

CONSTITUTIONAL PROVISIONS OF OFFICIAL LANGUAGE

OFFICIAL LANGUAGE RELATED PART-17 OF THE CONSTITUTION OF INDIA

CHAPTER I - LANGUAGE OF THE UNION

Article 120: Language to be used in Parliament - (1) Notwithstanding anything in part XVII, but subject to the provisions of article 348, business in Parliament shall be transacted in Hindi or in English:

Provided that the Chairman of the Council of States or Speaker of the House of the People, or person acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the House in his mother-tongue.

(2) Unless Parliament by law otherwise provides, this article shall, after the expiration of a period of fifteen years from the commencement of this Constitution, have effect as if the words “or in English” were omitted there from.

Article 210: Language to be used in the Legislature –

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

Provided that the Speaker of the Legislative Assembly or Chairman of the Legislative Council, or person acting as such, as the case may be, may permit any member who cannot adequately express himself in any of the languages aforesaid to address the House in his mother-tongue.

(2) Unless the Legislature of the State by law otherwise provides, this article shall, after the expiration of a period of fifteen years from the commencement of this Constitution, have effect as if the words “or in English” were omitted there from :

Provided that in relation to the Legislatures of the States of Himachal Pradesh, Manipur, Meghalaya and Tripura this clause shall have effect as if for the words “fifteen years” occurring therein, the words “twenty-five years” were substituted:

Provided further that in relation to the Legislature of the States of Arunachal Pradesh, Goa and Mizoram, this clause shall have effect as if for the words “fifteen years” occurring therein, the words “forty years” were substituted.

Article 343. Official language of the Union-

(1) The official language of the Union shall be Hindi in Devnagari script. The form of numerals to be used for the official purposes of the Union shall be the international form of Indian numerals.

(2) Notwithstanding anything in clause (1), for a period of fifteen years from the commencement of this Constitution, the English language shall continue to be used for all the official purposes of the Union for which it was being used immediately before such commencement:

Provided that the President may, during the said period, by order authorise the use of the Hindi language in addition to the English language and of the Devnagari form of numerals in

addition to the inter-national form of Indian numerals for any of the official purposes of the Union.

(3) Notwithstanding anything in this article, Parliament may by law provide for the use, after the said period of fifteen years, of-

- (a) the English language, or
- (b) the Devnagari form of numerals,

for such purposes as may be specified in the law.

Article 344. Commission and Committee of Parliament on official language-

(1) The President shall, at the expiration of five years from the commencement of this Constitution and thereafter at the expiration of ten years from such commencement, by order constitute a Commission which shall consist of a Chairman and such other members representing the different languages specified in the Eighth Schedule as the President may appoint, and the order shall define the procedure to be followed by the Commission.

(2) It shall be the duty of the Commission to make recommendations to the President as to-

- (a) the progressive use of the Hindi language for the official purposes of the Union;
- (b) restrictions on the use of the English language for all or any of the official purposes of the Union;
- (c) the language to be used for all or any of the purposes mentioned in article 348;
- (d) the form of numerals to be used for any one or more specified purposes of the Union;
- (e) any other matter referred to the Commission by the President as regards the official language of the Union and the language for communication between the Union and a State or between one State and another and their use.

(3) In making their recommendations under clause (2), the Commission shall have due regard to the industrial, cultural and scientific advancement of India, and the just claims and the interests of persons belonging to the non-Hindi speaking areas in regard to the public services.

(4) There shall be constituted a Committee consisting of thirty members, of whom twenty shall be members of the House of the People and ten shall be members of the Council of States to be elected respectively by the members of the House of the People and the members of the Council of States in accordance with the system of proportional representation by means of the single transferable vote.

(5) It shall be the duty of the Committee to examine the recommendations of the Commission constituted under clause (1) and to report to the President their opinion thereon.

(6) Notwithstanding anything in article 343, the President may, after consideration of the report referred to in clause (5), issue directions in accordance with the whole or any part of that report.

CHAPTER II - REGIONAL LANGUAGES

Article 345. Official language or languages of a State- subject to the provisions of articles 346 and 347, the legislature of a State may by law adopt any one or more of the languages in use in the State or Hindi as the Language or Languages to be used for all or any of the official purposes of that State:

Provided that, until the Legislature of the State otherwise provides by law, the English language shall continue to be used for those official purposes within the State for which it was being used immediately before the commencement of this Constitution.

Article 346. Official languages for Communication between one State and another or between a State and the Union- The language for the time being authorised for use in the Union for official purposes shall be the official language for communication between one State and another State and between a State and the Union :

Provided that if two or more States agree that the Hindi language should be the official language for communication between such States, that language may be used for such communication.

