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MADRAS GOVERNMENT MEMORANDUM ON THE REPORT OF THE OFFICIAL LANGUAGE COMMISSION

SECTION I.

PRELIMINARY.

1. The Official Language Commission sent its questionnaire to the Madras Government two years ago. While settling the terms of their replies to the questions put to them, the Government found it necessary to prepare a Memorandum explaining their general appreciation of the language problem of India and defining their attitude to the different parts of the problem in the light of such appreciation. A comprehensive Memorandum was accordingly drafted. The draft was discussed by the Government with leaders of all the parties in the Legislature and finalised on the basis of general agreement among them, before it was presented to the Commission.

2. For some time before the Commission arrived in this State, public opinion had been somewhat disturbed by apprehensions about the changes which the appointment of the Commission seemed to foreshadow. It was believed that the Commission had been appointed in order to 'impose' Hindi as the successor of the English language in Non-Hindi speaking regions, even in those spheres in which English can and should be replaced by the regional language, either immediately or eventually. The reported utterances of some Pan Hindi enthusiasts strengthened such apprehensions. However, the actual terms of the Constitutional provisions under which the Commission was appointed did not warrant these apprehensions. The Memorandum prepared by the Government of Madras drew attention prominently to this fact.

The Government have always been of the opinion that the Constitutional provisions in respect of language could be implemented in an orderly manner not only without prejudice to the full development of the regional languages or the legitimate rights and interests of people living in Non-Hindi regions; but they could be implemented more effectively and without giving rise to any antagonism by actively encouraging and by giving material and moral assistance to the development of the regional languages.

3. When the representatives of the Government of Madras gave evidence before the Commission, they gained the impression that the Commission generally (and its distinguished Chairman in particular) appreciated the value of the effort made by the Government of Madras in setting the whole problem in the correct perspective and clarifying the relevant provisions of the Constitution. The belief gained ground that the line taken by the Government (which had the support of all the parties in the Legislature) offered a satisfactory solution of the problem.

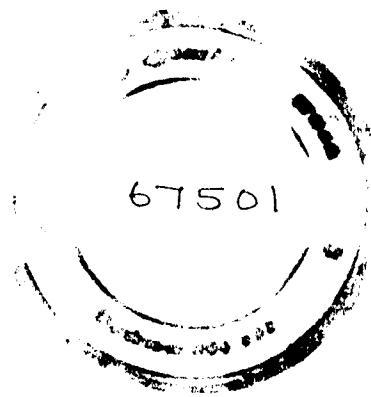
4. The Report of the Official Language Commission was published recently. The views of the Madras Government had not been fully accepted by the Commission. Two members of the Commission (one from this State and the other from West Bengal) had recorded their dissent. As a natural result, the old suspicions and apprehensions have been rekindled and public opinion in this State is once again disturbed about the language problem. At the same time, Parliament has set up a Parliamentary Committee in order to consider the Report of the Official Language Commission and make its own recommendations to the President. The stage is thus being reached when decisions must be taken by the Government of India which are bound to have a major impact on public opinion in this State, as well as other non-Hindi States.

5. In these circumstances, the Government of Madras studied the Report and reviewed their attitude to it, in consultation with the leaders of all parties in the State Legislature. They reached the conclusion that they should bring their views to the notice of the Government of India and the Parliamentary Committee; invite attention specifically to those issues on which the conclusions and recommendations of the Official Language Commission are unacceptable to the Government of Madras; and explain why they are unacceptable. Hence the present Memorandum; which, like its predecessor, has been prepared after discussion with the leaders of all the parties in the State Legislature and in general agreement with them.

6. The various aspects of the language problem to which the Official Language Commission had addressed itself are analysed and set out in successive sections of this Memorandum, as shown below :—

Section II—Language in schools.

Section III—Language in colleges.



Section IV—Language in offices and other institutions under the control of the State Government.

Section V—Language in State Legislatures.

Section VI—Language in High Courts.

Section VII—Language in offices and institutions under the control of the Government of India.

Section VIII—Language in Union Public Service Examinations and Departmental Examinations.

Section IX—Language in Parliament.

Section X—Language in Supreme Court.

Section XI—Language of inter-Governmental communications.

Section XII—Summary and conclusion.

SECTION II.

LANGUAGE IN SCHOOLS.

7. In this State the first five years of schooling constitutes the primary stage of School Education. At this stage, there is only one language, viz., the mother-tongue; which is the medium of instruction as well as subject of study. The mother-tongue of most pupils is, of course, Tamil. But there is provision for imparting instruction in Urdu, Telugu, Malayalam and Kannada to pupils who speak these languages as their mother-tongue. Hindi (as distinguished from Urdu) is the medium of instruction in only three primary schools in this State.

8. After the primary stage is passed, there is a distinction at present between the two different types of schools, viz., Higher Elementary Schools on the one hand and Secondary Schools on the other. In the former the sixth, seventh and eighth standards are taught. Here the medium of instruction is the Regional Language or mother-tongue. English is taught as an optional subject of study. There is no provision for teaching Hindi.

9. The High Schools provide for the last six years of school-education (in Forms I to VI). Middle schools are incomplete High Schools with provision for only Forms I to III. Both types of schools are called Secondary Schools. In all these schools, the mother-tongue or regional language is the medium of instruction.

All school managements are required to provide facilities for teaching English as well as Hindi in addition to the Regional Language or mother-tongue. The latter (as already mentioned about primary schools) includes provision for Urdu, Telugu, Malayalam and Kannada. Assistance is also given to schools for making provision for teaching classical language (e.g., Sanskrit).

10. It is necessary, here, to invite attention to the distinction between what school managements are compulsorily required to provide and what school-pupils are compulsorily required to study. While all Secondary school-managements are required to provide facilities for teaching Hindi, there is no compulsion on pupils to study the language.

11. The prescribed scheme of language studies for pupils in secondary schools is somewhat complicated; and may be described as below :—

Compulsory First Language.—This is divided into two Parts. Part I of the First Language must be the mother-tongue or regional language. This is compulsory for all pupils.

