

Court language in India

January 12, 2022

In news– The Gujarat High Court recently stated that the language of the Court is English and that a party cannot insist on addressing the Court in any other language.

Key updates-

- The **Court referred to Article 348 of the Constitution** which mandates that the **language of the Court shall be English.**
- A division bench comprising Chief Justice Aravind Kumar and Justice Ashutosh J Shastri took objection to a contemnor, who was appearing as party-in-person, insisting that he will address the Court only in Gujarati.
- The bench said that **only in District Court, local language is permissible** and English is to be used in the High Court.

More information on the issue-

- As per Article 348 (1) of the Constitution of India, English is the official language for all the high courts.
- However **as per Clause (2) of Article 348, the Governor of a state, with the previous consent of the President of India, can authorize use of official language of the state in proceedings before its high court.**
- Therefore, the Constitution recognizes English as the primary language of the Supreme Court and the High Courts, with the caveat that when some other language is used in the proceedings of High Courts, judgments of the High Courts must be delivered in English.
- Further, **Section 7 of the Official Languages Act, 1963** mentions 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.

- It also says that where any judgement/decreed/order is passed in any such language it shall be accompanied by a translation of the same in English.
- States of Uttar Pradesh, Bihar, Rajasthan and Madhya Pradesh have already authorized the use of Hindi in proceedings before their respective high courts and Tamil Nadu is also working in that direction to authorize the use of Tamil before its high court.