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

CHAPTER III - LANGUAGE OF THE SUPREME COURT, HIGH COURTS, ETC.

Article 348. Language to be used in the Supreme Court and in the High Courts and for Acts, Bills, etc.- (1) Notwithstanding anything in the foregoing provisions of this Part, until Parliament by law otherwise provides-

(a) All proceedings in the Supreme Court and in every High Court,
(b) the authoritative texts-

(i) of all Bills to be introduced or amendments thereto to be moved in either House of Parliament or in the House or either House of the Legislature of a State.

(ii) Of all Acts passed by Parliament or the Legislature of a State and of all Ordinances promulgated by the President or the Governor of a State, and

(iii) Of all orders, rules, regulations and bye-laws issued under this Constitution or under any law made by Parliament or the Legislature of a State, shall be in the English language.

(2) Notwithstanding anything in sub-clause(a) of clause(1), the Governor of a State may, with the previous consent of the President, authorise the use of the Hindi language, or any other language used for any official purposes of the State, in proceedings in the High Court having its principal seat in that State:

Provided that nothing in this clause shall apply to any judgment, decree or order passed or made by such High Court.

(3) Notwithstanding anything in sub-clause(b) of clause(1), where the Legislature of a State has prescribed any language other than the English language for use in Bills introduced in, or Acts passed by, the Legislature of the State or in Ordinances promulgated by the Governor of the State or in any order, rule, regulation or bye-law referred to in paragraph (iii) of that sub-clause, a translation of the same in the English language published under the authority of the Governor of the State in the Official Gazette of that State shall be deemed to be the authoritative text thereof in the English language under this article.

Article 349. Special procedure for enactment of certain laws relating to language-

During the period of fifteen years from the commencement of this Constitution, no Bill or amendment making provision for the language to be used for any of the purposes mentioned in clause (1) of article 348 shall be introduced or moved in either House of Parliament without the previous sanction of the President, and the President shall not give his sanction to the introduction of any such Bill or the moving of any such amendment except after he has taken into consideration the recommendations of the Commission constituted under clause(1) of article 344 and the report of the Committee constituted under clause(4) of that article.

CHAPTER IV - SPECIAL DIRECTIVES

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.

Article 350A. Facilities for instruction in mother-tongue at the primary stage - It shall be the endeavor 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.

Article 350B. 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 Government of the States concerned.

Article 351. Directive for development of the Hindi language- It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India and to secure its enrichment by assimilating without interfering with its genius, the forms, style and expressions used in Hindustani and in the other languages of India specified in the Eighth Schedule, and by drawing, wherever necessary or desirable, for its vocabulary, primarily on Sanskrit and secondarily on other languages.

THE OFFICIAL LANGUAGES ACT, 1963
(AS AMENDED, 1967)
(Act No. 19 of 1963)

An Act to provide for the languages which may be used for the official purposes of the Union, for transaction of business in Parliament, for Central and State, Acts and for certain purposes in High Courts. Be it enacted by Parliament in the Fourteenth Year of the Republic of India as follows:-

1. Short title and Commencement -

- (1) This Act may be called the Official Languages Act, 1963.
- (2) Section 3 shall come into force on the 26th day of January, 1965 and the remaining provisions of this Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

2. Definitions.-

In this Act, unless the context otherwise requires,-

- (a) "appointed day" in relation to section 3, means the 26th day of January, 1965 and in relation to any other provision of this Act, means the day on which that provision comes into force;
- (b) "Hindi" means Hindi in Devanagari Script.

3. Continuation of English Language for official purposes of the Union and for use in Parliament-

(1) Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, the English language may, as from the appointed day, continue 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:

Provided that the English language shall be used for purposes of communication between the Union and a State which has not adopted Hindi as its Official Language:

Provided further that where Hindi is used for purposes of communication between one State which has adopted Hindi as its official language and another State which has not adopted Hindi as its Official Language, such communication in Hindi shall be accompanied by a translation of the same in the English language:

Provided also that nothing in this sub-section shall be construed as preventing a State which has not adopted Hindi as its official language from using Hindi for purposes of communication with the Union or with a State which has adopted Hindi as its official language, or by agreement with any other State, and in such a case, it shall not be obligatory to use the English language for purposes of communication with that State.

