

The West Bengal Official Language Act, 1961

WEST BENGAL

India

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Act 24 of 1961

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The West Bengal Official Language Act, 1961 West Bengal Act 24 of 1961 [11th November, 1961] An Act to provide for the adoption of the Bengali language as the language to be used for the official purposes of the State of West Bengal including purposes of legislation. It is hereby enacted as follows:-

1. Short title and extent.

(1) This Act may be called the West Bengal Official Language Act, 1961. (2) It extends to the whole of West Bengal.

2. Language or languages to be used for official purposes of the State.

- With effect from such date, [* * *] [Omitted 'not later than four years from the date of commencement of this Act' by Act No. 8 of 2012, dated 17.5.2012.], as the State Government may, by notification in the Official Gazette, appoint in this behalf, -(a) in the three hill subdivisions of the district of Darjeeling, namely, Darjeeling, Kalimpong and Kurseong, [the Bengali language and the Nepali language and the Urdu language] [Substituted by Act No. 8 of 2012, dated 17.5.2012.], and (aa) [in the Districts or Sub-division or Block or Municipality, as the case may be, where the population of [Urdu speaking people or Kamtapuri speaking people or Rajbanshi speaking people or kurmal speaking people] [Inserted by Act No. 8 of 2012, dated 17.5.2012.] exceeds ten per cent, the Bengali language and [the Urdu Language, the Kamtapuri Language, the Rajbanshi Language, the kurmal Language] [Substituted 'the Urdu language' by West Bengal Act No. 5 of 2018, dated 5.4.2018.], and;] (b) elsewhere, the Bengali language, shall be the language or languages to be used for the official purposes of the State of West Bengal referred to in article 345 of the Constitution of India, and different dates may be appointed for different official purposes or for different areas in West Bengal : Provided that the issue of any such notification shall be without prejudice to-(i) the use of any language other than the Bengali language which is authorized by or under any law for the time being in force to be used for any purpose in any of the civil or criminal courts within the State

of West Bengal, and(ii)the use of the English language in the examinations conducted by the Public Service Commission, West Bengal.

3. Bengali language to be used in Bills, etc.

- With effect from such date as the State Government may, by notification in the Official Gazette, appoint in this behalf, the Bengali language shall be the language to be used-(a)in Bills introduced in, and Acts passed by, the Legislature of West Bengal, Ordinances promulgated by the Governor of West Bengal under article 213 of the Constitution of India and rules, regulations and by-laws made by the State Government under the Constitution of India or under any law made by Parliament or the Legislature of West Bengal; and(b)in notifications or orders issued by the State Government under the Constitution of India or under any law made by Parliament or the Legislature of West Bengal :Provided that different dates may be appointed in respect of different matters referred to in clauses (a) and (b).

3A. [Use of Nepali language in rules, regulations, etc. [Section 3A inserted by W.B. Act 39 of 1973.]

- Notwithstanding anything contained in section 3, with effect from such date as the State Government may, by notification in the Official Gazette, appoint in this behalf, the Nepali language may, in addition to the Bengali language, be used for such-(a)rules, regulations and by-laws made by the State Government under the Constitution of India or under any law made by Parliament or the Legislature of West Bengal, and(b)notifications or orders issued by the State Government under the Constitution of India or under any law made by Parliament or the Legislature of West Bengal,as apply to the three hill sub-divisions of the district of Darjeeling, namely, Darjeeling, Kalimpong and Kurseong :Provided that different dates may be appointed in respect of different matters referred to in clause (a) or (b).Explanation. - For the purposes of section 3 and this section the words "law made by Parliament or the Legislature of West Bengal" shall include any law made before or after the commencement of the Constitution of India by any legislature or other competent authority in the territory of India having power to make such a law.]

3AA. [Use of Kamtapuri Rajbanshi and Kurmali Languages in rules and regulation etc. [Inserted by West Bengal Act No. 5 of 2018, dated 5.4.2018.]

- Notwithstanding anything contained in section 3, section 3A and section 3B, with effect from such date as the State Government may, by notification in the Official Gazette, appoint in this behalf, the kamtapuri Rajbanshi and Kurmali Languages may, in addition to the Bengali Language, the Nepali Language, the Urdu Language, the Hindi Language, the Santhali Language, the Oriya Language and the Punjabi Language, be used for such -(a)rules, regulations and by-laws made by the State Government under the constitution of India or any made by the Parliament or the Legislature or West Bengal;(b)notifications or order issued by the State Government under the Constitution of India or any law made by the Parliament or the Legislature of West Bengal;(c)petitions and applications and replies thereof, in public offices;(d)documents received by public

offices;(e)important Government advertisement, announcement to be published; and(f)important signposts to be exhibited,as to apply in the Districts or Sub-division or Block or Municipality, as the case may be, where the population of Kamtapuri speaking people, Rajbanshi speaking people and Kurnali speaking people exceeds ten per cent as a whole or part of the District like Sub-division or Block. as may be notified by the State Government:Provided that different dates may be appointed in respect of different matters referred to in the clauses (a) to (f).Explanation. - For the purpose of this section, the words law made by Parliament or the Legislature of West Bengal' shall include any law made before or after the commencement of the Constitution of India by any Legislature or other competent authority in the territory of India having power to make such a law.]

