

Mr. President : The question is :

“That in amendment No. 65 of Fourth List, after the existing proviso to the proposed new article 301-D, the following be added :—

‘Provided further that if any Indian language specified in the Schedule was used as official language in any State on 15th August 1947—the day of India’s Independence—such language shall also be recognised as official language of the State for 15 years from the date of the commencement of the Constitution and thereafter if so directed by the President’.”

The amendment was negatived.

Mr. President : I shall now put the next of amendment of Mr. Lari to vote.

The question is :

“That in amendment No. 65 of Fourth List, at the end of the proposed new article 301 H, the following clause be added :—

‘Notwithstanding anything contained in the foregoing provisions of this Part, primary education shall be imparted through the mother tongue of a child where thirty students in a school or eight students in a class make such a demand.’ ”

The amendment was negatived.

Shri Basanta Kumar Das and Shri B. Siddaveerappa asked for leave to withdraw their amendments.

The amendments were, by leave of the Assembly, withdrawn.

Mr. President : Mr. Jaipal Singh. I think the Member is not in the House.

Shri Mahavir Tyagi: Sir, his amendment may be put to vote.

Mr. President : Mr. Lakra, what do you say ?

Mr. Boniface Lakra (Bihar: General): I withdraw.

The amendment was, by leave of the Assembly, withdrawn.

Mr. President : Mr. Naziruddin Ahmad.

Mr. Naziruddin Ahmad : I withdraw all my amendments except two, 277 and 282. All the amendments of Mr. Naziruddin Ahmad except 277 and 282 were, by leave of the Assembly, withdrawn.

Mr. President : The question is:

“That in amendment No. 65 of Fourth List, for the proposed new Part XIV-A, the following be substituted :—

“PART XIV-A

CHAPTER I—LANGUAGE OF THE UNION

301-A. The English language shall continue to be used for all the purposes of the Union for which it was being used at the commencement of the Constitution for fifteen Years in the first instance and then for such further period, if any, till an All-India language is evolved which is of sufficient vigour, richness and flexibility to serve the multifarious purposes and functions of the Union and ascertained and adopted in the manner hereinafter laid down in this part.

301-B. As a first step to facilitate the evolution and ultimate adoption of a Union Language referred to in the last preceding article, and to provide for and safeguard the continuance and growth of the regional languages referred to in article—of this Constitution, parliament may, within ten years from the commencement of this Constitution, by law—

(a) under article 3 of this Constitution regroup and reconstitute, as far as practicable, all the States described in the First Schedule on linguistic bases according to the principal languages described in Schedule VII-A, and

(b) introduce a system of mass literacy among the citizens of India.

301-C. If within the period of ten years from the commencement of this Constitution, or as soon as practicable thereafter, the President is satisfied that the States have been reconstituted in the manner laid down in clause (a) of the last preceding article and a minimum of sixty per cent of the adult and adolescent citizens of India have received primary education as laid down in clause (b) thereof, he shall require the Parliament and the Legislatures of the States to express their views on the question of the selection of the Union language or languages and the respective regional languages.

301-D. The President shall consider the views of the Parliament and the Legislatures of the States and may as soon as practicable, appoint a Language Commission representing the various languages enumerated in Schedule VII-A and also other languages and experts to investigate and report on the suitability of any one or more language or languages to be adopted as the Union language and one or more language or languages for the various States, regard being had to political, literary, official, legal, commercial, medical, technical, scientific, military international and other needs of India as a whole and of the States.

301-E. The President shall consider the report of the Commission and if he is satisfied that it is thorough and adequate, he shall direct the report to be placed before the Houses of Parliament and the Houses of the Legislatures of the States for expression of their opinions on the suitability or otherwise of any one or more of the Indian languages to be the official language of India as also the regional language or languages of the various States.

301-F. The President on a consideration of the opinions of the Legislatures and other documents and materials available, shall appoint a Committee consisting of thirty members of the House of the People and ten members elected by the Council of States on the principle of proportional representation by means of the single transferable vote to report as to the suitability of any one or more language or languages of the Union and of the various States.