Part II of the First Language is also compulsory. But an option is given to pupils to choose which language to study under this head. They may choose Sanskrit, or Hindi, or any Indian language other than the one chosen under Part I. It is also open to them to choose to study (more intensively up to a higher level of attainment) the mother-tongue or regional language chosen under Part I.

Compulsory Second Language.—This is English. It is compulsory for all pupils.

Optional Third Language.—This is Hindi. It is open to pupils to elect not to study Hindi, but to learn an additional craft; or occupy themselves during the time allotted for Hindi in any other approved activities.

(NOTE.—Under the scheme of studies it was found (when the Official Language Commission visited this State) 374,000 pupils were studying Hindi as Optional Third Language, from among a possible total of 468,000 pupils in all secondary schools. In addition 1,100 pupils were studying Hindi as an Examination subject under First Language, Part II.)

12. Last year the Madras Legislature appointed a Committee to consider a 'White Paper' on Education prepared by the Government. This Committee prepared a detailed report on the Reorganisation and Development of School Education in this State. The

present scheme of study of languages in the schools of the State was also reviewed by the Committee. In that context the Committee considered the changes required to be made about Hindi in relation to the general scheme of studies; and the latter in relation to the school-curriculum as a whole. The views expressed and recommendations made by the Committee are reproduced below :—

"As regards Hindi, the general policy of Government has been clearly stated in the Memorandum furnished by the Government to the Official Language Commission, extracts from which are included in the White Paper as Memorandum No. V. We are in general agreement with this policy. Consistently with this policy, we have a few recommendations to make :—

(i) The fact that Hindi is referred to as an Optional Third Language while English is referred to as a compulsory Second Language has given rise to adverse comment. At this reorganisation of the courses of study of Secondary Education, it will be desirable to group together the study of all languages as one subject and divide the subject into three parts as below :—

Languages—Part I	...	...	Regional Language.
Languages—Part II	...	...	Hindi or any other Indian Language not included in Part I.
Languages—Part III	...	...	English or any other non-Indian Language.

(ii) It should be compulsory for every pupil who chooses the new four-year Academic course of Secondary Education, that he should study three different languages and offer them for public examination. (It will be noted that the formula is designed so as not to 'impose' either Hindi or English on any pupil.)

(iii) At present Hindi is taught in secondary schools during six years. We consider it to be sufficient that it is taught during four years, as part of the new courses of Secondary Education in new Standards VIII to XI. It may be omitted from new Standards VI and VII.

Our reasons for this proposal are as follows :—

(a) Under our proposal, much more time can be made available in four years than is provided at present in six. The subject will also be studied much more seriously than at present, since it will have to be offered for the public examination. It is therefore, possible to spare the time and money now devoted to its teaching in the sixth and seventh year and divert them to better use.

(b) The Elementary Education Reform Committee has recommended the removal of existing differences between the parallel courses of studies in higher elementary schools and secondary schools. We endorse this recommendation. But that Committee has stipulated that Hindi should not be introduced in higher elementary schools. If there is to be integration, there should be Hindi (at that level) in both types of schools or neither. We choose the latter course.

(c) It is necessary to improve the teaching of English. The fulfilment of this requirement will be hampered, if pupils are called upon to learn two new languages (in addition to the mother-tongue) in the same year. The introduction of new languages should be phased. Our proposal will secure this result."

13. It was no part of the terms of reference of the Official Language Commission that it should examine the question of language in schools and colleges. As, however, all aspects of the language problem are interconnected, the Commission found it necessary not only to examine these aspects but also to formulate specific conclusions thereon. The relevant conclusions of the Commission so far as schools are concerned are set out below :—

I. The educational system must be reorientated to achieve the imparting of sufficient literacy in the Hindi language by the age-limit of 14 years.

The study of Hindi should extend "for a minimum of 3 or 4 years" before attaining the 14 years of age.

The instruction in the Hindi language should commence roughly at the close of the primary stage and continue upto the S.S.L.C. stage.

Instruction in Hindi should be compulsory at the secondary stage all over the country (The decision as to when compulsion should be introduced is to be left to the State Government concerned).

II. The study of English is necessary in the Secondary Education stage. English should be taught principally as a language of comprehension and not as a literary language. It would "seem appropriate if instruction in English language commenced in the Secondary school stage of about 5 years pre-S.S.L.C."

III. The Commission realised that as a result of its recommendations, the pupils in Hindi-speaking States will have to study two languages and the pupils in non-Hindi speaking States will have to study three languages. It had before it a suggestion that there should be 'compensatory compulsion' to the students in Hindi speaking areas in secondary schools to learn another Indian language (a South Indian language). The Commission examined this suggestion and negated it.

14. The Government of Madras have the following comments to offer on the conclusions of the Official Language Commission, in the light of the recommendations made by the Madras Legislature Committee on Education :—

(i) The report of the Official Language Commission as well as of the Madras Legislature Committee agree in one respect, viz., that in this State three languages should be compulsorily studied in the Secondary stage of school-education. It follows that no pupil can be admitted to the B.A. or B.Sc. degree course of study, unless he shall have attained a prescribed minimum standard of proficiency in three languages, viz., the mother-tongue, one other Indian Language, and a non-Indian Language. According to the Commission such an arrangement is necessary in Non-Hindi regions, but unnecessary in Hindi regions where pupils may be admitted to University degree courses of study after learning only two languages. The Madras Government do not quarrel with this conclusion of the Commission, because they have no desire to suggest the imposition of an avoidable burden on any pupils, whether in the Hindi region or in Non-Hindi regions. They desire merely to draw attention to the origin of this suggestion and emphasise the significance of the finding reached by the Commission. What the Commission refers to as "Compensatory Compulsion" was an incidental result of the "Three-Language-Formula" which was recommended to State Governments by the Central Advisory Board of Education. The formula had been worked out mainly on the initiative of the Government of India. The object of that formula was not merely to secure that Hindi was compulsorily studied in the Secondary schools of the Non-Hindi Region but also (and even more) to ensure that English would not be jettisoned altogether and would continue to be studied, as a compulsory language in Secondary schools of the Hindi Region. The Commission's finding on this subject really means that in its opinion, the State Governments and State Legislatures of Hindi Regions will have a hard enough task in resisting the demand for jettisoning English and they cannot, therefore, be expected to succeed in newly instituting a compulsory third language. The significance of this finding is that the impact of the language problem of India has to be borne in the educational field by the Governments and Legislatures and the people of the non-Hindi regions; the States of the Hindi region have no burden to bear and little contribution to make towards a solution of the problem. It follows that the Government of India should be guided primarily, if not exclusively, by public opinion in Non-Hindi regions in settling the basis of a co-ordinated policy and leave the detailed execution of policy in the educational field to the good sense of the State Governments and Legislatures concerned.

