

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**LOK SABHA**

**UNSTARRED QUESTION NO. 1292**

TO BE ANSWERED ON WEDNESDAY, THE 25<sup>th</sup> July, 2018

**Hindi as Language of Higher Judiciary**

+1292      SHRIMATI NEELAM SONKER:  
              SHRI HARISH CHANDRA *ALIAS* HARISH DWIVEDI

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) Whether the Government has formulated any policy to authorise the lawyers to plead in Hindi in the Supreme Court and in Hindi and other regional languages in High Courts and to get justice;
- (b) if so, the details thereof;
- (c) the reasons for English being the language of pleading for providing justice in the Supreme Court and High Courts in the country even after so many years of independence;
- (d) the number of States where Hindi and other regional languages are the language for argument and judicial process; and
- (e) the number of States where English is still the language of argument and justice in the High Courts despite regional language being more enriched than English?

**ANSWER**

**MINISTER OF STATE FOR LAW AND JUSTICE & CORPORATE AFFAIRS  
(SHRI P.P. CHAUDHARY)**

(a) to (e) : Article 348(1) of the Constitution of India provides that all proceedings in the Supreme Court and High Courts shall be in English language

until Parliament by law otherwise provides. Parliament has not made any law in this regard. Therefore, English continues to be the language for all proceedings of the Supreme Court. However, the Government, in accordance with the provisions of Article 348 (2), and in consultation with the Supreme Court, has authorized use of Hindi in the proceedings of four High Courts namely, Patna High Court, Allahabad High Court, Madhya Pradesh High Court and Rajasthan High Court.

The 18<sup>th</sup> Law Commission of India in its 216<sup>th</sup> Report on “Non-feasibility of introduction of Hindi as compulsory language in the Supreme Court of India” (2008) has, after detailed discussions with all stake-holders, inter-alia, recommended that at any rate no language should be thrust upon the Judges of the higher judiciary and they should be left free to deliver their judgment in the language they prefer.

In accordance with the decision of the Cabinet Committee dated 21.05.1965, the Chief Justice of India is consulted before obtaining the consent of the President on any proposal relating to introduction of regional languages in the Supreme Court/ High Courts. The Chief Justice of India, had informed on 18.01.2016 that the Full Court, after extensive deliberations, disapproved the proposals relating to introduction of regional languages in the Supreme Court/High Courts and reiterated the Resolution which was adopted on 7<sup>th</sup> May, 1997, and was reiterated on 15<sup>th</sup> December, 1999, and on 11<sup>th</sup> October, 2012.

Therefore, the matter of introduction of regional languages in the Supreme Court and High Courts is left to the judiciary as it is the best judge to decide if the time is ripe to take the step in that direction. Once the Government receives the consent of judiciary in this regard, further action, as appropriate, at the level of the Central Government and State Governments can be taken.

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