301-G. The President shall consider the report of the Committee and may by notification in the official Gazette direct that one or more languages shall be official language of the Union with effect from such date as may be specially appointed in this behalf in the notification.

301-H. Notwithstanding anything contained in the foregoing provisions of this Part, Parliament may by law provide for the use of the English language after the date mentioned in the last preceding article for such purposes as may be specified in such law.

CHAPTER II.—REGIONAL LANGUAGE

301-I. Subject to the provisions of the next succeeding article, a State may, after consideration of the report of the Language Commission referred to in article 301-D of this Constitution and of the report of the Committee referred to in article 301-F of this Constitution, by law adopt any one or more of the languages in use in the State 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 at the commencement of this Constitution.

301-J. Where on a demand being made in that behalf, the President is satisfied that a substantial proportion of the population of a State or any substantial part thereof desires the use of any language spoken by them to be recognised by that State, he may direct that such language shall also be officially recognised throughout that State or any Part thereof for such purpose or purposes as he may specify.

CHAPTER III.—LANGUAGE OF THE SUPREME COURT AND THE

HIGH COURTS, ETC.

301-K. Notwithstanding anything contained 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 Ordinance promulgated by the President or the Governor or Ruler, as the case may be,

[Mr. President]

- (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.

301-L. Notwithstanding anything contained in the foregoing provisions of this Part, until Parliament by law otherwise provides, the proceedings in all courts subordinate to the High Courts shall, subject to the directions of the Supreme Court, be in English or such other language or languages as may be prescribed by the High Court to which such court is subordinate.

301-M. Until the date mentioned in the notification referred to in article 301-G of this Constitution, no Bill or amendment making provision for the language to be used for any of the purposes mentioned in article 301-K of this Constitution 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 recommendation of the Commission constituted under article 301-D of this Constitution and the report of the Committee referred to in article 301-F of this Constitution.

301-N. It shall be the duty of the Union to promote the spread of the official language or languages of the Union and to develop the language or languages so as to serve as a medium or media of expression for all elements of the composite culture of India and to secure its or their enrichment by assimilating the forms, style and expressions used in the other languages of India, and drawing wherever necessary or desirable for its vocabulary on Sanskrit and other languages."

"SCHEDULE VII-A

1. Assamese
2. Bengali
3. Canarese
4. Gujrati
5. Hindi
6. Hindustani
7. Kashmiri
8. Malayalam
9. Marathi
10. Oriya
11. Punjabi
12. Rajasthani
13. Telugu
14. Urdu."

The amendment was negatived.

Mr. President : The question is :

"That in amendment No. 65 of Fourth List. in clause (1) of the Proposed new article 301A, for the words 'Hindi in Devanagari script' the word 'Bengali' be substituted."

The amendment was negatived.

The following Members requested leave of the House to withdraw the amendments standing in their names:—

Shri Har Govind Pant
 Shri Prabhu Dayal Himatsingka
 Shri B. M. Gupte
 Acharya Jugal Kishore
 Shri Suresh Chandra Majumdar
 Dr. Raghu Vira
 Shri Gokulbhai Daulatram Bhatt
 Master Nand Lal
 Shri B. P. Jhunjunwala

The amendments were, by leave of the Assembly, withdrawn.

Mr. President : Shri Brajeshwar Prasad.

Shri Brajeshwar Prasad : I press 322, Sir. I want that the last proviso to clause (2) be deleted. The words are redundant.

Mr. President : I can only put the whole amendment to the vote.

The question is :

“That in amendment No. 65 of Fourth List, for the proposed new article 301A, the following be substituted :—

‘301 A. (1) The official language of the Union shall be Hindi In Devanagari script and the form of numerals to be used for the official purposes of the Union shall be the Devanagari form of numerals.

(2) Notwithstanding anything contained in clause (1) of this article, for a period of five years from the commencement of this Constitution, the English language and the international form of Indian numerals shall continue to be used for all the official purposes of the Union, for which they were being used at such commencement :

Provided that the President may, during the said period, by order authorise for any of the official purposes of the Union the use of the Hindi language and the Devanagari form of numerals in addition to the English language and the international form of Indian numerals in addition to the Devanagari form of numerals.