(ii) The Commission desires that Hindi should be explicitly specified as one of the three languages which every pupil must be required to study compulsorily. The Government of Madras do not agree. According to the formula of the Madras Legislature Committee, it will be open to pupils to elect not to study Hindi; and, in lieu thereof, choose Sanskrit, Urdu or another Indian language (e.g., Telugu or Malayalam or Kannada). The Government of Madras consider it to be essential that such freedom of choice should be left open to pupils in this State. In their opinion, insistence on compulsory study of Hindi will create avoidable difficulties which are calculated to defeat the purpose intended by the Commission; and that the formula of the Madras Legislature Committee will achieve the objective, which is common to the Commission and the Government more effectively and smoothly.

(iii) The Commission desires that the study of Hindi should commence earlier than the study of English. The Legislature Committee has recommended the exact opposite. In the first place English is somewhat more difficult to learn than Hindi and requires a longer time for attaining the same standard of proficiency. "While teaching of Hindi is necessary in order to prepare the people for its use as one of the official languages (or ultimately, as the sole official language) of the Indian Union, the compulsory teaching of English is necessary for some time; that is, until all subjects in the education can be taught in the regional language. The Government of Madras take the view that the period for which the English language must be compulsorily learnt should be decided by the States solely on the basis of this consideration." The Government of Madras, accordingly, agree with the Legislature Committee and disagree with the Commission. They intend to give effect to the recommendations of their Legislature Committee along with the entire scheme of reorganization of secondary education in this State from the year 1959-60 onwards.

SECTION III.

LANGUAGE IN COLLEGES.

15. English continues to be the medium of instruction in colleges of this State. Popular demand has been growing during the last few years for changing the medium of instruction from English to the Regional Language. This demand has gained emphasis after the recent reorganization when Madras became a Tamil-speaking State. Academic opinion in this State (as in many other States) is generally in favour of the continuance of the English language as the medium of instruction in colleges for a prolonged period of indefinite duration. In the Memorandum submitted by the Government of Madras to the Official Language Commission, the attitude of Government (which was endorsed by leaders of all parties in the Legislature) was formulated as below :—

"There is a conflict requiring reconciliation, between two different objectives, viz., the need for raising higher educational standards and the need, also, to develop the potentialities of the mother-tongue as the vehicle of culture. The Government of Madras have not yet taken a decision on how this reconciliation is to be effected. The report of the Expert Committee which is studying this problem is awaited. Present indications are that the answer will have to be found

I. *First* in making a distinction within the field of higher education between scientific and professional education and education in the "Humanities", and, on the basis of this distinction (a) taking active steps to bring about an early change in the medium of instruction in colleges so far as the latter is concerned; and (b) continuing to use English as the medium of scientific and professional instruction in colleges, at any rate, without change until 1965; and

II. *Secondly* while continuing to maintain English as the Second Language and subject of compulsory study in Secondary schools, to undertake all practicable measures for improving the efficiency of instruction in the study of that language.

16. The Official Language Commission which (as mentioned already) was not required to examine this question examined it and formulated conclusions. "The English Language", the Commission holds firmly, "must eventually be replaced by an Indian language or languages". The Commission poses the question whether English should be replaced by "Hindi in all the Universities, or by the respective regional languages in the Universities in the different regions". Obviously, these two courses are mutually exclusive. The Commission finds that there is a good deal to be said for and against each of them. The Commission's analysis seems, at one stage, to point to the conclusion that a clear-cut choice must be made. But the Commission is very reluctant to do it. It proceeds to describe the middle course which the Government of Madras had indicated, and various possible alternative combinations. The Commission says "Some courses of studies, say for instance, the humanities can be more appropriately taught in the regional languages. It may be that, for other courses of study, the advantages of a common medium in all Universities operate much more powerfully. In yet other faculties it may be preferable (particularly at higher levels), even to continue the English medium. It may also be that in some courses of study the regional language medium may be adopted for lower levels and a common, i.e., the English or the Hindi language medium adopted for post-graduate studies." What, then, is the Commission's conclusion regarding the choice to be made? None. The Commission does not make any choice; it proposes that the matter be left to the Universities. The Universities are "to judge it after mutual consultation through their customary channels and to decide for themselves what medium or media they would adopt for different courses of study and stages therein." Is that conclusion, at least, the last word of the Commission on this matter? No. The Commission proposes to leave the decision to Universities only "in the first instance". Later in its report, the Commission says "so far as the question of the linguistic medium is concerned, the principle of 'autonomy of the Universities' can, in the final analysis, have only a qualified bearing and the national language policy must ultimately prevail". What, precisely, is this "national language policy" in relation to the medium of instruction in colleges? The Commission leaves it to be understood by everyone according to his predilection.

17. In the opinion of the Government of Madras the Commission's treatment of the question of medium of instruction in colleges is very unsatisfactory. To the people living in non-Hindi regions, the report is bound to give the impression that the Commission is divided within itself and is unable to make up its mind; that the majority of the Commission is anxious to secure that Hindi should replace English in all the Universities of India at the earliest possible date, but is unable to explain and justify that objective in intelligible terms; that the majority is seeking a way by which it can get round the present constitutional provisions which leave University Education within the exclusive legislative competence of State Legislatures; that the majority is in favour

of autonomy for Universities only if and in so far as it will help to prevent the replacement of English by the Regional language, but will unhesitatingly discard that principle if and when this can be done so as to bring about the change-over from English to Hindi.

