore the official work is to be carried on in a language which is understandable by the people.

It may be noted that like the Official Language Commission's report, the report of the Committee of Parliament on official language was not unanimous. Prof. Raghuvira, Shri Harish Chandra Sharma, the late Shri P.C. Bhanj Devo, Shri Furshotam Das Tandon, Seth Govind Das, Shri Frank Anthony and Shri Thakur Das Bhargava appended their notes of dissent to the report.

Seth Govind Das, Shri Furshotam Das Tandon and some others were of the opinion that Government has not taken any solid steps for the change over to Hindi as an official language from the English. Moreover, both the leaders opposed bitterly to maintain English as the official language by the Committee.

The Committee concluded that it would not be feasible to change the Official Language completely by 1965. But at the same time we should not spare any effort to prepare for the change over and accordingly advised President to accept most of the recommendations of the Commission.

PRESIDENTIAL ORDER, 1960

On April 27, 1960, in exercise of the powers conferred by clause (c) of Article 344, the President issued the directions after considering the report of the Committee and with reference to the opinion expressed by the Committee on recommendations of the Official Language Commission. It gives various instructions to different Ministries for the development, propagation and limited introduction of Hindi in administration.

1. The Ministry of Education may take action:
  - a. to review the work done so far and to evolve terminology in accordance with the general principles accepted by the Committee;
  - b. to formulate proposals for making arrangements for co-ordination of the work of preparation of terminology;
  - c. to constitute a standing Commission for the evolution of scientific and technical terminology as suggested by the Committee;
  - d. to translate all manuals and procedural literature other than Statutory rules, regulations and orders. In view of the need for ensuring a measure of uniformity in the language the work should be entrusted to a single agency.

- e. to evolve a standard key board for Hindi typewriters;
- f. to review the working of the existing arrangements for propagation of Hindi and take further action on the lines indicated by the Committee;
- g. to encourage studies and research in Indian linguistics, philology and literatures as suggested by the Committee;
- h. to formulate necessary proposals for bringing the various Indian languages nearer and for developing Hindi in accordance with the directive contained in Article 351.

2. The Ministry of Home Affairs may make necessary arrangements:

- a. for the training of typists and stenographers in Hindi employed under the Central Government;
- b. to provide facilities for in-service training in Hindi for Central Government employees who are aged less than 45 years on 1.1.1961 excluding employees below class III, employees in industrial establishments and work charged staff;
- c. In consultation with the Union Public Service Commission, arrangements may be made for the introduction of Hindi as an alternative media after sometime. The introduction of various regional languages also as alternative

media is likely to lead to serious difficulties, and it is not, therefore, necessary to appoint an Expert Committee to examine the feasibility to introduce regional languages as alternative media;

d. Necessary arrangements may be made for the preparation and implementation of programmes concerned with the preparatory measures for facilitating the progressive use of Hindi in the Union administration and for promoting the use of Hindi in addition to English for the various purposes of the Union as provided in clause (2) of Article 343 of the Constitution.

3. The Ministry of Defence may take necessary measures:

a. for introducing Hindi as an alternative medium for the entrance examination and for constituting an Expert Committee to examine the question of introduction of regional languages as media without introducing any quota system;

b. for the publication of instruction books etc. in Hindi to facilitate its use as a medium of instruction, where feasible.

4. The Ministry of Law may make necessary arrangements:

a. for the preparation of a standard legal lexicon, legal books in Hindi; a standing Commission consisting of legal experts representing of different national languages may be set up.

b. The Ministry of Law may take action in the light of the suggestion of the Committee to constitute a Standing Committee of legal experts for the proper planning and implementation of the entire work relating to the preparation of standard legal terminology;

c. The Ministry of Law may take necessary steps to provide for an authorised Hindi translation of Parliamentary legislation which may continue to be in English;

d. The Ministry of Law may in due course undertake necessary legislation to provide for the optional use of Hindi and other official languages of states for purposes of judgement, decrees and orders with the previous consent of the President, as suggested by the Committee in modification of the recommendation of the Commission.

5. Recruitment to local offices of Departments of the Central Government:

a. Local offices of the Central Government departments should use Hindi for their internal working and the respective regional languages in their public dealings in the respective regions;

b. The staff structure of the administrative agencies and departments of the Central Government should be reviewed and decentralised on a regional basis, and the recruitment method

and qualifications may have to be revised suitably. Moreover, in addition to this, all the Ministries were requested to make arrangements for the progressive use of Hindi.<sup>1</sup>

The Official Languages Act, 1963

Article 120 of part V of the Constitution of India provides for the language for the proceedings of the Parliament. In accordance with the provision of the Article, the use of English would have become illegal in the absence of fresh constitutional provision, because under Article 343, English could be used for official purposes of the Union for 15 years after the commencement of the Constitution (till 26 January, 1965).