(3) Notwithstanding anything contained in this article, the President may by order authorise the use of the English language and the international form of Indian numerals after the said period of five years for such purposes as may be specified in such order.”

The amendment was negatived.

Mr. President : Sardar Hukam Singh.

Sardar Hukam Singh : I want amendment No. 330 put to the vote.

Mr. President : The question is :

“That in amendment No. 65 of Fourth List, for the proposed new article 301C, the following be substituted :—

‘301 C. Subject to the provisions of articles 301 D and 301 E, a State shall by law adopt the language spoken, according to the last census figures available for the purpose by majority of the population, as the language to be used for all official purpose 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 that State for which it was being used at the commencement of this Constitution.’ ”

The amendment was negatived.

The amendments of Dr. Monomohan Das were, by leave
of the Assembly, withdrawn.

Mr. President : Shri Purushottam Das Tandon.

The Honourable Shri Purushottam Das Tandon : Which amendment are you referring to, Sir ?

Mr. President : No. 333.

The Honourable Shri Purushottam Das Tandon : I want it to be voted upon I am not withdrawing it.

Mr. President : The question is :

“That in amendment No. 65 of Fourth List, for the proposed new article 301 A, the following be substituted :—

Official language of the Union. ‘301 A. (1) (a) The official language of the Union shall be Hindi in Devanagari script.

(b) Notwithstanding anything contained in sub-clause (a) of this clause both Devanagari and international forms of Indian numerals shall be recognised for Devanagari script.

(c) The President may authorise the use of Devanagari form of numerals or the international form of numerals or both the forms for any one or more purposes of the Union.

(d) Notwithstanding anything contained in the foregoing provisions of this clause, Parliament shall after the expiration of a period of 15 years from the commencement of this Constitution by law prescribe the use of Devanagari numerals or the international form of numerals or both for any one or more specified purposes of the Union.

(2) Notwithstanding anything contained in clause (1) of this article, 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 at such commencement :

Provided that the President may, during the said period by order authorise for any of the official purposes of the Union other than accounting, auditing and banking the use of the Hindi language in addition to the English language.

(3) Notwithstanding anything contained in this article, Parliament may by law provide for the use of the English language after the said period of fifteen years for such purposes as may be specified in such law.”

The amendment was negatived.

Mr. President : Then amendment No. 345.

The Honourable Shri Purushottam Das Tandon : That also may be voted upon. I do not withdraw it.

Mr. President : The question is:

“That in amendment No. 65 of Fourth List, in the proposed new article 301B,—

(i) in clause (1), for the word “at”, in the two places where it occurs, the word “before” be substituted;

(ii) in clause (2), sub-clause (d) be deleted;

(iii) in clause (5), after the word “thereon” the words “making such recommendations as they think fit” be added; and

(iv) in clause (6), after the word “report”, where it occurs for the second time, the words “which shall come into effect after the expiry of five Years from the commencement of the Constitution” be added.”

The amendment was negatived.

Mr. President : Amendment No. 346.

The Honourable Shri Purushottam Das Tandon : That I withdraw, Sir.

Mr. President : Amendment No. 348.

Honourable Shri Purushottam Das Tandon : That also I withdraw.

The amendment were, by leave of the Assembly, withdrawn.

Mr. President : Amendment No. 349.

The Honourable Shri Purushottam Das Tandon : That may be voted upon.

Mr. President : The question is :

“That in amendment No. 65 of Fourth List, for the proposed new article 301F, the following be substituted :—

‘301 F. Notwithstanding anything contained in the foregoing provisions of this Part, until Parliament by law otherwise provides—’ ”

The Honourable Shri Purushottam Das Tandon : May I interrupt: I am very sorry; I withdraw this.

The amendment was, by leave of the Assembly, withdrawn.

Mr. President : Mr. Frank Anthony.