18. The Government of Madras feel bound to point out this part of the Commission's report is calculated to arouse suspicion and apprehension about the "Imposition of Hindi" on the people living in non-Hindi regions. In their view, no distinction should be made (on grounds unrelated to educational requirements) between the medium of instruction in schools and the medium of instruction in colleges. It should be an objective of educational policy (in non-Hindi regions no less than in the Hindi regions) to bring about the progressive development of the regional language for use as the medium of instruction at every stage of education, not excluding the highest. They cannot, therefore, accept the views of the Commission. They intend to deal with this question of medium of instruction in colleges on the lines set out in paragraph 15 above. They desire to make it clear that if and when English ceases to be the medium of instruction in respect of any of the University courses of study in this State, it should be replaced by Tamil and not Hindi.

19. So much for the medium of instruction. As regards the study of Hindi in the colleges of this State, provision exists already for studying Hindi as an optional language in the pre-University B.A., B.Sc. and B.Com. courses. Out of 53 colleges in the State, 38 have actually made provision for the study of Hindi. Further, provision for the study of Hindi as a specialized course has been made in the Degrees of B.O.L., B.O.L. (Hons.), M.A. and the Oriental Title of Vidwan. A separate department of Hindi has also been created and is functioning in the University of Madras. When the Commission visited this State, it was ascertained that out of 39,100 students enrolled in colleges 3,400 were learning Hindi in the University courses of studies.

The Government of Madras have no doubt that this number will increase in future; and they are in favour of all practicable measures which will bring about progressive expansion of these facilities in response to increasing demand from students.

SECTION IV.

LANGUAGE IN OFFICES AND INSTITUTIONS UNDER THE CONTROL OF THE STATE GOVERNMENTS.

20. This question is regulated by Article 345 of the Constitution which provides 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 immediately before the commencement of the Constitution".

As Madras State was multi-lingual until recently, it was convenient to continue to use the English language for official purposes. The State Legislature accordingly refrained from exercising the power vested in it under Article 345 of the Constitution 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 State".

After the latest reorganization, Madras has become a Tamil-speaking State. The Legislature has, therefore, passed an "Official Language Act" which declares Tamil to be the official language of the State and authorises the continuance of English pending the issue of orders by which the English language is to be progressively replaced by Tamil. An Implementation Committee has also been appointed in order to undertake preparatory measures necessary for bringing about this change progressively. The first batch of preparatory measures recommended by the Committee has been approved and started. The first batch of offices in which the replacement of English by Tamil is to be effected has been decided upon.

21. These steps are consistent with the views expressed by the Official Language Commission. The Commission has limited its recommendations in respect of the use of Hindi in State Government offices to requirements of Inter-Union-State communication in the event of English ceasing to be used by the Government of India and the Governments of other States. The Government of Madras are in agreement with these views and have no special comments to offer.

SECTION V.

LANGUAGE IN STATE LEGISLATURES.

22. This question falls within two parts. One is the language to be used by members of the State Legislature while participating in the business of the Legislature; and this is to be distinguished from what may be called the language of State Legislation—that

is the language to be used in framing Bills, amendments to Bills, Acts, Ordinances, as well as all Statutory Orders, rules, regulations and bye-laws. The former is regulated by Article 210 and the latter by Article 348 of the Constitution.

Here again, the replacement of English by Tamil could not be undertaken so long as the State was multi-lingual. The process of change-over from English to Tamil has now commenced.

23. According to Article 348 (1) (b) of the Constitution the language of State Legislation should continue to be the English language until "Parliament, by law, otherwise provides".

On this question the Commission has recommended as below:—

"We consider that it is essential, when the time comes for this change-over, that the entire Statute-book of the country should be in one language which cannot, of course, be other than Hindi. Therefore, the language of Legislatures of the States, as well as of Parliament and also of course consequently the language of all Statutory Orders, rules, etc., issued under any law should be the Hindi language." The necessity for this conclusion is not obvious to the Government of Madras. The laws of the State are addressed to the people of the State. The courts of the State have to interpret the laws and to apply them. The language of State Legislation should, therefore, be the same as the official language of the State. It will, no doubt, be necessary that an authorized translation of the laws (and, possibly also, statutory rules) should be made available to the Government of India, Parliament and the Supreme Court. Steps can be taken, without undue difficulty, to secure that such an authorized translation is made available in whatever language or languages may happen to be, for the time being, the official language of the Union. It is neither necessary nor proper that the laws of the State should be required to be made in a language which is different from the official language of the State. The Government of Madras suggest that the Government of India and Parliament should accept this view as an integral part of their 'Official language' policy.

SECTION VI.

LANGUAGE IN HIGH COURTS.

24. Article 348 (1) of the Constitution provides that "Until Parliament, by law, otherwise, provides, all proceedings in every High Court shall be in the English language". A reference to the terms of Article 348 (2) leads one to infer that the framers of the Constitution had intended that when the time came for a change to be made, the official language of the State would have to replace English as the language of the proceedings of the High Court. The need for reserving this matter for Parliamentary legislation evidently arose in order to avoid the confusion that might arise as a result of lack of co-ordination between changes in the Supreme Court and changes in the High Courts. When the Official Language Commission framed its questionnaire, the Commission asked "What are the difficulties of introducing Hindi and/or regional language or languages in the Court?". At that time at any rate the Commission recognized that the language of each High Court may have to be the same as the official language of the State concerned. In its report, however, the Commission says "There are several and, in our opinion, conclusive reasons in favour of deciding that when the time for change-over arrives, the language of the judgments, decrees and orders of the High Court must be a common linguistic medium for the whole country and, therefore, this should be then the Hindi language in all regions." The Commission does not hazard a guess about when the time for the change-over would arrive. But it seeks to commit Parliament here and now to the nature of the change to be made.

