

March 17, 2026

## The Question of Language that is Straining Indian Federalism

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*India's rich language diversity is a civilisational strength. But the compromise on language in the Constitution has led over the decades to a tilt towards Hindi and has caused tensions over language. It is time for constitutional reform that ensures equal respect for all language communities.*

### 1. Introduction

How many languages does India have? The answer depends on how the term "language" is defined-whether by phonology, grammar, syntax, vocabulary, script, mutual intelligibility, or administrative classification. Since different criteria produce different results, estimates of India's linguistic diversity vary widely. Whichever method is used, the conclusion is clear: India is among the most linguistically diverse civilisations in the world.

A century ago, George Abraham Grierson's *Linguistic Survey of India* catalogued 179 languages and 544 dialects. Today, *Ethnologue*, a respected global database, lists 454 living languages in India (424 indigenous and 30 non-indigenous). The *People's Linguistic Survey of India* (2010-12), an independent civil society project directed by the noted linguist G.N. Devy, identified 780 languages.

Yet for much of independent India's history, the Union has tended to view this extraordinary linguistic diversity as a threat rather than a strength. The prevailing assumption has been that national unity requires linguistic uniformity-specifically through the spread of Hindi. This mindset is reflected in official statistics in two significant ways.

First, official counts systematically understate India's linguistic diversity. As Devy explains in *India: A Linguistic Civilisation*, the 2011 Census initially recorded 19,569 self-declared mother tongues. Through a process of administrative "rationalisation," this number was reduced to 1,369 "validated" mother tongues. Only languages with more than 10,000 speakers were listed separately-a rule in place since 1971-reducing the official list to just 121 languages. This bureaucratic pruning effectively renders hundreds of minority and indigenous languages invisible, either absorbed into dominant linguistic categories or relegated to an undifferentiated "Others" column.

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Second, official statistics inflate the figure of native Hindi speakers. The 2011 Census reports that 43.6 per cent of Indians speak Hindi. According to Devy, however, this figure is achieved by misclassifying 53 distinct languages as "dialects of Hindi." These include Bhojpuri, Rajasthani, Chhattisgarhi, Magadhi, Haryanvi, Khortha, Bundeli, and Awadhi-each possessing its own grammar, vocabulary, and literary tradition, many centuries older than modern Hindi itself. Treating them as dialects of Hindi is as illogical as describing Latin as a dialect of Italian. Some, such as Powari, are not even mutually intelligible with Hindi. Twenty-six of them have more than one million native speakers. Once these misclassifications are corrected, genuine Hindi speakers constitute barely 25 per cent of India's population.

In demographic terms, therefore, every Indian language-including Hindi-is both a regional language and a *minority* language.

The 2011 Census also shows that India remains a deeply regionally anchored society. About 62 per cent of Indians have never moved from their place of last residence, nearly 85 per cent live within their native district, and over 95 per cent reside within their home State. Everyday life-in education, work, politics, administration, and culture-is therefore conducted overwhelmingly in regional languages.

#### **Recommendation 1**

*The Union should correct Census distortions by ending the misclassification of 53 independent languages such as Bhojpuri, Rajasthani, Chhattisgarhi, Magadhi, Haryanvi, Khortha, among others as "dialects of Hindi", and present the true percentage of Hindi speakers (about 25 per cent, not 43.6 per cent).*

### 2. The Erosion of India's Linguistic Heritage

The Eighth Schedule of the Constitution, originally intended to recognise and promote India's major languages, has evolved into an instrument of selective political recognition rather than a coherent linguistic framework. It currently lists 22 languages across four major language families. Fifteen belong to the Indo-Aryan family-Assamese, Bengali, Dogri, Gujarati, Hindi, Kashmiri, Konkani, Maithili, Marathi, Nepali, Odia, Punjabi, Sanskrit, Sindhi, and Urdu. Four belong to the Dravidian family-Kannada, Malayalam, Tamil, and Telugu. Santali represents the Austro-Asiatic family, while Bodo and Manipuri represent the Tibeto-Burman family.

