

Bill No. 38 of 2020

THE CONSTITUTION (AMENDMENT) BILL, 2020

By

SHRI. A. GANESHAMURTHI, M.P.

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further to amend the Constitution of India.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. The Act may be called the Constitution (Amendment) Act, 2020.

Short title.

2. For article 120 of the Constitution, the following article shall be substituted,
5 namely:—

Substitution of
new article for
article 120.

"120. Notwithstanding anything in Part XVII, but subject to the provisions of article 348, business in Parliament shall be transacted in Hindi or in English:

Language in
which Business
in Parliament to
be transacted.

Provided that the Chairman of the Council of States or Speaker of the House of the People, or person acting as such, as the case may be, shall—

(i) permit a member to give notice under different class of business in accordance with the Rules of procedure framed under article 118, in any of the languages specified in the Eighth Schedule;

(ii) permit any member who cannot adequately express himself in Hindi or in English to address the House in one of the languages specified in the Eighth Schedule; 5

(iii) cause all business transacted in Parliament translated into all languages specified in the Eighth Schedule and circulated to members; and

(iv) make available simultaneous interpretation facilities in all languages specified in the Eighth Schedule when any member addresses the House in Hindi or in English or in any other language.". 10

STATEMENT OF OBJECTS AND REASONS

India is a Union of States. Hundreds of languages are spoken in the country. Many of these languages are ancient and older than some of the languages spoken all over the world.

Our Parliament consists of representatives from twenty-eight States and eight Union territories. The representatives may speak different languages, but their goal is to represent the people who have elected them.

At present business in Parliament is transacted in Hindi and English. All parliamentary documents and papers are translated and printed in both the versions. A member has an option to give a letter/notice in either language.

However, as English or Hindi is neither the mother tongue nor a medium of learning of majority of the members of Parliament, they cannot express themselves adequately in Hindi or in English. Though, there is a provision for simultaneous interpretation of proceedings of Parliament in some of the languages included in the Eighth Schedule to the Constitution, but the main point is that the business of the House should be transacted in all the languages included in the Eighth Schedule to the Constitution so as to enable all other members to understand the views expressed. All the Parliamentary papers should be translated and made available in all the languages included in the Eighth Schedule to the Constitution. This will ensure meaningful participation of all members in the debates during discussion in the House.

The European Union Parliament has facility of simultaneous interpretation in twenty-three languages for seven hundred and thirty-six members. The possibility of adopting this initiative of European Union by the Indian Parliament should be explored as almost equal number of representatives, speaking different languages are elected to it.

Ours is the largest democracy in the world and any arrangement which increases and improves the functioning of the representatives in the legislature will only strengthen the already strong and vibrant democracy.

Languages should not be a barrier in the functioning of democracy. A child learns to speak in his mother tongue, grows speaking his mother tongue and studies in his mother tongue. Therefore, mother tongue of elected representatives to be used in the highest body of the country.

The Bill, therefore, seeks to amend the Constitution with a view to enable transaction of proceedings of Parliament in all the languages included in the Eighth Schedule to the Constitution.

Hence this Bill.

NEW DELHI;
January 17, 2020.

A. GANESHAMURTHI

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for simultaneous interpretation facilities and for translation and distribution of all parliamentary papers in all languages included in the Eighth Schedule to the Constitution. As such, the Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees one hundred crore is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees one hundred crore is also likely to be incurred from the Consolidated Fund of India.

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

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120. (1) Notwithstanding anything in Part XVII, but subject to the provision of article 348, business in parliament shall be transacted in Hindi or in English:

Language to be used in Parliament.

Provided that the Chairman of the Council of States or Speaker of the House of the People, or person acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the House in his mother-tongue.

(2) Unless Parliament by law otherwise provides, this article shall, after the expiration of a period of fifteen years from the commencement of this Constitution, have effect as if the words "or in English" were omitted therefrom.

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further to amend the Constitution of India.

(*Shri A. Ganeshamurthi, M.P.*)