

Consider plea to notify Marathi-speaking community as linguistic minority in state: HC directs state govt

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Raipur: The Chhattisgarh High Court directed state authorities to consider a representation seeking the identification of linguistic minority languages and communities, specifically including Marathi. The petitioner seeks to have Marathi notified as a linguistic minority language and, subsequently, for Marathi-speaking communities to be declared a linguistic minority in the state.

The court noted that Dr Sachin Ashok Kale, the petitioner, filed a representation on 22 April 2023, followed by another on 27 Nov 2024, addressing his grievance to the President, Minority Com-



mission, Raipur. The bench of Chief Justice Ra-

mesh Sinha and Justice Bibhu Datta Guru directed the authorities to decide on 27 Nov 2024 representation within three months of receiving a certified copy of the order, if it was not considered already.

The petitioner, appearing in person, highlighted that the Centre notified Muslims, Christians, Sikhs, Buddhists, Zoroastrians (Parsis), and Jains as minority communities under the National Commission for Minorities Act, 1992. He cited Articles 29

and 350A of the Constitution, which protect linguistic and religious minorities.

The petitioner referred to the Supreme Court's decision in the TMA Pai Foundation case, which clarified that linguistic and religious minorities are covered under Article 30 of the Constitution. He argued that for determining minority status, the state, not the entire country, should be the unit. He also pointed out that the Chhattisgarh Rajya Minorities Commission (Amendment) Act, 2013, allows for communities notified by the state govt to be considered minorities.

He further submitted that states such as Karnataka, Tamil Nadu, and Madhya Pradesh have already recog-

nised languages like Urdu, Marathi, Hindi, Tulu, Telugu, Kannada, and Malayalam as minority languages. He also mentioned that Maharashtra notified Jews as a minority community in 2022.

Government counsel Sangharsh Pandey argued that the petition seeking a mandamus to declare Marathi as a linguistic minority language was a policy decision and beyond the court's jurisdiction. He stated that the National Commission for Minorities Act, 1992, and the Chhattisgarh Rajya Alpsankhyak Ayog Adhiniyam, 1996, define minorities as communities notified by the Central or State Govt.

Pandey contended that Marathi is already listed in the Eighth Schedule of the

Constitution and is one of India's most widely spoken languages, making its declaration as a linguistic minority unwarranted, particularly as there is no evidence of socio-economic or educational backwardness among Marathi speakers in Chhattisgarh.

The court disposed of the public interest litigation with the direction for the state govt, Chhattisgarh Minorities Commission, and Minority Welfare Department to consider the petitioner's representation. The petitioner has been asked to submit a copy of the order to the authorities concerned within two weeks, and the state counsel has been directed to communicate the order for compliance.