

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. †6143**

TO BE ANSWERED ON THE 11TH APRIL, 2017/ CHAITRA 21, 1939 (SAKA)

SANSADIYA RAJBHASHA SAMITI

†6143. DR. ARUN KUMAR:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of the provisions for implementing the decisions taken by the Sansadiya Rajbhasha Samiti;

(b) whether the said Samiti has recommended the use of Hindi language in States and High Courts in the country; and

(c) if so, the details thereof and the reaction of the Government in this regard?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)**

(a) The Committee of Parliament on Official Language was constituted in 1976 under the Section 4(1) of the Official Languages Act, 1963. As per Section 4(3) of the Official Languages Act 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.

After considering the views expressed by the State/Union Territory Governments and various Ministries/Departments, it is then decided to accept most recommendation in toto and some with modifications after getting their views. As per Section 4(4) of the Official Languages Act, 1963 the President's Order on these recommendations are issued.

(b) Yes, Madam.

(c) The recommendations by Sansadiya Rajbhasha Samiti regarding use of Hindi language in States and High Courts in the country have been given in the First, Fifth and Seventh report. The recommendations and action taken there on are at Annexure – I.

| <u>Recommendation made by the Committee of Parliament on Official Language in the Part-1, 5 and 7 of its Report to the Hon'ble President pertaining to the use of Hindi Language in the State Governments</u> | | |
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| First Part | | |
| Item No. | Recommendations | <u>Action Taken Report</u> |
| 3(iii) | <p>Authorised Hindi test of State Government Acts The Committee has recommended that necessary arrangement may be made in the Official Language Wing of the Legislative Department for preparing authorised Hindi tests of the State Acts as required by Section 6 of the Official Languages Act, 1963.</p> | The responsibility for preparing authorized Hindi test of State Act is that of State Governments. This recommendation may be sent to the State Governments for taking necessary action. |
| 20 | <p>Use of Hindi in legal drafting (i) in the field of law, original drafting should be done in Hindi so that laws enacted in Hindi are interpreted in Hindi and decisions written in Hindi. (ii) Original drafting of codes, manuals etc. in Hindi In future all new codes, manuals etc. should be prepared originally in Hindi.</p> | These recommendations have been accepted in principle. Although at present it may not be possible to implement them fully yet efforts may be made in this direction as far as possible. Regarding original Hindi drafting in the field of law, the Legislative Department may take necessary action. So far as the question of preparing codes and manuals originally in Hindi is concerned, the Department of Official Language may issue necessary directions to all Ministries and Departments etc. |
| 26 | <p>Establishing Indian Languages in the sphere of Law The Committee has recommended that the Central Government should in consultation with State Governments, formulate an integrated scheme to establish Hindi and other Indian languages in the legal sphere.</p> | This recommendation has been accepted. The Legislative Department may take necessary action in this regard. |
| 31 | <p>Imparting training to Judicial Officers for doing work in the official languages of the States The Committee has recommended that persons selected for the post of Judicial Officers be imparted training in the Official Language of the State to enable them to deliver their judgements etc. in it. Workshops may organised to familiarise them with the legal terminology. Workshops on similar lines may also be organised for senior judicial officers like Additional District Magistrates and District Magistrates so that they are able to carry out their work in the Official language of the State.</p> | This recommendation relates to State Governments. Accordingly it may be forwarded to them for necessary action. |

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| 32 | <p>Use of the Official Language of the State in courts by law Officers and Advocates</p> <p>The Committee has recommended that the State Governments should direct their Law Officers and advocates to argue in the courts, only in State Language, as far as possible, so that later on the entire official work could be done in the official language of the State. It should also be made obligatory that in petitions etc. only the authentic legal terminology be used. The State Governments should file their affidavits, complaints, and written statements only in the official language of the State so that ultimately the entire work is done in the official language of the State.</p> | This recommendation relates to State. Accordingly it may be forwarded to them for necessary action. |
| 33 | <p>Passing of orders etc. by the subordinate courts in the Official Language of the States</p> <p>The Committee has recommended that it should be made obligatory for the subordinate courts to pass their judgements, decrees and orders in the Official Language of the State.</p> | This recommendation relates to State Governments. Accordingly it may be forwarded to them for necessary action. |
| Fifth Part | | |
| Recommendation No.7 | Similarly, original drafting of Bills etc. should be done in Hindi in the Hindi speaking States and their translation in English should continue to be made. While both the version should be introduced in State Legislative simultaneously, the Hindi version should be considered as the authoritative text. | This recommendation has been accepted in principle. Therefore, it may be forwarded to all the State Government locations in Region 'A' for further consideration and action. |
| Recommendation No.8 | As regards the non-Hindi Speaking States, original drafting of Bill etc. should be done in the Official Language of the State and its translation should be done in Hindi and English both. A minor amendment to this effect may be carried out in section 6 of the Official Languages Act, 1963. | This recommendation has been accepted in principle. It may be forwarded to State Government of Regions 'B' and 'C' for further consideration and action. |
| Recommendation No.9 | Hindi is the Official Language of the Union and for making legislative drafting of the non-Hindi speaking States originally in the Official Language of the State or in Hindi, the Union Government should provide assistance for Hindi Translation of the Acts of the State Governments or grant financial assistance to non-Hindi speaking States for this purpose. | For preparing Hindi version of legislative draft, the State Governments located in non-Hindi speaking regions may consider formulating training programme for their employees and the legislative department of the Central Government may formulate a project to provide financial assistance for such training. |
| Recommendation No.10 | Legislative Department of the Government of India should make adequate arrangements for imparting training to its draftsman to enable them to draft Bills etc. originally in Hindi. For this purpose it is necessary that a separate Department is set-up for doing legal work in Hindi. In order to attract efficient and experienced persons, the draftsman of Hindi and other Indian Languages should be inducted in the Indian Legal Service as a separate body. | This recommendation is accepted to the extent that Legislative Department of the Government of India should make arrangements for imparting training to legal experts/draftsman for drafting legal material originally in Hindi. |

