

AS INTRODUCED IN THE RAJYA SABHA
ON THE 4TH DECEMBER, 2015

Bill No. XXIII of 2015

THE CONSTITUTION (AMENDMENT) BILL, 2015

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BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 2015.

Short title, and
commence-
ment.

(2) It shall come into force at once.

2. In article 348 of the Constitution, for clause (2), the following shall be substituted,
5 namely:—

Amendment
of article 348.

"(2) Notwithstanding anything in sub-clause (a) of clause (1), the Governor of a State may, after prior intimation to the President, authorize 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".

STATEMENT OF OBJECTS AND REASONS

Our Father of Nation, Mahatma Gandhiji, was quoted by the Hon'ble Supreme Court that the baby takes its first lesson from its mother. It may be a sin against the motherland to inflict upon her children a tongue other than their mother's for their mental development. It is highly deplorable that no concrete steps have been taken in this regard till date.

Due to rising literacy level among common people and enhanced influence of electronic and print media on the society, the participation on people in various judicial proceedings has been rising very sharply now-a-days. Generally, people in states are not much conversant and comfortable with English language. Allowing use of regional language under provisions of article 348(2) of Constitution in various High Courts of concerned States may be helpful to the Society to play greater role in our independent judicial system. For the aforesaid purpose, article 348 (2) is required to be amended suitably for enabling the use of regional languages in High Courts of concerned states.

Hence, this Bill.

MANSUKH L. MANDAVIYA

ANNEXURE

EXTRACTS FROM THE CONSTITUTION OF INDIA

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348. (1) * * * * *

"(2) Notwithstanding anything in sub-clause (a) of clause (1), the Governor of a State may, with previous consent of the President, authorize 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".

Language to be used in the Supreme Court and in the High Courts and for Acts, Bills, etc.

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

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(Shri Mansukh L. Mandaviya, M.P.)