The time of 15 years was provided in the Constitution for the propagation of Hindi for the official purposes of the Union. And thus after 15 years Hindi should have been used for the official purposes of the Union and the transaction of business in Parliament. But as Hindi could not be developed so as to replace English, a fresh official languages Act was framed in 1963 providing the

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1. See Appendix - III.

use of English for the official purposes of the Union and the Parliament. The Act was framed due to the restriction imposed by the clause (3) of Article 343.

The Official Language Bill was introduced in the Lok Sabha on April 13, 1963. A large number of people gathered outside the Parliament demonstrating against the continuance of English as the official language.

On April 16, 1963, Pt. Nehru explained the necessity of retaining English in the meeting of the Congress Parliamentary Party. On April 19 members from the non-Hindi speaking areas indicated that they will accept the Official Language Act if provision is made for the continuance of English for all the official purposes of the Union after 1965.<sup>1</sup>

During the period from April 23, 1963 to April 27, 1963 heated debates were held on the Official Language Bill in the Lok Sabha. At that time Lal Bahadur Shastri was the Home Minister of India. He introduced the Bill. In his opinion the Bill envisaged "a prolonged bilingualism". There would be no restriction on the use of English but Hindi

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1. A.K. Mazumdar, "Problem of Hindi - A Study" Bharatiya Vidya Bhawan, Bombay:1965, pp.83-84.

could also be used progressively.<sup>1</sup>

Pt. Nehru also gave assurances to the members who belonging to the South that Hindi would not be imposed. But inspite of that, they were not satisfied. The members from the South were very much against the use of Hindi language for the official purposes.

But the Bill was passed on 25 April in the Lok Sabha and on 7th May in the Rajya Sabha. President gave his assent to the Bill on May 10, 1963.

Under Section 3 of this Act, provision was made that even after January 25, 1965, English can be used in addition to Hindi for the transaction of business in Parliament and for all the official purposes of the Union. Section (3) of the Official Language Act, 1963 is as follows:

"3. Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, English language may as from the appointed day, continues to be used in addition to Hindi:

- (a) for all the official purposes of the Union for which it was being used immediately before that day; and
- (b) for the transaction of business in Parliament".

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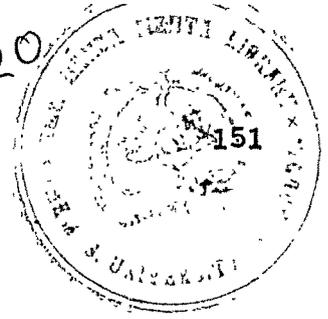
1. Lok Sabha Debates, Third series, Vol. XVII, No. 49, Col. 1139 2.

In this way the passing of the Official Language Act 1963 did not effect the position of English, but allowed Hindi to be used progressively in official work. Section 4 of the Act provides that a Committee of Official Language should be constituted after the expiration of ten years from the date on which Section 3 comes into force (26 January 1975). This Official Language Committee should consist of 20 members from the Lok Sabha and ten from the Rajya Sabha and should review the progress made in the use of Hindi for official purposes of the Union. Further, a report should be submitted by them to the President who will place it before each House of Parliament and sent to all the State Governments for their views before issuing any directive in accordance with the whole or any part of that.

Section 5 of the Act authorised Hindi translation of Central Acts.

Section 6 of the Act provides that the authorised translation in Hindi of the Acts, passed by the Legislature of States or Ordinances promulgated by the Governor of a State in a language other than Hindi should be provided. According to this a State having a language other than Hindi as its official language, will have to publish its Act etc.

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in the following languages:

1. Hindi
2. English
3. The regional language which may be the official language of the State.

All the three versions will be authentic.

Section 7 of the Act deals with the optional use of Hindi or other official language for the purpose of any judgement, decree or order passed or made by the High Court. Section 8 of the Act gives powers to the Central Government to make rules for carrying out the purpose of this Act. Every rule should be laid before each House of the Parliament.

Section 9 of the Act provides that Section 6 and 7 of the Act should not apply to the State of Jammu & Kashmir.

