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Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

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ARTICLE 351 AND THE CONSTITUTIONAL BALANCE BETWEEN LINGUISTIC UNITY AND REGIONAL IDENTITY

AUTHORED BY - KARUNA SINDHU

Abstract

The Constitution of India enshrines both the promotion of Hindi as a medium of common expression under Article 351 and the protection of India's rich linguistic diversity. This dual commitment reflects the framers' vision of unity in diversity — strengthening a common language without eroding the identity of any regional language. The debates surrounding the promotion of Hindi often oscillate between constitutional obligation and perceived linguistic imposition. Recent protests in states like Tamil Nadu and Maharashtra against the National Education Policy (NEP) 2020 and its three-language formula have rekindled this discussion. In this backdrop, the Paper examines whether the Union's duty to promote Hindi under Article 351 of the Constitution conflicts with the principles of federalism, secularism, and linguistic diversity. It further explores the constitutional implications when States actively obstruct the Union's duty under Article 351, potentially creating a constitutional vacuum in the promotion of Hindi as a medium of common expression.

Introduction

Language is not just a mode of communication. It has always been a carrier of culture, consciousness, and civilizational continuity. The protest against Hindi is not a new one, it is deeply rooted in history. Language policy in India has been contentious since the Constituent Assembly debates, which navigated between the aspirations for a national language and the sensitivities of India's vast linguistic diversity. The adoption of Hindi in Devanagari script as the official language under Article 343 was tempered by transitional arrangements for English, recognition of regional languages in the Eighth Schedule, and a set of provisions to protect linguistic minorities. But the protest has once again intensified in recent times. Under the three-language formula made under the National Education Policy (NEP) 2020, some states like Maharashtra, Tamil Nadu and Karnataka have raised strong objections to Hindi, claiming it is being imposed at the cost of regional languages and state autonomy. Senior Union Ministers have sought to clarify the government's stance. Union Home Minister Amit Shah aptly stated

that¹ “Hindi has no competition with any other Indian languages. Hindi is a friend of all Indian languages; all Indian languages strengthen from Hindi and Hindi strengthens from all Indian languages”. He also cautioned against dividing the nation on linguistic grounds. These clarifications reflect the constitutional vision that linguistic plurality and national unity are not mutually exclusive.

In this light, the Paper examines Article 351’s constitutional design and its implications. It argues that the framers’ intent was not to privilege Hindi at the expense of other languages, but to cultivate it as a pan-Indian linguistic bridge, drawing from the vocabulary, idioms, and expressions of other Indian languages.

Understanding the Constitutional Duty Under Article 351

The Indian Constitution, a beacon of unity in diversity, meticulously addresses the nation's linguistic plurality. Part XVII, encompassing Articles 343 to 351, delineates the framework for languages. Within this, Article 351 stands out as a special directive duty upon the Union to promote the spread and development of Hindi so that it becomes a medium of expression for Bharat’s composite culture.

Article 351 reads as:

“It shall be the duty of the Union to promote the spread of the Hindi language, to develop it so that it may serve as a medium of expression for all the elements of the composite culture of India and to secure its enrichment by assimilating without interfering with its genius, the forms, style and expressions used in Hindustani and in the other languages of India specified in the Eighth Schedule, and by drawing, wherever necessary or desirable, for its vocabulary, primarily on Sanskrit and secondarily on other languages.”²

Article 351 envisions Hindi which grows not by erasing regional languages, but by assimilating their strengths, drawing primarily from Sanskrit, and secondarily from the languages listed in the Eighth Schedule. It reflects the constitutional ideal of fostering linguistic harmony while promoting a common medium of communication rooted in Indian culture. This is not a symbolic provision. It is a vision for unity – a vision that recognizes the power of language to

¹ As Hindi-Tamil controversy refuses to die, Home Minister Amit Shah hits out at DMK; <https://theindianeye.com/2025/03/25/as-hindi-tamil-controversy-refuses-to-die-home-minister-amit-shah-hits-out-at-dmk/>

² Article 351: Directive for development of the Hindi language

act as a cultural glue in a deeply diverse society. Hindi, enriched through Sanskrit and other Indian languages, was envisioned as the living, evolving expression of Bharat's soul.

However, this constitutional mandate is increasingly being mocked by **political opportunism** and **linguistic parochialism** – facing severe challenges—not from foreign forces, but from within. Hindi has been the subject of neglect, political manipulation, and even contempt in many parts of Bharat, especially southern region. There, the states invoke **regional identity politics** to resist a constitutional duty that lies solely with the Union, not the states.

What Happens When States Obstruct the Enforcement of a Constitutional Duty of Union?

