

THE KARNATAKA OFFICIAL LANGUAGE ACT, 1963

ARRANGEMENT OF SECTIONS

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Sections:

1. Short title and extent.
2. Kannada to be the official language of the State.
3. English to be continued to be used for official purposes until the Government otherwise directs.
4. Government's power to notify the official purposes for which Kannada to be used.
5. Language to be used in the legislature etc.
- 5A. Authorised Kannada translation of Central and State Acts.
6. Notification issued under section 4 to be placed before the Legislature.

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STATEMENTS OF OBJECTS AND REASONS

I

Act 26 of 1963.- In 1958 the State Government appointed a Committee to make recommendations in regard to the adoption of Kannada as the official language in the State. After considering the recommendations of the Committee, several steps have been taken to implement the object of making Kannada as the official language of the State. In furtherance of this policy, it is now proposed to enact legislation in pursuance of Article 345 of the Constitution providing for the adoption of Kannada as the language to be used for official purposes in the State.

Under clause (2) of Article 210 of the Constitution, the English language shall not be used for the transaction of business in the Legislature of a State after the expiry of fifteen years from the commencement of the Constitution, *i.e.*, after 26th January 1965, unless the Legislature of the State by law otherwise provides. It is considered necessary to continue the use of English language in addition to Kannada and Hindi for the transaction of business in the Legislature of the State.

Hence the Bill.

(Published in Karnataka Gazette (Extraordinary) Part IV-2A, dated 27th August, 1963 as No. 103 at page. 3.)

II

Amending Act 27 of 1974.-Government have recently re-organised the Translation Department by creating the Directorate of Languages and have also constituted an Experts' Committee called the Official Language (Legislative) Experts' Committee for the scrutiny of the translation made by the Directorate of Languages of the State Acts and Central Acts. The Kannada translations after scrutiny by the committee, are being published.

2. As the Kannada versions of the Acts and rules published have no authority of law it is considered necessary to make a provision in the Official Language Act declaring that a translation of any Central or State Act or any Ordinance promulgated by the President or by the Governor or any rule or order made thereunder in Kannada language published under the authority of the Governor shall be deemed to be the authoritative text thereof in the Kannada Language.

Hence the Bill.

(Published in Karnataka Gazette (Extraordinary) Part IV-2A dated 17th January, 1974 as No. 82 at page. 3.)

III

Amending Act 6 of 1982.—Kannada has been declared as Official Language of the State and is being used in all correspondences at all levels of Administration in the State in accordance with the provisions of Karnataka Official Language Act, 1963 Karnataka Act 26 of 1963).

The advantage of using Kannada Language in drafting Bills to be introduced in the State Legislature and also in the Ordinance to be promulgated by the Governor is keenly felt. It is not legally permissible to do so without making a suitable statutory provision as envisaged in Article 348 (3) of the Constitution.

Hence the Bill.

(Published in Karnataka Gazette (Extraordinary) Part IV-2A, dated 11th February 1982 as No. 403 at page. 3)

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IV

Amending Act 14 of 2020.-Section 5-A of the Karnataka Official Language Act,1963 (Karnataka Act 26 of 1963) requires publication of Kannada translation of every order, rules, regulations or bye-laws with the approval of Honourable Governor. This is taking more time. Therefore, in order to simplify the procedure, it is considered necessary to amend the said section and empower the State Government instead of the Governor to authorize Kannada Translation of every order, rules, regulations or bye-laws in public interest.

Hence, the Bill.

[L.A. Bill No.04 of 2020, File No. Samvyashae16Shasana 2019]

[Article 345 of the Constitution of India]

[Published in Karnataka Gazette Extra-ordinary No. 155 in part-IV dated: 28.04.2020]

1[KARNATAKA ACT]1 No. 26 OF 1963

(First published in the 1[Karnataka Gazette]1 on the Tenth day of October, 1963.)

THE 1 [KARNATAKA]1 OFFICIAL LANGUAGE ACT, 1963

(Received the assent of the Governor on the Fifth day of October, 1963.)

(As amended by Act 27 of 1974, 6 of 1982 and 14 of 2020)

An Act to provide for the adoption of Kannada as the language to be used for the official purposes of the State and for continuance of the use of English for transaction of business of the State Legislature.