(2) Notwithstanding anything contained in sub-section (1) where Hindi or the English Language is used for purposes of communication-

- (i) between one Ministry or Department or office of the Central Government and another;
- (ii) between one Ministry or Department or office of the Central Government and any corporation or company owned or controlled by the Central Government or any office thereof.;
- (iii) between any corporation or company owned or controlled by the Central Government or any office thereof and another,

Translation of such communication in the English language or, as the case may be, in Hindi shall also be provided till such date as the staff of the concerned Ministry, Department, office or the corporation or company aforesaid have acquired a working knowledge of Hindi.

(3) Notwithstanding anything contained in sub-section (1) both Hindi and the English languages shall be used for-

(i) resolutions, general orders, rules, notifications, administrative or other reports or press communiqués issued or made by the Central Government or by a Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company;

(ii) administrative and other reports and official papers laid before a House or the Houses of Parliament;

(iii) contracts and agreements executed, and licences, permits, notices and forms of tender issued, by or on behalf of the Central Government or any Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company.

(4) Without prejudice to the provisions of sub-section (1) or sub-section (2) or sub-section (3) the Central Government may, by rules made under section 8, provide for the language/languages to be used for the official purpose of the Union, including the working of any Ministry, Department, Section or Office and in making such rules, due consideration shall be given to the quick and efficient disposal of the official business and the interests of the general public and in particular, the rules so made shall ensure that persons serving in connection with the affairs of the Union and having proficiency either in Hindi or in the English language may function effectively and that they are not placed at a disadvantage on the ground that they do not have proficiency in both the languages.

(5) The provisions of clause (a) of sub-section (1), and the provisions of sub-section (2), sub-section (3) and sub-section (4) shall remain in force until resolutions for the discontinuance of the use of the English language for the purposes mentioned therein have been passed by the legislatures of all the States which have not adopted Hindi as their Official Language and until after considering the resolution aforesaid, a resolution for such discontinuance has been passed by each House of Parliament.

4. Committee on Official Language-

(1) After the expiration of ten years from the date on which section 3 comes into force, there shall be constituted a Committee on Official language, on a resolution to that effect being moved in either House of Parliament with the previous sanction of the President and passed by both Houses.

(2) The Committee shall consist of thirty members, of whom twenty shall be members of the House of the people and ten shall be members of the Council of States, to be elected respectively the members of the House of the People and the members of the Council of States in accordance with the system of proportional representation by means of the single transferable vote.

(3) It shall be the duty of the Committee to review the progress made in the use of Hindi for the official purposes of the Union and submit a report to the President making recommendations thereon and the President shall cause the report to be laid before each House of Parliament, and sent to all the State Governments.

(4) The President may, after consideration of the report referred to in sub-section (3), and the views, if any, expressed by the State Government thereon, issue directions in accordance with the whole or any part of that report :

Provided that the direction so issued shall not be inconsistent with the provisions of section 3

5. Authorised Hindi translation of Central Acts, etc. -

(1) A translation in Hindi published under the authority of the President in the Official Gazette on and after the appointed day-

(a) of any Central Act or of any Ordinance promulgated by the President, or

(b) of any order, rule, regulation or by-law issued under the Constitution or under any central Act, shall be deemed to be the authoritative text thereof in Hindi.

(2) As from the appointed day, the authoritative text in the English language of all Bills to be introduced or amendments thereto to be moved in either House of Parliament shall be accompanied by a translation of the same in Hindi authorised in such manner as may be prescribed by rules made under this Act.

6. Authorised Hindi translation of State Acts in certain cases -

Where the Legislature of a State has prescribed any language other than Hindi for use in Acts passed by the Legislature of the State or in Ordinances promulgated by the Governor of the State, a translation of the same in Hindi, in addition to a translation thereof in the English language as required by clause (3) of article 348 of the

Constitution, may be published on or after the appointed day under the authority of the Governor of the State in the Official Gazette of the State and in such a case, the translation in Hindi or any such Act or Ordinance shall be deemed to be the authoritative text thereof in the Hindi language.

7. Optional use of Hindi or other Official language in judgements etc. of High Courts -

As from the appointed day or any day thereafter the Governor of a State may, with the previous consent of the President, authorise the use of Hindi or the official language of the State, in addition to the English language, for the purposes of any judgement, decree or order passed or made by the High Court for that State and where any judgement, decree or order is passed or made in any such language (other than the English language), it shall be accompanied by a translation of the same in the English language issued under the authority of the High Court.

8. Power to make rules -

(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or more in two successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

9. Certain provisions not to apply to Jammu and Kashmir-

The provisions of section 6 and section 7 shall not apply to the State of Jammu and Kashmir.

