

AS INTRODUCED IN THE RAJYA SABHA  
ON 9TH DECEMBER, 2022

**Bill No. LIX of 2022**

THE OFFICIAL LANGUAGES BILL, 2022

A

BILL

*to provide that all regional languages shall be used for all official purposes of the Union and for matters connected therewith or incidental thereto.*

WHEREAS in a democracy, the application of laws must be understandable to all its citizens;

AND WHEREAS the Hindi speaking population in India is concentrated in just six States and residents of the remaining States, which constitute the majority, have been discriminated against by not being allowed to conduct official business in their regional language;

AND WHEREAS the languages people speak helps in defining who they are and being allowed to communicate in the same language is part of our right to identity which is implicit in the fundamental rights guaranteed under Part III of the Constitution of India.

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

1. (1) This Act may be called the Official Languages Act, 2022.

Short title and  
commencement.

(2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different States and any reference in any provision to the commencement of this Act shall be construed in relation to any State as a reference to the coming into force of that provision in that State.

Definitions.

2. In this Act, unless the context otherwise requires:—

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(a) "Committee" means the Official Language Committee constituted under section 6;

(b) "official purpose" means and includes:—

(i) communication between one Ministry or Department or office of the Central Government and another Ministry;

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(ii) communication between one Ministry or Department or office of the Central Government and any corporation or company owned or controlled by the Central Government or any office thereof;

(iii) communication between the Central Government or any Ministry or Department or office thereof or any corporation or company owned or controlled by the Central Government or any office thereof and any State Government or any Ministry or Department or office thereof or any corporation or company owned or controlled by the State Government or any office thereof;

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(iv) communication between any corporation or company owned or controlled by the Central Government or any office thereof and another;

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(v) resolutions, general orders, rules, notifications, administrative or other reports or press releases issued or made by the Central Government or by a Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company;

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(vi) administrative and other reports and official papers laid before the Houses of Parliament;

(vii) contracts and agreements executed, licences, permits, notices and forms for tender issued, by or on behalf of the Central Government or any Ministry, Department or office thereof or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company; and

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(viii) proceedings conducted in High Courts of all States including any judgment, decree or order passed or made by the High Court.

(c) "official status" means the position given to all languages mentioned in the Eighth Schedule to the Constitution which can be used for official purposes;

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(d) "prescribed" means prescribed by rules made under this Act.

Official status to languages in the Eighth schedule.

3. Notwithstanding anything contained in any other legislation for the time being in force, all languages listed in the Eighth Schedule to the Constitution, as of the day this Act comes into force, and those to be included by amending the Constitution, shall be given official status from such date on which this Act comes into force:

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Provided that no language that has been removed from the Eighth Schedule to the Constitution by an amendment made to the Constitution shall be given official status.

Languages to be given official status for all official purposes of the Union.

4. All languages that have been given official status shall be used for all official purposes of the Union:

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Provided that for communication between one Ministry or Department or office of the Central Government and another; or communication between one Ministry or Department or office of the Central Government and any corporation or company owned or controlled by the Central Government or any office thereof; or communication between any corporation or company owned or controlled by the Central Government or any office thereof and another; the official language or languages preferred by both the Ministries or Departments or other office of the Central Government or corporations of companies owned or controlled by the Central Government or any office thereof shall be taken into account and all communication between the Ministries or Departments or other office of the Central Government or any office thereof shall be conducted in all such official languages in such a way that they are all translations of one another:

Provided further that all communication between the Central Government or any corporation or company owned or controlled by the Central Government or any office thereof and any State Government or any corporation or company owned or controlled by the State Government or any office thereof shall be in both English and the Official language preferred by the State concerned and the official language preferred by the Central Government:

Provided further that all resolutions, general orders, rules, notifications, administrative or other reports, press releases issued or made by the Central Government or by a corporation or company owned or controlled by the Central Government or by any office of such corporation or company, administrative and other reports, official papers laid before a House or the House of Parliament, contracts and agreements executed, licences permits notices and forms for tender issued by or on behalf of the Central Government or by a corporation or company owned or controlled by the Central Government or by any office or such corporation or company, shall be issued in all official languages:

Provided further that proceedings of High Courts including any judgment, decree or order passed or made by a High Court may be in the official language adopted by the State in which the High Court is situated.

5. Notwithstanding anything provided in section 4, an English translation shall be provided at the time for all communications made for official purposes.

English translation of communications.

6. (1) The Central Government shall by notification in the official Gazette constitute an Official Languages Committee under the provisions of this Act within sixty days of its coming into force.

Establishment of Official Languages Committee.

(2) The Committee shall consist of twenty members, of whom ten shall be members of the House of the People and ten shall be members of the Council of States, to be elected respectively by the members of the House of the People and the members of the Council of States in accordance with the system of proportional representation by means of a single transferable vote.

7. The Committee shall promote the teaching and learning of all official languages in such manner as may be prescribed.

Functions of the Committee.

8. (1) The Committee shall annually submit a report to the President giving its recommendations therein and the President shall cause the report to be laid before each house of Parliament, and sent to all the State Governments.

Annual Report.

(2) The President may, after consideration of the report referred to in sub-section (1) and the views, if any, expressed by the State Government thereon, issued directions in accordance with the whole or any part of the report:

Provided that the directions so issued shall be consistent with the other provisions of this Act.

Power to  
make rules.

**9.** (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be, after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Repeal.

**10.** The Official Languages Act, 1963 with all its amendments is hereby repealed. 19 of 1963

## STATEMENT OF OBJECTS AND REASONS

The language we speak helps define who we are and adds to our sense of identity. It is an inalienable right conforming to the principles embodied in the United Nations International Convention on Civil and Political Rights and according to the spirit of Part III of the Constitution of India. It is, therefore, pertinent to make provisions that promote the linguistic and cultural diversity of India and not to stifle it.

2. In a democracy, the laws it applies must be understandable to all its citizens. Moreover, there can be no discrimination between people belonging to different states. If residents of one State are given the privilege to conduct official business in their mother tongue, the same privilege must be extended to all citizens. In the official dealings with institutions, all citizens must have the right to use their own regional language. While national integration is of paramount importance, we as a Union of States must also actively promote the freedom of its peoples to speak and write their own language.

3. India must be committed to maintaining its multilingual character. It is important for us to realize that the protection and promotion of regional languages represent an important contribution to the building of an India based on the principles of democracy and cultural diversity within the framework of national sovereignty and territorial integrity.

The Bill seeks to achieve the above objectives.

TIRUCHI SIVA.

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill provides that all official languages may be used for all official purposes of the Union. Clause 5 of the Bill provides that an English translation must be provided at all times for all communications made for official purposes. Clause 6 of the Bill provides for the constitution of an Official Languages Committee and Clause 7 of the Bill prescribes that the Committee shall promote the teaching and learning of all official languages. The Bill, if enacted will involve expenditure from the Consolidated Fund of India, however, at this stage, it is difficult to estimate the exact expenditure, both recurring and non-recurring.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Act. The rules will relate to matters of procedure or administrative details only. The delegation of legislative power is, therefore, of a normal character.

RAJYA SABHA

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*(Shri Tiruchi Shiva, M.P.)*

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