Even a cursory examination reveals several anomalies. The Schedule underrepresents the classical linguistic traditions of southern India and the rich tribal languages of central, eastern, and north-eastern India. English, meanwhile, is conspicuously absent, though it is the principal language of higher education, law, science, commerce, media, and diplomacy, and serves as the sole official language in Nagaland and Arunachal Pradesh and an additional official language in several other States. The 2011 Census records English as spoken by only 0.02 per cent of the population-a figure plainly inconsistent with social reality.

The inconsistencies become sharper when individual languages are examined. Sanskrit, with fewer than 25,000 native speakers, enjoys Scheduled status because of its antiquity and cultural prestige. Yet Pali and Prakrit-the classical languages of the Buddhist and Jain traditions-remain excluded. Similarly, Sindhi (2.8 million speakers), Dogri (2.6 million), and Konkani (2.3 million) are included, whereas Bhili (10.4 million), Gondi (3 million), and Kurukh/Oraon (2 million) remain outside the Schedule. Such disparities suggest that political influence, rather than demographic strength, literary heritage, or cultural contribution, has often determined constitutional recognition.

Judicial doctrine offers no remedy. In *Kanhaiya Lal Sethia v. Union of India* (1997), the Supreme Court considered a challenge to the Seventy-first Constitutional Amendment (1992), which added Konkani, Manipuri, and Nepali to the Eighth Schedule while excluding Rajasthani. The Court held that inclusion in the Schedule is a matter of legislative policy within the exclusive domain of Parliament and therefore beyond judicial direction. This position was reaffirmed in *Ripudaman Singh v. Union of India* (2023), where the Court again declined to mandate the inclusion of Rajasthani.

### **The Educational Consequence**

Inclusion in the Eighth Schedule carries consequences far beyond symbolic prestige. Scheduled status affects access to state patronage, institutional funding, educational resources, and media visibility. Languages excluded from the Schedule often struggle for recognition and survival.

The educational consequences are particularly serious. Article 350A obliges States to provide primary education in the mother tongue of children belonging to linguistic minority groups-a principle endorsed by UNESCO and reaffirmed in the National Education Policy (NEP) 2020. In practice, however, most schools adopt the dominant State language-almost always a Scheduled language-or English as the medium of instruction. Non-Scheduled languages rarely enter classrooms because they lack trained teachers, textbooks, and pedagogical support. The result is not merely marginalisation but a gradual drift toward linguistic extinction.

In "[The Right To Mother Tongue Medium Education - The Hot Potato In Human Rights Instruments](#)" (2004), the Finnish linguist Tove Skutnabb-Kangas has captured this danger with striking clarity:

As many researchers have noted ... schools can in a couple of generations kill languages which had survived for centuries, even millennia, when their speakers were not exposed to formal education of present-day type. Schools can today participate in committing linguistic genocide through their choice of the medium of formal education-and they do.

### **A Linguistic Emergency**

The *People's Linguistic Survey of India* has sounded a stark warning. Nearly 250 languages have disappeared in the past five decades, and more than 400 others face the prospect of extinction within the next 50 years. When a language dies, it is not merely words that are lost. A worldview perishes with it-its metaphors, myths, botanical wisdom, healing traditions, and cultural memory. A part of India's civilisational soul dies with every language lost. If biodiversity merits protection as a national asset, so too does India's unparalleled linguistic diversity, the living archive of her civilisation.

In India, too, linguistic extinction is the unintended outcome of policy choices. Government policies on official languages, Scheduled languages, and mediums of instruction accelerate the disappearance of less-privileged tongues. Without urgent intervention, India's 780-odd languages may shrink to a few dozen by the end of this century if not earlier.

### **Recommendation 2**

*To safeguard India's linguistic heritage, the Eighth Schedule should include all languages with more than one million native speakers-including those currently misclassified as "dialects of Hindi." A lower threshold of one lakh speakers may be adopted for vulnerable tribal languages. Pali and Prakrit should be included alongside Sanskrit. Future Censuses must properly capture the number of English speakers, and English should also be included in the Eighth Schedule. Article 350A's directive to provide primary education in the child's mother tongue should be implemented in letter and spirit.*