PRESIDENT'S ORDER, 1960

ORDER

A Committee consisting of 20 members of the Lok Sabha and 10 members of the Rajya Sabha was constituted in accordance with the provisions of clause (4) of article 344 of the Constitution to examine the recommendations of the first Official Language Commission and to report their opinion thereon to the President. The Committee submitted its report to the President on 8th February, 1959. The important points in the report indicating the Committee's general approach are as follows:-

a)	The Constitution contains an integrated scheme of Official Language and its approach to the question is flexible and admits of appropriate adjustments being made within the framework of the scheme.
b)	Different regional languages are rapidly replacing English as a medium of instruction and of official work in the States. It is but natural that the regional languages should secure their rightful place. The use of an Indian Language for the purposes of the Union has thus become a matter of practical necessity, but there need be no rigid date-line for the change-over. It should be a natural transition over a period of time effected smoothly and with the minimum of inconvenience.
c)	English should be the principal official language and Hindi the subsidiary Official Language till 1965. After 1965, when Hindi becomes the principal official language of the Union, English should continue as the subsidiary official language.
d)	No restriction should be imposed for the present on the use of English for any of the purposes of the Union and provision should be made in terms of clause (3) of article 343 for the continued use of English even after 1965 for purposes to be specified by Parliament by law for as long as may be necessary.
e)	Considerable importance attaches to the provision in article 351 that Hindi should be so developed that it may serve as a medium of expression for all the elements of the composite culture of India; and every encouragement should be given to the use of easy and simple diction.

Copies of the report were placed on the Table of both Houses of Parliament in April, 1959 and the report was discussed in the Lok Sabha from 2nd to 4th September, 1959, and in the Rajya Sabha on 8th and 9th September, 1959. In the course of the discussions in the Lok Sabha, the Prime Minister made a speech on 4th September, 1959, indicating broadly the approach of the Government to the official language question.

2. In exercise of the powers conferred by clause (6) of article 344, the President has considered the report of the Committee and, with reference to the opinion expressed by the Committee on the recommendations of the Official Language Commission, issues the directions hereinafter appearing.

3. Terminology- The main recommendations of the Commission which the Committee has accepted are:

- (i) in preparing terminology clarity, precision and simplicity should be primarily aimed at;
- (ii) international terminology may be adopted or adapted in suitable cases;
- (iii) the maximum possible identity should be aimed at in evolving terminology for all Indian languages; and
- (iv) suitable arrangements should be made for co-ordinating the efforts made at the Centre and in the States for evolving terminology in Hindi and other Indian languages.

The Committee envisages further that in the field of science and technology there should, as far as possible, be uniformity in all Indian Languages and the terminology should approximate closely to English or international terms and has suggested that Standing Commission consisting chiefly of scientists and technologists may be constituted to co-ordinate and supervise the work done by various agencies in this field and to issue authoritative glossaries for use in all Indian languages.

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. In the field of science and technology, the terms in international use should be adopted with the minimum change, i.e., the base-words should be those at present in use in international terminology, although the derivatives may be Indianised to the extent necessary.

(b) to formulate proposals for making arrangements for co-ordination of the work of preparation of terminology; and

(c) to constitute a Standing Commission for the evolution of scientific and technical terminology as suggested by the Committee.

4. Translation of administrative manuals and other procedural literature :- In view of the need for ensuring a measure of uniformity in the language used in the translation of manuals and other procedural literature, the Committee has accepted the recommendation of the Commission about the advisability of entrusting the work to a single agency.

The Ministry of Education may undertake the translation of all manuals and procedural literature other than statutory rules, regulations and orders. The translation of statutory rules, regulations and orders is intimately connected with the work of translation of statutes and the Ministry of Law may take up this work. It should be the endeavour to secure in these translations maximum possible uniformity in terminology in all the Indian languages.

5. Training of administrative personnel in the Hindi medium:-(a) In accordance with the opinion expressed by the Committee, in-service training in Hindi may be made obligatory for Central Government employees who are aged less than 45 years. This will not apply to employees below Class III grade, industrial establishments and work-charged staff. In this scheme, no penalty should be imposed for failure to attain the prescribed standards by the due date. Facilities for Hindi training may continue to be provided free of cost to the trainees.

(b) Necessary arrangements may be made by the Ministry of Home Affairs for the training of typists and stenographers employed under the Central Government in Hindi typewriting and stenography.

(c) The Ministry of Education may take early steps to evolve a standard key-board for Hindi typewriters.

6. Propagation of Hindi.- (a) The Committee has agreed with the recommendation of the Commission that the responsibility for this work should now be sponsored officially. Where efficient voluntary organisations already exist, they may be aided financially and in other ways, and where such agencies do not exist, Government may set up the necessary organisation themselves.

