

O.M. No. I/14013/09/99-OL (P-1), dated 9.12.1999

Subject:—Applicability of the official language policy of the Government of India to autonomous bodies etc. clarification—

regarding

Attention of the Ministry of Health and Family Welfare etc. is invited to the deliberations of the Central Official Language Implementation Committee held on 16, 17 and 18 June, 1999. A specific clarification was sought in the meeting by

a representative of a participating Department, whether orders regarding the Official Language Policy of the Government

were applicable or not to the autonomous bodies. After consultations with the Ministry of Law, it is now clarified as below:—

(1) Art. 343(1) of the Constitution states that the Official Language of the Union shall be Hindi in Devnagari script.

As

per clause (2) of the Article, for a period of 15 years from the date of the commencement of the Constitution, the English

language shall continue to be used for all official purposes of the Union for which it was being used immediately before

such commencement. The proviso to clause (2) provides that the President may, during the said period, by order authorise

the use of Hindi language in addition to English language. Clause (3) states that Parliament may by law provide for the use,

after the said period of 15 years, of the English language for such purposes as may be prescribed by law.

(2) The Official Languages Act, 1963 was enacted in pursuance of clause (3) of Art. 343 and clause (2) of Art. 120 of the

Constitution to provide for the continued use of English language in addition to Hindi for all official purposes of the Union

for which it was being used immediately before the 26 January, 1965 and for transaction of business in Parliament.

(3) The autonomous bodies and registered societies promoted or set up by the Government of India are instrumentalities of the Union and come within the purview of Art. 343 of the Constitution.

(4) It may, however, be noted that Official Languages Act merely continues the use of English language in addition to Hindi. It does not provide anything which can be interpreted as limitation on the Government's power to implement its

policies with regard to the use of official language Hindi in pursuance of the provision contained in PART XVII of the

Constitution.

(5) It is also pertinent to mention that Art. 343 and 344 deal with the process of transition. The ultimate aim is provided

in Art. 351 which fulfills the object of the spread and development of Hindi language and enrichment of the composite

culture of India. Therefore, keeping in view the scheme provided in the Constitution to promote, develop and implement the

official language Hindi, the policy and orders of Govt. of India pursuant to PART XVII of the Constitution may be applicable

to the autonomous bodies and registered societies set up at the initiated of the Govt. of India.

(6) In view of the forgoing autonomous bodies/registered societies promoted or set up by the Government of India are covered by the provisions of Art. 343(1) and without any amendment in the Official Language Act, they are required to

implement the policy and orders of the Government of India with regard to transaction of their official business through the

official language Hindi.