### **Recommendation 3**

*Given that nearly 250 Indian languages have become extinct in the past 50 years and another 400 languages face extinction in the next 50 years, the Union must shift its emphasis from privileging a single language (Hindi) to safeguarding India's vast linguistic heritage. The Special Officer for Linguistic Minorities should be replaced by a National Language Commission tasked with programmes for linguistic preservation and revival.*

## **3. The Myth of "One Nation, One Language"**

Independent India almost unquestioningly embraced the belief that national unity required a single dominant language-a 19th-century European construct ironically embraced by a decolonised India. Countries such as France, Germany, and Italy achieved linguistic homogenisation by suppressing minor local languages. That model, fit for small and relatively homogeneous societies, is wholly unsuited to a civilisation as vast and plural as India. Imposing linguistic uniformity here would be like flattening a rainforest into a eucalyptus plantation-orderly, perhaps, but profoundly unnatural and self-defeating.

Nations do not remain united because every citizen speaks the same language; they endure because every citizen feels equally free to speak their own. Genuine unity arises not from linguistic uniformity but from linguistic equality-the assurance that no community is made to feel culturally or politically inferior because of its mother tongue.

### **When Language Becomes a Fault Line**

History offers sobering lessons about the dangers of linguistic imposition. In his influential essay "*The Role of Language in the Dissolution of the Soviet Union*" (1992), David F. Marshall explains how language politics contributed to the fragmentation of the Soviet Union. Lenin's early policy promoted local languages and fostered loyalty among non-Russian nationalities. But in 1938 Stalin abruptly reversed this policy, mandating compulsory Russian instruction and institutionalising Russification through the education system. Instead of strengthening unity, the policy deepened resentment. By the 1980s, demands for linguistic justice had become rallying cries for nationalist movements across Soviet republics. When the Soviet Union collapsed in 1991, language became a central marker of sovereignty in the newly independent states.

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Pakistan's experience offers a similar warning. After Independence, it imposed Urdu-spoken by a small elite minority-as the sole national language. This alienated the Bengali-speaking majority in East Pakistan and ignited the Bengali Language Movement, culminating in the 1952 police shootings in Dhaka. Although the 1956 Constitution eventually recognised Bengali, the damage was irreversible. Language was not the sole cause of Pakistan's breakup, but it was one of the earliest fault lines that ultimately culminated in the creation of Bangladesh in 1971.

The lesson is clear: *a common language does not guarantee unity; imposing one is often the surest path to disunity.*

India itself confronted this reality in the early years of the Republic. The misconception that linguistic States would endanger national unity delayed linguistic reorganisation for years. Yet when reorganisation finally occurred in 1956, far from weakening the Union, it strengthened it. As historian John Keay observes in *Midnight's Descendants* (2014), it was this linguistic flexibility-so unlike Pakistan's rigidity-that helped preserve India's unity.

### **Comparative Lessons from the World**

Modern democracies teach that accommodation, not assimilation, sustains unity.

Switzerland thrives with four national languages-German, French, Italian, and Romansh. Article 4 of the Swiss Constitution recognises them all, while Article 70 protects cantonal linguistic autonomy.

Canada preserves its federation through constitutional bilingualism. Section 16 of the Constitution Act, 1982 declares English and French as official languages with equal status across all federal institutions, reinforced by the *Official Languages Act*, 1985.

South Africa adopted an even more inclusive approach. Section 6 of the 1996 Constitution recognised eleven official languages, and in 2023 South African Sign Language was added as the twelfth.

Belgium balances Dutch, French, and German through a territorial framework established by Article 4 of its Constitution, preventing domination by any one linguistic group.

Singapore offers another instructive example. Despite having a Chinese majority (about 74.5 per cent), alongside Malay (13.5 per cent), Tamil (9 per cent), and other linguistic minorities, it adopted English as its lingua franca. As Lee Kuan Yew wrote in *From Third World to First: The Singapore Story 1965-2000* (2000), "English as our working language has prevented conflicts arising between our different races and given us a competitive advantage." Early resistance from Chinese educators and cultural bodies was addressed through a bilingual policy: English for economic mobility and global engagement, and the mother tongue-Chinese, Malay, or Tamil- to preserve cultural identity. The result has been social cohesion, inclusive governance, and meteoric economic growth.