Mr. Frank Anthony (C.P. & Berar : General): I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Mr. President : I think I have covered all the amendments. If there is any Member whose amendment I have left out, he may tell me now.

Shri Mahavir Tyagi : Mr. Munshi's amendments.

Mr. President : That I am coming to. I am thinking of the other amendments.

Mr. Mohd. Tahir : Amendment No. 175, Sir.

Mr. President : The question is :

“That in amendment No. 65 above, in the proposed new article 301 H, for the words „used in the Union or in the State, as the case may be’ the following be substituted:—

‘specified in Schedule VII-A’.”

The amendment was negatived.

Mr. Mohamed Ismail Sahib : My amendments Nos. 336, 341, 342 and 344.

Shri T. T. Krishnamachari (Madras: General): They have been covered by the other amendments.

Mr. President : I think amendment 336 is covered by an amendment which has been lost. The next amendment 341.

Mr. Mohamed Ismail Sahib : I withdraw it, Sir.

Mr. President : Amendment No. 342.

Shri T. T. Krishnamachari : That is covered, Sir.

Mr. President : That is covered. Amendment No. 344.

Mr. Mohamed Ismail Sahib: I withdraw it also, Sir.

The amendments were, by leave of the Assembly, withdrawn.

Mr. President : I think these are all the amendments. If I have left out any, the Member who has given notice of the amendments may point out otherwise they may be taken as withdrawn by leave of the Assembly.

I shall now put the amendments moved by Mr. Munshi. But, there is an amendment by Mr. Tyagi to number the paragraphs.

The Honourable Dr. B. R. Ambedkar : That is a matter we will took to later on.

Shri Mahavir Tyagi : It has been accepted, Sir.

Mr. President : It does not mean that it has been accepted. They will consider it.

Shri K. M. Munshi : I am not accepting it.

Mr. President : Are you pressing it ?

Shri Mahavir Tyagi : If you are sending it to the Drafting Committee, I do not press it. I leave it to the good sense of the Drafting Committee.

Mr. President : The question is :

“That for clause (1) of article 301A, the following be substituted:—

‘(1) The official language of the Union shall be Hindi in Devanagari script.

The form of numerals to be used for the official purpose of the Union shall be the international form of Indian numerals.’ ”

The amendment was adopted.

Mr. President : The question is :

“That for clause (3) of article 301A, the following be substituted:—

‘(3) Notwithstanding anything contained in this article.’ Parliament may after the said period of fifteen years by law provide for the use of—

(a) the English language, or

(b) the Devanagari form of numerals, for such purposes as may be specified in such law.’ ”

The amendment was adopted.

Shri T. T. Krishnamachari : The other two amendments may be put together.

Mr. President : The question is :

“That article 301 F be renumbered as clause (1) of article 301 F, and to the said clause as so remembered the following clause be added :—

‘(2) Nothing in sub-clause (a) of clause (1) of this article shall prevent a State from prescribing, with the consent of the President, the use of Hindi language or any other language recognised for official purposes in the State for Proceedings in the High Court of the State other than judgments, decrees and orders.’ ”

“That after clause (2) of the proposed article 301 F, the following be added:—

‘(3) Notwithstanding anything contained in sub-clause (b)) of clause (1) of this article, when the Legislature of a State has prescribed the use of any language other than English for Bills, Acts, Ordinances and Orders having the force of law and rules referred to in the said sub-clause a translation of the same in English certified by the Governor or Ruler of the State shall be published and the same shall be deemed to be the authoritative text in English under this article.’ ”

The amendment was adopted.

Mr. President : The question is :

“That in the Schedule, for “Canarese” the word “Kannada” be substituted; and after ‘Punjabi’ the word ‘Sanskrit’ be inserted.”

The amendment was adopted.

Mr. President : I shall put amendment No. 65 to which all these are amendments, to vote.

The question is:

“That amendment No. 65 proposed art. 301 A to 301 H, as amended by the amendments of Mr. Munshi which have just been adopted, stand part of the constitution.”

