

अध्याय-5

प्रकीर्ण

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|--------------------------------------|---|
| वार्षिक रिपोर्ट | 16. संस्थान प्रत्येक वर्ष ऐसे प्रपत्र में और ऐसी रीति से, जैसी विहित की जाय, वार्षिक रिपोर्ट तैयार करेगा, जिसमें गत वर्ष के कार्यकलाप का सही और पूरा विवरण दिया जायेगा। वार्षिक रिपोर्ट को प्रतिवर्ष विधान सभा पटल पर रखा जाएगा। |
| निरीक्षण | 17. यह समाधान करने के लिये कि इस अधिनियम और इसके अधीन बनाये गये नियमों तथा विनियमों के प्राविधानों का अनुपालन किया जा रहा है, निदेशक अथवा उनके द्वारा प्राधिकृत कोई भी अधिकारी संस्थान की किसी भी अकादमी/शाखा का निरीक्षण कर सकेंगे। |
| नियम बनाने की शक्ति | 18. (1) राज्य सरकार के पूर्वानुमोदन से साधारण सभा एवं प्रबंधकार्यकारिणी इस अधिनियम के उद्देश्यों की पूर्ति हेतु नियम बना सकेगी या उन्हें संशोधित कर सकेंगी।
(2) उपधारा (1) के अधीन बनाये गये नियम इस अधिनियम के उपबंधों से असंगत नहीं होंगे।
(3) इस धारा के अधीन बनाये गये नियम शीघ्रातिशीघ्र विधान सभा के समक्ष रखे जायेंगे। |
| सदभावना से किये गये कार्य का संरक्षण | 19. संस्थान अथवा उसके किसी अकादमी के किसी व्यक्ति के विरुद्ध किसी ऐसे कार्य के लिये जो इस अधिनियम के अधीन सदभावना से किया गया हो या किये जाने के लिये आशायित हो, कोई वाद, अभियोजन या अन्य कार्यवाही नहीं की जा सकेगी। |

आज्ञा से,
मीना तिवारी,
प्रमुख सचिव।

No. 182/XXXVI(3)/2018/21(1)/2018
Dated Dehradun, April 12, 2018

NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of '**The Uttarakhand Language Institutions Bill, 2018**' (Adhiniyam Sankhya 16 of 2018).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 11 April, 2018.

THE UTTARAKHAND LANGUAGE INSTITUTIONS ACT, 2018

(UTTARAKHAND ACT NO. 16 OF 2018)

[Enacted by Uttarakhand State Legislative Assembly in the Sixty-Ninth year of the Republic of India]

AN

ACT

to establish the Uttarakhand Language Institution and to provide the Academies and the connected and incidental matters thereof;

CHAPTER-1 Preliminary

Short title, Extent
and Commencement

1. (1) This Act may be called the Uttarakhand Language Institutions Act, 2018.
- (2) It shall extend to the whole of Uttarakhand.
- (3) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires -
 - (a) "Institution" means the Uttarakhand Language Institution constituted under section 3 of the Act;
 - (b) "Notification" means the Notification published in the Gazette of Uttarakhand Government ;
 - (c) "General body" means the General body of the Institution;
 - (d) "Committee" means the Managing Executive Committee of the Language Institution;
 - (e) "Government" means the State Government of Uttarakhand;
 - (f) "Prescribed" means the prescribed rules and procedures under the Act;
 - (g) "Academy" means the Uttarakhand Hindi Academy, Uttarakhand Urdu Academy, Uttarakhand Punjabi Academy and Uttarakhand Regional Language and Boli (dialect) Academy.
 - (h) "State" means the State of Uttarakhand;

(i) "Non-official member" means such person who is representative of any organization/institution but not Government Member;

(j) "Chairman, Executive Chairman and Vice-chairman" means the Chairman, Executive Chairman and Vice-chairman of the Uttarakhand Language Institution;

(k) "Director" means the Director of the Language Institution;

(l) "Deputy Director" means the Deputy Director of the Uttarakhand Hindi Academy, Uttarakhand Urdu Academy, Uttarakhand Punjabi Academy and Uttarakhand Regional Language and Boli (dialect) Academy;

(m) "Member" means the members of the General body and Managing Executive Committee;

(n) "Year" means the financial year;

CHAPTER-II

Establishment of the Uttarakhand Language Institution

Establishment of the
Language Institution

3. The State Government, as soon as may be after the commencement of this Act, shall constitute a Language Institution for the fulfillment of the purposes of this Act, which shall be known as the Uttarakhand Language Institution, whose head-quarter shall be in Dehradun.