Even the European Union-an entity comprising 27 countries-functions with 24 official languages under Article 342 of the Treaty on the Functioning of the European Union. Far from weakening the Union, multilingualism enhances its democratic legitimacy.

### **In the Constituent Assembly**

Among all the debates in the Constituent Assembly, none provoked greater passion or sharper division than the question of language. As Granville Austin records in *The Indian Constitution: Cornerstone of a Nation* (1966), Hindi hardliners argued that continued use of English was incompatible with independence and that Hindi must therefore become the national language. They contended that multilingualism threatened national unity and pressed for the adoption of the Devanagari script and numerals and a highly Sanskritised form of Hindi. In Austin's words, they "were ready to risk splitting the Assembly and the country in their unreasoning pursuit of uniformity."

Hindi moderates opposed this position, arguing that English and regional languages could coexist in their proper spheres. Representatives from non-Hindi-speaking regions insisted that Hindi must remain inclusive, English should continue for at least fifteen years to ensure a smooth transition, and there must be no "language tyranny" over numerals.

The language provisions of the Constitution..were, in Austin's words, "a half-hearted compromise": sufficient to preserve unity at a fragile moment, yet embedding a constitutional tilt towards Hindi that would later generate recurring tensions.

Several members issued stark warnings against linguistic coercion. Syama Prasad Mookerjee warned:

If it is claimed by anyone that by passing an article in the Constitution of India one language is going to be accepted by all by a process of coercion, I say, Sir, that that will not be possible to achieve.

He accused the Hindi hardliners of trying to deny non-Hindi speakers "the same facilities which even the much-detested foreign regime did not dare deprive them of."

L.K. Maitra cautioned Hindi hardliners against "linguistic fanaticism" which will ultimately "defeat the very object they have in view." T.T. Krishnamachari sounded an even sharper note of alarm, warning that excessive pressure could fuel separatist sentiment in the South and that aggressive promotion of Hindi might be perceived as "Hindi imperialism."

At the same time, several members emphasised the continuing importance of English. Jawaharlal Nehru observed:

English must continue to be a most important language in India which large numbers of people learn and perhaps learn compulsorily... English today is far more important in the world than it was when the British came here. It is undoubtedly today the nearest approach to an

international language... It is absurd for us to try to forget what we know or not take advantage of what we have learnt.

Frank Anthony urged the Constituent Assembly not to "let our resentment against the British be imported into our attitude towards the English language". L.K. Maitra went further, describing English as "one priceless thing that we have acquired in all our humiliation, miseries and sufferings during the English rule."

The language provisions of the Constitution, adopted on September 14, 1949-and contained in Part XVII-Official Language (Articles 343-351)-were, in Austin's words, "a half-hearted compromise": sufficient to preserve unity at a fragile moment, yet embedding a constitutional tilt towards Hindi that would later generate recurring tensions.

### **English: A Neutral Bridge for India**

Just as Indian civilisation has fully assimilated non-native crops-potatoes, tomatoes, kidney beans, chillies, corn, cauliflower, pumpkin, capsicum, guava, papaya, pineapple, sapota, and custard apple, all introduced within the last four centuries by the Portuguese, the Dutch or the British-so too has it absorbed English over the past two and a half centuries. Indian English has evolved into a recognised global variety, enriched by Indian idioms and ways of thought. The real question, therefore, is not whether English is "foreign," but whether it is useful and fair. Both history and practicality suggest that it is.

If Hindi were made the sole official language, it would inevitably privilege some States while disadvantaging others. English, by contrast, is a neutral bridge language-belonging equally to all and exclusively to none. It carries no hegemonic stamp and is indispensable today to higher education, science, technology, law, business, and diplomacy. Hindi, however culturally valuable, cannot fulfil these unavoidable global functions.

Ireland offers an instructive parallel. Its 1937 Constitution declared Irish the "first national language" and English the "second official language." Yet despite decades of State support, Irish could not meet the practical demands of modern administration, higher education, science, or global commerce. English became the de facto language of government and national life. Irish survives largely as a symbol, illustrating that linguistic pride must be balanced with linguistic practicality.

