

## **The Enduring Influence of Sanskrit Language on Indian Legal Systems**

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### **Abstract**

*Sanskrit is one of the ancient and sacred language of India. This language has a impeccable influence in the development of the Indian Legal System. Sanskrit language serves as a foundation for ancient legal jurisprudence and also continue its immense contribution to the contemporary legal issues. Sanskrit and Indian society are intertwined with each other as majority of the indigenous knowledge of the Indian Society are in Sanskrit language. Sanskrit is often stated as the divine language or language of gods as a result of this it is coloured as language of Hindus and is believed to be against the principles of Secularism. This is a myth; the fact is that it is a secular language which has rich intellectual heritage and paved foundation for the legal system. This Article aims to demystify the language laws of the country and understand the timeless value and relevance of Sanskrit in the contemporary jurisprudence.*

### **Keywords**

*Sanskrit Language, Language Law, Constitution of India, Minority Languages, National and Official Language*

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## 1. Introduction

Sanskrit language is considered eternal and is divine. It is claimed to be the oldest, most respectable, richest and scholarly language in the world. Sanskrit is an easy vehicle of expression for all the shades of thoughts including but not limited to philosophy, science, literature, poetry, humour. Vedas dates back to 6500 BC to 1500 BC which means the evolution of Sanskrit language has happened before this. Each Veda is associated with the book of grammar titled “Pratishakhya” which facilitated easier understanding of the literature.

Not just regional languages but many of the international languages has resembles and derives its glossary from the Sanskrit language. Example, Sanskrit language and Indo-European languages like Latin Greek, French, German depict similarity. For instance, “Mother” in English is “matr” in Sanskrit, “Mutter” in German, “Mateera” in Greek and “Mater” in Latin.

British scholars like Sir William Jones<sup>2</sup>, Prof.Bopp<sup>3</sup>, Wilhelm von Humboldt<sup>4</sup>, Max Muller<sup>5</sup> and others opine that Sanskrit language is more perfect than that of Latin, Greek or other languages. The main rationale behind this finding is vast vocabulary and structured grammar. They also opined that it is the root of all modern languages. They always heaped appraisal to the language and appreciated the literature work.

In *Markanday Mani v. State of UP Thru Secy & Others*<sup>6</sup> it was states that Sanskrit means “prepared, pure, refined or perfect”. It is also called as “Devavani” which means that it was spoken by the Gods. The development of the language was not accidental, it is a planned language with high quality abstract and profound thoughts. It is an intellectual language with elegance, precision and exactitude. Sanskrit as a language cannot be separated from India as its interconnected with vedas, purans, Scholarly work and others. In Paragraph No. 28 the

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<sup>2</sup> Sir William Jones (1746-1794 AD) is a British Scholar who translated Manusmriti, Shakuntala and other work from Sanskrit to English and German Language.

<sup>3</sup> Prof Franz Bopp (1791-1867) is a German Linguist and scholar who authored several work in Sanskrit like *Uber das Conjugationssystem der Sanskritsprache* and *Ausführliches Lehrgebäude der Sanskritsprache*.

<sup>4</sup> Friedrich Wilhelm Christian Karl Ferdinand Von Humboldt (1767 – 1835) was a German philosopher, linguist, diplomat and educationalist.

<sup>5</sup> Max Muller (1823-1900) is a German Scholar who translated the Upanisads and other scholarly work from Sanskrit to German language.

<sup>6</sup> Writ 9218 of 2013.

Honourable Court opined that Sanskrit is a language of paramount importance and hence discriminating the language is a national crime.

## **2. National and Official Language in Legal Perspective**

Language is a structured system of verbal communication that has predetermined vocabulary and grammar. There are different kinds of language, however narrowing the perspective as per Indian Laws there are three types of language that is National Language, Official Language and Scheduled Languages.

National language is a language which represent the country's cultural and social identity wherein official language is the language used for the administrative and business purpose of the country. Scheduled languages are those languages which are recognised by the Constitution of India but is not an official language, however statutory recognition and support has been provided to the language.