Committee
Composition of the
Language Institution

4. The General body of the Uttarakhand Language Institution shall be constituted as follows,-
- (a) Hon'ble Chief Minister- Chairman (ex-officio);
 - (b) Hon'ble Language Minister- Executive Chairman (Ex-officio);
 - (c) An Eminent person nominated by the State Government- Vice-chairman;
 - (d) Principal Secretary/ Secretary, Finance, Government of Uttarakhand- Member (ex-officio);
 - (e) Principal Secretary/ Secretary, Higher Education, Government of Uttarakhand- Member (ex-officio);
 - (f) Principal Secretary/ Secretary, Language, Government of Uttarakhand- Member (ex-officio);

- (g) Principal Secretary/ Secretary, Planning,
Government of Uttarakhand- Member (ex-officio);
- (h) Vice-chancellor of any two Universities nominated by the
State Government- Members;
- (i) such 12 linguist and litterateur of relating subjects of the
Country and State nominated by the State Government, as
may be prescribed- Members;
- (j) Secretary, Uttarakhand Sanskrit Academy- Member (ex-
officio);
- (k) Senior Finance Officer, Uttarakhand Language Institution-
Member (ex-officio);
- (l) Director, Uttarakhand Language Institution- Member-
secretary (ex-officio).

Composition of
Managing Executive
Committee

5. The Managing Executive Committee shall be constituted as follows-

- (1) Chairman- Chief Minister/Language Minister,
Uttarakhand ;
- (2) Executive Chairman- Principal Secretary/ Secretary,
Language Department, Government of Uttarakhand;
- (3) Member- Principal Secretary/ Secretary, Finance,
Government of Uttarakhand;
- (4) Member- Principal Secretary/ Secretary, Higher
Education, Government of Uttarakhand;
- (5) Member- Principal Secretary/ Secretary, Planning,
Government of Uttarakhand;
- (6) Member – Secretary, Uttarakhand Sanskrit Academy;
- (7) Member- Three (03) litterateurs of institutions
nominated by the Government of Uttarakhand;
- (8) Member- Senior Account officer, Uttarakhand Hindi
Academy.

Duties and powers of
the Chairman,
Executive
Chairman, Vice-
chairman and
Members

6. (a) The Managing Committee shall advise the
State Government on all matters arise under this Act

and shall exercise such other powers and perform the duties, as may be prescribed;

(b) To constitute one or more sub committees, generally or for any purposes, for the implementation of the business of the institution;

(c) To make rules from time to time for their conduct of business and administration, their compliance and modification;

(d) To pass programs and plannings according to the objectives of the Institute.

(e) To purchase any property, to exchange, to take on rent or to acquire or their disposal or to get property as a gift and to intimate the State Government after these functions for the purpose of the Institution.

Term of office and service conditions of the Members

7. (a) Every Member of the General Body and Managing Committee in addition to ex-officio member of the institution shall hold the office for three years from the date of his nomination;

Provided that any person who is member as a representative of any organization shall not remain member on cessation of his representation by such organization.

(b) The member may resign his office any time by writing under his hand addressed to the state Government in case of withdrawal from the membership of the Institution.

(c) Any member of the Institution, shall not remain member if he dies, becomes of unsound mind or declared undischarged insolvent or convicted by the court for an offence related to moral turpitude.

Filling the casual vacancies of the Members

8. The person nominated by the State Government in any vacancy shall hold the office for the remaining tenure of the predecessor member.

Meeting, decision and quorum

9. (a) The meeting of General Body and Management committee shall be held quarterly but if deemed necessary than the meeting may be convened any time.

(b) The quorum of meeting shall be half of total number of members in which the annual budget, the programs and plannings of the Institution shall be presented and passed.

(c) The determination of all matters in any meeting of the institution shall be decided by the majority of the members present and voting. In case of equality of the vote, the vote of presiding member shall be casting vote;

(d) In absence of Chairman, the Executive Chairman, in absence of Executive Chairman, the Vice-chairman and in absence of Vice-chairman, such member who is nominated by the Chairman, shall preside the meeting.