### **Recommendation 4**

*India must abandon the "One Nation, One Language" illusion. True unity arises not from linguistic uniformity but from linguistic equality. Global examples show that a common language does not guarantee unity; imposing one is the surest path to disunity. India should have a language policy anchored in fairness, inclusion, and respect for every language, regardless of the number of their speakers.*

## **4. The Three-Language Formula**

The Three-Language Formula was introduced in 1968 to promote multilingualism, national integration, and employment opportunities. It originated from the National Policy on Education (1968) and the Parliament's Official Language Resolution (1968). Despite being reaffirmed in every education policy-including the National Policy on Education (NEP) 2020-it has no constitutional or statutory backing, and remains an administrative guideline. The recent rejection of the Three-Language Formula by Tamil Nadu, Karnataka, West Bengal, and Maharashtra reveals that the language question is far from settled and continues to animate public debate.

Had the policy worked, India-barring Tamil Nadu which has steadfastly stuck to a Two-Language Formula since 1968-would today be a multilingual success story. Instead, the 2011 Census exposes its limitations: only 7.2 per cent of Indians know three languages, and in the major Hindi-speaking States the figure falls below 2 per cent- Uttar Pradesh (1.3 per cent), Bihar (1.3 per cent), Rajasthan (1.5 per cent), Madhya Pradesh (1.7 per cent), Chhattisgarh (1.7 per cent), and Uttarakhand (1.9 per cent).

|| The national priority should be to teach two languages well, rather than three poorly.

Educational surveys such as the National Achievement Survey (NAS) and Pratham's Annual Status of Education Report (ASER) reinforce this troubling picture. They reveal weak language proficiency among Indian students even in their first language (regional language or Hindi) and in their second language (English). Significantly, neither NAS nor ASER assesses proficiency in the third language-an omission that conveniently conceals the failure of the Three-Language Formula.

Few government initiatives have endured so long with so little success. Instead of rethinking its relevance, NEP 2020 reinforces the model by making a third language compulsory nationwide—a textbook example of ideology trumping evidence. When so many children struggle with even their first and second languages, imposing a third is indefensible. The national priority should be to teach two languages well, rather than three poorly.

### **A Four-Language Burden on the Most Vulnerable**

For millions of tribal and linguistic minority children, the Three-Language Formula effectively becomes a four-language burden. The child's home language (L1)—such as Bhili, Gondi, or Tulu—is seldom used in classrooms and is thereby gradually eroded. The State language (L2)—for example Marathi, Odia, or Kannada—becomes the medium of instruction, even though it may initially be unfamiliar to the child. A third "national" language (L3), typically Hindi or Sanskrit, is added in the name of national integration. Finally, English (L4)—essential for higher education and employment—is introduced, often with limited instructional support.

While several factors contribute to higher dropout rates among Scheduled Tribe students than the national average, the four-language burden is a significant and avoidable one. Data from the Unified District Information System for Education (UDISE+) for 2023-24 show that although the Gross Enrolment Ratio (GER) for tribal students is close to 100 per cent at primary school level, it drops to 48.7 per cent by higher secondary school level.

### **The Illusion of Choice**

NEP 2020 (para 4.13) promises that "no language will be imposed on any State", and that students may choose any three "so long as at least two of the three languages are native to India." This promise is illusory. In a typical school in a non-Hindi-speaking State such as Tamil Nadu, students may opt for several third-language choices—Telugu, Malayalam, Kannada, Hindi, or Sanskrit. In theory, schools should offer all these options. In reality, very few institutions possess the teachers, textbooks, or timetable flexibility to support multiple language streams. Hindi alone enjoys consistent central support—teacher supply, materials, and institutional infrastructure. No other Indian language has comparable support outside its home State. Thus, the supposed freedom of choice collapses into a single viable option: Hindi. Operational constraints thus transform nominal choice into a subtle mechanism of linguistic imposition.

### **Financially Unsustainable**

A conservative estimate for Tamil Nadu alone illustrates the magnitude of the financial burden. Appointing just one third-language teacher in each of the State's 8,074 government and government-aided High schools and Higher Secondary schools would cost about Rs. 560 crore annually in salaries. Once textbooks, teacher training, recruitment, and supporting infrastructure are included, the expenditure doubles. Extending the policy to Middle Schools (from Class 6 onwards), as envisaged by the National Curriculum Framework 2023, would raise the cost to several thousand crores. Nationwide, the annual outlay could run into tens of thousands of crores—without clear evidence of educational benefit.

