



Notes

## LEGISLATIVE PROVISIONS FOR ISL IN INDIA

Any language spoken or signed requires the legislative support of groups. India is a large country with many different spoken languages. There is also a sizable deaf community that uses Indian sign language as its primary language for communication. However, it is only recently that Indian sign language has started to get legal provisions and opportunities for its use, growth, and research. In this lesson, you will learn the history of legislative support for Indian sign language, its present official status, and what needs to be done at policy level for its further growth so that the deaf community gets full access to education, information, and entertainment by using sign language as their linguistic right.



### OUTCOMES

After studying this lesson, learner:

- demonstrates an understanding of legislative provisions for supporting and protecting sign language and deaf communities in India
- explains the policies, regulations, statutory bodies and programmes related to ISL in India
- demonstrates an awareness of stages and developments leading to legal provisions for ISL in India

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### 6.1 BACKGROUND

We did not have ISL related laws about 30 years ago, we would not find any laws related to ISL, but now we do. There has been significant progress in a short span of time.

India gained its independence in 1947. The Constitution of India has specific laws related to languages. There are hundreds of spoken languages in India, but they do not have equal status.

**There are 22 official languages in India, as per the Constitution of India.**

These languages have power. They can be promoted through schools, TV, media, and official government communication.

ISL is not recognised as an official language yet.

**Why is ISL not officially recognised yet?**

There has been little awareness about ISL so far. After years of advocacy, we have some laws and step by step, we are making progress.

**What about other countries?**

In many other countries too, sign language recognition is still limited. Deaf communities across the world are fighting for sign language rights. With their efforts, some countries have officially recognised their sign languages as equal to spoken languages.

### 6.2 UNDERSTANDING THE STATUS OF ISL

After independence in 1947, the Constitution was created as a body of laws and rules to govern the country. This also included language laws.

India is a land of many spoken languages, but only **22 official languages** have been recognised. These 22 languages enjoy greater power compared to other languages.

Other languages are also respected, but they are not officially part of scheduled languages.



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### 6.3 BENEFITS OF ISL RECOGNITION

There are many benefits to getting ISL recognised as an official language –

- It will allow ISL to be taught in classrooms.
- It will ensure better access to TV news.
- It will increase the number of sign language interpreters.

There are many deaf organisations advocating for ISL recognition, demanding that the government grants ISL, a status equal to spoken languages.

### 6.4 HOW DID OTHER SIGN LANGUAGES GET RECOGNITION?

In the 1960s, the first research was conducted in the USA, which confirmed that American Sign Language (ASL) is a true language.

This was a major eye-opener for everyone. Deaf people realised that it was their own language and must be equal to spoken language.

International organisations such as the World Federation of the Deaf (WFD) have had discussions with the United Nations (UN), and many governments are gradually accepting sign languages.

The number of sign languages being recognised by governments is increasing every year.

One example is New Zealand: New Zealand Sign Language (NZSL) is considered equal to the spoken language.

Similarly, respective sign languages are officially recognised in South Africa, Uganda, and European countries, including Germany, Belgium, and the Netherlands.



#### INTEXT QUESTIONS 6.1

1. In which year does India get independence?
2. How many official languages are there in India as per Indian Constitution?
3. Explain the benefits of ISL recognition?

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### 6.5 MINORITY LANGUAGES

India has many spoken languages. Although many languages do not have the same official or legal status like some of the other languages and these other minority languages also have rights.

Minorities have the right to protect their language and promote it.

This same concept can be applied to the deaf community and ISL. Because the deaf community is a minority group, it has the right to defend and promote ISL.

Nobody can deny these rights. There are laws to protect minority languages.



Figure-6.1 : Law

### 6.6 LAWS: FROM PWD ACT 1995 TO RPWD ACT 2016

The Rights of Persons with Disabilities (RPWD) Act was passed in 2016. But even before that, we had the Persons with Disabilities (PWD) Act 1995.

**In the PWD Act 1995, there was no mention of sign language**

Deafness and hearing impairment were mentioned, but not sign language, because there was not much awareness during that time. There was also not much work happening in the field of ISL related to research, published books, training, or interpreters in those years.

**UNCRPD** (United Nations Convention on the Rights of Persons with Disabilities) already recognised the importance of sign language. Thanks to constant advocacy by the WFD, the UNCRPD mentioned deaf children's need to learn sign language and the importance of access through sign language interpreters.

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Many countries accepted and signed the UNCRPD. **India signed it in 2007.**

When the PWD Act 1995 was being changed into the RPWD Act, deaf leaders demanded that it include UNCRPD provisions related to sign language.

**This included positive points such as:**

- **Access to interpreters**
- **Sign language in schools**
- **Deaf teachers**

By 2016, India already had sign language courses, interpreter training, qualified deaf teachers, sign language videos, websites, books and material on ISL. So the government accepted the deaf community's demands for sign language provisions in the RPWD Act 2016.

From no mention of sign language in the PWD Act of 1995 to sign language access in the RPWD Act of 2016 – there has been a lot of development.

This is true for other countries too; however development has been slow but steady.

### **Monitoring and implementation agencies**

The RPWD 2016 was passed, but who will implement it?

- Who is responsible for ISL development?
- Who will support the ISL?
- Who will support deaf people?
- How will ISL be used in schools?

### **The Rehabilitation Council of India (RCI) is the agency responsible for courses and training related to ISL**

RCI had earlier started ISL courses with the Ali Yavar Jung National Institute for the Speech and Hearing Disabilities (AYJNISHD), Mumbai.



Rehabilitation Council of India

Figure-6.2 : Logo of RCI

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Now RCI is working with the Indian Sign Language Research and Training Center (ISLRTC), New Delhi, for the ISL and interpreting courses.

