

No. HPU/140/79

Dated the 14th June, 1979

To

All attached, Subordinate Offices, Companies, Corporations

Subject : Official Languages (use for Official purposes of the Union) Rules, 1976

I am directed to invite your attention to the Official Languages (use for Official purposes of the Union) Rules, 1976, copy enclosed and to say that these rules have already come into effect from 17th July, 1976. The main features of these rules are as under :

## I. Communications :

- (i) From Central Government Offices to Hindi Speaking States/Union Territories of region 'A' (i.e. Himachal Pradesh, Haryana, Rajasthan, Madhya Pradesh, Bihar, Uttar Pradesh and Delhi), or to any office (not being Central Government Office) or person in that Region shall be in Hindi.
- (ii) to the states of Punjab, Maharashtra, Gujarat, Chandigarh and Andaman-Nicobar Islands (in Region 'B') or to any Office in that Region shall ordinarily be in Hindi and if any communication is issued to any of them in English, it shall be accompanied by a Hindi Translation thereof.
- (iii) between a Ministry/Department and attached/Subordinate offices etc. situated in Region 'A' shall be in Hindi in proportion to be determined by Government (for the present a norm of 75% has been indicated by the Department of Official Languages).
- (iv) between other Central Government Offices situated in Region 'A' shall be in Hindi.
- (v) between Central Government Offices situated in Region 'B' or 'C' may be in Hindi or English (with provision of translation in certain cases).
- (vi) replies to communications received in Hindi shall always be in Hindi. Any application, appeal or representation when made or signed in Hindi shall be replied to in Hindi.

## II. Noting in Central Government Offices :

An employee may record a note or minute on a file in Hindi or in English without being himself required to furnish a translation thereof in the other language.

## III. Proficiency/Working Knowledge in Hindi :

All employees are required to declare whether they possess proficiency/working knowledge in Hindi in the form annexed to the Rules. (An employee shall be deemed to have acquired proficiency in Hindi if he has passed Matriculation or higher examination in Hindi as medium of examination or he has taken Hindi as an elective subject in degree or higher examination; an employee who has passed Matriculation or equivalent examination with Hindi as one of the subjects or the Pragma examination shall be deemed to have acquired working knowledge of Hindi).

## IV. Documents :

## (i) Documents specified in Section 3 (3) of the Official Languages Act, 1963 :

Both Hindi and English shall be used for documents specified in Section 3 (3) of the Official Languages Act, viz.

Resolutions, General Orders, Rules, Notifications, Administrative and other Reports, Press communiques, Administrative and other Reports/Official papers to be laid before Parliament, Contracts, Agreements, Licences, Permits, Tender Notices and Forms of Tender.

## (ii) Manuals, Codes and other Procedural literature etc :

All manuals, codes and other procedural literature such as Forms, headings or registers, name-plates, sign boards, items of stationery etc. relating to Central Government Offices shall be printed or cyclostyled and published both in Hindi and English in diglot form.

## VII. Responsibility :

- (i) It shall be the responsibility of the persons signing the documents noted at IV (i) above to ensure that such documents are issued, made or executed in Hindi and English both.
- (ii) It shall be the responsibility of the administrative head of each office to ensure compliance of the Official Languages Act and the rules mentioned above and to devise suitable and effective check-points for the purpose.

2. As these rules place specific responsibility for strict compliance of the various provisions contained therein, all concerned may be requested to comply with the same scrupulously. A copy of the instructions as issued may be sent to this office.

Encl : As above

Copy for compliance to all Officers and Sections in the Ministry of Shipping & Transport in continuation of this Section

endorsement No. HPU/2/76 dated 31.12.76. They are requested to furnish by the 10th June, 1979, a declaration to Hindi Section in the proforma annexed to the rules indicating whether they have got proficiency in Hindi/working knowledge of Hindi.

*Dated the 28th June, 1976*

## NOTIFICATION

G.S.R. In exercise of the powers conferred by Section 8, read with sub-section (4), of section 3 of the Official Languages Act, 1963 (19 of 1963) the Central Government hereby makes the following rules, namely :—

