

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**RAJYA SABHA**

**UNSTARRED QUESTION NO. 593**

ANSWERED ON 07/12/2023

**USE OF LOCAL LANGUAGE IN COURTS**

593. SHRI RAMBHAI HARJIBHAI MOKARIYA:

Will the Minister of Law and Justice be pleased to state:

- (a) whether the use of local language in courts has been deliberated upon;
- (b) if so, by when local languages will be introduced in the judicial system of the country; and
- (c) if not, whether Government will consider the use of local language in the future to strengthen the judicial system at the grassroots level, if so, the details thereof?

**ANSWER**

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE

(SHRI ARJUN RAM MEGHWAL)

**(a) to (c):** As regards language of proceedings in the High Courts, Article 348(1)(a) of the Constitution of India states that all proceedings in the Supreme Court and in every High Court, shall be in English language. Clause (2) of the Article 348 of the Constitution provides that notwithstanding anything in sub-

clause (a) of clause (1), the Governor of a State may, with the previous consent of the President, authorize the use of Hindi Language, or any other language used for any official purposes of the State, in proceedings of the High Court having its principal seat in that State, provided that decrees, judgements or orders passed by such High Courts shall be in English. The Cabinet Committee's decision dated 21.05.1965 has stipulated that consent of the Hon'ble Chief Justice of India be obtained on any proposal relating to use of a language other than English in the High Court.

The use of Hindi in the proceedings of High Court of Rajasthan was authorized under clause (2) of Article 348 of the constitution in 1950. After the Cabinet Committee's decision dated 21.05.1965 as mentioned above, the use of Hindi was authorized in the High Courts of Uttar Pradesh (1969), Madhya Pradesh (1971) and Bihar (1972) in consultation with the Chief Justice of India.

Government of India had received proposals from the Government of Tamil Nadu, Gujarat, Chhattisgarh, West Bengal and Karnataka to permit use of Tamil, Gujarati, Hindi, Bengali and Kannada in the proceedings of the Madras High Court, Gujarat High Court, Chhattisgarh High Court, Calcutta High Court and Karnataka High Court respectively. The advice of Chief Justice of India was sought on these proposals as per the Cabinet Committees decision taken in 1965 and the Chief Justice of India vide his D.O. letter dated 16.10.2012 intimated that the Full Court in its meeting held on 11.10.2012, after due deliberations, decided not to accept the proposals.

Based on another request from the Government of Tamil Nadu, the Government requested the Chief Justice of India to review the earlier decisions in this regard and convey the consent of the Supreme Court of India in July, 2014. The Chief Justice of India vide his D.O. letter dated 18.01.2016 conveyed that the

Full Court, after extensive deliberations, unanimously resolved that the proposals could not be accepted.

Under Article 235 of the Constitution of India, the administrative control over the district and subordinate judiciary in the States vest with the concerned High Court. As regards, use of Hindi or regional language in lower courts, it is decided by the High Court and State Government concerned in consultation with each other.

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