

JUDICIAL LANGUAGE ACT, 1843

ACT NO. XII. OF 1843

(Rep., Act 16 of 1874)

[29th July, 1843.]

*Passed by the Right Hon'ble the Governor General of India in Council, On the 29th July, 1843.*

AN Act concerning the time at which and the language in which the decisions of the Judges in the Courts of the East India Company are to be written.

WHEREAS it is expedient, that the decisions of Courts of Justice and the reasons for the decision should be written and signed by the Judge at the time of pronouncing his decision, and in the vernacular language of the Judge;-

I. It is hereby enacted, that in all the Presidencies so much of all Decrees as consists of the points to be decided, the decision thereon and the reasons for the decision, and all injunctions for the revision of Decrees in regular Suits, and all orders for Reviews of Judgment, which shall be passed by Judges of the Sudder Courts, or by Judges of Zillah and City Courts, or by Subordinate or Assistant Judges of Zillahs, shall be written originally in English, and signed by the Judge or Judges at the time of pronouncing such decision and orders; and shall be translated into the vernacular language, commonly used in the Court wherein the Suit to which the Decree or Order relates, shall have been instituted; and the translation shall be incorporated in the Decree.

II. Provided that nothing in this Act contained shall be construed to repeal or affect any Regulation of the Codes of the Presidencies of Fort St. George and Bombay, by which the Decrees of the Sudder Courts are required to be written in English, nor to repeal or affect any Regulation of the Code of the Presidency of Fort St. George, by which the Decrees of the Provincial and Zillah Courts and auxiliary Courts under Assistant Judges, and the orders of the Sudder Court and Provincial Courts on Petitions presented to them, are required to be written in English.

And whereas it is expedient, that excepting as regards the language to be used, Principal Sudder Ameens, Sudder Ameens and Moonsiffs should be guided by the same rules as are herein-before provided for the guidance of the Superior Judges;-

III. It is hereby enacted, that in all the Presidencies so such of all Decrees as consists of the points to be decided, the decision thereon and the reason for the decision, which shall be passed by Principal Sudder Ameens, Sudder Ameens, or Moonsiffs, shall be written originally in the vernacular language of such Principal Sudder Ameen, Sudder Ameen, or Moonsiff, and signed by such Principal Sudder Ameen, Sudder Ameen, or Moonsiff, at the time of pronouncing such decision and (in case such vernacular language shall not be the same as the vernacular language commonly used in the Court wherein the Suit to which the Decree relates, shall have been instituted), Shall be translated into such last mentioned vernacular language, and the translation shall be incorporated in the Decree.

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