



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

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असाधारण क्रमांक २०

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 Official Languages (Amendment) Bill, 2021 (L. A. Bill No. XIII of 2021), introduced in the Maharashtra Legislative Assembly on the 5th July 2021, is hereby published under the authority of the Governor.

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

SATISH WAGHOLE,
I/C. Secretary (Legislation) to Government,
Law and Judiciary Department.

L. A. BILL No. XIII OF 2021.

A BILL

further to amend the Maharashtra Official Languages Act, 1964.

WHEREAS it is expedient further to amend the Maharashtra Official Languages Act, 1964, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-second Year of the Republic of India, as follows :-

1. This Act may be called the Maharashtra Official Languages Short title. (Amendment) Act, 2021.

Amendment
of section 2 of
Mah. V of
1965.

2. In section 2 of the Maharashtra Official Languages Act, 1964 (hereinafter referred to as "the principal Act"),-

Mah. V
of
1965.

(a) after clause (b), the following clause shall be inserted, namely :—

“(b-1) “District Marathi Language Committee” means a District Marathi Language Committee constituted in each district under section 5D;”;

(b) after clause (c), the following clauses shall be added, namely :—

“(d) “Marathi Language Officer” means an officer designated as the Marathi Language Officer under sub-section (1) of section 5B;

(e) “prescribed” means prescribed by rules ;

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

(g) “State Marathi Language Committee” means the State Marathi Language Committee constituted under section 5C.”.

Amendment
of section 4 of
Mah. V of
1965.

3. Section 4 of the principal Act shall be renumbered as sub-section (1) thereof; and after sub-section (1), as so renumbered, the following sub-section shall be added, namely :—

“(2) All official purposes under sub-section (1) includes the following namely :—

(a) all internal affairs or business of all offices of the State Government;

(b) all communication and correspondence to be made with the public in the State by all offices of the State Government;

(c) all noting, drafting, all remarks, comments and opinions thereon, manuals, any administrative proceedings, bye-laws, all types of notices, any administrative work and business, schemes, programs, policies, decisions, resolutions, administrative and other reports, press releases, invitation cards, letter-heads or any other orders or documents pertaining to public interface and public interest to be issued by any office of the State Government;

(d) all administrative and other reports and official papers to be laid before the both Houses of the State Legislature;

(e) any license, permit, certificate, tender or advertisement to be given or issued by or on behalf of the State Government or any Department or office thereof;

(f) all standard forms, proformas or registers to be used or any other documents pertaining to public interface and public interest in offices of the State Government;

(g) all sign boards, name plates, notice boards and any other display matters pertaining to public interface and public interest in offices of the State Government;

(h) all stamps or seals to be used in offices of the State Government;

(i) any other documents or services to be provided through internet and any communication pertaining to the public interface and public interest to be made through the website, apps, portals, and any other electronic mode of communication by any office of the State Government; and

(j) any other such official purposes as may be prescribed.”.

4. After section 5 of the principal Act, the following sections shall be inserted, namely :—

Insertion of new sections 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H and 5I in Mah. V of 1965.

“5A. Every office of the State Government, including offices subordinate and under administrative control of each Department of Mantralaya, shall make suitable provisions in its policies pertaining to public interface and public interest for use of Marathi for effective implementation of the provisions of this Act.

Provisions in policy for effective implementation of this Act.

5B. (1) Every office of the State Government shall designate a suitable officer as ‘Marathi Language Officer’ to discharge the functions assigned to him under this Act.

Designation of Marathi Language Officer.

(2) The Marathi Language Officer shall discharge the following functions, namely :—

(a) receive the grievances or complaints pertaining to non-use of Marathi in official purposes and implementation of the provisions of this Act in the office and to facilitate for its effective redressal; and

(b) to take steps to ensure the effective implementation of the provisions of this Act and the rules made thereunder.

(3) The Head of the Office and any other officer and employees in the office shall render necessary assistance to the Marathi Language Officer for discharging the functions assigned to him under this Act.

5C. (1) There shall be a State Marathi Language Committee to exercise the powers conferred on and to discharge the functions assigned to it under this Act.

Constitution of State Marathi Language Committee.

