

Language Use in Administration of India

1. CONSTITUTION OF INDIA

The Constitution of India provides for the use of one or two or more languages in the administration of the Union and States, sees that the provisions for use of languages of all sections of people are made depending on the genuineness of the claim. Also, the interests of all the people of all the regions are in principle, accommodated in relevant ways.

Official Language : Union

Article 343 recognizes Hindi in Devanagari script as the Official Language. And **'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'**. However **'... Parliament may by law provide for the use, after the said period of fifteen years, of (a) the English language ... or such purposes may be specified in the law'**.

Also Article 351 considers it as the duty of the Union to promote the spread of Hindi language, to develop it, enrich it by assimilating the forms, style and expressions in Hindustani and other languages in Eighth Schedule, etc.

Language Use in Parliament

Article 120 provides for use of Hindi and English to transact business in Parliament. However, if a person cannot adequately express himself in Hindi, in English, the Chairman of the Council of States or Speaker of the House of the People may permit him to address the House in his mother tongue.

Official Language: State

Article 345 empowers the Legislature of the State to 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 the concerned State. But it provides for the continued use of English for the **'purposes within the state for which it was being used before the commencement of the Constitution'**, until the Legislature of the State otherwise provides by law.

Language Use in Legislature

Article 210 provides for the use of the Official Language or language of the State or Hindi or English. However, if a member cannot adequately express himself in any of these languages he may address the House in his mother tongue.

As per the Article 348(3), in cases where the State has prescribed any language other than English for use in Bills or Acts passed by the Legislature **'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 shall be deemed to be the authoritative text'** in English.

Inter-State Communication

Article 346 stipulates that the language authorized for use in the Union for official purposes shall be the official language for communication between the State and another State and between a State and the Union. Also if two or more States agree that Hindi language shall be the official language for communication between such states, that language may be used for such communications.

Linguistic Minorities

Article 30(1) provides them the 'right to establish and administer educational institution of their choice'.

Article 347 provides that if there is demand by a substantial proportion of the population in a State and if the President is satisfied he may **'direct that such language shall also be officially recognized throughout the State or any part thereof for such purpose as he may specify'**.

Article 350 provides for people **'to submit a representation for the redress of any grievance to any officer or authority of the Union or State in any of the languages used in the Union or in the State'**.

2. OFFICIAL LANGUAGES ACTS

The policy followed by the Union Government and some of the States relating to the use of a language or languages in their administration as reflected in the Official Languages Acts is given below. It will help in understanding the concern of states towards keeping harmony among their population.

Union

The Official Languages Act, 1963 enacted to **'provide for the languages which may be used for the official purposes of the Union, for transacting the business in Parliament, for Central and State Acts and'**; makes provision for the continuation of the use of English in addition to Hindi for all the official purposes of the Union for which it was being used immediately before that day, and for the transaction of business in Parliament; use of English for communication between the Union and a State which has not adopted Hindi as its official language; communication in Hindi to be accompanied by its English translation if the receiving State of the concerned communication has not adopted Hindi as the official language.

Even if a State has not adopted Hindi as the official language it can communicate with the Union or a State that has adopted Hindi as its official language in Hindi; for communication between one Ministry and another; one Ministry and Company, etc., of the Central Government; between any Corporation or Company, etc., of the Central Government, communications will be in English or Hindi. The Hindi communications shall be accompanied by English translation. Both Hindi and English shall be used in resolutions, general orders, etc., in administrative and other reports and official reports laid in the Houses of the Parliament; contracts, agreements executed etc., by the Central Government.

The Resolution adopted by both the Houses of the Parliament on 18th January 1968 regarding the use of language in administration said that **'... 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'**. '... 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 as far as languages of Eighth Schedule are concerned, **'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 the languages'**. To protect the interests of the people in matters relating to the public services of the Union **'that compulsory knowledge of either Hindi or English shall be required at the stage of selection of candidates for recruitment to the Union Service or posts ...; and 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 Service examinations after ascertaining the views of the Union Public Service Commission on the future scheme of the examinations, the procedural aspects and the timings'**.