1. **SHORT TITLE, EXTENT AND COMMENCEMENT** :— (1), These rules may be called the Official Languages (Use for Official purposes of the Union) Rules, 1976.
  - (2) They shall extend to the whole of India except the State of Tamil Nadu.
  - (3) They shall come into force on the date of their publication in the Official Gazette.
2. **DEFINITIONS** :— In these rules, unless the context otherwise requires :—
  - (a) "Act" means the Official Languages Act, 1963 (19 of 1963).
  - (b) "Central Government Office" includes :—
    - (i) any Ministry, Department or office of the Central Government,
    - (ii) any office of a Commission, Committee or Tribunal appointed by the Central Government, and
    - (iii) any office of a corporation or company owned or controlled by the Central Government;
  - (c) "Employee" means any person employed in a Central Government Office
  - (d) "Notified Office" means an office notified under sub-rule (4) of rule 10;
  - (e) "Proficiency in Hindi" means proficiency in Hindi as described in rule 9;
  - (f) "Region A" means the States of Bihar, Haryana, Himachal Pradesh, Madhya Pradesh, Rajasthan and Uttar Pradesh and the Union Territory of Delhi;
  - (g) "Region B" means the States of Gujarat, Maharashtra and Punjab and the Union Territories of Andaman and Nicobar Islands and Chandigarh;
  - (h) "Region C" means the States and the Union Territories other than those referred to in clauses (f) and (g);
  - (i) "Working knowledge of Hindi" means working knowledge of Hindi as described in rule 10.
3. **Communications to States etc. other than to Central Government offices** :— (1) Communications from a Central Government office to a State or a Union Territory in Region A or to any office (not being a Central Government office) or person in such State or Union Territory shall, save in exceptional cases, be in Hindi, and if any communication is issued to any of them in English, it shall be accompanied by a Hindi translation thereof.
  - (2) **Communications from a Central Government office** :
    - (a) to a State or Union Territory in Region B or to office (not being a Central Government office) in such State or Union Territory shall ordinarily be in Hindi and if any communication is issued to any of them in English, it shall be accompanied by a Hindi translation thereof;
 

Provided that if any such state or Union territory desires the communications of any particular class or category of those intended for any of its offices, to be sent, for a period specified by the Government of the State or Union territory concerned, in English, or in Hindi with a translation in the other language, such communication shall be sent in that manner;
    - (b) to any person in a State or Union territory of region B may be either in Hindi or in English.
  - (3) Communications from a Central Government office to a State or Union Territory in Region C or to any office not being a Central Government office) or person in such State shall be in English.
  - (4) Notwithstanding anything contained in sub-rules (1) and (2), communications from a Central Government office in Region C to a State or Union Territory of Region A or Region B or to any office (not being a Central Government office) or person in such State may be either in Hindi or in English.
4. **Communications between Central Government offices—Communications** :—
  - (a) between one Ministry or Department of the Central Government and another may be in Hindi or in English;
  - (b) between one Ministry or Department of the Central Government and attached or subordinate offices situated in Region A, shall be in Hindi and in such proportion as the Central Government may, having regard to the number of persons having a working knowledge of Hindi in such offices, the facilities for sending communications in Hindi and matters incidental thereto, determine from time to time;
  - (c) between Central Government offices situated in Region A, other than those specified in Clause (a) or Clause (b), shall be in Hindi ;

- (d) by Central Government offices situated in **Region A, Region B or Region C** may be in Hindi or in English;
- (e) between Central Government offices situated in **Region B or Region C** may be in Hindi or in English

Provided that a translation of such communication in the other languages shall :

- (i) Where that communication is addressed to an office in **Region A or Region B**, be provided, if necessary, **at the receiving end**;
- (ii) Where the communication is addressed to an Office in **Region C**, be provided alongwith such communication :

Provided further that no such translation in the other languages shall be required to be provided if the communication is addressed to a notified office.