The Ministry of Education may review the working of the existing arrangements for propagation of Hindi and take further action on the lines indicated by the Committee.

(b) The Ministry of Education and Scientific Research & Cultural Affairs may, in collaboration, take steps to encourage studies and research in Indian linguistics, philology and literature as suggested by the Committee, and formulate necessary proposals for bringing the various Indian languages closer and for developing Hindi in accordance with the directive contained in article 351.

7. Recruitment to local offices of Central Government Departments:- (a) In the opinion of the Committee, 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.

In formulating the plan for the progressive use of Hindi in addition to English in their local offices, the Central Government Departments should keep in view the need for providing facilities to the local public by making available to them forms and departmental literature for their use in the regional languages in as large measure as practicable.

(b) In the opinion of the Committee, 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 methods and qualifications may have to be revised suitably.

The suggestion may be accepted in principle, without introducing any domicile qualifications, in regard to categories of posts in local offices of which the incumbents are not ordinarily liable to transfer outside the region.

(c) The Committee has agreed with the recommendation of the Commission that the Union Government would be justified in prescribing a reasonable measure of knowledge of Hindi language as a qualification for entering into their services, provided a sufficiently long notice is given and the measure of linguistic ability prescribed is moderate, any deficiency being made good by further in-service training.

This recommendation may be applied for the present in regard to recruitment in the local offices of the Central Government departments in the Hindi-speaking areas only, and not in the local offices in non-Hindi-speaking areas.

The directions under (a), (b) and (c) above will not apply to the offices under the Indian Audit and Accounts Department.

8. Training Establishments -

(a) The Committee has suggested that English may continue as the medium of instruction for training establishments such as the National Defence Academy but suitable steps may be taken to introduce Hindi as the medium for all or some of the purposes of instruction.

The Ministry of Defence may take suitable preparatory measures such as publication of instruction books, etc., in Hindi to facilitate its use as a medium of instruction, where feasible.

(b) The Committee has suggested that English and Hindi should be the media of examination for entrance to training establishments with the option to candidates to select either with reference to all or any of the papers and an expert committee should be appointed to examine the practicability of introduction of regional languages as media without bringing in a quota system.

The Ministry of Defence may take necessary measures for introducing Hindi as an alternative medium for the entrance examination and for constituting of an expert committee to examine the question of introduction of regional languages as media without introducing any quota system.

9. Recruitment to All-India Services and higher Central Services-

(a) Medium of examination- The Committee's opinion is that (i) English may continue to be the medium of examination and Hindi may be admitted as an alternative medium after sometime, both Hindi and English being available thereafter as media at the option of the candidate for as long as necessary; and (ii) that an expert committee be appointed to examine the feasibility of introducing the various regional languages as media without bringing in any quota system.

Necessary action may be taken by the Ministry of Home Affairs in consultation with the Union Public Service Commission for the introduction of Hindi as an alternative medium after sometime. The introduction of various regional languages also as an alternative media is likely to lead to serious difficulties and it is not, therefore, necessary to appoint an expert committee to examine the feasibility of introducing regional languages as alternative media.

(b) Language papers - The Committee's opinion is that after due notice, there should be two compulsory papers of equal standard, one in Hindi and another in a modern Indian language other than Hindi to be selected by the candidate.

For the present, only an optional Hindi language paper may be introduced. Candidates selected on the results of the competition who qualify in this paper may be exempted from appearing the passing the Hindi departmental test after recruitment.

10. Numerals - As suggested by the Committee, a uniform basic policy should be adopted for the use of Devanagari numerals, in addition to the international numerals, in the Hindi publications of the Central Ministries depending upon the public intended to be addressed and the subject-matter of the publication. For scientific, technical and statistical publications, including the international numerals should be adopted uniformly in all publications.

11. Language of Acts, Bills, etc. -

(a) The Committee has expressed the opinion that Parliamentary legislation may continue to be in English but an authorised translation should be provided in Hindi.

The Ministry of Law may, in due course, initiate necessary legislation to provide for an authorised Hindi translation of Parliamentary legislation which may continue to be in English. Arrangements may be made by the Ministry of Law also for providing translations of Parliamentary legislation into the regional languages.

(b) The Committee has expressed the opinion that where the original text of Bills introduced in or Acts passed by the State legislature is in language other than Hindi, a Hindi translation may be published with it besides an English translation as provided in clause (3) of article 348.

In due course, legislation may be initiated for the publication of a Hindi translation of State Bills, Acts, and other statutory instruments, along with the text in the official language of the State.

12. Language of the Supreme Court and High Courts- The Official Language Commission recommended that so far as the language of the Supreme Court is concerned Hindi eventually should be the language of the Supreme Court when the time comes for the change-over. The Committee has accepted this recommendation.