Andhra Pradesh

The Legislative Assembly Bill, 1964 of Andhra Pradesh published in Gazette Extra-ordinary on 7th December, 1969 recognized Telugu as the Official Language of Andhra Pradesh. Accordingly Telugu may be used by Notification for '(i) the Bills introduced in or amendments thereon to be moved in or Acts passed by the Legislature or in ordinance promulgated by the Governor; (ii) Orders, Rules, Regulations and Bye-laws issued by the State Government under any law of the Parliament or of the Legislature; (iii) in appeals, affidavits, summons or judgement or documents, awards, etc., in the courts; or tribunals; (iv) the medium of instruction in the schools, colleges and other educational institutions'.

The Andhra Pradesh Official Language Act, 1966 recognizes Telugu as the Official Language of Andhra Pradesh. It will be used (a) in all Bills to be introduced or amendments to be moved, in either House of the Legislature of the State and in all Acts passed by the Legislature of the State; (b) in all ordinances promulgated by the Governor of the State under Article 213 of the Constitution and in all the Regulations made by him under Paragraph 5 of the Fifth Schedule to the Constitution; (c) in all orders, rules, regulations and bye-laws issued by the State Government or other authority or office of the State Government under the Constitution or under any law made by Parliament or the Legislature of the State. And 'until the State Government otherwise direct by notification under section 3(i) the English language shall continue to be used for these official purposes within the State for which it was being used immediately before the commencement of this Act; and (ii) the English language may continue to be used for the transaction of the business in the Legislature of the State'.

The Act also has made special provision for use of Urdu or any other language or languages in addition to Telugu in certain areas of the State for specific purposes. The Notification issued on 25th May, 1967 in pursuance of the above cited Act makes provision for use of Oriya, Tamil, Kannada, Marathi and Urdu languages in specific regions for specific purposes in addition to Telugu. With the aim of gradual implementation "Telugu was introduced in certain Departments at Taluk level in 1966. Then it was extended to all the offices of the Government at District level in 1976. Telugu is also introduced for certain

purposes at Secretariat level in the three sections of Official Languages wing of the General Administration Departments".

Assam

According to the Assam Official Language Act of 1960, Assamese is the Official Language in the Brahmaputra Valley Districts, Bengali in the Cachar District and English in the Autonomous Districts of Assam State.

Bihar

In Bihar, Hindi is recognized as the Official Language. The Bihar Official Language (Amendment) Act, 1980 declared Urdu as second Official Language for specified areas and purposes. Hence, in addition to Hindi, in 15 districts, Urdu is recognized as second official language for the following purposes:

- i) Receipt of applications and memoranda in Urdu language and reply thereto in the same language;
- ii) Acceptance by the Registration Officer for registration of documents scribed in Urdu;
- iii) Publication of important Government rules and notifications in Urdu;
- iv) Publication of important Government orders and circulars of public importance in Urdu;
- v) Publication of important Government advertisements in Urdu;
- vi) Translation of Zilla Gazette in Urdu and its publication; and
- vii) Display of important sign boards in Urdu.

Karnataka

The Mysore Official Language Act, 1963 recognizes Kannada as the Official Language of the State. It makes provision for continued use of English for official purposes and for the transaction of business in the Legislature. As per the Notification No.GAD 55 Pol 71, dated 26th June 1972 "if the population of linguistic minority in any Taluk is not less than 15 percent: (i) Petitions shall continue to be accepted in the minority language concerned and replies given in that language as far as possible; (ii) Hand-outs and publicity materials shall continue to be given in such a minority language; (iii) Government Notices shall continue to be published in such a minority language".

Kerala

With effect from 1st November, 1965 [G.O(P) No. 647/65/PD, dated 19th October 1965] the Government of Kerala ordered that Malayalam shall be the Official Language for some of the officers in the Panchayats, Municipalities etc. With effect from 1st May, 1966 [G.O.(P) No.159/66/PD dated 19th April 1966] use of Malayalam as official language was extended to office of Prison, Education, Survey and Land Records, etc. The Kerala Official Languages (Legislation)Act, 1969 recognized Malayalam and English to be the official languages of Kerala.¹¹ They shall be the languages to be used for all or any of the official purposes of the State. The Act has also made special provisions for linguistic minorities of Kerala. Accordingly '(a) The Tamil and Kannada minority people in the State may use their respective languages for their correspondence with the State Government in the Secretariat and the Heads of Departments and also with all the local offices of the State Government situated in those areas which are declared by the Government to be linguistic minority areas for the purpose and the replies sent in such cases shall also be in their respective minority languages and (b) The linguistic minorities other than Tamil and Kannada in the State may use the English language for their correspondence with the State Government offices and in such cases the replies sent to them shall be in the English language'.