Recommendations for use of Hindi in Supreme Court and High Courts

Fifth Part

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| <p>Recommendation No. 12</p> | <p>Compliance of Official Language Policy in the Office of the Registrar General, Supreme Court. Office of the Registrar General, Supreme Court should comply with the provisions regarding Official Language Policy of the Union of India in its administrative work. Basic infrastructure for doing work in Hindi should be set up and officers and employees should be given incentives for this purpose.</p> | <p>The recommendation has been found worthy of acceptance. Ministry of Law, Justice and Company Affairs may in consultation with the Supreme Court, consider preparing a feasible work-plan for introducing an Official Language Policy in a phased manner in the internal administrative working of the Supreme Court and may consider implementing the same.</p> |
| <p>Recommendation No. 13</p> | <p>Use of language in Judgment of the Supreme Court. The use of Hindi simultaneously with English should be authorised in the Supreme Court. Every judgment should be made available in both the languages. The judgment can be delivered by the Supreme Court in Hindi or English. This may be done in such a manner that a judgment, if delivered in Hindi, should be translated in English and if the judgment is delivered in English the same should be translated in Hindi.</p> | <p>This recommendation has been found worthy of acceptance. In the context of this recommendation, Ministry of Law, Justice and Company Affairs may, in consultation with the Supreme Court assess the additional arrangements and resources and financial outlays, necessary for accepting the recommendation. In tandem, a long term action plan may be prepared and considered for implementation.</p> |
| <p>Recommendation No. 14</p> | <p>Use of Hindi in the administrative work by the Judges of the Supreme Court/High Court. A scheme should be initiated to encouraged judges and other officers of the Supreme Court and various High Courts for use of Hindi in their administrative and judicial work. Seminars, workshops, refresher courses, training programmes etc. should be organized for this purpose.</p> | <p>This recommendation is accepted to the extent that the recommendation may be forwarded to concerned State Governments for necessary consideration and action in the context of the High Courts located in Region 'A'. In the context of the other High Courts and the Supreme Courts, the concerned State Government and the Ministry of Law, Justice and Company Affairs should consider taking action in this regard at an appropriate time.</p> |
| <p>Recommendation No. 16</p> | <p>Use of languages in the judgments/proceeding of High Courts The Official Language of the concerned State or Hindi should be used in the judgments, decrees and orders of High Courts. But arrangements should also be made so that the authoritative translation of each judgment is made available in both the languages. As long as English continues to be in vogue, arrangements for providing their authoritative translation in English may be made. However, the proceedings of the High Courts may be conducted in the Official Language of the States or in Hindi or in English.</p> | <p>For the purpose of this recommendation, the present policy to act within the framework of the available provisions of the Constitution and the Official Languages Act, 1963 is adequate.</p> |

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| <p>Recommendation No. 18</p> | <p>Compliance of the Official Language Policy in the Quasi-Judicial Organizations, Administrative, Tribunal etc. The quasi-judicial organization, administrative tribunals etc. of the Union are the organs of the Central Government and are under the control of Central Government. Therefore, like other Central Government Offices, they should also do their official work in accordance with the Official Languages Act, 1963 and the rules framed there under. Some of the rules of the quasi-judicial bodies or all the Acts and Rules relating to them should be amended immediately and a provision should be made therein for the use of Hindi, the Official Language of the Union.</p> | <p>The recommendation has been found worthy of acceptance. Every Ministry/Department should always make the necessary provisions required for ensuring compliance of Official Language Policy of the Union at the time of establishing new quasi-judicial establishment/bodies, administrative authorities etc. within its jurisdiction every Ministry/Department of the Government should also take steps for having the necessary provisions in keeping with the official language policy in the quasi-judicial bodies etc. existing under their control.</p> |
| <p>Recommendation No. 19</p> | <p>Education of Law through Hindi Medium All the Universities and other Institution in the field of law should make arrangements for imparting education in law at graduate and post-graduate levels in Hindi in the whole country. Even at present education in law is being imparted in Hindi in many Universities which needs to be extended.</p> | <p>On this recommendation, the Department of Education may take necessary action in a phased manner.</p> |
| <p>Seventh Part</p> | | |
| <p>16.8(d)</p> | <p>Article 348 of the Constitution may be amended to enable the Legislative Department to undertake original Drafting in Hindi.</p> | <p>[d] & [e]: These recommendations may be referred to the Legislative Department with the directions to obtain the views of Law Commission of India and thereafter intimate their considered opinion on these recommendations. Final decision will be taken accordingly.</p> |
| <p>16.8(e)</p> | <p>After the amendment of Article 348 of the Constitution, High Courts/Supreme Court should be asked to start delivering their judgments and decrees, etc. in Hindi so that large number of Government Departments, who are carrying out judicial/quasi-judicial functions, could be able to deliver orders in Hindi. At present, these departments are unable to pass orders in Hindi, because the appeal against their orders in High Courts/Supreme Court would have to be conducted in English.</p> | |
