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**Thirteenth Kerala Legislative Assembly**

**Bill No. 376**

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**THE MALAYALAM LANGUAGE (DISSEMINATION AND  
ENRICHMENT) BILL, 2015**

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**THE MALAYALAM LANGUAGE (DISSEMINATION AND ENRICHMENT)**  
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[Translation in English of the “2015-ലെ മലയാള ഭാഷ (വ്യാപനവും പരിപോഷണവും) ബിൽ” published under the authority of the Governor.]

**THE MALAYALAM LANGUAGE (DISSEMINATION AND ENRICHMENT)  
BILL, 2015**

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*to provide for the adoption of Malayalam as the official language and to be used for all official purposes of the State of Kerala, to provide for the use of Malayalam language in all sectors in Kerala subject to the provisions of the Constitution of India, to ensure the growth, enrichment and protection of Malayalam language and for matters connected therewith or incidental thereto.*

*Preamble.*—WHEREAS, it is expedient to provide for the adoption of Malayalam as the official language and to be used for all official purposes of the State of Kerala, to provide for the use of Malayalam language in all sectors in Kerala subject to the provisions of the Constitution of India, to ensure the growth, enrichment and protection of Malayalam language and for matters connected therewith or incidental thereto;

BE it enacted in the Sixty-sixth Year of the Republic of India as follows:—

**CHAPTER I**

**PRELIMINARY**

1. *Short title and commencement.*—(1) This Act may be called the Malayalam Language (Dissemination and Enrichment) Act, 2015.

(2) It shall come into force at once.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Authorised Officer” means Secretary to the Government in charge of the administration of this Act or a person authorized by him;

(b) “First Language” means the language which shall be compulsorily taught as part of linguistics;

(c) "Government" means the Government of Kerala;

(d) "Linguistic Minorities" means persons who speak Tamil or Kannada as medium of communication and domiciled in Kerala;

(e) "Official Language" means the language used for official communication in the State;

(f) "Prescribed" means prescribed by rules made under this Act;

(g) "State" means State of Kerala.

## CHAPTER II

### MALAYALAM LANGUAGE DEVELOPMENT DEPARTMENT

3. *Constitution of Malayalam Language Development Department.*—Government shall, as soon as may be, after the commencement of this Act, constitute a department to be called as Malayalam Language Development Department, by notification in the Gazette, in the Secretariat for effective and efficient implementation of the provisions of this Act in the State of Kerala, and the composition, the terms and service conditions of the officers and employees of such department shall be, as prescribed.

## CHAPTER III

### USE OF OFFICIAL LANGUAGE

4. *Area of Legislation.*—(1) Malayalam shall be used as the language,—  
 (i) in Bills to be introduced, and in all Acts passed by, the Kerala Legislative Assembly;

(ii) in all Ordinances promulgated by the Governor of Kerala under Article 213 of the Constitution of India;

(iii) in all orders, rules, regulations or bye-laws issued by the Government under the Constitution of India, or under any law made by the Parliament or the Kerala Legislative Assembly, and a translation thereof in English shall be published.

(2) Important Central Acts and State Acts shall also be published in Malayalam incorporating amendments.

(3) All Rules made under various enactments and published in English shall also be published in Malayalam.

5. *Area of Official Language.*—(1) Subject to Articles 346 and 347 of the Constitution of India, Malayalam shall be used for all official purposes in the State.

(2) Sub-section (1) shall be applicable to all existing Departments and all Departments to be constituted in future under the Government and Quasi-Governmental Institutions, Public Sector Undertakings, Autonomous Bodies or Co-operative Societies under the Government:

Provided that,—

(a) English may be used for correspondence with Government of India, Institutions under the Government of India, foreign countries, other States, High Court, Supreme Court etc., and in any other circumstances where English has to be used as provided by law;

(b) Linguistic minorities may use their language or English for correspondence with State Secretariat, Heads of Departments and other Government Offices, and in such cases, the replies may be in their respective languages or in English.

6. *Area of Education and Research.*—Student, whose mother tongue is a language other than Malayalam, shall be provided an opportunity to learn Malayalam in addition to his mother tongue:

Provided that Non-Keralite students from other states and foreign countries studying in Kerala shall be exempted from taking examination in Malayalam Language in IX, X and Higher Secondary level.

7. *Area of Appointment.*—(1) In addition to the existing conditions, persons who have not studied Malayalam as a subject up to X standard or Plus Two level or for a Degree course, shall pass an examination in Malayalam conducted by the Public Service Commission, which is equivalent to the Senior Higher Diploma conducted by the Malayalam Mission in Malayalam language within a specified period, after getting employment:

Provided that provisions in sub-section (1) shall not apply to the Last Grade Employees.

(2) The questions in the competitive examination for recruitment conducted either by Kerala Public Service Commission or Quasi-Governmental Institution, Autonomous Bodies, Public Sector Undertaking, Co-operative Societies conducting recruitment, otherwise than through Kerala Public Service Commission, shall also be prepared in Malayalam.

8. *Uniform alphabetic arrangements.*—The Uniform alphabetic arrangement shall be adopted in such manner, as may be prescribed, in accordance with the development of Science and Technology.