In regard to the language of the High Courts, the Commission considered the pros and cons of the regional and Hindi languages and recommended that when the time for the change-over arrives, the language of judgments, decrees and orders of High Courts should be the Hindi language in all regions, but the Committee has expressed the opinion that in the High Courts provision may be made by introducing necessary legislation for the use optionally of Hindi and official languages of States for purposes of judgments, decrees and orders of High Courts with the previous consent of the President.

The opinion of the Committee regarding the functioning of the Supreme Court eventually in Hindi is acceptable in principle and will require appropriate action only when the time comes for a change-over.

In respect of the language of the High Courts, the Ministry of Law may in due course undertake necessary legislation to provide for the use optionally of Hindi and other official languages of States for purposes of judgments, decrees and orders with the previous consent of the President, as suggested by the Committee in modification of the recommendation of the Commission.

13. Preparatory measures for change-over in the field of law - The Committee has agreed with the recommendations of the Commission relating to the preparation of a standard legal lexicon, re-enactment of the statute book in Hindi in respect of both Central and State legislation plan of action for evolving a legal terminology and for taking other preparatory steps during the transitional period during which the statute book as well as the case law will be partially in Hindi and in English, and has also suggested the constitution of a Standing Commission or a similar high-level body consisting of legal experts representing the different national languages of India for the proper planning and implementation of the entire programme relating to translation of statutes and preparation of legal terminology and glossaries. The Committee has also expressed the opinion that the State Governments might be advised to take necessary measures in consultation with the Central authorities.

The Ministry of Law may take action in the light of the suggestion of the Committee to constitute a Standing Commission of legal experts for the proper planning and implementation of the entire work relating to preparation of a standard legal terminology (for use as far as possible, in all Indian languages) and translation of statutes in Hindi.

14. Plan or programme for the progressive use of Hindi - The Committee has suggested that the Union Government should prepare and implement a plan of action for the progressive use of Hindi as the official language of the Union. No restrictions are to be imposed, for the present, on the use of the English language for any of the official purposes of the Union.

Necessary action may be taken accordingly by the Ministry of Home Affairs for the preparation and implementation of a plan or programme, which will be concerned with 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. The extent to which Hindi can be used in addition to English will depend largely on the effectiveness of the preparatory measures. The plan for the actual use of Hindi, in addition to English, will need to be reviewed and adjusted from time to time in the light of experience.

THE OFFICIAL LANGUAGE RESOLUTION, 1968.

The following Government Resolution, as adopted by both Houses of Parliament, is hereby published for general information:-

RESOLUTION

“**WHEREAS** under article 343 of the Constitution, Hindi shall be the official language of the Union, and under article 351 thereof it is the duty of the Union to promote the spread of the Hindi Language and to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India;

This House resolves that a more intensive and comprehensive programme shall be prepared and implemented by the Government of India for accelerating the spread and development of Hindi and its progressive use for the various official purposes of the Union and an annual assessment report giving details of the measures taken and the progress achieved shall be laid on the Table of both Houses of Parliament and sent to all State Governments;

2. **WHEREAS** the Eighth Schedule of the Constitution specifies 14 major languages of India besides Hindi, and it is necessary in the interest of the educational and cultural advancement of the country that concerted measures should be taken for the full development of these languages;

The House resolves that a programme shall be prepared and implemented by the Government of India, in collaboration with the State Governments for the coordinated development of all these languages, alongside Hindi so that they grow rapidly in richness and become effective means of communicating modern knowledge;

3. **WHEREAS** it is necessary for promoting the sense of unity and facilitating communication between people in different parts of the country that effective steps should be taken for implementing fully in all States the three-language formula evolved by the Government of India in consultation with the State Government;

This House resolves that arrangements should be made in accordance with that formula for the study of a modern Indian language, preferably one of the Southern languages, apart from Hindi and English in the Hindi speaking areas and of Hindi along with the regional languages and English in the non-Hindi speaking areas;

4. **AND WHEREAS** it is necessary to ensure that the just claims and interest of people belonging to different parts of the country in regard to the public services of the Union are fully safeguarded:

This House resolves –

(a) that compulsory knowledge of either Hindi or English shall be required at the stage of selection of candidates for recruitment to the Union services or posts except in respect of any special services or posts for which a high standard of knowledge of English alone or Hindi alone, or both, as the case may be, is considered essential for the satisfactory performance of the duties of any such service or post; and

(b) that all the languages included in the Eighth Schedule to the Constitution and English shall be permitted as alternative media for the All India and higher Central Services examinations after ascertaining the views of the Union Public Service Commission on the future scheme of the examinations, the procedural aspects and the timing.