Article 351 clearly casts the duty to promote Hindi on the Union, not on the States. It is a central obligation – a directive meant to foster cultural integration and linguistic unity across the diverse fabric of Bharat. However, in the backdrop of recent protests against Hindi, a pertinent constitutional question arises: What happens if a State hinders or obstructs the Union's ability to fulfill this duty?

This dilemma is not theoretical – it is playing out in real time. Under the three-language formula, the Centre is discharging its Article 351 duty by encouraging the spread of Hindi in education. But states like Maharashtra and Tamil Nadu, citing regional identity and linguistic pride, have opposed it. In Maharashtra, political pressure and vocal opposition led the ruling government to withdraw its decision to make Hindi compulsory at the primary school level from Class 1 to 5³.

This confrontation exposes a **serious constitutional vacuum** – nowhere in the Constitution is there any explicit remedy or enforcement mechanism in case the Union is obstructed in carrying out this special directive. Nor has any precedence on what recourse the Union has when a State actively thwarts its constitutionally mandated responsibility under Article 351.

As a result, the directive becomes toothless, reduced to symbolic value rather practical enforcement. This undermines not only the role of Hindi as a unifying civilizational medium but also dilutes the very intent and authority of the Constitution in fostering linguistic

³ Maharashtra withdraws Hindi language orders in schools after backlash, forms review panels; <https://timesofindia.indiatimes.com/education/news/maharashtra-withdraws-hindi-language-orders-in-schools-after-backlash-forms-review-panel/articleshow/122154911.cms>

integration. Without an effective remedy, this constitutional obligation of the Union cannot be fulfilled.

A Duty without Right?

In Jurisprudence, it is often said that every duty comes with a corresponding right⁴. But here, we face an anomaly – the Union has a duty under Article 351 to promote Hindi, but who holds the corresponding right to demand its enforcement? Is it the citizens, the linguistic majority, or the cultural inheritors of Indic civilization?

This ambiguity has made it easier for regional politicians to systematically undermine the efforts to promote Hindi, knowing well that there's no clear remedy against such obstruction. Unlike justiciable fundamental rights (where citizens have rights and State has a duty to protect these rights), Article 351 is a directive. But its neglect has serious, tangible consequences.

Consequences of Ignoring Hindi: Losing Access to Indic Civilization

For Indians, the inability to understand Hindi or Sanskrit is not just a linguistic alienation—it is a civilizational disconnection. Vast portions of Indic literatures like-Vedas, Puranas, Upanishads, Bhakti poetry and saint literatures are available in Sanskrit or Hindi. But when Indians fail to understand Hindi or Sanskrit, their access and understanding to these literatures are mediated through their translations – which are often riddled with Western biases, colonial vocabulary, and civilizational misinterpretations.

Examples of Conceptual Distortions:

Some key examples which illustrate how Indic texts undergo conceptual distortion when translated from Hindi or Sanskrit to English or other language, are-

- Dharma becomes "religion"—but Dharma is not merely religion; it is cosmic order, social duty, spiritual law, way of life and many more. The Supreme Court itself recognized this.
- Sampradaya becomes "denomination"—reducing spiritual lineages into corporate-like categories.
- Moksha becomes "salvation"—misrepresenting a liberation of consciousness as a reward-based afterlife.

When Indians read these translations without the semantic depth of Hindi or Sanskrit, they knowingly or unknowingly begin to see Hinduism and Indic civilization through Abrahamic or

⁴ Correlation between Rights and Duties in Jurisprudence; <https://lawbhoomi.com/correlation-between-rights-and-duties-in-jurisprudence/>

Western lenses, weakening their understanding and commitment to their own traditions and leaving them alienated from their own heritage.

From Constitutional Duty to Civilizational Necessity

If Article 351 had been implemented strictly, a vast population of Bharat would have been fluent in Hindi, with access to civilizational literature in its original form or Sanskrit-rooted translation in Hindi. The linguistic ecosystem envisioned in the Constitution—a Sanskrit-enriched Hindi that also draws from regional languages—would have preserved both national unity and regional identities.

Instead, we see the opposite. Hostility to Hindi has become a proxy for hostility to Hinduism. Those who oppose Hindi in public education or government work rarely stop at language—they often oppose temple traditions, Sanskrit learning⁵, Vedic rituals⁶, and Dharmic education as well (which has been approved by the Supreme Court itself in its judgment in Aruna Roy v. Union of India and Santosh Kumar v. Secretary, Ministry of Human Resource and Development). The attack is not linguistic—it is civilizational. We must reject the idea that promoting Hindi is communal, or that supporting Sanskrit is regressive. Such narratives are rooted in self-alienation and post-colonial inferiority. It is high time all Indians stop apologizing for their own linguistic and cultural identity.