This represents a massive opportunity cost. Even a fraction of these resources could address teacher shortages in mathematics, science, and other core disciplines; provide modern digital infrastructure to government schools, especially in rural areas; or fund a national AI-and-coding programme for school students. While China, Estonia, and South Korea are already teaching AI in schools, India risks squandering scarce resources on a relic of 20th-century linguistic politics.

### **Relevance in the Age of Technology**

Foundational literacy in the mother tongue and English is indispensable and should continue through structured classroom instruction. A third language, however, need not demand the same level of formal investment. In a world increasingly shaped by real-time translation tools, adaptive learning platforms, and AI tutors, additional languages can be learned voluntarily according to personal interest, cultural exposure, and professional needs. Such contextual multilingualism is flexible and cost-effective. The Three-Language Formula, by contrast, remains anchored in the pedagogical assumptions of the 1960s.

### **Insights from Cognitive Science**

Supporters of the Three-Language Formula often claim that learning a third language enhances cognitive ability. NEP 2020 repeats this assertion without citing contemporary psycholinguistic research or global best practices. Modern cognitive science—particularly the *Cambridge Handbook of Third Language Acquisition* (2023)—presents a far more nuanced picture.

Studies by Ellen Bialystok and others show that bilingualism can strengthen executive functions such as attention control, resistance to distraction, and task-switching. It may even delay the onset of dementia in later life. However, these findings do not automatically extend to trilingualism. The benefits of learning an additional language are conditional-conditions that are rarely met in India's overstretched and under-resourced schooling system.

First, the *Cambridge Handbook* challenges the simplistic assumption that more languages equate to more cognitive gains. It emphasises that successful acquisition of a third language (L3) depends on strong foundations in the first (L1) and second (L2) languages, which provide the necessary linguistic scaffolding. Where foundational skills in L1 and L2 are weak-as NAS and ASER repeatedly show in India-forcing students to learn an L3 can create cognitive overload, causing confusion and erroneous language transfer, and further weakening already fragile proficiency in the first two languages.

Second, linguistic similarity-or typological distance-significantly affects L3 learning. The "Typological Primacy Model" suggests that the brain searches for the language most similar to the new one to serve as its learning blueprint. For speakers of Indo-Aryan languages such as Marathi, Punjabi, or Bengali, Hindi as L3 shares many structural features with their L1, making acquisition easier through *facilitative* transfer. For speakers of linguistically distant languages-such as Tamil (Dravidian), Santali (Austro-Asiatic), or Mizo (Sino-Tibetan)-Hindi as L3 offers no such blueprint. The result is *non-facilitative* transfer and a substantially greater cognitive burden.

Third, the "L2 Status Factor" suggests that learners often rely on their L2 as the scaffold for acquiring additional languages. In India, where English commonly functions as L2 but is often poorly taught, its errors and limitations can spill over into L3, further weakening learning outcomes.

In short, when foundations in L1 and L2 are weak, adding an L3 may hinder rather than help learning. Yet NEP 2020 appears either unaware of, or indifferent to, these findings.

#### **Recommendation 5**

*Recognising the Three-Language Formula as a profound policy failure- lacking clear benefits and ignoring cognitive, financial, and operational realities-India should shift to high-proficiency bilingualism: English for economic mobility and global competitiveness, and the regional language or mother tongue for cultural continuity and effective local governance. Any additional language should be voluntary, learned flexibly through modern digital tools, and not imposed as a rigid academic requirement.*

## **5. The Constitution and the Language Question**

Contrary to popular misconception, the Constitution does not declare Hindi the *national* language. Instead, it provides a functional linguistic framework across several domains-Union administration, State administration, inter-governmental communication, the higher judiciary, Parliament and State Legislatures, and the rights of linguistic minorities-principally through Part XVII (Articles 343-351) and a few other Articles elsewhere. The constitutional amendments required to restore linguistic balance and fairness practically suggest themselves.

