

Ministry of Public Administration
Independence Square,
Colombo 7,
8th March, 1984.

To : All Secretaries of Ministries,
Heads of Departments and
Heads of Public Corporations.

**The Constitution and the Provisions Regarding the use
of Sinhala and Tamil**

I reproduce in the annexe, Chapter IV Language, of the Constitution of the Democratic Socialist Republic of Sri Lanka.

2. Please ensure that the provisions of the Constitution in regard to language are strictly complied with.
3. This Circular is being issued with the concurrence of the Ministry of Regional Development.

D. B. I. P. S. SIRIWARDHANA,
Secretary,
Ministry of Public Administration.

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CHAPTER IV

LANGUAGE

18. The Official Language of Sri Lanka shall be Sinhala.

Official
Language.

19. The National Languages of Sri Lanka shall be Sinhala and Tamil.

National
Language.

20. A Member of Parliament or a member of a local authority shall be entitled to perform his duties and discharge his functions in Parliament or in such local authority in either of the National Languages.

Use of
National
Languages in
Parliament
and local
authorities.

21. (1) A person shall be entitled to be educated through the medium of either of the National Languages :

Medium of
instruction.

Provided that the provisions of this paragraph shall not apply to an institution of higher education where the medium of instruction is a language other than a National Language.

(2) Where one National Language is a medium of instruction for or in any course, department or faculty of any University directly or indirectly financed by the State, the other National Language shall also be made a medium of instruction for or in such course, department or faculty for students who prior to their admission to such University, were educated through the medium of such other National Language :

Provided that compliance with the preceding provisions of this paragraph shall not be obligatory if such other National Language is the medium of instruction for or in any like course, department or faculty either at any other campus or branch of such University or of any other like University.

(3) In this Article "University" includes any institution of higher education.

22. (1) The Official Language shall be the language of administration throughout Sri Lanka :

Language of
administration.

Provided that the Tamil Language shall also be used as the language of administration for the maintenance of public records and the transaction of all business by public institutions in the Northern and Eastern Provinces.

(2) A person, other than an official acting in his official capacity, shall be entitled—

- (a) to receive communications from, and to communicate and transact business with, any official in his official capacity, in either of the National Languages ;
- (b) if the law recognizes his right to inspect or to obtain copies of or extracts from any official register, record, publication or other document, to obtain a copy of, or an extract from such register, record, publication or other document or a translation thereof, as the case may be, in either of the National Languages ; and
- (c) where a document is executed by any official for the purpose of being issued to him, to obtain such document or a translation thereof, in either of the National Languages.

(3) A local authority in the Northern or Eastern Province which conducts its business in either of the National Languages shall be entitled to receive communications from, and to communicate and transact business with, any official in his official capacity, in such National Language.

(4) All Orders, Proclamations, rules, by-laws, regulations and notifications made or issued under any written law, the *Gazette*, and all other official documents including circulars and forms issued or used by any public institution or local authority, shall be published in both National Languages.

(5) A person shall be entitled to be examined through the medium of either of the National Languages at any examination for the admission of persons to the Public Service, Judicial Service, Local Government Service, a public corporation or statutory institution, subject to the condition that he may be required to acquire a sufficient knowledge of the Official Language within a reasonable time after admission to any such Service, public corporation or statutory institution where such knowledge is reasonably necessary for the discharge of his duties :

Provided that a person may be required to have a sufficient knowledge of the Official Language as a condition for admission to any such Service, public corporation or statutory institution where no function of the office or employment for which he is recruited can be discharged otherwise than with a sufficient knowledge of the Official Language.

(6) In this Article —

“ official ” means the President, any Minister, Deputy Minister, or any officer of a public institution or local authority ;
and

“ public institution ” means a department or institution of the Government, a public corporation or a statutory institution.

23. (1) All laws and subordinate legislation shall be enacted or made, and published, in both National Languages together with a translation in the English Language. In the event of any inconsistency between any two texts, the text in the Official Language shall prevail.

Language
legislation.

(2) All laws and subordinate legislation in force immediately prior to the commencement of the Constitution, shall be published in the *Gazette* in both National Languages as expeditiously as possible.

(3) The law published in Sinhala under the provisions of paragraph (2) of this Article, shall, as from the date of such publication, be deemed to be the law and supersede the corresponding law in English.

24. (1) The Official Language shall be the language of the courts throughout Sri Lanka and accordingly their records and proceedings shall be in the Official Language :

Language of
the courts.

Provided that the language of the courts exercising original jurisdiction in the Northern and Eastern Provinces shall also be Tamil and their records and proceedings shall be in the Tamil Language. In the event of an appeal from any such court, records in both National Languages shall be prepared for the use of the court hearing such appeal :

Provided further that —

(a) the Minister in charge of the subject of Justice may, with the concurrence of the Cabinet of Ministers, direct that the record of any such court shall also be maintained and proceedings conducted in the Official Language ; and

(b) the record of any particular proceeding in such court shall also be maintained in the Official Language if so required by the judge of such court, or by any party or applicant or any person legally entitled to represent such party or applicant in such proceeding, where such judge, party, applicant or person is not conversant with the Tamil Language.

(2) Any party or applicant or any person legally entitled to represent such party or applicant may initiate proceedings, and submit to court pleadings and other documents, and participate in the proceedings in court, in either of the National Languages.

(3) Any judge, juror, party or applicant or any person legally entitled to represent such party or applicant, who is not conversant with the language used in a court, shall be entitled to interpretation and to translation into the appropriate National Language, provided by the State, to enable him to understand and participate in the proceedings before such court, and shall also be entitled to obtain in either of the National Languages, any such part of the record or a translation thereof, as the case may be, as he may be entitled to obtain according to law.

(4) The Minister in charge of the subject of Justice may, with the concurrence of the Cabinet of Ministers, issue directions permitting the use of a language other than a National Language in or in relation to the records and proceedings in any court for all purposes or for such purposes as may be specified therein. Every judge shall be bound to implement such directions.

(5) In this Article —

“ court ” means any court or tribunal created and established for the administration of justice including the adjudication and settlement of industrial and other disputes, or any other tribunal or institution exercising judicial or quasi-judicial functions or any tribunal or institution created and established for the conciliation and settlement of disputes ;

“ judge ” includes the President, Chairman, presiding officer and member of any court ; and

“ record ” includes pleadings, judgments, orders and other judicial and ministerial acts.

25. The State shall provide adequate facilities for the use of the languages provided for in this Chapter.

Provision for
adequate
facilities
for use of
languages
provided
for in this
Chapter.