



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष ६, अंक ७]

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असाधारण क्रमांक १३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Compulsory Teaching and Learning of Marathi Language in Schools Bill, 2020 (L.C. Bill No. V of 2020), introduced in the Maharashtra Legislative Council on the 26th February 2020, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,  
Secretary (Legislation) to Government,  
Law and Judiciary Department.

**L. C. BILL No. V OF 2020.**

**A BILL**

*to provide for teaching and learning Marathi language as compulsory in all schools in the State of Maharashtra and for matters connected therewith or incidental thereto.*

**WHEREAS** it is expedient to provide for teaching and learning Marathi language as compulsory in all schools in the State of Maharashtra and for matters connected therewith or incidental thereto; it is hereby enacted in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Maharashtra Compulsory Teaching and Learning of Marathi Language in Schools Act, 2020.

(2) It shall apply to every school situated in the State and in respect of every student enrolled in such school.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title,  
application and  
commencement.

Definitions.

2. In this Act, unless the context requires otherwise,—

(a) “Appellate Authority” means the Appellate Authority appointed by the Government under section 7;

(b) “Competent Authority” means the Competent Authority appointed by the Government under sub-section (1) of section 6;

(c) “Government” means the State Government of Maharashtra;

(d) “notification” means a notification published in the *Maharashtra Government Gazette* and the word ‘notified’ shall be construed accordingly;

(e) “prescribed” means prescribed by rules made by the Government;

(f) “Schedule” means a Schedule appended to this Act;

(g) “school” means any primary, upper primary or secondary school or higher secondary school,—

(i) maintained by the State Government or Local Bodies- aided or unaided or permanently non-granted;

(ii) established, administered or maintained by any private educational institution including minority school established and administered by minorities under clause (1) of article 30 of the Constitution of India whether receiving aid from the State or not;

(iii) of any Anglo-Indian School or Oriental School or Schools affiliated to Central Board of Secondary Education (CBSE), Council for the Indian Schools Certificate Examination (CISCE), International Baccalaureate (IB), Cambridge Board, International General Certificate of Secondary Education (IGCSE), National Institute of Open Schooling (NIOS), Maharashtra International Education Board (MIEB) or any other Government or private educational Board;

(iv) which may be notified by the Government in this behalf; or

(v) approved by the Government under the Maharashtra Self-financed Schools (Establishment and Regulation) Act, 2012.

Mah. I of  
2013.

*Explanation.*—For the purposes of this clause,—

(i) primary school shall consist of Standards I to V;

(ii) upper primary or secondary school shall consist of Standards I to VIII or VI to VIII;

(iii) higher secondary school shall consist of Standards I to X, VI to X or Standards IX to X;

(h) “section” means a section of this Act;

(i) “State” means the State of Maharashtra.

Marathi as a  
compulsory  
subject.

3. (1) Marathi language shall be taught as a compulsory subject from Standard I to X in all schools in the State commencing from the Academic Year 2020-21 in a phased manner as specified in the Schedule.

(2) The subject Marathi language shall be introduced at Standard I and Standard VI from the Academic Year 2020-21 and shall be extended for further classes progressively as specified in the Schedule.

(3) The assessment of student in the subject Marathi Language shall be conducted in all schools.

(4) No restriction shall be imposed on speaking Marathi in the schools in the State either directly or indirectly.

(5) No board or notice shall be displayed or campaign conducted in schools imposing restrictions on speaking Marathi language.

4. (1) Where school requires recognition or No Objection Certificate or both, from the State Government, compulsory teaching and assessment of students in Marathi language subject as per the provisions of this Act shall be a condition for granting such recognition or Certificate. Condition for granting No Objection Certificate.

(2) The recognition or No Objection Certificate of the school, which is already existing on the date of commencement of this Act and which do not teach Marathi as a compulsory subject, shall be cancelled and an intimation to that effect shall also be sent to the concerned Boards or Authorities to whom such school is affiliated.

5. Every school shall follow the curriculum specified by the Government for the purposes of this Act. Curriculum by State Government.

6. (1) The Government may, by notification in the *Official Gazette*, appoint officer of the School Education Department not below the rank of District Education Officer to be the Competent Authority for the purposes of carrying out the provisions of this Act and the rules made thereunder. The different Competent Authorities may be appointed for different areas. Competent Authority.

(2) The Competent Authority shall exercise such powers and perform such functions, as may be prescribed.

7. The Government may, by notification in the *Official Gazette*, appoint an officer of the School Education Department not below the rank of Deputy Director (Education) as an Appellate Authority for the purposes of deciding appeals against any order or decision of the Competent Authority. Appellate Authority.

