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EXTRAORDINARY

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HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 27th February, 2020

No. 13-HLA of 2020/25/3806.— The Haryana Official language (Amendment) Bill, 2020, is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :-

Bill No. 13- HLA of 2020

THE HARYANA OFFICIAL LANGUAGE (AMENDMENT) BILL, 2020

A

BILL

further to amend the Haryana Official Language Act, 1969.

Be it enacted by the Legislature of the State of Haryana in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana Official Language (Amendment) Act, 2020.
(2) It shall come into force on such date, as the State Government may, by Notification in the Official Gazette, appoint.

Short title and commencement.

2. After Section 3 of the Haryana Official Language Act, 1969, the following section shall be inserted namely:-

Insertion of Section 3-A in Haryana Act 17 of 1969.

“3-A. Use of Hindi in Courts and Tribunals.- (1) In all Civil Courts and Criminal Courts in Haryana subordinate to the High Court of Punjab and Haryana, all Revenue Courts and Rent Tribunals or any other court or tribunal constituted by the State Government, work shall be done in the Hindi language.

(2) The State Government shall provide the requisite infrastructure and training of staff within six months of the commencement of the Haryana Official Language (Amendment) Act, 2020.

Explanation: For the purpose of this section, the words ‘Civil Court’ and ‘Criminal Court’ shall have the same meaning as respectively assigned to them in the Code of Civil Procedure, 1908 (Central Act 5 of 1908) and the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).”.

STATEMENT OF OBJECTS AND REASONS

1. Article 343 of the Indian Constitution provides that Hindi shall be official language of the State. On 26th January, 1950 Hindi has been made official language of India. The founding fathers of the Indian Constitution emphasized that Hindi along with other regional languages need to be preserved hence, the provision for the same has been made in 8th Schedule to the Constitution of India.
2. The state of Haryana was separated from erstwhile State of Punjab in the year 1966 on linguistic basis as Hindi is the predominantly spoken language in the area. In the year 1969 as per the provision of Section 3 of the Haryana Official Language Act, Hindi was declared the official language of the Haryana.
3. In the state of Punjab, the *Punjab Official Language Act, 1967* was amended by Punjab Act No. 11 of 1969 in which Sections 3A and 3B were added providing that in all Civil Courts and Criminal Courts, subordinate to the High Court of Punjab and Haryana and all Revenue Courts and Tribunals, work shall be done in Punjabi.
4. The Haryana Government has also received a demand letter signed by 78 MLAs of Haryana State, Advocate General of Haryana and hundreds of advocates, wherein they have expressed their interest to get Hindi language authorized for use in the Courts so that the citizens of Haryana can understand the entire justice process in their own language and can easily put their views before the Courts. Recently, in the Diamond Jubilee program of the Kerala High Court, the President Mr. Ramnath Kovind himself also emphasized that the Court decision should be made available in the language of the plaintiff. The Indian language campaign, started by the advocates, intellectuals and jurists of India, is also working in this direction that work in Indian languages should be started in the Courts of India. Therefore, it is prudent to authorize the use of Hindi language in Courts and Tribunals subordinate to High Court of Punjab and Haryana.
5. To spread the propagation of Hindi as the language of the people of the State, it necessary that this language should be used in our day to day work. The purpose of justice in a democracy is that the plaintiff should get justice quickly in his own language and should not remain speechless during the proceedings.
6. The Haryana Official Language Act, 1969 was passed by the State Legislature to provide for adoption of Hindi as the language to be used for the official purposes of the State of Haryana. The Act does not make any specific mention about use of Hindi in Courts and Tribunals subordinate to the High Court of Punjab and Haryana.
7. Different regional languages are rapidly replacing English as a medium of instructions and of official work in the States. It is but natural that the predominant languages should secure their rightful place. Hindi being the predominantly spoken language in the State of Haryana, use of the same for the purposes of working in Courts and Tribunals subordinate to the High Court of Punjab and Haryana has thus become a matter of practical necessity.
8. The bill seeks to achieve the above objectives.