### **5.1 Official Language of the Union**

Article 343(1) designates Hindi in the Devanagari script as the official language of the Union. Acknowledging the realities of a linguistically diverse, newly independent country, Article 343(2) allowed the continued use of English for a transitional period of fifteen years. Article 343(3) authorised Parliament to legislate for the continued use of English beyond that date.

As the deadline approached, widespread anti-Hindi agitations-especially in Tamil Nadu-demonstrated that replacing English would destabilise the Union. Parliament invoked Article 343(3) to enact the Official Languages Act, 1963, later strengthened by the 1967 Amendment. Section 3 of the Act permitted the indefinite continuation of English, alongside Hindi, for all official purposes of the Union, for inter-governmental communications, and for parliamentary business. Section 3(5) introduced a further safeguard: English shall not be discontinued until resolutions are passed for its discontinuance by (i) every non-Hindi-speaking State legislature, and (ii) both Houses of Parliament approve such discontinuance.

In practice, these provisions transformed English from a temporary administrative convenience into a semi-permanent associate official language of the Union. Yet the protection remains statutory rather than constitutional. The Official Languages Act can be amended by a simple parliamentary majority. Moreover, if a State is placed under President's Rule, Parliament might theoretically pass the required resolution on the State's behalf. These risks justify constitutional entrenchment.

### **Recommendation 6**

*Amend Article 343 to constitutionally entrench English as the permanent official language of the Union, removing its dependence on the Official Languages Act, 1963. Declare all Eighth Schedule languages as the official languages of the Union, affirming linguistic plurality on the EU model. This is rendered feasible by modern translation technologies. Provide a fifteen-year transition period for newly recognised Eighth Schedule languages before granting full Union-level official status.*

### **5.2 Official Language of a State**

Article 345 empowers a State legislature to adopt "any one or more of the languages in use in the State or Hindi" as its official language. Until such legislation is enacted, English continues for official purposes. This formulation predates the linguistic reorganisation of States in 1956. In this context, the words "or Hindi" are redundant in Hindi-speaking States and anomalous in non-Hindi States, where they permit the adoption of a language with no organic social base.

### **Recommendation 7**

*Amend Article 345 to delete "or Hindi" thereby clarifying that States may adopt only languages actually in use within their territory as official languages.*

### **5.3 Language for Inter-Governmental Communication**

Article 346 provides that the language authorised for official purposes of the Union shall be used for communication between the Union and the States and among the States. A proviso allows States to agree to communicate with one another in Hindi.

In practice, the language authorised for such communication depends on Article 343 and the Official Languages Act, 1963. Section 3 of the Act requires English to be used for communication between the Union and non-Hindi States and requires Hindi communications to be accompanied by English translations. However, the protection for English remains only statutory and needs to be constitutionally entrenched.

### **Recommendation 8**

*Amend Article 346 to expressly guarantee English as the permanent link language for all official communication between the Union and the States and among the States inter se. The official language of the recipient State may be used as a supplementary link language wherever appropriate.*

### **5.4. Languages Spoken by Sections of a State's Population**

Article 347 empowers the President to direct a State to recognise a language as an additional official language if a "substantial proportion" of the population demands it. This provision was conceived before the linguistic reorganisation of States, when several States contained large linguistic minorities. In the present context, the provision is unnecessary, susceptible to misuse, and is a constitutional backdoor through which Hindi or any other language could be foisted upon a State without its consent. Decisions regarding associate official languages should lie exclusively with State legislatures under Article 345, not with the Union.

### **Recommendation 9**

*Omit Article 347 as it is anachronistic, infringes State autonomy, and unnecessary in the post-1956 linguistic landscape.*

### **5.5. Language of the Judiciary and Legislative Drafting**

Article 348 mandates the use of English in the Supreme Court and High Courts and for authoritative texts of legislation. Article 348(2) allows a Governor-subject to the President's consent-to permit the use of Hindi or the State's official language in High Court proceedings, although judgments, decrees, or orders must ordinarily be delivered in English.