Part XVII<sup>7</sup> of the Indian Constitution speaks about official language. Central Government will be using Hindi in Devanagari script as its official language along with Indian numerical in international version for a span of fifteen years from the date of commencement of Constitution of India. The power is vested with President of India to amend the same and also it is provided that the existing.

It is to be noted that power has been vested with the President to authorise addition of Hindi language and Devanagari form of numerical along with engaging language. Provision has been provided to continue using the same system even after fifteen years.

Article 345<sup>8</sup> granted rights to the State to adopt or follow any one or more languages or leverage Hindi as the official language, until it is specified or provided by State Law, English language shall be the default official language of the country. Article 346<sup>9</sup> directs that the official communication between states and/or Union will be that of official language. If the states

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<sup>7</sup> India Constitution 1950.

<sup>8</sup> India Constitution 1950 (Art 345)

<sup>9</sup> India Constitution 1950 (Art 346)

mutually decide then Hindi can be used as the official language of communication between them. Article 347<sup>10</sup> grants the liberty to President to provide official recognition upon his satisfaction that substantial population of the state desire to use the language.

Moving forward Article 350A<sup>11</sup> provides for the inclusion of the mother tongue at primary level of education and enforcement of relevant laws for the execution of the same. Article 351<sup>12</sup> makes it the duty of Union Government to promote the spread and development of Hindi Language. It was further stated that vocabulary can be drawn from the Sanskrit language and secondarily from other languages. It aims to develop Hindi as a unifying language while preserving linguistic diversity of Union. To execute this, it was also stated that the vocabulary shall be drawn primarily from Sanskrit languages and later from other languages.

In the year 2010, State of Uttarakhand is crowned as the first state to declare Sanskrit as the second state official language vide Section 03 of The Uttarakhand Official Language Act 2009<sup>13</sup>. Later in the year 2019, the state of Himachal Pradesh become the second state to declare Sanskrit as Second official language of the state vide section 3A of the Himachal Pradesh Official Language Act 1975<sup>14</sup> which was inserted via Himachal Pradesh Act No.9 of 2019.

### 3. Laws and Policies for Sanskrit Education

In 1957, First Sanskrit commission was set up under the chairmanship of linguist Dr Suniti Kumar Chatterjee by then Prime Minister Jawaharlal Nehru. Based on this report, Rashtriya Sanskrit Vidyapeetha, first Sanskrit institution was established in Tirupati in Andhra Pradesh in 1961. Later in 1965, Prime Minister Lal Bahadur Shastri established Kendriya Sanskrit Vidyapeeth (currently known as Shri Lal Bahadur Shastri Rashtriya Sanskrit Vidyapeeth). In 1970, the then Prime Minister Indira Gandhi established Rashtriya Sanskrit Sansthan, which is spread across the country with more than fifteen campuses.

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<sup>10</sup> India Constitution 1950 (Art 347)

<sup>11</sup> India Constitution 1950 (Art 350A)

<sup>12</sup> India Constitution 1950 (Art 351)

<sup>13</sup> The Uttarakhand Official Language Act 2009, Uttarkhand Act No.14 of 2010.

<sup>14</sup> Act No.01 of 1975

Report committee for evolution of “New Education Policy” chaired by Mr. T.S.R Subramaian constituted as part of “National Policy on Education 2016” by MHRD<sup>15</sup> opined that Sanskrit language is not just a classical language but it is to be considered as living phenomenon. The committee opined that the study of Sanskrit requires special emphasis as it is linked with life style, rituals, festivals of people. It opens doors for the cultural, scientific and philosophical heritage of India. The development of the Sanskrit language will provide outstanding contribution to the cultural unity of the country. It was suggested to offer Sanskrit as an independent subject at primary or the upper primary stage and to facilitate learners at all levels it was suggested to conduct open school courses for Sanskrit.