8. (1) Any person aggrieved by an order or decision of the Competent Authority, including penalty imposed under sub-section (1) of section 12, may file an appeal to the Appellate Authority within a period of thirty days from the date of receipt of order or decision of the Competent Authority: Appeal.

Provided that, the Appellate Authority may entertain any such appeal filed after expiry of the said period of thirty days, if he is satisfied that the Appellant had sufficient cause for not preferring the appeal within the said period.

(2) The Appellate Authority shall, before disposing of an appeal, give a reasonable opportunity of being heard to the Appellant.

(3) The decision of the Appellate Authority on appeal shall be final.

9. (1) (a) The Government may, in the public interest, by an order, direct the Competent Authority to make an enquiry or to take appropriate proceedings under this Act in any case specified in the order, and the Competent Authority shall report to the Government the result of the enquiry made or the proceedings taken by him within such period, as may be prescribed. Power of Government to give directions.

(b) On receipt of the report from the Competent Authority under clause (a), the Government shall give such directions as it may deem fit and such directions shall be final and binding.

(2) The Government may give such directions to such other authority as may appear to it to be necessary for carrying out all or any of the provisions of this Act or of any rule, notification or order made thereunder and such Authority shall comply with every such direction.

10. No order passed or proceedings taken under the provisions of this Act shall be called in question in any Court, in any suit or application and no injunction shall be granted by any Court in respect of any action taken in pursuance of any power conferred by or under this Act. Bar of jurisdiction.

11. (1) The Government may, by general or special order, published in the *Official Gazette*, and subject to such conditions as it may deem fit to be specified in such order, exempt any student or any class of students from all or any of the provisions of this Act, either in part or in whole. Exemptions.

(2) The power under sub-section (1) may also be exercised by such officer of the Government, not below the rank of Deputy Director, School Education, specially empowered by the Government by an order published in the *Official Gazette*.

Penalty for violation of provisions of Act.

**12.** (1) The Managing Director or any other person responsible for management of the affairs of the school violating the provisions of this Act, rules or orders made thereunder shall be liable for penalty upto one lakh rupees.

(2) The Competent Authority shall be competent to impose penalty under sub-section (1) :

Provided that, the Competent Authority shall give a reasonable opportunity of being heard to the person before passing any order under this sub-section.

(3) An officer not below the rank of Director of Education may recover such penalty in such manner, as may be prescribed.

Power to amend Schedule.

**13.** (1) The Government may, if it is of the opinion that it is expedient or necessary so to do, by notification published in the *Official Gazette*, add to or alter or amend the Schedule and thereupon the Schedule shall stand amended accordingly.

(2) Any such notification issued under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Overriding effect.

**14.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or rules or orders made thereunder.

Protection of acts done in good faith.

**15.** No suit, prosecution or other legal proceedings shall lie against the Government, any officer or the authority of the Government or any person for anything which is done, or intended to be done in good faith under this Act or the rules or orders made thereunder.

Power to make rules.

**16.** (1) The State Government may, by notification in the *Official Gazette*, and subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule shall, from the date of such notification, 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 or omitted to be done under that rule.

Power to remove difficulties.

**17.** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion arises, by an order published in the *Official Gazette*, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty:

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

## **SCHEDULE**

**(See section 3)**

### **Details of implementation**

#### **I-Primary Level (Standards I to V)**

Marathi Language shall be introduced as the compulsory subject in Standard I from year 2020-2021 onwards and thereafter every year it shall be extended to further Standards progressively as below :—

<b>Sr. No.</b>	<b>Standard</b>	<b>Academic Year</b>
1.	I	2020-2021
2.	II	2021-2022
3.	III	2022-2023
4.	IV	2023-2024
5.	V	2024-2025

#### **II-Upper Primary and Higher Secondary School Level**

**(Standard VI to X)**

Marathi Language shall be introduced as the compulsory subject in Standard VI from year 2020-2021 onwards and thereafter every year it shall be extended to further Standards progressively as below :—

<b>Sr. No.</b>	<b>Standard</b>	<b>Academic Year</b>
1.	VI	2020-2021
2.	VII	2021-2022
3.	VIII	2022-2023
4.	IX	2023-2024
5.	X	2024-2025

## STATEMENT OF OBJECTS AND REASONS

The basic philosophy behind the reorganization of States on linguistic basis is to develop various Indian languages having rich legacy. Marathi language is the mother tongue of majority of the residents of the State of Maharashtra. Marathi is the official language of the State as per the Maharashtra Official Languages Act, 1964 (Mah. V of 1965). Marathi language is one of the ancient and most developed language and is the cultural and social identity of the State. The State is committed to preserve and develop it to new scale of height.