(2) The State Marathi Language Committee shall consist of the following members, namely :—

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| (i) Minister, Marathi Language | Chairperson; |
| (ii) State Minister, Marathi Language | Vice-Chairperson; |
| (iii) Chief Secretary, Government of Maharashtra | Vice-Chairperson; |
| (iv) Additional Chief Secretary (Services), General Administration Department | Member; |
| (v) Secretary, Marathi Language Department | Member; |

- | | |
|--|-------------------|
| (vi) Secretary, School Education Department | Member; |
| (vii) Secretary, Urban Development Department | Member; |
| (viii) Secretary, Revenue Department | Member; |
| (ix) Deputy Secretary, Marathi Language Department | Member-Secretary. |

(3) The State Marathi Language Committee may invite experts from various fields, as it may deems fit, from time to time, for the meeting.

(4) The State Marathi Language Committee shall meet at least once in a year.

(5) The State Marathi Language Committee shall exercise the following powers and discharge the following functions, namely :—

- (i) ensure and review the implementation of the provisions of this Act and the rules made thereunder;
- (ii) consider an annual report alongwith recommendations submitted by the District Marathi Language Committee about action taken by it in discharge of its functions under this Act and to give directions to the District Marathi Language committee as it deems fit for effective implementation of the provisions of this Act;
- (iii) give directions to all offices of the State Government and the District Marathi Language Committee as it deems fit for effective implementation of the provisions of this Act and the rules made thereunder;
- (iv) recommend such incentives, rewards or schemes as may be necessary for effective implementation of the provisions of this Act and the rules made thereunder.

Constitution
of District
Marathi
Language
Committee.

5D. (1) The District Collector of each district shall constitute a District Marathi Language Committee in the District to exercise the powers conferred on and to discharge the functions assigned to it under this Act.

(2) The District Marathi Language Committee shall consist of the following members, namely :—

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| (i) District Collector | Chairperson; |
| (ii) Municipal Commissioner | Member; |
| (iii) Superintendent of Police | Member; |
| (iv) Chief Executive Officer
(Zilla Parishad) | Member; |
| (v) District Education Officer | Member; |
| (vi) Two representatives amongst the
persons residing in the district
from the field of the Marathi language,
arts, performing arts, literature,
culture or publications to be
nominated by the District Collector | Member; |

(vii) Two representatives of the non-Government institutions, organizations, movements or forums working in the district in the field of the Marathi language, arts, performing arts, literature, culture, publications or libraries to be nominated by the District Collector Member;

(viii) Marathi Language Officer designated in the office of the District Collector Member-Secretary.

(3) The non-official members referred to in clauses (vi) and (vii) above shall hold the office for such period as the District Collector may, by an order, specify.

(4) The District Marathi Language Committee shall meet at least once within three months.

5E. (1) The District Marathi Language Committee shall exercise the following powers and discharge the following functions, namely :— Powers and functions of District Marathi Language Committee.

(a) give directions to all offices of the State Government in the District for effective implementation of the provisions of this Act and the rules made thereunder;

(b) enquire into and redress the grievances or complaints pertaining to non-use of Marathi for official purposes and implementation of the provisions of this Act and the rules made thereunder;

(c) call and receive the necessary information, records and reports pertaining to complaints or grievances under this Act from all offices of the State Government in the District;

(d) enquire into and resolve the complaints or grievances regarding implementation of this Act and dispose them in an expeditious manner;

(e) direct the concerned office of the State Government to comply with the provisions of this Act, if found violating any of the provisions of this Act;

(f) organize various programs, projects, activities, workshops, exhibitions and seminars as may be directed by the State Government, time to time, with regard to the implementation of the provisions of this Act;

(g) submit an annual report to the State Marathi Language Committee about action taken by it in discharge of its functions under this Act alongwith its recommendations with regard to the effective implementation of the provisions of this Act;

(h) exercise such other powers and perform such other functions as may be prescribed.

(2) The offices of the State Government shall comply with the directions of the District Marathi Language Committee within a period of fifteen days from the receipt thereof and forward a compliance report to the District Marathi Language Committee.

Proactive
disclosure
about use of
Marathi.

