

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

STARRED QUESTION NO:96

ANSWERED ON:17.08.2007

USE OF HINDI AND REGIONAL LANGUAGES IN COURTS

Agarwal Shri Dharendra;Appadurai Shri M.

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether all works in Supreme Court and High Courts in the country are done in English instead of Hindi and other regional languages;
- (b) if so, the reasons therefor;
- (c) whether the Government of Tamil Nadu has requested the Union Government to make Tamil as official language for Madras High Court;
- (d) if so, the action taken thereon;
- (e) whether the Government proposes to make Hindi and other regional languages as official language of the Supreme Court, High Courts and other lower courts; and
- (f) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW & JUSTICE (SHRI H.R. BHARDWAJ)

(a) to (f): A statement is laid on the Table of the House.

Statement referred to in reply to Parts (a) to (f) of J Lok Sabha Starred Question No. 96 for 17.08.2007 by Shri M. Appadurai and Dr. Phirendra Agarwal regarding use of Hindi and Regional Languages in Courts.

(a) to (f): Article 348(1)(a) of the Constitution of India provides that all proceedings in the Supreme Court and in every High Court shall be in English language until Parliament by law otherwise provides.

Under Article 348(2), the Governor of the State may with the previous consent of the President, authorize the use of the Hindi language or any other language used for any official purpose of the State, in the proceedings of the High Court having its principal seat in that State.

In four States namely; Bihar, Uttar Pradesh, Madhya Pradesh and Rajasthan the use of Hindi language has been authorized for the proceedings of the High Courts.

No law has since been made in this regard by the Parliament; therefore, English continues to be the language for all the proceedings of the Supreme Court.

The matter of use of Hindi in the proceedings of the Supreme Court has been examined by the Department of Official Language in consultation with the Registry of the Supreme Court. With respect to a reference made by Department of Official Language, the Registrar, Supreme Court of India intimated that the point of introduction of optional use of Hindi in the hearing and proceedings in the Supreme Court has been considered by the full Court twice i.e. on 10.4.1990 & 26.9.1996. However, after ascertaining the views of the Bar Council of India, Supreme Court Bar Association and the Supreme Court Advocates-on-Records Association, it was unanimously resolved that it was not practically feasible to introduce Hindi in the proceedings of the Supreme Court on the ground that matters in this court are filed from all parts of the country and Hindi Language is used only in Northern India. If introduced, it will cause great difficulties to the litigants, hon'ble Judges as well as Bar members, particularly to those who hail from Southern region of the country.

The request of the Tamil Nadu Government for permitting use of Tamil language in Madras High Court was forwarded to the then Registrar General, Supreme Court for obtaining the comments of Hon'ble Chief Justice of India. CJI has not favoured implementation of the above proposal on certain grounds which were communicated to the State Government.

Thereafter, the Hon'ble Chief Minister, Tamil Nadu had written to Hon'ble Minister of Law and Justice as well as to Home Minister for early decision in the matter. The matter is presently under examination of the Government in consultation with the concerned Departments.