5. **REPLIES TO COMMUNICATIONS RECEIVED IN HINDI** :— Notwithstanding anything contained in rules 3 and 4 communication from a Central Government office in reply to communications in Hindi shall be in Hindi.
6. **USE OF BOTH HINDI AND ENGLISH** :— Both Hindi and English shall be used for all documents referred to in sub-section (3) of section 3 of the Act and it shall be the responsibility of the persons signing such documents to ensure that such documents are made, executed or issued both in Hindi and in English.
7. **APPLICATION, REPRESENTATIONS ETC** :— (1) An employee may submit an application, appeal or representation in Hindi or in English.
  - (2) Any application, appeal or representation referred to in sub-rule (1) when made or signed in Hindi shall be replied to in Hindi.
  - (3) where an employee desires any order or notice relating to service matters (including disciplinary proceedings) required to be served on him to be in Hindi, or as the case may be, in English, it shall be given to him in that language without undue delay.
8. **NOTING IN CENTRAL GOVERNMENT OFFICES** :— (1) an employee may record a note or minute on a file in Hindi or in English without being himself required to furnish a translation thereof in the other language.
  - (2) No Central Government employee possessing a working knowledge of Hindi may ask for an English translation of any document in Hindi except in the case of documents of legal or technical nature.
  - (3) If any question arises as to whether a particular document is of a legal or technical nature, it shall be decided by the Head of the Department or office.
  - (4) Notwithstanding anything contained in sub-rule (1) the Central Government may, by order specify the notified offices where Hindi alone shall be used for noting, drafting and for such other official purposes as may be specified in the order by employees who possess proficiency in Hindi.
9. **PROFICIENCY IN HINDI** :— An employee shall be deemed to possess proficiency in Hindi if :—
  - (a) he has passed the Matriculation or any equivalent or higher examination with Hindi as the medium of examination; or
  - (b) he has taken Hindi as an elective subject in the degree examination or any other examination equivalent or higher than the degree examination; or
  - (c) he declares himself to possess proficiency in Hindi in the form annexed to these rules.
10. **WORKING KNOWLEDGE OF HINDI** :— (1) An employee shall be deemed to have acquired a working knowledge of Hindi :—
  - (a) if he has passed :
    - (i) the Matriculation or an equivalent or higher examination with Hindi as one of the subjects; or
    - (ii) the Pragma examination conducted under the Hindi Teaching Scheme of the Central Government or when so specified by that Government in respect of any particular category of posts, any lower examination under that scheme; or
    - (iii) any other examination specified in that behalf by the Central Government; or
  - (b) if he declares himself to have acquired such knowledge in the form annexed to these rules.
- (2) The staff of a Central Government office shall ordinarily be deemed to have acquired a working knowledge of Hindi if eighty per cent of the staff working therein have acquired such knowledge.
- (3) The Central Government or any office specified in this behalf by the Central Government may determine whether the staff of a Central Government office has acquired a working knowledge of Hindi.
- (4) The names of the Central Government offices, the Staff whereof have acquired a working knowledge of Hindi, shall be notified in the Official Gazette.

Provided that the Central Government may if it is of opinion that the percentage of the staff working in a notified office and having a working knowledge of Hindi from any date, it may, by notification in the official Gazette, declare that the said office shall cease to be a notified office from that date.

11. **MANUALS, CODES, OTHER PROCEDURAL, LITERATURE, ARTICLES OF STATIONERY ETC** :— (1) All manuals, codes and other procedural literature relating to Central Government offices shall be printed or cyclostyled as the case may be,

and published both in Hindi and English in diglot form.

- (2) The forms and headings of registers used in any Central Government office shall be in Hindi and in English.
- (3) All name-plates, sign-boards, letter-heads and inscriptions on envelopes and other items of stationery written, printed or inscribed for use in any Central Government Office, shall be in Hindi and in English:

Provided that the Central Government may, if it is considered necessary to do so, by general or special order exempt any Central Government office from all or any of the provisions of this rule.

12. **RESPONSIBILITY FOR COMPLIANCE:—** (1) It shall be the responsibility of the administrative head of each Central Government office :—

- (i) to ensure that the provisions of the Act and these rules are properly complied with; and
- (ii) to devise suitable and effective check points for this purpose.
- (2) The Central Government may from time to time issue such directions to its employees and offices as may be necessary for the due compliance of the provisions of the Act and these rules.

No. 11011/1/73-DL (A-1)

(See rules 9 and 10)

I hereby declare that I possess proficiency in Hindi/have acquired a working knowledge of Hindi in view of the following :—

Date

Signature

\* Delete whichever is inapplicable.

**THE OFFICIAL LANGUAGE ACT, 1963 (as amended)**

(ACT NO. 19 OF 1963)

(10th May, 1963)

An Act to provide for the languages which may be used for the official purposes of the Union for transaction of business in Parliament, for Central and States Acts and for certain purposes in High Courts.

BE it enacted by Parliament in the Fourteenth Year of the Republic of India as follows :—

1. **Short title and commencement :—** (1) This Act may be called the Official Languages Act, 1963.
- (2) Section 3 shall come into force on the 26th day of January, 1965 and the remaining provisions of this Act 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 provisions of this Act.
2. **Definition :—** In this Act, unless the context otherwise requires :—
  - (a) "appointed day" in relation to section 3, means the 26th Day of January, 1965 and in relation to any other provision of this Act, means the day on which that provision comes into force;
  - (b) "Hindi" means Hindi in Devanagiri script.
3. **Continuance of English language for official purposes of the Union and for use in Parliament :—** (1) Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, the English language may, as from the appointed day continue to be used, in addition to Hindi :—
  - (a) for all the official purposes of the Union for which it was being used immediately before that day; and
  - (b) for the transaction of business in Parliament

Provided that the English Language shall be used for purposes of communication between the Union and a state which has not adopted Hindi as its official language;

Provided further that where Hindi is used for purposes of communication between one State which has adopted Hindi as its official language and another State which has not adopted Hindi as its official language, such communication in Hindi shall be accompanied by a translation of the same in the English language:

Provided also that nothing in this sub-section shall be construed as preventing a state which has not adopted Hindi as its official language from using Hindi for purposes of communication with the Union or with a State which has adopted Hindi as its official language, or by agreement with any other State, and in such a case, it shall not be obligatory to use the English language for purposes of communication with that State.