#### THE OFFICIAL LANGUAGES ACT, 1967

When Official Languages Act, 1963 was passed, it was opposed by both the Hindi-speaking and non-Hindi speaking States. Hindi speaking States were against the continuance of English as the Official language and the non-Hindi speaking states were Hindi-opposed to, as they thought it is imposed on them. Though assurances were given

by Shri Lal Bahadur Shastri and Pt. Jawaharlal Nehru, the then Home Minister and Prime Minister of India respectively, troubles arose over the language issue in early 1965. It was felt that statutory shape should be given to these assurances regarding English and it should be treated as an Associate Official Language for an indefinite period. As a result of this Section 3 of the Act 1963 was required to be amended. To set at rest the language agitation in South India, the Official Languages Act, 1963, was amended by the Official Languages (Amendment) Bill, 1967 which was introduced on 27th November, 1967 in the Lok Sabha by the Home Minister Shri Y.B. Chavan. Lok Sabha passed this Bill on 16th December, 1967. Then this Bill was introduced in the Rajya Sabha and the Rajya Sabha passed it on 22nd December, 1967. After that the Act received the assent of the President on January 8, 1968. In this way the Official Languages (Amendment) Act, 1967, was passed on 8th January, 1968.

The Official Languages (Amendment) Act was passed by the Parliament because Section 3 of the Act of 1963 was sought to be amended. The new Languages Act provides the obligatory issue of English for the following purposes

of communications:

1. between the Union and a State which had not adopted Hindi as the official language;
2. between one State and another State where either of the States concerned, had not adopted Hindi as its official Language.

This Act provides that English may, in addition to Hindi, continue to be used for all such official purposes of the Union for which it was being employed before 1965. The same will be applied for the business transaction of the Parliament. In addition to this it specified the official purposes for which English should continue to be used in addition to Hindi.

Thus the use of English in addition to Hindi was provided for tenders, reports, resolutions, press communications, general orders, rules, notifications, agreements etc. Moreover, if Hindi is used for the internal communications which means between one Central Ministry/department/office and another, an English translation shall accompany Hindi till the date on which the staff of the concerned office, Corporation or Company had acquired the working knowledge of Hindi.

Furthermore, English as an associate official language will remain till the legislatures of all the States which had not adopted Hindi as the official language and until House of

Parliament had not passed resolutions for the discontinuance of the use of English language.

Thus the "use of English was ensured and secured practically for all time to come".<sup>1</sup> The main features of the resolution are:<sup>2</sup>

1. Govt. of India shall prepare and implement a programme for the speedy development of Hindi and its progressive use for the various official purposes of the union and place an annual report on the Table of both the Houses of the Parliament.
2. Govt. of India shall also prepare and implement a programme in collaboration with the State Governments for the co-ordinising development of all the major languages of India as specified in the VIII schedule.
3. The Three Language Formula evolved by the Govt. of India in consultation with the State Governments should be implemented in full.
4. The interest of people belonging to non-Hindi speaking areas in regard to the public services of the Union, shall be fully safeguarded.
5. The compulsory knowledge of Hindi shall not be required at the stage of selection of candidates for recruitment to the Union services or posts excepting only special services/posts for which a high standard of Hindi knowledge may be considered essential for the satisfactory performances of the duties of the service or posts; and
6. All the languages included in the VIII schedule and English shall be permitted as alternative media for the All-India higher Central services examinations.

1. Gopi Nath Srivastava, "The Language Controversy And The Minorities," Delhi: Atma Ram & Sons, 1970, p.19.
2. Govt. of India, Ministry of Home Affairs, Resolution No. 518/65-OL dated 18.1.1968.

The Government of India, Ministry of Home Affairs issued detailed administration instructions for the implementation of various provisions of the Official Languages (Amendment) Act, 1967 on 6th July, 1968.<sup>1</sup>

It may therefore be concluded that due to the continued use of English as an all-India language before independence, it was difficult to replace it by any Indian language as no Indian language was in use like English all over the country. Therefore from the very beginning of the framing of the Constitution till now, there has been language controversy in the country. And because of this language controversy, the language policy has undergone many changes. The Constitution of India decided about the policy of language use for official work both at Central as well as State level. According to which Hindi was to be the Central language and the major Indian literary languages listed in the VIII schedule could be accepted as State official languages by different States and Union Territories. As far as the question of place and role of Indian languages in States is concerned, there is no difference of opinion but the question of Central language was at dispute and caused subsequent changes in Article No. 343 (3) of the Constitution by Languages Act 1963 and 1967. According to the revised

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1. See Appendix - IV.

policy, therefore, at present Hindi and English have been recognised as Official and Associate Official Language of the Centre with a provision to use progressively Hindi in place of English. But English will continue to be the Associate Official Language of the Centre as languages of all States and Union Territories do not accept Hindi as Central language and want to use English. The responsibility of developing Hindi and all other regional languages also is with the Centre now.