If Indians do not understand their Indic scriptures, if they continue to rely on distorted translations and colonial categories, then the civilizational disconnect will become irreversible.

Constitutional Safeguards for Regional Languages

The apprehension that promoting Hindi might erode regional languages is mitigated by multiple constitutional provisions:

- **Articles 29 and 30** guarantee the rights of linguistic minorities to conserve their language and establish educational institutions.
- **Articles 350A and 350B** mandate instruction in the mother tongue at the primary stage and provide for a Special Officer for linguistic minorities.
- **The Eighth Schedule** currently lists 22 languages, whose preservation and development are a constitutional obligation.

⁵ Saffronisation : Imposition of Hindi and Beyond! ; <http://www.socialism.in/?p=9433>

⁶ ibid

These safeguards along with provisions ranging from Article 343 to 351, taken together, ensure that while the Union has duty to promote Hindi, it cannot constitutionally undermine the existence or development of other languages.

Misplaced Fear of Regional Erosion and Federal Fallacy

It is crucial to remember that India is not a federation of independent states as like USA. It is a Union of States, with centralizing tendency. Our Constitution leans more towards a strong Centre⁷. This structure reflects a deep recognition that Bharat's unity depends on shared civilizational values, not just political agreements.

Promoting a common language like Hindi is not anti-federal, nor is it an attack on regional languages (Articles 29, 30, 350A, 350B and Eight Schedule of the Constitution provide sufficient safeguards to regional and minority languages). Rather, it is **a step towards national integration – an attempt to build linguistic unity throughout India**. The promotion of Hindi under Article 351 is the function of the Union but operates within the boundaries of States. Therefore, for its effective functioning, **cooperative federalism** between Union and States is required. This cooperative model ensures that the promotion of Hindi is pursued in consultation with States, reducing the risk of political alienation and criticism.

If every state overemphasizes its own regional language and sideline Hindi, which is meant to function as a link language, we risk fragmenting the nation into isolated linguistic silos – furthering fragmentation instead of integration. Hindi's promotion under Article 351 is not an imposition but a constitutional bridge – a thread that weaves the plural into the singular. So, the Union promoting Hindi is **not a violation of federalism**—it is consistent with the centralizing vision of our ancestors and Constitution makers to make Hindi a common medium of expression.

The NEP, 2020 and Renewed Resistance

The National Education Policy, 2020 proposes the Three Language Formula—with the idea that every child should learn two Indian languages and one international language, typically English. For most states, this would mean Hindi + regional language + English. This formula

⁷ Centre-State Relations in India: A Constitutional Tapestry of Cooperation and Conflict; <https://www.dhyeyalaw.in/centre-state-relations-in-india-a-constitutional-tapestry-of-cooperation-and-conflict>

is an earnest effort to balance regional pride with national coherence. But opportunist political parties cry foul, framing Hindi promotion as a form of saffron imposition in secular India⁸. This is not true. In fact, what Article 351 proposes, and what the NEP, 2020 tries to implement, is **a harmonious national vision – where diversity is not denied, but is channeled into unity.**

However, some states like Maharashtra, Tamil Nadu, and others are refusing to implement this formula where Hindi is included. They continue to push either an English-regional model or, worse, purely English instruction. The result is a growing generation of Indians who know neither Sanskrit nor Hindi—thus cut off from their civilization, their scriptures and learnings. It is pertinent to mention here that Hindi and for that matter even Sanskrit are not only the languages of Hindus, they are the languages of whole Indic civilization, therefore, every Indian, be it of any religion, must know these languages so that they can understand their Indic culture, traditions, remarkable scriptures in their original sense.

Teaching in Sanskrit or Hindi Not Anti-Secular

In the landmark case of **Aruna Roy and others v. Union of India**⁹, the Supreme Court dismissed the argument that teaching Sanskrit in schools violates secularism. Instead, the Court upheld Sanskrit's cultural and civilizational significance in Bharat, asserting that secularism does not mean alienation from indigenous heritage. It emphasized the role of Sanskrit in preserving India's culture and value. Also noted that Sanskrit is the mother of most Indian languages – a language of profound wisdom.

Similarly, in **Santosh Kumar and others v. Secretary, Ministry of Human Resource and Development**¹⁰, the Apex Court emphasized Sanskrit's role in preserving and promoting Indian heritage and culture.