25. The Government of Madras do not agree with the Commission. They adhere to the view which was placed by them before the Commission. "So far as the Madras High Court is concerned, the use of Hindi as the only Court language or as the Principal Court language must be ruled out of consideration. It is impossible at present to foresee a time when such a proposal would be practical politics." In reply to an enquiry by the Commission as to "What steps are necessary with regard to the proceedings in the Supreme Court, if the languages of the High Courts are regional languages", the Government of Madras had stated that "It is difficult to formulate any answer to this question which does not involve—for a long time to come—the simultaneous use of Hindi and English in the Supreme Court and the simultaneous use of Tamil and English in the Madras High Court". Now that the issue has been raised, the Government of Madras suggest that the Government of India should make a declaration of policy to the effect that if and when the language of the High Court is changed, the official language of the State should be also the official language of the High Court.

SECTION VII.

LANGUAGE IN OFFICES AND INSTITUTIONS UNDER THE CONTROL OF THE GOVERNMENT OF INDIA.

26. This is referred to in the Constitution as the "Official language of the Union" in contradistinction to the official language of each of the States of India. The matter is regulated by Article 343, which has three clauses. The first of these three clauses declares Hindi (in Devanagiri script) to be the official language of the Union. The second clause declares, in effect, that the first clause shall remain in suspense for fifteen years. During this period "the English language shall continue to be in use for all the official purposes of the Union for which it was being used immediately before". The second clause authorises the President to bring Hindi into official use progressively, side by side with English.

This is intended to be the first phase in the process of transition from English to Hindi; the phase in which practice is acquired in the use of Hindi for a progressively increasing range of official purposes, while English continues to be the authorized medium of transaction of official business. When sufficient experience has been gained and confidence is established in the practical use of Hindi the second phase of the transition is intended to begin. During this phase [Article 344 (2) (b) provides], the President may impose "restrictions on the use of the English language for all or any of the official purposes of the Union". The framers of the Constitution realized the importance of carrying out the transition as a carefully planned long-term operation and for making sure that the first phase of progressive use of Hindi was successfully completed before the second phase of progressive discontinuance of English began. Hence the elaborate procedure for the appointment of an Official Language Commission to make recommendations and the appointment of a Parliamentary Committee to review the Commission's recommendations and for the President to issue specific directions before English ceases to be used for any official purpose whatever.

27. The Official Language Commission appointed in 1955 was specially required by the President to make recommendations on the "*Preparation of a time schedule according to which and the manner in which Hindi may gradually replace English as the official Language of the Union*". With reference to this requirement, the Commission has stated "it has not been possible for us to furnish a regular time-table by dates and stages as to how Hindi should be introduced into the business of the Union so as to accomplish the general change-over within the period fixed by the Constitution". Why was the Commission unable to do this? The Commission gave the reasons "We have not had the benefit of a provisional plan of action by the Government of India covering all its Ministries and departments and comprehending their special difficulties, if any; estimates of work-loads of basic preparatory work involved; the present linguistic capacity of all the Government staff and approximate dates by which they could be trained in the new linguistic medium, etc." As the Commission was unable to discharge the principal duty entrusted to it, it did the next best thing, viz., to indicate "the general sequence of the phasing and the principles covering various related issues". It has left "the actual drawing up of a plan of action and the setting up of a time-schedule therewith" to the Government of India themselves to do after study of the relevant factors.

28. Among the Members of the Commission two dissented from the conclusions of the majority. One member who, in other respects, disagrees with the dissenting members has written a separate note in which he criticises the Commission on this issue. He says "it would not do to say that it (a plan of action with time-schedule) was not possible because the Government of India did not suggest anything like it to the Official Language Commission. This would perhaps be like putting the cart before the horse. Under the Constitution of India, it is the Official Language Commission which has to initiate proposals in the matter and the President has specially asked for it from us as one of our duties". The Government of Madras cannot help thinking that this criticism is just.

29. What then is the present position. The transition from English to Hindi as the language for use in all the offices and institutions under the control of the Government of India was to be carried out during a fifteen year period between 26th January 1950 and 26th January 1965. It was to be carried out in two phases of which the earlier phase would be devoted to progressive use of Hindi in addition to English, in order to prepare for a later phase of progressive discontinuance of the use of English. Before the earlier phase could begin, it is necessary to draw up a plan of action with a time-schedule. Before that plan of action and time-schedule could be settled, it was necessary to settle the principles governing a practicable plan of action and also bring into existence the essential "pre-requisites".

At the present moment, the first half of the fifteen-year period has been already completed. The transition process has not yet begun. Not only that. There is no plan of action. The Government of India have not framed one. They asked the Official Language

Commission to draft one; and the Commission has not done it. None of the essential "pre-requisites" for the commencement of transition has been brought into existence so far.

There is no question, therefore, of doing anything at this stage about the later phase of the transition process. The Commission has stated categorically "we do not recommend that any restrictions should be imposed for the present on the use of the English language for any of the purposes of the Union".

30. The Government of Madras had anticipated that the Commission's investigations would show that this, in fact, is the present position. They welcome the findings of the Commission in so far as they confirm it. But the matter cannot obviously rest there. Given the present position, is it possible that the transition from English to Hindi can be completed before the date-line fixed by the Constitution, viz., 26th January 1965? The Government of Madras had no doubt about the answer. They told the Commission that the "total supersession of English by Hindi as sole Official Language of the Union will not, in fact, be achieved before 1965 . . . To attempt the elimination of English for all official uses by the target year 1965 would be to attempt the impossible".

31. On this question the Commission says "Although some persons have doubts as to the preparatory period of 15 years being ultimately found adequate, others are of the view that the period will be found adequate for a general change-over of the linguistic medium provided sufficiently energetic steps are taken in the mean time. *However, this is not an issue on which it is necessary or possible for the Commission to pronounce*".