In Santosh Kumar Case<sup>16</sup> the Honourable Supreme Court of India directed the CBSE to add Sanskrit as an optional subject in the syllabus. The court opined that learning Sanskrit is essential for the protection of the heritage and culture of India. In para 10 of the Judgment, Sir Willian Jones’s love and admiration for Sanskrit has been quoted along with a regret that it took almost two hundred years to the court to address the importance of Sanskrit language.

The Central Sanskrit Universities Act, 2020<sup>17</sup> was brought into force which established The Central Sanskrit University, New Delhi having twelve campuses spread across the country, Shri “Lal Bahadur Shastri National Sanskrit University” located at New Delhi and “National Sanskrit University” located at Tirupathi with an objective to disseminate and advance knowledge by providing all kind of support for the promotion for Sanskrit language.

In addition to these Universities like Karnataka Sanskrit University, Bengaluru<sup>18</sup>; Sampurnanad Sanskrit University, Varanasi<sup>19</sup>; Sanskrit College and University, Kolkata<sup>20</sup>; Visva Bharathi

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<sup>15</sup> Ministry of Human Resource Development, Government of India, Report of the Committee for Evolution of the New Education Policy (2016), <https://niepa.ac.in/download/NEP2016/ReportNEP.pdf> (last visited Jan. 4, 2025).

<sup>16</sup> Santosh Kumar and Others vs The Secretary, Ministry of Human Resource Development AIR1995SC293, JT1994(6)SC454, 1994(4)SCALE391, (1994)6SCC579, [1994]SUPP4SCR139, 1995(1)UJ165(SC), AIR 1995 SUPREME COURT 293, 1994 AIR SCW 4459, (1994) 6 SERVLR 784, (1995) 1 SCT 35, 1994 (6) JT 454

<sup>17</sup> Act No.5 of 2020

<sup>18</sup> Karnataka State Open University, <https://ksu.ac.in/> (last visited Jan. 4, 2025)

<sup>19</sup> Sampurnanand Sanskrit Vishwavidyalaya, <https://www.ssvv.ac.in/> (last visited Jan. 4, 2025).

<sup>20</sup> The Sanskrit College and University, <https://sanskritcollegeanduniversity.ac.in/> (last visited Jan. 4, 2025).

University, Santiniketan<sup>21</sup>; Maharshi Dayanad Saraswati University, Ajmer<sup>22</sup>; Banaras Hindu University, Varanasi<sup>23</sup> and Maharshi Sandeepani Rashtriya Veda Vidya Pratishthan, Ujjain<sup>24</sup>. In addition to this there are certificate, diploma, graduation and post-graduation courses.

The Compulsory Teaching of Sanskrit Language in Schools Bill, 2024<sup>25</sup> objectifies to provide teaching of Sanskrit as a compulsory language in schools. As per Section 03 of the proposed Bill, Sanskrit Language shall be thought in every school as a compulsory subject up to eight standards. Section 05 states that the expenditure incurred in the implementation of this proposed Bill shall be equally shared by the Central Government and State Government.

#### 4. Sanskrit v. Secularism

Shri Markandaya Katju, a retired Supreme Court Judge opined that it is a misunderstanding that Sanskrit is a language of Hindus. He continued stating that it is the language about philosophy, science, law, grammar, literature and phonetics. He stated that it's a language more than the language for chanting mantras in temples or religious ceremonies<sup>26</sup>.

Former CJI<sup>27</sup>, Justice Sharad Arvind Bobde stated that Sanskrit is a secular language as it is more of "Raj Basha" than that of "Dev Basha". Sanskrit language is the source for many of the languages like kannada, odia etc. Hence Sanskrit language can be framed in such a way that it will not offend anybody's religious faith. He further added that when English was introduced majority of Indians didn't understand it, hence it is not a difficult aspect to introduce Sanskrit as national language<sup>28</sup>.

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<sup>21</sup> Visva-Bharati University, <https://www.visvabharati.ac.in/> (last visited Jan. 4, 2025).