The Official Languages (Use for Official Purpose of the Union)

RULES, 1976

(As Amended, 1987, 2007, 2011)

G.S.R 1052 - In exercise of the powers conferred by section 8, read with sub-section(4) of section 3 of the [Official Languages Act, 1963 \(19 of 1963\)](#), the Central Government hereby makes the following rules, namely ;

1. Short title, extent and commencement -

- (i) These rules may be called the Official Languages (Use for Official Purposes of the Union) Rules, 1976.
- (ii) They shall extend to the whole of India, except the State of Tamilnadu.
- (iii) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions - In these rules, unless the context otherwise requires : -

- (a) "Act" means the [Official Languages Act, 1963 \(19 of 1963\)](#);
- (b) "Central Government Office" includes :-
 - (i) any Ministry, Department or office of the Central Government,
 - (ii) any office of a Commission, Committee or Tribunal appointed by the Central Government; and
 - (iii) any office of a corporation or company owned or controlled by the Central Government ;
- (c) "Employee" means any person employed in a Central Government office;
- (d) "Notified Office" means an office notified under sub-rule (4) of rule 10 ;
- (e) "Proficiency in Hindi " means proficiency in Hindi as described in rule 9 ;
- (f) "Region A" means the States of Bihar, Haryana, Himachal Pradesh, Madhya Pradesh, Chhattisgarh, Jharkhand, Uttarakhand, Rajasthan and Uttar Pradesh and the Union Territories of Delhi and Andaman and Nicobar Islands;
- (g) "Region B" means the States of Gujarat, Maharashtra and Punjab and the Union Territory of Chandigarh, *Daman and Diu and Dadra and Nagar Haveli* ;
- (h) "Region C" means the States and the Union Territories other than those referred to in clauses (f) and (g);
- (i) "Working knowledge of Hindi" means working knowledge of Hindi as described in rule 10.

3. Communications to States etc. other than to Central Government offices,-

(1) Communications from a Central Government office to a State or a Union Territory in Region "A" or to any office (not being a Central Government office) or person in such State or Union Territory shall, save in exceptional cases, be in Hindi, and if any communication is issued to any of them in English it shall be accompanied by a Hindi translation thereof.

(2) Communications from a Central Government office :-

(a) to a State or Union Territory in Region "B" or to any office (not being a Central Government office) in such State or Union Territory shall ordinarily be in Hindi and if any communication is issued to any of them in English, it shall be accompanied by a Hindi translation thereof ;

Provided that if any such State or Union Territory desires the communications of any particular class or category or those intended for any of its offices, to be sent for a period specified by the Government of the State or Union Territory concerned, in English, or in Hindi with a translation in the other language, such communication shall be sent in that manner ;

(b) to any person in a State or Union Territory of Region "B" may be either in Hindi or English.

(3) Communications from a Central Government office to State or Union Territory in Region "C" or to any office (not being a Central Government office) or person in such State shall be in English.

(4) Notwithstanding anything contained in sub-rules (1) and (2), communications from a Central Government office in Region "C" to a State or Union Territory of Region "A" or Region "B" or to any office (not being a Central Government office) or person in such State may be either in Hindi or in English.

Provided that communications in Hindi shall be in such proportion as the Central Government may, having regard to the number of persons having working knowledge of Hindi in such offices, the facilities for sending communications in Hindi and matters incidental thereto determine from time to time.

4. Communications between Central Government Offices communications.

(a) Between one Ministry or Department of the Central Government and another may be in Hindi or in English ;

(b) Between one Ministry or Department of the Central Government and attached or subordinate offices situated in Region "A", shall be in Hindi and in such proportion as the Central Government may, having regard to the number of persons having a working knowledge of Hindi in such offices, the facilities for sending communications in Hindi and matters incidental thereto, determine from time to time;

(c) Between Central Government offices situated in Region "A", other than those specified in clause (a) or clause (b), shall be in Hindi;

(d) Between Central Government offices situated in Region "A" and offices in Region "B" or Region "C" may be in Hindi or in English:

Provided that these communications shall be in Hindi in such proportion as the Central Government may, having regard to the number of persons having working knowledge of Hindi in such offices, the facilities for sending communications in Hindi and matters incidental thereto, determine from time to time:

(e) Between Central Government offices situated in Region "B" or Region "C" may be in Hindi or English ;

Provided that these communications shall be in Hindi in such proportion as the Central Government may, having regard to the number of persons having working knowledge of Hindi in such offices, the facilities for sending communications in Hindi and matters incidental thereto, determine from time to time ;

Provided that a translation of such communication in the other language shall:-

(i) Where that communication is addressed to an office in Region "A" or Region "B", be provided, if necessary, at the receiving end ;

(ii) where the communication is addressed to an office in Region "C", be provided alongwith such communication ;

Provided further that no such translation in the other language shall be required to be provided if the communication is addressed to a notified office.