The Government of Madras feel bound to hark back to their observations on the Commission's treatment of the question of medium of instruction in colleges, and to observe that the Commission's handling of the question of 1965 as the time-limit is even more unsatisfactory. They cannot avoid commenting on the odd contrast between the diffidence displayed by the Commission in dealing with this question, with their attitude towards language in schools and colleges. Those questions, admittedly, were not only not included in the terms of reference to the Commission but they were not questions of "Official Language" at all. They were not referred to or regulated by any of the provisions of the Constitution, with reference to which the Official Language Commission was appointed. Yet the Commission found it to be both necessary and possible that it should discuss these questions at length, adjudicate between rival views and indicate its opinion on such matter of detail as the stages and duration of study of Hindi and English in school curricula. The Government of Madras have no technical objection to raise on the score of the Commission dealing with these matters or expressing its opinion; for they do recognize that all aspects of this complex problem are closely inter-related. But they are recalling the Commission's handling of the question of schools and colleges in order to show the unconvincing character of the report of the Commission when it declines to offer an opinion on the practicability of 1965 as a time-limit.

32. It has been pointed out earlier in this Memorandum that "the impact of the language problem of India has to be borne in the educational field, by the Government and Legislatures and the people of the non-Hindi regions; and that the States of the Hindi region have no burden to bear and little contribution to make towards a solution of the problem." This comment is applicable to the administrative field no less than to the educational field. From the point of view of the Hindi-speaking people, the sooner the official language of the Union is changed from English to Hindi the better. Their young men will find it so much easier to secure employment in all offices and institutions under the control of the Government of India. They would be able to transact business with and make use of the facilities provided by those offices and institutions much more easily than at present. They could also feel pride and satisfaction about the promotion of their mother-tongue for uses above and beyond the regional limits. All this benefit would accrue to them without any exertion on their part or the slightest inconvenience. They do not have to face the problems of readjustment of their educational system to a new situation. In these circumstances, it is not surprising that the Pan-Hindi enthusiasts are impatient. It is not also surprising that the tactless manner in which expression is given to this impatience should arouse apprehensions, cause irritation and at times even evoke hostility in non-Hindi regions. What is, however, surprising to the Madras Government is the failure of the Official Language Commission to realize that it was its duty to take note of this situation and to make recommendations calculated to restrain the impatience displayed in the Hindi region and to allay the apprehensions aroused thereby in the non-Hindi regions.

The Commission knew, during its tour of the non-Hindi regions, that the question which every one was expecting it to answer was whether 1965 was a realistic time-limit; and, if it was not, what should be done about it? Even if the Commission had any doubt

about the need for dealing with this question, two dissenting members raised it in an unmistakable manner. And yet, the Commission failed to answer the question. By this failure, the Commission has shown that it is more anxious to avoid causing disappointment of unfulfillable expectations in the Hindi region than to allay apprehensions in the non-Hindi region. So far as public opinion in this State is concerned, it would not be an exaggeration to say that the entire report of the Commission has been vitiated by its handling of this question.

33. There can be no reasonable doubt in the mind of any one who has grasped the practical implications of the transition from English to Hindi, that 26th January 1965 is an utterly impossible date line. The obvious truth must be acknowledged, so that unfulfillable expectations may not continue to be fostered and unnecessary apprehensions may not continue to be entertained. Assuming that this will be accepted by the Parliamentary Committee and the Government of India, what follows? That the Constitution should be amended? The Government of Madras examined this question and they observed with relief, that an amendment of the Constitution was unnecessary. The framers of the Constitution have foreseen and provided for this contingency in Article 343. This Article has three clauses. While the first two clauses set up the date-line for the transition from English to Hindi, the third clause declares that "Notwithstanding anything in this Article, Parliament may by law provide for the use, after the said period of fifteen years, of the English Language, for such purposes as may be specified in the law".

34. The Government of Madras desire to place before the Parliamentary Committee and the Government of India the view that it will be necessary to use both English and Hindi as two official languages of the Indian Union for a prolonged period. The initial phase of transition will consist in the progressive increase in the uses of Hindi for different official purposes. This must be succeeded by a later phase of transition when the discontinuance of the use of English for different official purposes may be brought about progressively. The Indian Union has, necessarily, got to be bilingual throughout both phases of the transition. It is necessary in order to remove the suspicions and apprehensions which are prevalent among the public in non-Hindi regions that this perspective of prolonged bilingualism should be accepted by the Government of India and Parliament. These authorities should announce their readiness to make statutory provision for such bilingualism through the exercise of legislative power vested in Parliament under Article 343 (3) of the Constitution. Such statutory provision should not be altered, after it is made, except with the concurrence of all the States.

35. It is necessary, at this stage, to draw attention to paragraph 5 of Chapter VII of the Report. Here the Commission considers the language to be used by various administrative agencies and organizations, "such as the Railways, Post and Telegraphs, Excise, Customs, Income-tax departments and so on. Some of these organizations have units and branches located in different parts of the country and the language problem presents a special aspect in regard to them. It is necessary that these administrative organizations should evolve a measure of permanent bilingualism. That is to say, they will use the Hindi language for purposes of inner working and the respective regional languages in their public dealings in their respective regions". The Commission proceeds to observe that "it is necessary that the staff structures of these administrative agencies and departments of the Government of India with a country-wide coverage should be reviewed and decentralized to conform to the requirements of such bilingualism. The recruitment methods, and qualifications for recruitment may also have to be revised suitably". The Commission goes on to emphasize the importance of a correct Language policy in relation to dealings with the public. *The policy should be framed principally with a view to the convenience of the public whom they are designed to serve: the instrumentality of these departments should not be used as a lever to force the pace of Hindi propagation at the cost of convenience to the public*".

The Government of Madras desire to record with satisfaction their agreement with the principle above enunciated. They would add that this principle is applicable not merely to the administrative departments and agencies referred to by the Commission (important as they are); it is of general applicability to the entire range of institutions affected by the language problem, including schools, colleges, Government offices, Legislatures and Courts.

SECTION VIII.

LANGUAGE IN UNION PUBLIC SERVICE EXAMINATIONS AND DEPARTMENTAL EXAMINATIONS.

36. Article 344 (3) of the Constitution specifically requires the Commission, in making its recommendations regarding the replacement of English by Hindi as the official language of the Indian Union to "have due regard to the just claims and the interests of persons belonging to the non-Hindi speaking areas in regard to the public services." This is, obviously, a matter in which the State Governments of non-Hindi regions are vitally

interested. The Commission has made a careful analysis of the problems involved in the changeover; and the Government of Madras are glad to acknowledge the endeavour made by the Commission to arrive at a fair and just solution.