<sup>22</sup> Maharshi Dayanand Saraswati University, <https://mdsuajmer.ac.in/> (last visited Jan. 4, 2025).

<sup>23</sup> Banaras Hindu University, <https://www.bhu.ac.in/> (last visited Jan. 4, 2025).

<sup>24</sup> Maharshi Sandipani Rashtriya Vedavidya Pratishthan, <https://msrvvp.ac.in/> (last visited Jan. 4, 2025).

<sup>25</sup> Bill No. 76 of 2024

<sup>26</sup> Justice Markandey Katju, Sanskrit as a language of Science, Facebook (Dec 14, 2024) <https://www.facebook.com/justicekatju/posts/sanskrit-as-a-language-of-scienceby-justice-markandey-katju-judge-supreme-court-/847216031985611/> (last visited on Jan 10, 2025)

<sup>27</sup> Chief Justice of India

<sup>28</sup> Sanskrit can be considered as a secular bhasha: Former CJI Justice S.A Bobde, Verdictum (Feb 19, 2025) <https://www.verdictum.in/news/sanskrit-official-language-justice-sharad-arvind-bobde-1459771> (Last visited Jan 12, 2025)



Honourable Supreme Court of India in Santosh Kumar case<sup>29</sup> referred Chapter IV of the report of Sanskrit Commission titled “Sanskrit and National Solidarity”. Based on this report, the court stated that Sanskrit as language embodies Indian Culture and civilisation. It acts as a binding force. The commission travelled across India that is from Kerala to Kashmir and from Kamarupa to Saurashtra. It figured that people are extremely proud of the language and its heritage. Based on the findings of the report, the honourable Supreme Court of India viewed that teaching of Sanskrit as an optional subject will not go against the concept of secularism. Sanskrit owing to its rich heritage and vocabulary deserves to be one of the languages in the VIIIth schedule of Indian Constitution. Hence direction was issued to the Board to include Sanskrit in curriculum as one of the optional languages.

### **5. Minority status to Sanskrit language**

The term “Linguistic Minorities” is not defined in the Constitution. To be considered as minority language it should be one of the languages mentioned in the VIIIth schedule of the Constitution of India at Central Level and at state level to be linguistic minority, the language should be different from that of the principal language of the state, district and/or taluka and/or tehsil level again different from principal language of the respective place.

In order to execute this Article 350A<sup>30</sup> and Article 35B<sup>31</sup> has been inserted in the constitution of India by The Constitution (Seventh Amendment) Act, 1956<sup>32</sup>. Commissioner for Linguistic Minorities in India (CLM) was established to address the challenges faced and protect the rights of linguistic minorities in India. In addition to this Article 30<sup>33</sup> enables the religious and linguistic minorities to establish and run educational institutions across the country for the welfare of the community.

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<sup>29</sup> Santosh Kumar And Others v. Secretary, Ministry of Human Resource Development, AIR1995SC293, JT1994(6)SC454, 1994(4)SCALE391, (1994)6SCC579, [1994]SUPP4SCR139, 1995(1)UJ165(SC), AIR 1995 SUPREME COURT 293, 1994 AIR SCW 4459, (1994) 6 SERVLR 784, (1995) 1 SCT 35, 1994 (6) JT 454

<sup>30</sup> India Constitution 1950 (Art 350A)

<sup>31</sup> India Constitution 1950 (Art 350B)

<sup>32</sup> The Constitution (Seventh Amendment) Act, 1956, No.97, Acts of Parliament, 1956

<sup>33</sup> India Constitution 1950 (Art 30)



“Minority”<sup>34</sup> has been defined as a community that is notified by the central government. It was notified by Government of India that Muslims, Sikhs, Christians, Buddhists, Jain, and Zorastrians (Parsis) are the religious minorities at National Level<sup>35</sup>.