WHEREAS it is expedient to provide for the adoption of Kannada as the language to be used for official purposes of the 1[State of Karnataka]1 and for continuance of the use of English for transaction of business of the State Legislature after the expiration of the period of fifteen years from the commencement of the Constitution;

BE it enacted by the 1[Karnataka]1 State Legislature in the Fourteenth Year of the Republic of India as follows:—

1.Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

1. Short title and extent.—(1) This Act may be called the 1[Karnataka]1 Official Language Act, 1963.

1.Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

(2) It extend to the whole of the 1[State of Karnataka]1

1.Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

2. Kannada to be the official language of the State.—The official language of the 1[State of Karnataka]1 shall be Kannada.

1. Adapted by the Karnataka Adaptations of Laws Order 1973 w.e.f. 1.11.1973

3. English to be continued to be used for official purposes until the Government otherwise directs.—Notwithstanding anything in section 2 and without prejudice to the provisions of Articles 346 and 347 of the Constitution, the English language shall continue to be used for all the official purposes of the State for which it was being used before the commencement of this Act until the State Government, by notification under section 4, otherwise directs in respect of any official purpose specified in such notification.

4. Government's power to notify the official purposes for which Kannada to be used.—The State Government may, from time to time, by notification in the Official Gazette, direct that Kannada shall be used in respect of such official purposes and in such areas as may be specified in the notification.

5. 1[Language to be used in the legislature etc.]1—2[(1)]2 Notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution, the English language may, as from the twenty-sixth day of January 1965, continue to

be used, in addition to Kannada and Hindi for the transaction of business in the Legislature of the State.

1. Substituted by Act 6 of 1982 w.e.f. 9.3.1982
2. Re-numbered by Act 6 of 1982 w.e.f. 9.3.1982

1[(2) Kannada Language may also be used,—

(a) in any Bill to be introduced or in amendments thereto to be moved in, or in any Act passed by, the Karnataka State Legislature; or

(b) in any Ordinance promulgated by the Governor of the State of Karnataka;

or

(c) in any order, rule, regulation or bye-law issued by the State Government under the Constitution or under any law made by the Parliament or the Karnataka State Legislature.] 1

1. Inserted by Act 6 of 1982 w.e.f. 9.3.1982

2[1[5A. Authorised Kannada translation of Central and State Acts, Rules, Regulations etc.-(1) A translation in Kannada Language published under the authority of the Governor in the Official Gazette of any Central Act or Ordinance promulgated by the President with respect to any of the matters enumerated in List III of the Seventh Schedule to the Constitution or of any State Act or of any Ordinance made by the Governor, shall be deemed to be authoritative text thereof in Kannada language.

(2) A translation in Kannada Language published under the authority of the State Government in the Official Gazette of any rules, regulations, bye-laws, scheme, order etc., issued by the State Government under the Constitution or under any Central Act or any State Act or any other law in force in the State, shall be deemed to be the authoritative text thereof in Kannada language.]1]2

1. Section 5A Inserted by Act 27 of 1974 w.e.f. 1.2.1975
2. Substituted by Act 14 of 2020 w.e.f. 28.04.2020.

6. Notifications issued under section 4 to be placed before the Legislature.—Every notification issued under section 4, shall be laid as soon as may be after it is issued, before each House of the State Legislature 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 notification or both Houses agree that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

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KARNATAKA ACT NO.14 OF 2020

(First Published in the Karnataka Gazette Extra-ordinary on the 28th Day of April, 2020)

THE KARNATAKA OFFICIAL LANGUAGE (AMENDMENT) ACT, 2020

(Received the assent of Governor on the 27th day of April, 2020)

An Act further to amend the Karnataka Official Language Act, 1963.

Whereas it is expedient further to amend the Karnataka Official Language Act, 1963. (Karnataka Act 26 of 1963) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Official Language (Amendment) Act, 2020.

(2) It shall come into force at once.

Section 5 is Incorporated in the Principal Act,

NOTIFICATION

S.O. 2731.-In exercise of the powers conferred by sub-section (2) of Section 1 of the Karnataka Official Language (Amendment) Act 1974 (Karnataka Act No. 27 of 1974), Government of Karnataka hereby appoints 1st February 1975 for the purposes of the said sub-section.

By Order and in the name of the Governor
of Karnataka,

(M. SANKARANARAYANAN)
Additional Secretary to Government,
General Administration Department.