



Malayalam Language Learning Act, 2017

Act 8 of 2017

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[Translation in English of the “2017-ലെ മലയാള ഭാഷാപഠന ആക്ട്” published under the authority of the Governor.]

ACT 8 OF 2017

MALAYALAM LANGUAGE LEARNING ACT, 2017

An Act to provide for teaching Malayalam as a compulsory language in all schools in the State and for matters connected therewith or incidental thereto.

Preamble.—WHEREAS, it is expedient to provide for teaching Malayalam as compulsory language in all schools in the State and for matters connected therewith or incidental thereto;

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

1. *Short title and commencement.*—(1) This Act may be called the Malayalam Language Learning Act, 2017.

(2) It shall be deemed to have come into force on the 10th day of April, 2017.

2. *Definitions.*—(1) In this Act, unless the context otherwise requires,—

(a) “Government” means Government of Kerala;

(b) “prescribed” means prescribed by rules made under this Act;

(c) “schools” mean Government, aided and un-aided schools, and includes un-aided schools affiliated to any of the boards such as the Central Board of Secondary Education (CBSE) or the Council for the Indian Schools Certificate Examination (CISCE);

(d) “State” means the State of Kerala.

(2) Words and expressions used and not defined in this Act, but defined in the Kerala Education Act, 1958 (6 of 1959) and the Kerala Education Rules, 1959 shall have the same meaning respectively assigned to them in the said Act and the Rules.

3. *Malayalam to be taught in all schools in the State.*—(1) Notwithstanding anything contained in any Act or any rules or orders made thereunder for the time being in force, Malayalam shall be taught as a language in classes from first standard to tenth standard in all schools in the State from the academic year 2017-18:

Provided that in those schools including linguistic minority schools where Malayalam language is not being taught as per the existing curriculum at the date of commencement of this Act, the State Council for Education Research and Training (SCERT) shall prepare text book for teaching Malayalam and the same shall be taught.

(2) No restriction shall be imposed for speaking Malayalam in schools in the State either directly or indirectly.

(3) No board or notice shall be displayed or no other campaign shall be conducted in schools in the State imposing restrictions in speaking Malayalam language or that some other language alone shall be spoken.

(4) If there are situations where learning Malayalam language in the respective classes as per curriculum is not possible for the students who come from other States or foreign countries to the State and continue studies in the schools, such students may be exempted from Malayalam language examination in the tenth standard as per the existing curriculum and shall be taught the Malayalam text books prepared by the State Council for Educational Research and Training (SCERT).

(5) Malayalam language learning shall be made as a condition for granting No Objection Certificate to schools under the Central Board of Secondary Education (CBSE) and the Council for the Indian School Certificate Examination (CISCE) where trilingual curriculum is existing and the no objection certificate of the schools which are not provided with such Malayalam learning shall be cancelled:

Provided that in such schools, for the students who are not studying Malayalam as a language in the classes where bilingual curriculum is followed text books prepared by the State Council for Educational Research and Training (SCERT) for learning Malayalam language shall be taught.

(6) Teaching Malayalam language in all classes from first standard to tenth standard shall be made as a condition for granting recognition to un-aided schools under the provisions of the Kerala Education Act, 1958 and rules made thereunder.

(7) Government shall provide necessary facilities for learning Malayalam progressively in schools exclusively for linguistic minorities and in oriental schools, in the manner as may be prescribed.

4. *Fine for violation of provision of the Act and Rules.*—(1) The Headmaster of the school that violates the provisions of sub-section (2) or sub-section (3) of section 3 of this Act shall be imposed with a fine of five thousand rupees.

(2) An officer not below the rank of Deputy Director of Education authorized by Government in this behalf shall realize the fine under sub-section (1), from such Headmaster, in the manner as may be prescribed.

(3) Against an order under sub-section (1), the Headmaster may file an appeal before the Director of Public Instruction within thirty days from the date of receipt of such order and such appeal shall be disposed of within thirty days from the date of its submission.

(4) If there occurs three violations of the provisions of sub-section (2) or sub-section (3) of section 3, in the case of un-aided schools the recognition of such schools may be cancelled and in the case of schools affiliated to the Central Board of Secondary Education (CBSE) and the Council for the Indian Schools Certificate Examination (CISCE) the no objection certificate granted to such schools may be cancelled by the Government, in the manner as may be prescribed.

5. *Bar on jurisdiction of Civil Courts.*—No civil court shall entertain any suit, application or other proceeding in respect of any order issued under this Act.

6. *Power to make rules.*--(1) The Government may, by notification in the Gazette, make rules with prospective or retrospective effect, for the purpose of carrying out the provisions of this Act.

(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.

7. *Removal of difficulties.*--(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by Order published in the Gazette do anything not inconsistent with the provisions of this Act, which appears to them to be necessary or expedient for removing the difficulty:

Provided that no Order shall be made under this section after the expiration of two years from the date on which this Act comes into force.

(2) Every Order published under this section shall, as soon as may be after its publication, be laid before the Legislative Assembly.

8. *Repeal and saving.*--(1) Malayalam Language (Compulsory Language) Ordinance, 2017 (5 of 2017) is hereby repealed.

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