

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO. 2036

ANSWERED ON 08/08/2024

Using regional languages in courts

2036. Dr. Dharmasthala Veerendra Heggade:

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

- (a) whether the inability to explain principles of law to the general public in simpler terms was shortcoming of the legal profession and education;
- (b) if so, whether Government proposes to use regional languages in legal proceedings to make the case understandable for general litigants and if so, the details thereof;
- (c) whether Government has received any request for establishment of a permanent bench of the Supreme Court at Bengaluru and if so, details thereof and view of Government thereon; and
- (d) the steps taken to mitigate transportation problems and language issues faced by litigants from southern part of the country?

ANSWER

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

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): 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. However, Article 348 (2) of the Constitution of India provides that 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 in the High Court having its principal seat in that State. Further, Section 7 of the Official Language Act, 1963 states that the Governor of a State may, with the previous consent of the President, authorize the use of Hindi or the official language of the State, in addition to the English Language, for the purposes of any judgment, decree or order passed or made by the High Court for that State and where any judgment, decree or order is passed or made in any such language (other than the English Language), it shall be accompanied by a translation of the same in the English Language issued under the authority of the High Court.

The Committee of the Cabinet appointed to consider the different aspects of the official language policy in its meeting held on 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 Article 348(2) 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 Committee's 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.

(c): Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the chief Justice of India may, with the approval of the President, from time to time, appoint. Based on the representations received from time to time from various quarters for establishment of Benches of Supreme Court in various parts of the Country as well as the 125th report of the Eleventh Law Commission titled “the Supreme Court – A Fresh Look”, the matter was referred to the Chief Justice of India, who informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting of benches of the Supreme Court outside Delhi.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgement dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench of authoritative pronouncement. The matter is currently sub-judice in the Supreme Court.

(d): In order to make the judicial proceedings and judgments more comprehensive for the grasp of common citizen, specific efforts have been made for translation of proceedings and judgments from English to other regional languages. As informed by the Supreme Court of India, Hon'ble Chief

Justice of India has constituted the AI Assisted Legal Translation Advisory Committee, headed by Hon'ble Mr. Justice Abhay S. Oka, Judge, Supreme Court of India, for translation of e-SCR Judgments into vernacular languages by using AI Tool. As on 02.12.2023, by using AI translation tools, 31,184 judgments of Supreme Court, have been translated into 16 languages viz. Hindi (21,908), Punjabi (3,574), Kannada (1,898), Tamil (1,172), Gujarati (1,110), Marathi (765), Telugu (334), Malayalam (239), Odia (104), Bengali (39), Nepali (27), Urdu (06), Assamese (05), Garo (01), Khasi (01), Konkani (01). The details of the judgments of Supreme Court translated into 16 languages, as on 02.12.2023, is available on the e-SCR Portal of the Supreme Court website.

A similar Committee has been constituted in all the High Courts, headed by the Judges of the respective High Courts. As of now, the Supreme Court is collaborating with the High Courts in translation of e-SCR Judgments into 16 vernacular languages. As per the information received from the High Courts, 4,983 judgments have been translated into vernacular language and uploaded by the High Courts on their respective websites.

Under the aegis of the Ministry of Law and Justice, the Bar Council of India has constituted 'Bharatiya Bhasha Samiti' chaired by former Chief Justice of India, Hon'ble Mr. Justice S.A. Bobde. The committee is developing a Common Core Vocabulary close to all Indian languages for the purpose of translating legal material into regional languages.

A limited Glossary has also been developed so far in few Regional Languages viz., Gujarati, Malayalam, Marathi, Punjabi, Tamil, Telugu and Urdu. These Glossaries are available on the website of the Legislative Department on the web link <http://legislative.gov.in/glossary-in-regional-language/> for the use of all stakeholders of the legal system.