On this background on March 23, 2018, the Minister of State (HRD), Dr Satya Pal Singh answered to a Rajya Sabha question that the National Commission for Minority Educational Institutions Act 2004<sup>36</sup> does not cover linguistic minorities under its ambit and hence no authority is empowered to issue minority certificate on linguistic basis<sup>37</sup>. This is because Section 2(f)<sup>38</sup> of the Act defines minority as a community that is notified by the central government. The difficulty here is that the central government has recognised only the religion Minorities but not linguistic minority.

In this direction the Government of Karnataka vide Notification No: ED 226 Mahiti 2018, Bengaluru dated 05.11.2018 declared that “Urdu, Telugu, Tamil, Malayalam, Marathi, Tulu, Lavani, Konkani and Gujarati” as linguistic minority languages. This was on the basis of the report submitted by Justice Ranganath Mishra, Retired Chief Justice and President of Religious and Linguistic Minority Commission. However, Sanskrit as a language couldn’t find its place here.

In Bala Seva Educational and Charitable Institution and others v. The Government of Tamil Nadu and others<sup>39</sup>, writ of certiorari mandamus was filed seeking grant of minority status to the Shanmuga College of Engineering as the board belonged to the Sanskrit speaking community, which is a minority language in State of Tamil Nadu. High Court of Madras stated that Sanskrit is a dead language and that cannot be the only reason for the rejection of petitioner’s application. Quashing the order, it was directed to review the application of petitioner and pass appropriate order. Further, In Bala Seva Educational and Charitable

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<sup>34</sup> Section 2 (c) of National Commission for Minorities Act, 1992, Act No.19 of 1992

<sup>35</sup> THE NOTIFICATION ON MINORITY COMMUNITY [1993 –SO No. 816(E) F.No.1/11/93-MC(D) dated 23.10.1993]

<sup>36</sup> National Commission for Minority Educational Institutions Act 2004, Act No.2 of 2005

<sup>37</sup> Ministry of Human Resource Development, Government of India, Report of the Committee for Evolution of the New Education Policy (2016), <https://niepa.ac.in/download/NEP2016/ReportNEP.pdf> (last visited Jan. 4, 2025).

<sup>38</sup> Ibid.

<sup>39</sup> (1998)1MLJ570

Institution and others v. The Government of Tamil Nadu and others<sup>40</sup>, the Petitioner filed writ of certiorarified mandamus praying for the minority status as the application was again rejected. The application was rejected stating that the main objective of petitioner is to provide technical education and it is not established promoting Sanskrit language. Also, imparting technical education in Sanskrit language is not permissible as per norms. Further it was also noted that the Sanskrit language is studied by everyone and it is the mother of Indo-Aryan languages. Hence the language doesn't belong to any community exclusively. Knowing Sanskrit language and mother tongue as Sanskrit is different. It was contended that the just because petitioner can speak Sanskrit that doesn't mean that language doesn't belong to them exclusively. However, the High Court of Madras held that these reasons are baseless and cannot be supported. The Court also noticed that in the State of Tamil Nadu colleges like Arunai Engineering college, S.R.M Engineering College are granted Telugu Minority status. The court stating Government order issued by State Government<sup>41</sup> and elaborated the significance of Sanskrit language. Allowing the writ petition it was held that the respondents shall review the fresh orders on the application filed by the petitioner for minority status.

The constitutionality of the said provision that is section 2(f) of the National Commission for Minority Educational Institutions Act 2004<sup>42</sup> has been challenged in Ashwini Kumar Upadhyay v. Union of India and others<sup>43</sup> of whose judgement is awaited from honourable Supreme Court of India.

## **6. Claim of Sanskrit as Dead Language**

Sanskrit is coded as “dead” language as it is not actively spoken in everyday life. However, Mattur village located in Shivamogga District, Karnataka is an exception to this. Residents converse here in Sanskrit lanaguge and hence the village is also rightfully named as “Sanskrit village of India”. Along with this Jihri, Madhya Pradesh ; Sasana, Odisha ; Baghuwar, Madhya Pradesh and other Indian Village residents communicate using Sanskrit language.