If Sanskrit is the root of most Indian languages, then Hindi is its living branch—spoken, understood, and used across India. If Sanskrit is judicially recognized for its value to national identity and not considered to be communal or against the principle of secularism then how can its direct descendant, Hindi (which is infused with Sanskritic soul), be any less important or

⁸ Saffronisation: Imposition of Hindi and Beyond!; <http://www.socialism.in/?p=9433>

⁹ AIR 2002 SUPREME COURT 3176

¹⁰ AIR1995SC293

against secularism? Shouldn't the same logic apply to Hindi when we debate NEP, 2020 or promotion of Hindi in general? In Aruna Roy, the Court expressly said that **secularism doesn't mean detaching from one's cultural or civilizational roots**. Promoting Sanskrit was held constitutional and necessary. The same constitutional morality must apply to Hindi. Both judgments support the view that promoting indigenous languages—especially those that serve as bridges to Dharmic understanding—are not a threat to secularism, but an affirmation of civilizational identity.

Harmonizing Unity and Diversity

A common language is the spine of national consciousness. It is the only way diverse regions (states) can feel emotionally connected to a larger identity (nation). Protesting against Hindi is like severing that spine. The success of Article 351's mandate lies in its ability to foster a unifying language while celebrating linguistic diversity. Enrichment of Hindi through other Indian languages is not a dilution of regional identity, but rather a constitutional recognition that India's unity rests on its composite culture. This model aligns with the principle of Unity in Diversity that underpins the Preamble and the federal structure of India.

By ensuring that no regional language is displaced, and that Hindi itself evolves as a vessel of composite culture, the Constitution offers a balanced linguistic policy framework.

Practical Utility of a Common Language in India

The role of a common language in a multi-lingual federal polity extends beyond cultural symbolism; it serves tangible and immediate socio-economic purposes for citizens irrespective of their religious affiliation, regional origin, or ideological orientation. For instance, inter-state mobility – whether for employment, higher education, specialized medical treatment or for other purposes—often necessitates communication across linguistic boundaries. A widely understood language reduces transaction costs, minimizes misunderstandings, and fosters efficiency in administrative and commercial interactions.

In India, where each State or Union Territory has its own official language, a link language (common language) functions as a unifying medium to bridge communicative gaps. Hindi, owing to its relatively wide geographic spread and mutual intelligibility with several other Indian languages, has the potential to serve this role as a *lingua franca*. In practice, it already

operates as such in many spheres—public transport, inter-state trade, and national-level governmental communication—without displacing or diminishing the vitality of regional languages.

This practical dimension finds constitutional recognition in Article 351 of the Indian Constitution. The framers embedded this provision not to undermine linguistic diversity but to provide a functional mechanism for linguistic cohesion in a nation as vast and varied as India.

For professionals seeking employment in public or private sectors that operate across state boundaries, familiarity with such a language can be a decisive factor in career advancement. Similarly, students relocating for academic opportunities often encounter linguistic challenges that a common language could mitigate, thereby promoting equitable access to education.

The health sector provides another example: patients traveling to metropolitan medical hubs for specialized treatment may find their healthcare outcomes improved when they can communicate in a language widely understood by both administrative and clinical personnel. These functional considerations demonstrate that the adoption and promotion of a link language is not merely a cultural or political project; it is an instrument of inclusivity and national integration that benefits all citizens—Hindu, Muslim, Christian, Sikh, atheist, or otherwise—by enabling smoother participation in the nation’s economic, educational, and social frameworks.

Conclusion

To reduce Hindi to a mere language dispute is to misunderstand the deeper currents shaping Bharat’s future. This debate is not about federalism versus centralization, north versus south, or religion versus secularism. It is about whether India will retain its inner coherence—its cultural memory, civilizational selfhood, and unifying thread.

Hindi, enriched by Sanskrit and nourished by regional tongues, is not a threat to diversity—it is the **key to holding that diversity together**. In denying it space in education, governance, and public life, we are not just rejecting a language—we are **silencing the most accessible voice of our heritage**.

The denial of Hindi, often under the pretext of modernity, secularism or federalism, is

slowly cutting the civilizational roots of Indian society – alienating young Indians from their scriptures, traditions, and philosophical frameworks. It also cripples national integration by denying Indians a shared platform of communication, especially for those who live outside the English-speaking elite bubble.

If Bharat is to move forward as a strong, self-aware, and united nation, **Hindi must be restored not only as a language of governance and education but also as a cultural lifeline.** Without it, we risk becoming **a house with many rooms but no foundation.**

Article 351 represents a **constitutional balance** in linguistic pluralism within a unified administrative framework. Its framers sought to bridge India's linguistic diversity with a common medium of expression, without erasing local identities. The constitutional text, supported by judicial interpretations and federal safeguards, makes it clear that the promotion of Hindi cannot constitutionally come at the expense of regional languages.

The challenge lies not in the provision itself, but in its political and administrative implementation. When pursued in the spirit intended by the framers—through enrichment, inclusivity, and voluntary adoption—Article 351 can strengthen both the unity of the nation and the vitality of its linguistic heritage.