2. It is observed that the students in the schools in the State covered under various syllabi such as Central Board of Secondary Education, Council for the Indian Schools Certificate Examination or International Baccalaureate or Cambridge Board or International General Certificate of Secondary Education etc., are not learning Marathi language from the beginning *i.e.* from the first standard onwards, as there is an option to learn Hindi and other languages. Similarly, Marathi Language is not taught to the students in certain linguistic minority schools in the State. Despite of the fact that Marathi Language is the mother tongue of the majority of the residents of the State of Maharashtra and an official language of the State, the same is being neglected in teaching at school education level.

3. Therefore, it is considered expedient to make a new law, on the similar lines of the enactments made in the States of Telangana, Tamil Nadu, Kerala and Karnataka, to provide for teaching and learning of Marathi language compulsory in all schools in the State. The salient features of the law are as follows:—

(i) to provide that Marathi shall be taught as compulsory subject in all schools from Standards I to X in a phased manner from the academic year 2020-2021;

(ii) Marathi language shall be introduced at Standard I and Standard VI from the Academic Year 2020-21 and shall be extended for further classes progressively as specified in the Schedule;

(iii) in all schools in the State of all educational institutions, whether private, aided or Government and all medium of instructions whether English or Hindi or any other medium and all Boards, Marathi shall be taught as compulsory subject;

(iv) where school requires recognition or No Objection Certificate from the State Government, compulsory teaching Marathi language shall be a condition for granting such recognition or Certificate;

(v) schools to follow the curriculum specified by the Government;

(vi) appointment of officers of School Education Department as the Competent Authorities for the purposes of carrying out the provisions of this Act and the rules made thereunder;

(vii) an appeal is provided against an order or decision of the Competent Authority to the Appellate Authority;

(viii) power is given to the Government to give directions to Competent Authority or such other authority as may appear to it to be necessary for carrying out all or any of the provisions of this Act or of any rule;

(ix) power is given to the Government to exempt any student or any class of students from all or any of the provisions of this Act;

(x) penalty to the Managing Director or any other person responsible for management of the affairs of the school violating the provisions of law.

4. The Bill seeks to achieve the above objectives.

Mumbai,

SUBHASH DESAI

Dated the 25th February 2020.

Minister for Marathi Language.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposals for delegation of legislative power, namely :—

*Clause 1(3).*—Under this clause, power is taken to the State Government to bring the Act into force on such date as the State Government may, by notification in the *Official Gazette* appoint.

*Clause 6.*— Under this clause,—

(i) under sub-clause (1), power is taken to the State Government to appoint, by notification in the *Official Gazette*, officers of the School Education Department to be the Competent Authority for the purposes of the Act;

(ii) under sub-clause (2), power is taken to the State Government to make rules to prescribe powers and functions of the Competent Authority appointed under the Act.

*Clause 7.*—Under this clause, power is taken to the State Government to appoint, by notification in the *Official Gazette*, Officer of the School Education Department not below the rank of Deputy Director (Education) to be the Appellate Authority for the purposes of deciding appeals against any order or decision of the Competent Authority.

*Clause 9(1)(a).*—Under this clause, power is taken to the State Government to,—

(i) issue an order to direct the Competent Authority to make an enquiry or take appropriate proceedings under the Act;

(ii) make rules to prescribe the period within which the Competent Authority shall report to the Government the result of the enquiry made or the proceedings taken by him under the said clause.

*Clause 11.*—Under this clause,—

(i) under sub-clause (1), power is taken to the State Government to exempt, by an order published in the *Official Gazette*, any student or any class of students from all or any of the provisions of the Act, either in part or whole;

(ii) under sub-clause (2), power is taken to the State Government to empower by an order published in the *Official Gazette* an Officer of the Government not below the rank of Deputy Director, School Education, to exercise powers of the Government under sub-clause (1) of clause 11.

*Clause 12 (3).*—Under this clause, power is taken to the State Government to make rules to prescribe the manner in which penalty under clause 12 may be recovered.

*Clause 13(1).*—Under this clause, power is taken to the State Government to add to or alter or amend the Schedule appended to the Act, by notification published in the *Official Gazette*.

*Clause 16.*—Under this clause, power is taken to the State Government to make rules, by notification in the *Official Gazette*, to carry out the purposes of the Act.

*Clause 17.*—Under this clause, power is taken to the State Government to issue an order for removing any difficulty which may arise in giving effect to the provisions of the Act.

2. The above-mentioned proposals for delegation of legislative power are of normal character.