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<sup>40</sup> (1998)3MLJ449

<sup>41</sup> G.O.Ms.No 371 dated 10.05.1995 and G.O.Ms No. 589 dated 21.7.1995

<sup>42</sup> National Commission for Minority Educational Institutions Act 2004, Act No.2 of 2005

<sup>43</sup> Writ Petition (Civil) No. 836/2020

Though, the Sanskrit language is now widely and actively spoken still it remains as fundamental principle of Indian intellectual and cultural heritage. Hence it cannot be stated that Sanskrit language is not dead language, it is immortal in the ancient scripts, literature work and spirituality.

The best example for the influence of Sanskrit work on global laws is "A Code of Gentoo Laws (Ordinations of the Pandits)". Vivadnavasetu is a digest of Hindu Law which was compiled by Pandits on the order passed by Warren Hastings. Later this was translated to Persian by Pandits and later to English by Nathaniel Brassey Halhed and was titled as "A Code of Gentoo Laws (Ordinations of the Pandits)"<sup>44</sup>. In 1776, this was privately printed by the East India Company in London. Later It was reprinted in 1777 and 1781. It is noteworthy that it was further translated to French and German.

T.B Macaulay<sup>45</sup>, Secretary to the Board of Control stopped Sanskrit teaching and ensured that only English is promoted. Book publication in Sanskrit and Arabic and support to traditional education were withdrawn. All of these resulted in enforcement of Education Act of 1835. This resulted in Sanskrit schools and institutions lost its existence and significance. The scholars who were not educated about Sanskrit language made erroneous errors in the translation of the document, which led to pollution of Sanskrit language.

Post Independence, though there were healthy and lengthy debates made during Constituent Assembly and sub-committee formed on "Languages" loudly screamed the need of reversing the damage caused by the Britishers. Though they advocated for declaring Sanskrit as the national Language and/or official language. It was stated everyone that India as a country should wait for some more time before taking this step, hence it was stated that English and Hindi shall be serving as the Official Language and there shall be no National Language<sup>46</sup>.

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<sup>44</sup> Nathaniel Brassey Halhed, A code of Gentoo Laws or Ordinations of the Pundits: From a Persian Translation, Made from the Original, written in the Sanskrit Language (1776),( <https://indianculture.gov.in/rarebooks/code-gentoo-laws-or-ordinations-pundits-persian-translation-made-original-written> ) last accessed on Jan 12, 2025

<sup>45</sup> T.B. Macaulay, Minute on Indian Education (Feb 02, 1835)

<sup>46</sup> Article 343 of the Constitution of India

Hence treating Sanskrit as a dead language is an ignorant act. Though it has fallen out of the common usage it has not lost its vibrance and wisdom. It still remains as scholarly language.

## 7. Sanskrit language in Judicial Proceedings

It is to be noted that Acharya Shyamji Upadhyay, an advocate practising at Varanasi has been appearing and presenting documents in Sanskrit language since 1978. He has also taken initiative to teach and spread Sanskrit language across the country. Influenced by this the Honourable Judges have delivered their judgement in Sanskrit or Hindi. He has authored more than 60 novels in Sanskrit. As a result of all these initiatives he has been awarded 'Sanskrit Mitram' by Human Resource and Development Ministry in the year 2003.

In Smt Kanchan Rawat and another v. State of U.P and another<sup>47</sup> A bench of Justice Shiv Shankar Prasad at Allahabad High Court delivered a judgement in three languages that is in English, Hindi and Sanskrit on 11<sup>th</sup> July 2024. The Judgement in three languages were merged into a single document extending the document to a volume of forty-two pages. Previously, it to be noted that as stated by the Allahabad High Court, in the year 1985 Justice Shri B. L. Yadav delivered seven judgments in Sanskrit along with Hindi and English<sup>48</sup>.