MANOHAR LAL,
Chief Minister, Haryana.

Chandigarh:
The 27th February, 2020.

R. K. NANDAL,
Secretary.

[प्राधिकृत अनुवाद]

2020 का विधेयक संख्या 13-एच०एल०ए०

हरियाणा राजभाषा (संशोधन) विधेयक, 2020
हरियाणा राजभाषा अधिनियम, 1969
को आगे संशोधित करने के लिए
विधेयक

भारत गणराज्य के इकहत्तरवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

1. (1) यह अधिनियम हरियाणा राजभाषा (संशोधन) अधिनियम, 2020, कहा जा सकता है।
(2) यह ऐसी तिथि से लागू होगा, जो राज्य सरकार, राजपत्र में अधिसूचना द्वारा, नियत करे।
2. हरियाणा राजभाषा अधिनियम, 1969 की धारा 3 के बाद, निम्नलिखित धारा रखी जाएगी, अर्थात: -

संक्षिप्त नाम तथा प्रारंभ।

1969 के हरियाणा अधिनियम 17 में धारा 3-क का रखा जाना

“3-क न्यायालयों तथा अधिकरणों में हिंदी का प्रयोग:- (1) पंजाब तथा हरियाणा उच्च न्यायालय के अधीनस्थ हरियाणा में सभी सिविल न्यायालयों और दण्ड न्यायालयों, राज्य सरकार द्वारा गठित सभी राजस्व न्यायालयों तथा भाटक अधिकरणों अथवा किसी अन्य न्यायालय अथवा अधिकरण में कार्य हिंदी भाषा में किया जाएगा।

(2) राज्य सरकार, हरियाणा राजभाषा (संशोधन) अधिनियम, 2020 के प्रारम्भ के छह मास के भीतर, अमले को आवश्यक अवसंरचना और प्रशिक्षण उपलब्ध करवाएगी।

व्याख्या:- इस धारा के प्रयोजन हेतु, “सिविल न्यायालय” तथा “दण्ड न्यायालय” शब्दों के वही अर्थ होंगे, जो उन्हें क्रमशः सिविल प्रक्रिया संहिता, 1908 (1908 का केंद्रीय अधिनियम 5) तथा दंड प्रक्रिया संहिता, 1973 (1974 का केंद्रीय अधिनियम 2) में दिया गया है।