3B. [Use of Urdu language in rules and regulations. [Inserted by Act No. 8 of 2012, dated 17.5.2012.]

- Notwithstanding anything contained in sections 3 and 3A, with effect from such date as the State Government may, by notification in the Optical Gazette, appoint in this behalf, the Urdu language may, in addition to the Bengali language and the Nepali language be used for such-(a)rules, regulations, and by-laws made by the State Government under the Constitution of India, or any law made by the Parliament or the Legislature of the West Bengal,(b)notifications or order issued by the State Government under the Constitution of India or any law made by the Parliament or the Legislature of West Bengal,(c)petitions and applications and replies thereof, in public offices,(d)documents received by public offices,(e)important Government advertisement, announcement to be published, and(f)important signposts to be exhibited,as to be apply in the Districts or Sub-division or Block or Municipality, as the case may be, where the population of Urdu speaking people exceeds ten per cent as a whole or part of the District like Sub-division or Block:Provided that different dates may be appointed in respect of different matters referred to in the clauses (a) to (f)Explanation. - For the purposes of this section the words 'law made by the Parliament or the Legislature of West Bengal' shall include any law made before or after the commencement of the Constitution of India by any Legislature or other competent authority in the territory of india having power and makes such a law.]

3C. [Use of Kurnkh Language in Rules and Regulations, etc. [Inserted by West Bengal Act No. 4 of 2018, dated 5.4.2018.]

- Notwithstanding anything contained in section 3, section 3A and section 3B, with effect from such date as the State Government may, by notification in the Official Gazette, appoint in this behalf, the Kurukh Language may, in addition to the Bengali Language, the Nepali Language, the Urdu Language, the Hindi Language, the Santhali Language, the Oriya Language and the Punjabi Language, be used for such-(a)rules, regulations and by-laws made by the State Government under the Constitution of India or any law made by the Parliament or the Legislature of West Bengal;(b)notification or order issued by the State Government under the Constitution of India or any law made by the Parliament of the Legislature of West Bengal;(c)petitions and applications and replies thereof, in public offices;(d)documents received by public offices;(e)important Government advertisement, announcement to be published; and(f)important signposts to be exhibited,as to

apply in the Districts or Sub-division or Block or Municipality, as the case may be, where the population of Kurukh speaking people exceeds ten per cent as a whole or part of the District like sub-division or Block, as may be notified by the State Government: Provided that different dates may be appointed in respect of different matters referred to in clauses (a) to (f). Explanation. - For the purpose of this section, the words law made by Parliament or the Legislature of West Bengal' shall include any law made before or after the commencement of the Constitution of India by any legislature or other competent authority in the territory of India having power to make such a law.]

4. [Continuance of English language for official purposes of the State and for use in the State Legislature. [Section 4 inserted by W.B. Act 19 of 1964.]

- Notwithstanding-(a)the appointment of any day under section 2 or section 3, [[or section 3A or section 3AA] [or section 3B or section 3C] [Substituted 'or section 3B' by West Bengal Act No. 4 of 2018, dated 5.4.2018.]] for the coming into operation of the provisions thereof, or(b)the expiration of the period of fifteen years from the commencement of the Constitution,the English language may, as from the day so appointed or from the day on which such period expires, as the case may be, continue to be used -(i)for all official purposes of the State of West Bengal for which it was being used immediately before that day, and(ii)for the transaction of business in the State Legislature,in addition to any language or languages specified in section 2 or section 3.]

5. [Authoritative text of Central and State Laws in Bengali and Nepali languages. [Sections 5 and 6 inserted by W.B. Act 3 of 1987, w.e.f. 1.3.1987.]

- A translation in [the Bengali language [or the Nepali language or the Karntapuri language or the Rajbanshi language or the Kurmali language] or the Urdu language], published under the authority of the Governor in the Official Gazette,-(a)of any Central Act or of any Ordinance promulgated by the President, or(b)of any notification, order, rule, regulation or bye-law issued by the Central Government under the Constitution or under any Central Act, or(c)of any State Act or of any Ordinance promulgated by the Governor, or(d)of any notification, order, rule, regulation or bye-law issued by the State Government under the Constitution or under any State Act,shall be deemed to be the authoritative text thereof in such language.

6. Power to make rules.

(1)The State 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 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 or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modification in the rule or the State Legislature agrees 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.]