PART XIV-A

CHAPTER I—LANGUAGE OF THE UNION

Official language of the Union. (1) The official language of the Union shall be Hindi in Devanagari 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 contained in clause (1) of this article, 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 at such commencement :

Provided that the President may, during the said period, by order authorise for any of the official purposes of the Union the use of the Hindi language in addition to the English language and of the Devanagari form of numerals in addition to the international form of Indian numerals.

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

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

for such purposes as may be specified in such law.

301-B. (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 Schedule VII A 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 301 E of this Constitution;
- (d) 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 of inter-State communication and their use.

(3) In making their recommendations under clause (2) of this article, the Commission shall have due regard to the industrial, cultural and scientific advancement of India, and the just claims and the interests of 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 chosen 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.

[Mr. President]

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

(6) Notwithstanding anything contained in article 301 A of this Constitution, the President may after consideration of the report referred to in clause (5) of this article issue directions in accordance with the whole or any part of the report.

CHAPTER II—REGIONAL LANGUAGES

301-C. Subject to the provisions of articles 301 D and 301 E, a State may by law adopt any of the Official language or languages in use in the State or Hindi as the language or languages to be used languages of a State. 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 at the commencement of this Constitution.

301-D 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 or 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.

301-E. Where on a demand being made in that behalf the President is satisfied that a substantial proportion of the population of a State desires the use of any language spoken by them to be recognised by that State, he may 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 SUPREME COURT AND HIGH COURTS, ETC.

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

- (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 a Governor or a Ruler, as the case may be,
 - (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) Nothing in sub-clause (a) of clause (1) of this article shall prevent a State from prescribing, with the consent of the President, the use of the Hindi language or any other language recognised for official purposes in the State for proceedings in the High Court of the State other than judgments, decrees and orders.

(3) Notwithstanding anything contained in sub-clause (b) of clause (1) of this article, when the Legislature of a State has prescribed the use of any language other than English for Bills, Acts, Ordinances, and Orders having the force of law, and rules referred to in the said sub-clause, a translation of the same in English certified by the Governor or Ruler of the State shall be published and the same shall be deemed to be the authoritative text in English under this article.

301-G. 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 301 F of this Constitution 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

Special procedure for
enactment of certain laws
relating to language.

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 article 301 B of this Constitution and the report of the Committee referred to in that article.

CHAPTER IV—SPECIAL DIRECTIVES

301-H. 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.

Language to be used for representation for redress of grievances.

301-I. It shall be the duty of the Union to promote the spread of Hindi and to develop the language so as to 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, and drawing, wherever necessary or desirable, for its vocabulary, primarily on Sanskrit and secondarily on other languages.

Directive for development of Hindi.

SCHEDULE VII-A

1. Assamese
2. Bengali
3. Kannada
4. Gujarati
5. Hindi
6. Kashmiri
7. Malayalam
8. Marathi
9. Oriya
10. Punjabi
- 10 A. Sanskrit
11. Tamil
12. Telugu
13. Urdu.

The motion was adopted.

Maulana Hasrat Mohani : I want to have my adverse vote recorded with the remark.....

Mr. President : There is no procedure for recording the vote of any particular individual specially with his remarks.

The question is :

“That Part XIV-A as passed stand part of the Constitution.”

The motion was adopted.

PART XIV-A was added to the Constitution.

Shri T. T. Krishnamachari : May I suggest, Sir, before adjourning the House, that you may put to vote articles 99 and 184 which this Chapter supersedes ?

The Honourable Dr. B. R. Ambedkar : No; no. It is not in today's Order Paper.

Mr. President : This brings the proceedings of this evening to a close but before adjourning the House I desire just to say a few words of congratulation. I think we have adopted a Chapter for our Constitution which will have very far reaching consequences in building up the country as a whole. Never before in our history did we have one language recognised as the language of rule and administration in the country as a whole. Sanskrit was the language in which all our religious literature and lore was enshrined and in which other literature was enshrined. That was studied no doubt in all parts of the country but it was never the language which was used for administrative purposes throughout the country as a whole. Today it is for the first time that we have got a Constitution,