उद्देश्यों एवं कारणों का विवरण

1. भारतीय संविधान के अनुच्छेद 343 में यह प्रावधान है कि हिंदी राज्य की आधिकारिक भाषा होगी। विगत 26 जनवरी, 1950 को हिंदी को भारत की आधिकारिक भाषा बनाया गया। भारतीय संविधान के संस्थापक जनकों ने इस बात पर बल दिया कि अन्य क्षेत्रीय भाषाओं के साथ-साथ हिंदी को भी संरक्षित करने की आवश्यकता है, इसलिए भारत के संविधान की 8वीं अनुसूची में इसका प्रावधान किया गया है।
2. हरियाणा राज्य को 1966 में भाषायी आधार पर पंजाब के पूर्ववर्ती राज्य से अलग कर दिया गया था क्योंकि इस क्षेत्र में मुख्य रूप से बोली जाने वाली भाषा हिंदी है। साल 1969 में हरियाणा राजभाषा अधिनियम की धारा 3 के प्रावधान के अनुसार, हिंदी को हरियाणा की आधिकारिक भाषा घोषित किया गया।
3. पंजाब राज्य में, पंजाब राजभाषा अधिनियम, 1967 में, 1969 के पंजाब अधिनियम संख्या 11 द्वारा संशोधन किया गया, जिसमें धारा 3ए और 3बी को जोड़ा गया, कि पंजाब एवं हरियाणा उच्च न्यायालय के अधीनस्थ सभी सिविल न्यायालयों और आपराधिक न्यायालयों एवं सभी राजस्व न्यायालयों और अधिकरणों में पंजाबी में काम किया जाएगा।
4. हरियाणा सरकार को हरियाणा राज्य के 78 विधायकों, हरियाणा के महाधिवक्ता और सैकड़ों अधिवक्ताओं द्वारा हस्ताक्षरित एक मांग पत्र भी प्राप्त हुआ है, जिसमें उन्होंने न्यायालयों में प्रयोग के लिए हिंदी भाषा को अधिकृत करने हेतु अपनी रुचि व्यक्त की है ताकि हरियाणा के नागरिक संपूर्ण न्याय प्रक्रिया को अपनी भाषा में समझ सकें और आसानी से अपने विचार न्यायालयों के समक्ष रख सकते हैं। हाल ही में, केरल उच्च न्यायालय के हीरक जयंती कार्यक्रम में, राष्ट्रपति श्री रामनाथ कोविंद ने भी इस बात पर बल दिया कि न्यायालय को निर्णय वादी की भाषा में उपलब्ध करवाया जाना चाहिए। भारत के अधिवक्ताओं, बुद्धिजीवियों और न्यायविदों द्वारा शुरू किया गया भारतीय भाषा अभियान इस दिशा में भी काम कर रहा है कि भारत के न्यायालयों में भारतीय भाषाओं में काम शुरू किया जाए। इसलिए, पंजाब एवं हरियाणा के उच्च न्यायालय के अधीनस्थ न्यायालयों और अधिकरणों में हिंदी भाषा के प्रयोग को अधिकृत करना विवेक सम्मत है।
5. राज्य के लोगों की भाषा के रूप में हिंदी के प्रचार प्रसार के लिए, यह आवश्यक है कि इस भाषा का प्रयोग हमारे दिन-प्रतिदिन के काम में किया जाए। लोकतंत्र में न्याय का उद्देश्य यह है कि वादी को अपनी भाषा में जल्दी न्याय मिलना चाहिए और कार्यवाही के दौरान वादी अवाक नहीं रहना चाहिए।
6. हरियाणा राजभाषा अधिनियम, 1969 को हरियाणा राज्य के आधिकारिक उद्देश्यों के लिए प्रयोग की जाने वाली भाषा के रूप में हिंदी को अपनाने के लिए राज्य विधानमंडल द्वारा पारित किया गया था। इस अधिनियम में पंजाब एवं हरियाणा के उच्च न्यायालय के अधीनस्थ न्यायालयों और अधिकरणों में हिंदी के उपयोग के बारे में कोई विशेष उल्लेख नहीं है।
7. विभिन्न क्षेत्रीय भाषाएं राज्यों में आधिकारिक कार्यों के लिए एवं निर्देशों में प्रयोग के लिए तेजी से अंग्रेजी की जगह ले रही है। लेकिन यह स्वाभाविक है कि प्रमुख भाषाओं को अपनी सही जगह सुरक्षित करनी चाहिए। हरियाणा राज्य में मुख्य रूप से बोली जाने वाली भाषा हिन्दी का, पंजाब एवं हरियाणा के उच्च न्यायालय के अधीनस्थ न्यायालयों और अधिकरणों में काम करने के उद्देश्यों के लिए उसी का प्रयोग इस प्रकार व्यवहारिक आवश्यकता का विषय बन गया है।
8. विधेयक का उद्देश्य उपरोक्त लक्ष्यों को प्राप्त करना है।

मनोहर लाल,
मुख्यमंत्री, हरियाणा चण्डीगढ़।

चण्डीगढ़:
दिनांक 27 फरवरी, 2020.

आर० के० नांदल,
सचिव।

THE HARYANA OFFICIAL LANGUAGE ACT, 1969

(Haryana Act No. 17 of 1969)

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THE HARYANA OFFICIAL LANGUAGE ACT, 1969

(HARYANA ACT NO. 17 OF 1969)

[Received the assent of the Governor of Haryana on the 23rd February, 1969, and was first published in Haryana Government Gazette (Extraordinary), of the 5th March, 1969].

