

Uttarakhand Language Institutions Act, 2018

UTTARAKHAND

India

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Act 16 of 2018

- Published on 1 January 2018
- Commenced on 1 January 2018
- [This is the version of this document from 1 January 2018.]
- [Note: The original publication document is not available and this content could not be verified.]

Uttarakhand Language Institutions Act, 2018(Uttarakhand Act No. 16 of 2018)Last Updated 4th March, 2020An Act to establish the Uttarakhand Language Institution and to provide the Academies and the connected and incidental matters thereof;Chapter-1 Preliminary

1. Short title, Extent and Commencement.

(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.

2. Definitions.

- 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

3. Establishment of the Language Institution.

- 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.

4. Committee Composition of the Language Institution.

- The General body of the Uttarakhand Language Institution shall be constituted as follows, -

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| (a) Hon'ble Chief Minister- | Chairman(ex-officio); |
| (b) Hon'ble Language Minister- | ExecutiveChairman (Ex-officio); |
| (c) An Eminent person nominated by the State Government- | Vice-chairman; |
| (d) Principal Secretary/ Secretary, Finance, Government ofUttarakhand- | Member(ex-officio); |
| (e) Principal Secretary/ Secretary, Higher Education,Government of Uttarakhand- | Member(ex-officio); |
| (f) Principal Secretary/ Secretary, Language, Government ofUttarakhand- | Member(ex-officio); |
| (g) Principal Secretary/ Secretary, Planning, Government ofUttarakhand- | Member(ex-officio); |
| (h) Vice-chancellor of any two Universities nominated by theState Government- | Members; |
| (i) such 12 linguist and litterateur of relating subjects ofthe Country and State nominated by the State Government, as maybe 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- | Membersecretary (ex-officio). |

5. Composition of Managing Executive Committee.

- 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.

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

(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.

7. Term of office and service conditions of the Members.

(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.

8. Filling the casual vacancies of the Members.

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

9. Meeting, decision and quorum.

(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.

10. Establishment of Academies under the Language Institution.

- 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.

11. Officer and Staff of the Institution.

(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.

12. Proceedings of the institution not to be invalidated.

- 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.

13. Authentication of the orders of the Institution.

- 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

14. Powers and objectives of the Institution.

(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

15. Maintenance of Accounts.

(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

16. Annual Report.

- 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.

17. Inspection.

- 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.

18. Power to make rules.

(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.

19. Protection of action taken in good faith.

- 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.