5. Replies to communications received in Hindi - Notwithstanding anything contained rules 3 and 4, communications from a Central Government office in reply to communications in Hindi shall be in Hindi.

6. Use of both Hindi and English - Both Hindi and English shall be used for all documents referred to in subsection (3) of section 3 of the Act and it shall be the responsibility of the persons signing such documents to ensure that such documents are made, executed or issued both in Hindi and in English.

7. Application, representations etc. -

(1) An employee may submit an application, appeal or representation in Hindi or in English.

(2) Any Application, appeal or representation referred to in sub-rule (1) when made or signed in Hindi, shall be replied to in Hindi.

(3) Where an employee desires any order or notice relating to service matters (including disciplinary proceedings) required to be served on him to be in Hindi, or as the case may be, in English, it shall be given to him in that language without undue delay.

8. Noting in Central Government offices-

- (1) an employee may record a note or minute on a file in Hindi or in English without being himself required to furnish a translation thereof in the other language.
- (2) No Central Government employee possessing a working knowledge of Hindi may ask for an English translation of any document in Hindi except in the case of documents of legal or technical nature.
- (3) If any question arises as to whether a particular document is of a legal or technical nature, it shall be decided by the Head of the Department or office.
- (4) Notwithstanding anything contained in sub-rule (1), the Central Government may, by order specify the notified offices where Hindi alone shall be used for noting, drafting and for such other official purposes as may be specified in the order by employees who possess proficiency in Hindi.

9. Proficiency in Hindi -

An employee shall be deemed to possess proficiency in Hindi if:-

- (a) he has passed the Matriculation or any equivalent or higher examination with Hindi as the medium of examination ; or
- (b) he has taken Hindi as an elective subject in the degree examination or any other examination equivalent to or higher than the degree examination; or
- (c) he declares himself to possess proficiency in Hindi in the form annexed to these rules.

10. Working knowledge of Hindi-

- (1) An employee shall be deemed to have acquired a working knowledge of Hindi -
 - (a) If he has passed -
 - (i) the Matriculation or an equivalent or higher examination with Hindi as one of the subjects ; or
 - (ii) the Pragma examination conducted under the Hindi Teaching Scheme of the Central Government or when so specified by that Government in respect of any particular category of posts, any lower examination under that Scheme ; or
 - (iii) any other examination specified in that behalf by the Central Government; or
 - (b) if he declares himself to have acquired such knowledge in the form annexed to these rules.
- (2) The Staff of a Central Government office shall ordinarily be deemed to have acquired a working knowledge of Hindi if eighty per cent of the Staff working therein have acquired such knowledge.
- (3) The Central Government or any officer specified in this behalf by the Central Government may determine whether the staff of a Central Government office has acquired a working knowledge of Hindi.
- (4) The names of the Central Government offices, the staff whereof have acquired a working knowledge of Hindi, shall be notified in the Official Gazette:

Provided that the Central Government may if it is of opinion that the percentage of the staff working in a notified office and having a working knowledge of Hindi has gone below the percentage specified in sub-rule (2) from any date, it may, by notification in the Official Gazette, declare that the said office shall cease to be a notified office from that date.

11. Manuals, Codes, other procedural literature, articles of Stationery, etc.-

- (1) All manuals, codes and other procedural literature relating to Central Government offices shall be printed or cyclostyled, as the case may be, and published both in Hindi and English in diglot form.
- (2) The forms and headings of registers used in any Central Government office shall be in Hindi and in English.
- (3) All name-plates, sign-boards, letter-heads and inscriptions on envelopes and other items of stationery written, printed or inscribed for use in any Central Government office, shall be in Hindi and in English:

Provided that the Central Government may, if it is considered necessary to do by general or special order exempt any Central Government office from all or any of the provisions of this rule.

12. Responsibility for compliance-

(1) It shall be the responsibility of the administrative head of each Central Government office-

(i) to ensure that the provisions of the Act and these rules and directions issued under Rule (2) are properly complied with ; and

(ii) to devise suitable and effective check-point for this purpose.

(2) The Central Government may from time to time issue such directions to its employees and offices as may be necessary for the due compliance of the provisions of the Act and these rules.