RPWD 2016 asks for more and more deaf teachers and interpreters.

Now, we have two RCI courses: one for the hearing interpreters and the other for the deaf ISL teachers.

There are also short term courses in ISL.

RCI is responsible for making and running these courses. It has now extended the duration of the interpretation course (DISLI) to two years. It has also started a two year DTISL course for deaf trainees. The number of hours to learn ISL in D.Ed. and B.Ed. courses have also increased.

### Who is responsible for access in TV, news and media?

The **Ministry of Information and Broadcasting (MIB)** is responsible for giving access to news and other TV programmes, through captions and ISL interpretation.

MIB is responsible for the quality of ISL interpreter and access.

So, when equal access to information is not there, we can complain and ask for better quality from MIB.

Now, we see some news channels and other programmes have started providing access. This is a really positive development.

### ISL is not yet officially recognised, but there are laws for protecting and promoting it.

The RPWD Act 2016 mentions that equal access, sign language for deaf education, and equal opportunities for hearing and deaf people are important. It is a good and positive beginning for years to come.

The Indian Constitution gives the 'Right to Equality' to all citizens – deaf or hearing. It means equal opportunities for education and work should be there with full access and no discrimination. Access is important.

New Education policy (NEP2020) too has given boost to ISL promotion. Prime minister of India announced introduction of ISL as a school subject. NIOS had already taken steps to introduce ISL at secondary level and also developed ISL videos in different subjects at secondary and senior secondary levels. As a path forward, NIOS is working to introduce ISL as a language subject at the senior secondary level.

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**INTEXT QUESTIONS 6.2**

1. In which year India signed UNCRPD?
2. Which government agency is responsible for courses related to ISL?
3. Why is RPWD important for ISL?
4. Which Ministry is responsible for providing access to news and other TV programme?

**WHAT YOU HAVE LEARNT**

- Till 30 years ago, there were no legal provisions related to Indian sign language but there are now.
- Despite the fact that there are hundreds of spoken languages in India, there are only 22 official languages in India. Official status gives power to a language and it can be promoted through schools, TV, media, and official government communication.
- ISL is not recognised as an official language yet. In fact, it is only in recent years that there have been good legal provisions related to ISL and lot of advocacy is now going on for its official status.
- There are only few countries where their National sign language has official status. New Zealand Sign Language (NZSL), and sign languages of South Africa, Uganda, and European countries including Germany, Belgium, and the Netherlands and now sign language of Italy are recognised and have official status in their countries. However, in most countries deaf are still fighting for their language rights.
- Official recognition of sign languages started after 1960s, Stokoe's research showed that ASL is a true language meaning that linguistically, sign languages were equal to spoken languages.
- Official status to ISL would mean its increased use in classroom teaching, increased access to TV news and programmes and increased interpreting services.
- In fact deaf people are like a minority community and ISL is like a minority language and like spoken minority languages, deaf have the right to ask for



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protection and legal provisions for ISL.

- Due to lack of awareness, PWD act 1995 did not have any mention of Indian Sign Language.
- India signed UNCRPD in 2007 in which full communication access was mandated. UNCRPD mentioned deaf children needing to learn sign language and the importance of access through sign language interpreters. Advocacy by WFD played a major role.
- RPWD act was enacted in 2016. It mentions equal access, sign language for deaf education, and equal opportunities for hearing and deaf.
- By 2016 India already had sign language courses, interpreter training, qualified deaf teachers, sign language videos, websites, books and material on ISL.
- Even after five years of RPWD, deaf are wondering who is responsible for its implementation to promote increased use of ISL in education, training and media.
- RCI has started two courses: one for hearing people to become interpreters and one for the deaf to become ISL teachers.
- RCI first worked with First AYJNISHD and now with ISLRTC to create courses related to ISL.
- Ministry of Information and Broadcasting (MIB) is responsible for giving access to news and other TV programmes, through captions and ISL interpretation.



### TERMINAL EXERCISE

1. Imagine that you are a language policy advisor, and a government official asks you: 'Should the Indian government recognise ISL as an official language of India?' Explain how you would respond and what reasons would you give to justify your arguments.
2. In India, who is responsible for making sure there are ISL interpreters on TV programmes? (Tick the correct option.)
  - a) The Indian Sign Language Research and Training Centre
  - b) The Ministry of Information and Broadcasting



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- c) The National Institute for Communication Access
  - d) The All-India Federation of the Deaf
3. The first Indian legislation to mention sign language was –
    - a) The Persons with Disabilities Act 1995
    - b) The Rehabilitation Council of India Act 2001
    - c) The Right to Education Act 2009
    - d) The Rights of Persons with Disabilities Act 2016
  4. Which of the following is a sign language provision that the UNCRPD recommends is included in national laws? (Tick the correct option.)
    - a) sign language videos at the doctor's office
    - b) deaf art exhibitions featuring sign language
    - c) use of sign language in schools
    - d) none of the above
  5. What do you understand by Legislative provisions for deaf communities in India?
  6. How would you like to use ISL for the betterment of deaf communities?
  7. What are the legal provisions for ISL in India?
  8. Share your views on Equal opportunities & Equal Access.

**ANSWERS TO INTEXT QUESTIONS****6.1**

1. 1947
2. 22 official languages.
3. So far there is very little awareness.
4. i. It will allow ISL to be taught in classroom.

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- ii. It will ensure better access to TV News.
- iii. It will increase no. of interpreters

**6.2**

1. 2007
2. RCI
3. RPWD 2016 asks for more & more deaf teachers & interpreters.
4. MIB – Ministry of Information and Broadcasting