As per the provisions of Indian Constitution, English language will be used in Honourable Supreme Courts, High Courts and legislative documents such as Bills, Acts, Orders including official documents<sup>49</sup>. As an exception to this rule, Governor is empowered to

Nevertheless, the Governor with prior approval from President can permit use of Hindi and any other language for official purpose of the state. In these circumstances, the documents will be translated into English followed by publication in official gazette. The Governor of the state is authorised under Section 07 of the Official Languages Act 1963<sup>50</sup>, to pass order, for the use of Hindi or any official language for the state for the purpose of passing any judgement, decree

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<sup>47</sup> Neutral Citation No - 2024:AHC:112011

<sup>48</sup> [https://eparlib.nic.in/handle/123456789/864736?view\\_type=browse](https://eparlib.nic.in/handle/123456789/864736?view_type=browse) visited at 08:05 PM on Friday January 03 2025

<sup>49</sup> Article 348, Constitution of India

<sup>50</sup> Act No.19 of 1963

or order passed by the High Court with the previous consent of the President. Such judgements will be accompanied by the translation of the same in English language in the same document.

### **8. Sanskrit: A contender for National Language Post**

In K.G. Vanzara v. Union of India<sup>51</sup>, writ of mandamus was filled requesting to declare Sanskrit language as national language. However, the writ petition was dismissed by the Honourable Supreme Court of India stating that the amending of constitution and declaration of particular policy decision cannot be done on the basis of writ of Mandamus. The quorum consisting of learned Hon'ble Justice M.R. Shah And Hon'ble Justice Krishna Murari also opined that there must be a healthy detailed dialogue and discussion before declaring a particular language as national language.

### **9. Future of Sanskrit in Legal Perspective**

The Government is celebrating Sanskrit Diwas or World Sanskrit day or Vishva Samakrita Dinam is celebrated every year on the Shraavana Poornima that is full moon day of the Shraavana Month which is usually around the August month. The objective of the observation of the day to recognize and promote the significance of Sanskrit language. This is a great move to promote the awareness of Sanskrit language.

Most of the indigenous knowledge is originally from and/or available in the Sanskrit language. Revival of Sanskrit language would result in the reviving of the Sanskrit legal texts. Mastering of the Sanskrit language by the legal professionals or introduction of the same in the legal curriculum would open doors for deeper understanding of the ancient Indian jurisprudence as this will enable them to read and interpret texts including but not limited to “Manusmrithi” “Yajnavalkya Smriti”, “Dharmasharas”. The effective study of the Sanskrit legal texts would build the gap between ancient wisdom and modern problems. It also enables the comparative legal study highlighting the concept of justice and equity.

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<sup>51</sup> Writ Petition(s)(Civil) No(s). 1257/2020

Including Sanskrit as a subject in the primary as well as at all stages of education it would facilitate for empowerment of Sanskrit language. Establish scholarships and fellowships for promotion of Sanskrit language, provide minority status to the Sanskrit language and develop robust policies for the promotion of Sanskrit language.

## 10. Conclusion

Sanskrit as a language holds unparalleled and highest position in the history of India. It laid the foundation for the ancient jurisprudence which shaped the present legal system. Sanskrit language addressed the entire India's legal landscape promoting equality and fairness on personal laws, administrative laws, contractual laws, criminal laws and others.

It is baseless argument to state that Sanskrit is a dead language. Even for the date, Sanskrit is vital repository for the legal and ethical governance. Due to invasion of foreigners in India, Sanskrit language lost its prominence as the foreigners couldn't speak the language. The language was forced to the corner seat. This resulted in fading of the language along with the access to the rich heritage that was communicated to the current generation by the ancestors. The wisdom remined in the literature and hence intellectual traditions that shaped the Indian's identity had to be departed.

Nourishment and upliftment of the Sanskrit language is the need of the hour. It is not just to preserve national heritage but to refine the existing laws and frame new laws in place. Mastering Sanskrit language provides access to the timeless legal wisdom. Learning ancient texts ensure that not just legal professional but also other people shall be able to enhance the quality of life and lead life with utmost fairness and equality.

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