Establishment of
Academies under the
Language Institution

10. For development and promotion of language and dialect of various communities in the State, the following Academies shall be constituted under the Institution with the prior approval of the State Government, which shall be functioned as branches of the Institution-

(a) The Uttarakhand Hindi Academy;

(b) The Uttarakhand Urdu Academy;

(c) The Uttarakhand Punjabi Academy;

(d) The Uttarakhand Regional Language and Boli (dialect) Academy.

The functions of the above said Academies shall be under the provisions of section 11.

Officer and Staff of
the Institution

11. (a) A Director for the Institution shall be appointed by the Personnel Department, Government of Uttarakhand, for the implementation of functions and decision taken by the General Body and managing committee, who is not below the rank of Additional secretary;

(b) The Director shall control the general administration of Institution. The determination of functions and duties of the Director shall be specified by the rules or regulations made under this Act.

(c) For the purposes of this Act, a Deputy Director shall be appointed by the State Government in every a foresaid Academies. The Deputy Director shall operate the concerning academies under the Director. The determination of functions and duties of the Deputy

Director shall also be specified by the rules or regulations made under this Act;

For the purposes of this Act, the post of Deputy Director in academies mentioned in section 10 shall be created by the State Government separately on the basis of functions, duties and necessity.

(d) For the appropriate disposal of the functions of the institution, the State Government shall create such number of posts on such pay scale as prescribed from time to time;

(e) The pay, allowances and service conditions of the officers and employees of the Institution shall be such as may be prescribed by the State Government from time to time.

Proceedings of the institution not to be invalidated

12. No work or proceeding of the Institution shall be deemed to be invalid merely on the ground of—

(a) any vacancy or defect in the constitution of the Institution;

(b) any defect or irregularity in the appointment of a person acting as the Chairman or other Member thereof; or

(c) any defect or irregularity in such proceeding not affecting the substance.

Authentication of the orders of the Institution

13. All the decisions and orders of the Institution shall be authenticated by the signature of the Director or any other officer authorised by the Director for this purpose. The Director may also delegate his duties and powers as per necessity.

CHAPTER-III

Powers, objectives and allocation of work of the Institution

Powers and objectives of the Institution

14. (a) The Institution shall act in whole of State as a nodal institution and shall conduct the language relating planning and implementation and shall also conduct language related works in the various States and Union Territories of the India in the interest of the State as per necessity;

(b) The determination of detailed objectives and functions of the institutions shall be determined by the rules and regulations made under this Act;

(c) The institution shall perform such other duties and exercise such other powers as may be prescribed from time to time.

CHAPTER-IV

Finance and Account

- Maintenance of Accounts 15. (a) One such Senior Account Officer shall be appointed from the Finance and Accounts services by the State Government who shall be responsible for appropriate accounts and other relating record of the institution. He shall also prepare annual statement and balance sheet and conduct other financial work of accounts.
- (b) The audit of the account of the Institution shall be done annually by the Auditors appointed with the permission of the State Government.

CHAPTER-V

Miscellaneous

- Annual Report 16. The Institution shall prepare an annual report every year, in such form and in such manner as may be prescribed, in which correct and full details of affairs of previous year shall be given. The annual report shall be laid before the house of the State Legislative Assembly every year.
- Inspection 17. The Director or any officer authorized by him may inspect any Academy/branches of the Institution to satisfied that this Act and the provisions of rules and regulations made under it are complied with.
- Power to make rules 18. (1) The General Body and Management Committee may make rules for the implementation of the object of this Act and may amend them with the prior approval of the State Government.
- (2) The rules made under sub-section (1) shall not be inconsistent with the provisions of this Act.
- (3) The rules made under this section shall be laid before the Legislative Assembly as soon as possible.
- Protection of action taken in good faith 19. No suit, prosecution or other proceeding may lie against Institution or any person of any Academy for any act which is in good faith done or intended to be done under this Act.

By Order,

MEENA TIWARI,
Principal Secretary.

उद्देश्य और कारणों का कथन

उत्तराखण्ड राज्य में भाषा संस्थान कार्यदायी संस्था के रूप में सम्पूर्ण राज्य में कार्य करेगा और भाषा संबंधी योजनाओं एवं क्रियाकलापों के संचालन आदि हेतु उत्तराखण्ड भाषा संस्थान को विधि द्वारा स्थापित संस्था के रूप में स्थापित करने के लिये उत्तराखण्ड भाषा संस्थान विधेयक प्रख्यापित किये जाने का प्रस्ताव है।

विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।