37. As noted earlier in this Memorandum, the Commission makes the important distinction between All-India Services and the higher Central Services on the one hand; and other Central Services which can and should be reconstituted on a decentralized basis, and so as to "conform to the requirements of bilingualism". In respect of the latter, the Commission has observed that "the recruitment methods and qualifications for recruitment may have also to be revised suitably". The Government of Madras agree and suggest that the system of recruitment should be approximated to and, in fact, coordinated with recruitment by State Public Service Commissions for parallel services of the State Government.

38. This will limit the problem to its hard core, viz., the All-India Services and the higher Central Services. For these services, the Commission has recommended a "Compulsory Hindi paper" on the following lines:—

"It would be legitimate, in our view, to introduce a compulsory paper in Hindi after due notice. In order that non-Hindi students may not be unduly handicapped in the transitional period, the paper may, to begin with, be of a fairly low standard treated as only a 'qualifying paper'; and later on, after due notice again, it may be raised to the status of other compulsory papers as a 'marking' and fully competitive paper. Further, candidates having one of the South Indian languages as mother-tongue may be exempted from answering one or two stiffer questions in the Hindi paper which the candidates whose mother-tongues are closer to Hindi may be required to answer."

The Commission has considered and negated a suggestion that these Hindi candidates should be required to offer a paper in a non-Hindi regional language. In order, however, to "equate the Hindi candidates with the non-Hindi candidates", the Commission proposes that there should be some "subjects of cultural interest bearing on South India and the languages", and Hindi candidates should be required to choose one of these subjects and answer a paper in Hindi.

With reference to this recommendation, the Government of Madras observe that the attempt to find any way of equating Hindi candidates with non-Hindi candidates in relation to a compulsory Hindi paper must necessarily prove infructuous. They accordingly take the view that any such paper must always remain a 'qualifying' paper; and should not, at any time, be converted into an element of the competition among candidates.

39. As regards the "language medium for the combined competitive examinations through which candidates are selected for the All-India and higher Central Services", the Commission's conclusions are as follows:—

I. The Hindi medium should be introduced, after due notice, in addition to the existing English medium.

II. As and when English comes to be the medium of instruction in Universities and is replaced by the regional language as the medium of instruction up to the graduate standard, "the admission of other linguistic media will have to be considered"; and suitable standards defining "eligibility" of such language for such admission may be considered.

III. The medium of the English language may be continued as an alternative for as long as may be necessary. If eventually a position should arise when this alteration could be dispensed with, such dispensation should, of course, be made after a sufficiently long notice.

IV. Whenever more than one language is used as medium for the same examination, there is a problem of 'moderation'. When the number is small, the problem would be manageable. But if the number goes on increasing "a stage might arrive when the admission of further linguistic media would be found impracticable." At that stage, changing the present system of recruitment to these services, or limiting the number of linguistic media will have to be considered.

The Commission expresses the hope that before this stage arrives, the "progress of Hindi among non-Hindi speaking University graduates generally would have advanced sufficiently to admit of their competing on equal terms with Hindi-speaking candidates at these examinations through the medium of the Hindi language".

The Government of Madras do not set much store on the hope thus expressed. In their opinion, it is necessary that every regional language should be admitted as one of the alternative media for the combined All-India examinations, as soon as that language has been brought into use as medium of instruction in colleges up to graduate standard. The resulting problem of 'moderation' should be accepted as a necessary feature of arrangement for recruitment to these important services. The problem should be solved as satisfactorily as possible by the Union Public Service Commission.

SECTION IX.

LANGUAGE IN PARLIAMENT.

40. The language of Parliamentary legislation is governed by Article 348. It is noted that the Commission does not propose any immediate change in the present position. The language to be used in Parliamentary proceedings other than legislation is governed by Article 120. The Commission has addressed itself to the situation which would arise after 1965 and observed that "It would seem advisable that provision should be made to empower the presiding authorities in such cases to permit the members to address the House in English in certain circumstances." The Government of Madras agree with this recommendation. It may be noted that the possibility of a need arising for provision of this kind is foreseen and provided for in Article 120 (2) of the Constitution which is similar in this respect to Article 343 (3) of the Constitution. The views expressed in paragraph 34 of this Memorandum in respect of Legislation under Article 343 (3) are also applicable to legislation under Article 120 (2). The general perspective of a prolonged bilingual transition applies to the language in Parliament, as to the official language of the Indian Union; and indeed, to many other aspects of the language problem of India.

41. While endorsing these views as far as they go, the Government of Madras would invite attention to their suggestion that consideration should be given to the proposal that a system of simultaneous translation should be instituted in Parliament. Even if it should be found impracticable to institute a complete system, a limited system should be practicable. The Madras Government desire to reiterate their view that "The institution of arrangements for simultaneous translation from Hindi to English and vice versa may prove to be the best beginning for effecting the transition in Parliament."

SECTION X.

LANGUAGE IN SUPREME COURT.

42. The matter is governed by Article 348 of the Constitution. The Commission does not propose any immediate change, but observes "when the time comes for the change-over, the Supreme Court will have to function only in the Hindi language. The authoritative texts of reported judgments of the Supreme Court will also be published in the same language. . . . Provision should also be made for reliable translations of Supreme Court decisions being available in the State languages in separate language series."

The Government of Madras observe that the Commission has not hazarded any guess as to when the time will come for this change-over. They presume that it will not be until after the High Courts of the Hindi region shall have changed over completely from English to Hindi and all the practical problems incidental to the change-over have been solved in those High Courts to the satisfaction of the Supreme Court.

SECTION XI.

LANGUAGE OF INTER-GOVERNMENTAL COMMUNICATIONS.

43. This is sufficiently well settled by Article 346 which says: "The language for the time being authorized for use in the Union for official purposes shall be the official language for communication between one State and another State and between a State and the Union." As the Commission has recommended no restriction on the use of the English language, no problem arises for the present. The Commission has proposed that "Arrangements may be made for outgoing communications from the Union Government to a Hindi-speaking State being accompanied by a Hindi translation of the English text, wherever such a State makes a request to this effect." There can be no objection to this.