#### CHAPTER IV

9. *Language in the courts.*—(1) Measures shall be taken for pronouncement of judgments in Malayalam, in cases in subordinate courts, as may be determined by the High Court. The required infrastructure facilities for the purpose shall be provided by the Government to the High Court, in such manner, as may be prescribed.

(2) All orders in Petty cases shall be in Malayalam.

*Note:*—“Petty cases” means the cases which will come under the purview of section 376 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(3) Notwithstanding anything contained in any other Act, the orders or judgments of all Quasi-judicial authorities under the Government shall be in Malayalam.

#### CHAPTER V

10. *General Measures to be taken for the dissemination of language.*—

(1) The board displaying the name of the Government undertakings or autonomous bodies, co-operative and public undertakings name of the officers and designations and the boards used in the vehicles under the control of such institutions shall also be in Malayalam.

(2) The first half of boards displaying the names of Commercial-Industrial and business undertakings, trusts, counseling centres, hospitals, laboratories, amusement centres and hotels functioning with the approval and sanction of Government or Local Self Government Institutions, shall be in Malayalam.

(3) The particulars displayed on the boards erected under the supervision of various departments in Government and Local Self Government Institutions of the State, shall also be in Malayalam.

(4) The boards erected in relation to works carried out, by accepting consideration from the Government or Local Self Government Institutions shall be displayed giving prominence to Malayalam.

(5) Boards, advertisements, receipts, bills, notices etc. in connection with any project under the Government or implemented, with any kind of consideration, grant, concession from Government, or allied Institutions or Local Self Government Institutions shall be in Malayalam.

(6) In all the Industrial products manufactured and sold in the State, the name of the products and directions for its use shall also be in Malayalam.

(7) Advertisements and notifications issued by the Government for publication in Kerala shall be in Malayalam.

(8) The pamphlets, informations, notices etc. of programmes conducted by Government shall also be in Malayalam.

(9) A fixed percentage of the size of the boards, displaying advertisements and notices published for the information of the general public, in the State, and the Government advertisements published in newspapers, periodicals etc. in the State shall be in Malayalam. For this purpose, the classification of advertisements, the number/percentage of portions of advertisements to be displayed in Malayalam shall be, such as may be prescribed. Except where the use of English is essential, the advertisement shall be in Malayalam.

#### CHAPTER VI

##### 11. *Use of Malayalam language in the area of Information Technology.*—

(1) Information Technology Department shall develop open source software and accessories for the efficient use of Malayalam language in the field of Information Technology.

(2) The informations in the websites of various departments of Government, Quasi-Governmental Institutions, Public Sector Undertakings, Autonomous Bodies, Co-operative Societies shall be made available in Malayalam as well and website shall be modified for selecting any language to be used therein.

(3) The facility shall be made available for the use of Malayalam in the e-governance projects being implemented in the Government Departments.

12. *Incentives for the dissemination of Malayalam Language.*—Scheme shall be formulated for providing incentives to persons who provide creative suggestions to the Government for the effective dissemination of Malayalam language in the field of Information Technology also.

13. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Act, either prospectively or retrospectively.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen 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, the Legislative Assembly makes any modification in the rule or decides 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 that rule.

14. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Gazette, make provisions not inconsistent with the provisions of this Act which appear to be necessary or expedient, for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the Legislative Assembly.

15. *Repeal and Saving.*—(1) The Kerala Official Language Act, 1969 (7 of 1969) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Act shall be deemed to have been done or taken under this Act.

#### STATEMENT OF OBJECTS AND REASONS

Government considers it necessary to bring a comprehensive legislation to provide for the use of Malayalam, in all sectors and for all official purposes of the State and also to ensure the dissemination and enrichment of Malayalam language and to co-ordinate the activities relating to the development of Malayalam language after rectifying the defects of the Kerala Official Language Act, 1969 (7 of 1969).

2. The Bill is intended to achieve the above object.

#### FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill seeks to empower the Government to prescribe the terms and conditions of the officers and employees and to constitute Malayalam Language Development Department, by notification.



2. Clause 8 of the Bill seeks to empower the Government to implement alphabetic arrangements in tune with the development in the field of Science and Technology.

3. Sub-clause (1) of clause 9 of the Bill seeks to empower the Government to prescribe the manner of providing infrastructure facilities to the High Court for taking steps for pronouncing judgments in the subordinate Courts in, Malayalam as determined by the High Court.

4. Clause 12 of the Bill seeks to empower the Government to formulate scheme to give incentives to those who give creative suggestions for disseminating the Malayalam language including in the information technology sector.

5. Sub-clause (1) of clause 13 of the Bill seeks to empower the Government to prescribe rules either prospectively or retrospectively for carrying out the purposes of the Act.

6. Clause 14 of the Bill seeks to empower the Government to issue orders, by notification in the Gazette, not inconsistent with the provisions of this Act, for the purpose of removing such difficulty arising in carrying the purposes of the Act.

7. The matters in respect of which notifications or orders are to be issued or rules are to be made are matters of procedure and are of routine or administrative nature. Further, such rules after they are made are subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is thus, of a normal character.

OOMMEN CHANDY.