5F. Each office of the State Government shall proactively publish on its website or any other electronic mode or any other mode of communication which are easily accessible to the public that Marathi is being used in all official purposes, other than excepted purposes under this Act and rules made thereunder.

Responsibility
of
implementa-
tion and
compliance.

5G. The administrative Head or Head of the Department or Head of the office or Controlling Officer of the office of the State Government shall be responsible for,—

(a) effective implementation of the provisions of this Act and the rules made thereunder;

(b) compliance of all directions and instructions issued by the District Marathi Language Committee, the State Marathi Language Committee and the State Government, from time to time;

(c) providing all necessary facilities and services for effective implementation of the provisions of this Act and the rules made thereunder.

Power of
Government
to give
directions.

5H. The State Government may issue such directions or instructions to all offices of the State Government as may be necessary for effective implementation of the provisions of this Act and the rules made thereunder.

Punishment.

5I. The Disciplinary Authority shall on receipt of complaint or grievance regarding non-implementation of the provisions of this Act, initiate disciplinary action against the concerned Government servant under the Maharashtra Civil Services (Discipline and Appeal) Rules, 1979 or any other service rules or regulations as applicable to him, if found necessary. The Disciplinary Authority shall submit a report regarding such disciplinary action taken by it to the State Marathi Language Committee and District Marathi Language Committee.”.

STATEMENT OF OBJECTS AND REASONS

Section 1A of the Maharashtra Official Languages Act, 1964 (Mah. V of 1965) provides that the official language of the State of Maharashtra shall be Marathi. Section 4 of the said Act provides that Marathi shall be the language to be used for all official purposes referred to in article 345 of the Constitution of India as respects the State of Maharashtra except such purposes as the State Government may, by rules issued from time to time in the *Official Gazette*, specify. To elucidate the provisions of the said section 4 for administrative convenience, the Government considered it expedient to specify various types of official purposes which are included in the official purposes of the State in which Marathi is being used. For that purpose section 4 of the said Act is proposed to be amended, suitably.

2. For monitoring the effective implementation of the said Act the Government also considered it necessary to constitute the State Marathi Language Committee and District Marathi Language Committees and to designate Marathi Language Officer in each office. Certain other amendments are also proposed in the said Act for effective implementation thereof.

3. The salient features of the amendments proposed in the said Act are as follows :—

(i) to specify various types of official purposes which are included in the official purposes of the State in which Marathi Language is being used;

(ii) to constitute the State Marathi Language Committee to review and ensure effective implementation of the said Act, to give directions to all offices of the State Government and District Marathi Language Committees, etc.;

(iii) to constitute the District Marathi Language Committee in each District to give directions to all offices of the State Government in the District for effective implementation of the said Act, redress grievances related thereto and organize various activities to promote Marathi Language such as workshops, exhibitions, seminar, etc.;

(iv) to provide that all offices of the State Government may make suitable provisions in its policies pertaining to public interface and public interest for use of Marathi Language ;

(v) to provide that each office of the State Government shall proactively disclose that Marathi Language is being used in all official purposes, other than excepted purposes ;

(vi) to provide that the administrative Head or Head of the Department or the Head of office or controlling officer shall be responsible for effective implementation of the said Act;

(vii) to provide that the State Government may issue such directions or instructions to all offices of the State Government, as may be necessary for effective implementation of the provisions of this Act and rules made thereunder;

(viii) to provide for initiating disciplinary action against the Government servant for non-implementation of the provisions of the said Act.

4. The Bill seeks to achieve the above objectives.

Mumbai,

Dated the 4th July 2021.

SUBHASH DESAI,

Minister for Marathi Language.

MEMORANDUM REGARDING DELEGATED LEGISLATION

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

Clause 3.— Under this clause, which seeks to amend section 4 of the Maharashtra Official Languages Act, 1964 (Mah. V of 1965), power is taken to the State Government to prescribe by rules such other official purposes as respects the State of Maharashtra in which Marathi shall be used as official language.

Clause 4.— Under this clause, which seeks to insert new sections 5A to 5I in the said Act,—

(a) in new section 5D, power is taken to the District Collector to specify by an order the period of office of non-official members of the District Language Committee;

(b) in new section 5E, power is taken to the State Government to prescribe by rules such other powers and functions of the District Marathi Language Committee.

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