SECTION XII.

CONCLUDING REMARKS.

44. The main points made in this Memorandum may be now restated:—

I. *Preliminary.*—As a result of the publication of the Report of the Official Language Commission public opinion in this State is disturbed about the language problem. The stage is being reached when decision must be taken by the Government of India which are bound to have a major impact on public opinion in this State as well as other non-Hindi States. The object of this Memorandum is to invite the attention of the Government of India and the Parliamentary Committee specifically to those issues on which the conclusions and recommendations of the Official Language Commission are unacceptable to the Government of Madras; and to explain clearly why they are unacceptable. This Memorandum has been prepared after discussion with leaders of all the parties in the State Legislature and in general agreement with them.

II. *Language in schools.*—The commission has recommended a three-language formula for secondary schools in non-Hindi regions. The Government of Madras has decided upon a three-language formula, the terms of which are in certain respects different from those recommended by the Commission. Attention is drawn to the fact that the Commission does not recommend a three-language formula for secondary schools in the Hindi region. The significance of this fact is explained and emphasized; and the conclusion is drawn that the Government of India should be guided primarily, if not exclusively, by public opinion in non-Hindi regions in settling the basis of a co-ordinated policy and leave the detailed execution of policy in the educational field to the good sense of the State Governments and Legislatures concerned.

III. *Language in colleges.*—The Commission's treatment of the question of medium of instruction in colleges is very unsatisfactory. It is calculated to arouse suspicion and apprehension about the 'imposition' of Hindi on the people living in non-Hindi regions. It should be an objective of educational policy (in non-Hindi regions, no less than in the Hindi regions) to bring about the progressive development of the regional language for use as the medium of instruction at every stage of education not excluding the highest. As and when English ceases to be the medium of instruction in respect of any of the University Courses of study in this State, it should be replaced by Tamil and not Hindi.

IV. *Language in offices and institutions under the control of State Governments.*—The Commission's views are accepted and there are no special comments.

V. *Language in State Legislatures.*—The Commission considers it essential that the entire statute book of the country should be in Hindi. The Government of Madras consider that it is neither necessary nor proper that the laws of the State should be required to be made in a language which is different from the official language of the State. It is suggested that the Government of India and Parliament should accept this view as an integral part of their official language policy.

VI. *Language in High Courts.*—The Commission considers it necessary that judgments decrees and orders of all High Courts should, at some unspecified future time, be in Hindi. The Government of Madras do not agree and suggest that the Government of India should make a declaration of policy to the effect that if and when the language of the High Court is changed, the official language of the State should be also the official language of the High Court.

VII. *Language in offices and institutions under the control of the Government of India.*—The central issue on which everyone was expecting a clear finding from the Commission related to the practicability of 1965 as the time-limit for a complete change-over from English to Hindi as the official language of the Indian Union. The Commission has stated that "this is not an issue on which it is neither necessary nor possible for the Commission to pronounce." The Government of Madras take the view that there can be no reasonable doubt in the mind of anyone who has grasped the practical implications of the transition from English to Hindi that 26th January 1965 is an utterly impossible date-line. The obvious truth must be acknowledged so that unfulfilable expectations may not continue to be fostered and unnecessary apprehensions may not continue to be entertained. It will be necessary to use both English and Hindi as two official languages of the Indian Union for a prolonged period. The framers of the Constitution have foreseen and provided for this contingency in Article 343 (3). It is accordingly recommended that the Government of India and Parliament should accept this perspective of prolonged bilingualism; and announce their readiness to make statutory provision therefor through the exercise of legislative power vested in Parliament under Article 343 (3) of the Constitution. Such statutory provision should not be altered, after it is made, except with the concurrence of all the States.

Attention is drawn to the recommendation made by the Commission that Railways, Posts and Telegraphs, Excise, Customs, Income-tax departments, and other organizations which have units and branches located in different parts of the country should evolve a measure of permanent bilingualism. The recommendation is endorsed.

VIII. *Language in Union Public Service Examinations and Departmental Examinations.*—The Commission has made a careful analysis of the problems involved in the change-over; and the Government of Madras are glad to acknowledge the endeavour made by the Commission to arrive at a fair and just solution. While the recommendations are generally endorsed as representing the right approach, it is pointed out that the compulsory Hindi paper proposed by the Commission should always remain a qualifying paper and should not at any time be converted into an element of competition among candidates. Similarly as regards the medium of examination for the All-India Services and the Higher Central Services, the Government of Madras take the view that it is necessary not only that Hindi or English should be available as alternative media, but that every regional language

should be admitted as one of the alternative media as soon as that language has been brought into use as the medium of instruction in colleges upto graduate standard. The resulting problem of 'moderation' should be faced and solved as satisfactorily as possible by the Union Public Service Commission.

IX. *Language in Parliament*.—The Commission's views are accepted. The need for legislation under Article 120 (2) of the Constitution is pointed out. The suggestion is repeated that arrangements should be made in Parliament for simultaneous translation from Hindi to English and vice versa.

X. *Language in Supreme Court*.—The Commission's view is accepted that when the time comes for the change-over, the Supreme Court will have to function in Hindi. It is noted that the Commission does not hazard any guess as to when the time for this change-over will come.

XI. *Language of Inter-Governmental Communications*.—The Commission's views are accepted.

45. In conclusion, the Government of Madras recommend that the Government of India should accept the results of the review made in this Memorandum of the Report of the Official Language Commission. A clear declaration is necessary of the language policy of the Government of India; setting out the objective of change, as well as the perspective regarding duration of transition and essential safeguards, in respect of every aspect of the entire language problem of India. It should be the aim of this policy declaration firmly to discountenance unpracticable and unreasonable expectations in the Hindi region and to provide the reassurance which public opinion in the non-Hindi regions needs and expects to secure from the Government of India and Parliament.



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தவணைத்தாள்.

உத. எண் :

ப. எண் :

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