Section 7 of the Official Languages Act, 1963, allows judgments, decrees, and orders of a High Court to be also issued in Hindi or the State's official language, *provided they are accompanied by an authenticated English translation*. To date, only four Hindi-speaking States-Rajasthan, Uttar Pradesh, Madhya Pradesh, and Bihar-have been authorised to use Hindi in their High Courts. Requests from Tamil Nadu, Karnataka, Gujarat, West Bengal, and Chhattisgarh have been denied, creating linguistic asymmetry.

### **Recommendation 10**

*Amend Article 348 to permanently retain English as the language of the Supreme Court, High Courts, and legislative drafting, while allowing every State-without requiring Presidential approval-to use its official language in High Court proceedings and judgments, provided that authenticated English translations accompany them.*

### **5.6. Language for Making Representations**

Article 350 guarantees every person the right to submit representations to Union or State authorities "in any of the languages used in the Union or in the State." However, it does not specify the language in which authorities must reply. This omission has repeatedly caused friction, particularly when Union offices respond only in Hindi, disadvantaging non-Hindi-speaking citizens.

### **Recommendation 11**

*Amend Article 350 to require Union authorities to reply either in the language of the representation, the official language of the State concerned, or English-whichever best ensures clarity and fairness to the citizen.*

### **5.7 Article 351 - Directive for Hindi Promotion**

Article 351 directs the Union to promote the spread of Hindi and develop it as an expression of India's composite culture. It envisages enriching Hindi by drawing on Hindustani and the languages listed in the Eighth Schedule. However, its most consequential clause requires that Hindi's vocabulary be derived "primarily from Sanskrit and secondarily from other languages." This transformed Hindi's evolution into a state-directed linguistic project-contrary to the organic way in which living lingua francas develop.

English, for example, achieved global reach through openness, freely absorbing influences from Latin, French, Norse, Arabic, Persian, and numerous Indian languages. Hindi, by contrast, often pursued linguistic purity by replacing widely used Urdu, Persian, and English expressions with heavily Sanskritised coinages. The result has sometimes been a form of Hindi that even native speakers find unfamiliar. When Jawaharlal Nehru examined an early Hindi translation of the Constitution in 1948, he wrote to Rajendra Prasad that he could not understand a word of it.

### **Recommendation 13**

*Amend Article 351 to replace the exclusive promotion of Hindi with a constitutional commitment to preserve, nurture, and revitalise the entire spectrum of India's linguistic heritage.*

### **5.8. Languages in Parliament and State Legislatures**

Article 120 provides that parliamentary business shall be conducted in Hindi or English, allowing a member to speak in his mother tongue only with the Chair's permission if he cannot adequately express himself in either. Article 210 imposes a similar rule for State Legislatures, permitting the use of a member's mother tongue only with prior approval.

In an era of AI-driven real-time translation, such restrictions are outdated and undemocratic. Elected representatives should be free to speak in the language they know best.

### **Recommendation 14**

*Amend Articles 120 and 210 to abolish the archaic "permission-to-speak" rule and guarantee every member of Parliament or of a State Legislature the unrestricted right to speak in any Indian language in legislative proceedings, and mandate real-time translation.*

## **6. Conclusions**

What began in 1950 as a "half-hearted compromise" and an uneasy linguistic truce soon evolved into recurring contestation. The Union's reluctance to reorganise States on linguistic lines was overtaken by powerful popular movements in the 1950s, while the anti-Hindi agitations of the 1960s compelled an assurance that English would continue for as long as non-Hindi-speaking States desired it. Yet the language question remains unsettled.

|| Few parts of the Constitution now require reform as urgently as its language provisions.

The Three-Language Formula continues to be widely disputed, and the growing tendency to name Central schemes, programmes, and legislation primarily in Hindi has revived anxieties that never fully disappeared.

Few parts of the Constitution now require reform as urgently as its language provisions. India's linguistic richness is not a problem to be managed but a civilisational inheritance to be preserved. Yet the present framework-through neglect and flawed language policies-privileges one language while hundreds of others have either disappeared or face extinction.

Constitutional reform must therefore move towards a genuinely pluralistic framework: one that ensures equal respect for all language communities, preserves endangered languages, expands the Eighth Schedule, and-drawing upon the technological capacities now available-builds an inclusive linguistic architecture that would have been unimaginable in 1950.

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