Madhya Pradesh

The Madhya Pradesh Official Language Act, 1957 recognizes Hindi as the Official Language in the Devanagari script for "all purposes except such purposes as are specifically excluded by the Constitution and in respect of such matters as may be specified by Government from time to time". The Madhya Pradesh Rajbhasha (Anupurak Upabandha) Adhinyam, 1972 makes provision "for the publication of authoritative texts in Hindi of laws passed originally by the State Legislature in English...". The Madhya Pradesh Official Languages (Amendment) Act, 1972 inserts a clause for "The form numerals to be used for the official purposes of the State shall be the Devanagari form of numerals: provided that the State Government may, by notification authorize the use of the international form of Indian numerals in addition to the Devanagari form of numerals for any of the official purposes of the State". In order to avoid difficulties from sudden switchover to Hindi from English, the English was also permitted for use in some matters. However, the scope of the use of English was minimised from 25th August 1977. Except in (a)

Prescriptions, Postmortem reports in medico-legal cases, and (b) Correspondence (including agreements) with newspapers, transacting their business in English, Hindi was made compulsory.

Maharashtra

The Maharashtra Official Languages Act, 1964 recognizes 'Marathi shall, as from the appointed day, be the language to be used for all official purposes referred to in the Article 345 of the Constitution, as respects to the State of Maharashtra except such purposes as the State Government may, by rules issued from time to time in the Official Gazette specify, and Hindi may be used as the Official Language for such expected purposes'. Also '..... the English language may, as from the appointed day, continue to be used, in addition to Hindi and Marathi, for the transaction of business in the Legislature of the State'. Here it is Marathi in Devanagari script.

Odisha

The Odisha Official Languages Act, 1954 recognizes Odia "to be used for all or any of the official purposes of the State of Odisha". The Orissa Official Language (Amendment) Bill, 1963 makes provision for the continuance of English language "in addition to Oriya for transaction of business in Legislature of the State of Orissa". In the Orissa border district bordering Andhra Pradesh "... State Government have issued a notification which makes Telugu the Court language besides Oriya in some of these areas".

Tamil Nadu

The Madras Official Language Act, 1956 recognizes Tamil as the Official Language of the State. Also "the English language shall continue to be used for all the official purposes of the state for which it was being used before the commencement of the Act...". With the aim of gradual implementation of the use of Tamil in administration about 1700 small Government offices were advised in 1958 to use Tamil. Gradually the same policy has spread to other departments and offices. At present entire District Administration is conducted mostly in Tamil. At the Secretariat level also there has been a significant shift towards the use of Tamil in all the departments.

Uttar Pradesh

In Uttar Pradesh, Hindi is the Official Language. The Uttar Pradesh Ordinance No.20 of 1982 which came into force from 21st April, 1982 provides for the use of Urdu in addition to Hindi for the following purposes.²¹

- i) Entertaining applications in Urdu presented by members of public.
- ii) Receiving documents in Urdu presented for registration with a Hindi copy thereof.
- iii) Publication of important Government rules, regulations and notifications.
- iv) Publication of important Government advertisements, etc.
- v) Translation of Gazette in Urdu.

West Bengal

The West Bengal Official Language Act, 1961 recognizes "(a) in the three hill sub-divisions of the district of Darjeeling, namely, Darjeling, Kalimpong and Kurseong, the Bengali language and the Nepali language, and (b) elsewhere, the Bengali language shall be the language or languages to be used for the official purposes of the State of West Bengal...". The West Bengal Official Language (Amendment) Act, 1964 makes provision for the "continuance of English language for official purposes of the State and for use in the State Legislature". The Language Act of 1961 was amended in 1973 in West Bengal Official Language (Amendment) Act, 1973 for the insertion of the Section 3A which reads that "the Nepali Language may, in addition to Bengali language, be used for (a) rules, regulations and bye-laws made by the State Government under the Constitution of India or under any law made by the Parliament or the Legislature and (b) notifications or orders issued by the State Government under the Constitution of India or under any laws made by Parliament or the Legislature of West Bengal, as apply to the three hill sub-divisions of the district of Darjeeling, namely, Darjeeling, Kalimpong and Kurseong".