- (2) **Notwithstanding anything contained in sub-section (1). Where Hindi or the English is used for purposes of communication :—**
  - (i) between one Ministry or Department or office of Central Government and another;
  - (ii) 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 other office thereof;
  - (iii) between any corporation or company owned or controlled by the Central Government or any office thereof and another;

A translation of such communication in the English language, or as the case may be, in Hindi shall also be provided till such date as the staff of the concerned Ministry, Department office or corporation or company aforesaid have acquired a working knowledge of Hindi.

(3) Notwithstanding anything contained in sub-section (1), both Hindi and the English languages shall be used for :—

- (i) resolution, general orders, Rules, notifications, administrative or other reports or press communiques 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;
- (ii) administrative and other reports and official papers laid before a House or the Houses of Parliament.
- (iii) contracts and agreements executed, and licences, permits, notices and forms of 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.

(4) Without prejudice to the provisions of sub-section (1) or sub-section (2) or sub-section (3) the Central Government may by rules made under section 8 provide for the languages to be used for the official purposes of the Union, including the working of any Ministry, Department, section or office, and in making such rules, due consideration shall be given to the quick and efficient disposal of the official business and the interests of the general public and in particular, the rules so made shall ensure that persons serving in connection with the affairs of the Union and having proficiency either in Hindi or in the English language may function effectively and that they are not placed at a disadvantage on the ground that they do not have proficiency in both the languages.

(5) The provisions of clause (a) of sub-section (1) and the provisions of sub-section (2) sub-section (3) and sub-section (4) shall remain in force until resolutions for the discontinuance of the use of the English language for the purposes mentioned therein have been passed by the Legislatures of all the States which have not adopted Hindi as their official language and until after considering the resolutions aforesaid, a resolution for such discontinuance has been passed by each House of Parliament.

4. COMMITTEE ON OFFICIAL LANGUAGE :— (1) After the expiration of ten years from the date on which section 3 comes into force, there shall be constituted a Committee of Official language on a resolution to that effect being moved in either House of Parliament with the previous sanction of the President and passed by both Houses.

(2) The Committee shall consist of thirty members, of whom twenty 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 the single transferable vote.

(3) It shall be the duty of the Committee to review the progress made in the use of Hindi for the official purposes of the Union and submit a report to the President making recommendations thereon and the President shall cause the report to be laid before each House of Parliament and sent to all the State Governments.

(4) The President may, after consideration of the report referred to in sub-section (3) and the views if any, expressed by the State Governments thereon issue directions in accordance with the whole or any part of that report;

Provided that the directions so issued shall not be inconsistent with the provisions of section 3.

5. AUTHORISED HINDI TRANSLATION OF CENTRAL ACTS, ETC. :— (1) A Translation in Hindi published under the authority of the President in the Official Gazette on and after the appointed day :—

- (a) of any Central Act or of any Ordinance promulgated by the President, or
  - (b) of any order, rule, regulation or bye-law issued under the Constitution or under any Central Act;
- shall be deemed to be the authoritative text thereof in Hindi.

(2) As from the appointed day, the authoritative text in the English language of all Bills to be introduced or amendments thereto be moved in either House of Parliament shall be accompanied by a translation of the same in Hindi authorised in such manner as may be prescribed by rules made under this Act.

6. AUTHORISED HINDI TRANSLATION OF STATE ACTS IN CERTAIN CASES :— Where the Legislature of a State has prescribed any language other than Hindi for use in acts passed by the Legislature of the State or in ordinances promulgated by the Governor of the State, a translation of the same in Hindi, in addition to a translation thereof in the English language as required by clause (3) of article 348 of the Constitution, may be published on or after the appointed day under the authority of the Governor of the State in the Official Gazette of the State and in such a case, the translation in Hindi of any such Act or Ordinance shall be deemed to be the authoritative text thereof in the Hindi Language.

7. OPTIONAL USE OF HINDI OR OTHER OFFICIAL LANGUAGE IN JUDGEMENTS ETC. OF HIGH COURTS :— As from the appointed day or any day thereafter, the Governor of a State may, with the previous consent of the President, authorise the use of Hindi or the official language of the State, in addition to the English language, for the purpose of any judgement, decree or order passed or made by the High Court for the State and where any judgement, 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.

8. POWER TO MAKE RULES :— (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

**7460/6**

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 the rule.

9. **CERTAIN PROVISIONS NOT TO APPLY TO JAMMU AND KASHMIR :—** The provisions of section 6 and section 7 shall **not** apply to the State of Jammu and Kashmir.