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by Legislation
1969	17	The Haryana Official Language Act, 1969.	Amended by Haryana Act 6 of 1972 ² Amended by Haryana Act 3 of 1973 ³ .

AN

ACT

to provide for the adoption of Hindi as the language to be used for the official purposes of the State of Haryana.

BE it enacted by the Legislature of the State of Haryana in the Twentieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Official Language Act, 1969.

Short title and extent.

(2) It extends to the whole of the State of Haryana.

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

Definitions.

(a) 'appointed day' means the 26th day of January, 1969 ;

(b) 'Hindi' means Hindi in Devnagri script ;

(c) 'State Government' means the Government of the State the Haryana.

1. For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), 1969, Page 106.

2. For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), 1972, Page 46.

3. For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 4-3-1973, Page 240.

Official
Language for
official
purposes of
State.

3. Subject to the provisions of this Act, Hindi shall, as from the appointed day, be the language to be used for all official purposes of the State of Haryana except such purposes as the State Government may by notification specify and the language in use for such excepted purposes immediately before the appointed day may be used as official language for such purposes.

Language to
be used in
Bills, etc.

4. Notwithstanding anything contained in section 3, Hindi shall, on and from such date as the State Government may by notification appoint in this behalf, be the language to be used—

- (a) in all Bills to be introduced or amendments thereto to be moved in the House of the Legislature of the State ;
- (b) in all Acts passed by the Legislature of the State ;
- (c) in all Ordinances promulgated under Article 213 of the Constitution ; and
- (d) in all orders, rules, regulations and bye-laws issued under the Constitution or under any law for the time being in force in the State :

Provided that different dates may be appointed in respect of any of the matters referred to in clauses (a), (b), (c) or (d).

Authoritative
Hindi texts of
State laws.

¹[4-A. A translation in Hindi published under the authority of the Governor of the State of Haryana in the Official Gazette,—

- (a) of any Haryana Act passed in the English Language, or
- (b) of any Punjab Act as in force in the State of Haryana, or
- (c) of any Ordinance promulgated in the English language by the Governor of Haryana under Article 213 of the Constitution, or
- (d) of any order, rule, regulation or bye-law issued in the English language by the Governor of Haryana or by the Governor of Punjab and in force in the State of Haryana, shall be deemed to be the authoritative text thereof in Hindi.]

Authorised
Hindi
Translation
of Bills.

²[4-B. The authoritative text in the English language of all Bills to be introduced or amendments thereto to be moved in the House of the Legislature of the State shall be accompanied by a translation of the same in Hindi authorised by the State Government.]

1. Section 4-A added by Haryana Act 6 of 1972.

2. Inserted by Haryana Act 3 of 1973.

5. Unless and until the State Government otherwise directs by notification, the English language may, as from the appointed day, continue to be used, in addition to Hindi, for the transaction of business in the Legislature of the State.

Continuance of use of English language in State Legislature.

6. Nothing in this Act shall debar any person to submit a representation for the redress of any grievance to any officer or authority of the State in any of the languages used in the State.

Language to be used in representations for redress of grievances.

7. Every notification made under section 3, section 4 or section 5 shall be laid, as soon as may be after it is made, before the House of the State Legislature while it is in session, and shall be subject to such modifications as the House may make therein during the session in which it is so laid or the session immediately following.

Notification to be laid before Legislature.

8. (1) The Punjab Official Languages Act, 1960, in its application to the State of Haryana and the Haryana Official Language Ordinance, 1968 (Haryana Ordinance No. 5 of 1968), are hereby repealed.

Repeal.

(2) Notwithstanding such repeal, anything done or any action taken under the Haryana Official Language Ordinance, 1968, shall be deemed to have been done or taken under this Act as if this Act had commenced on the 31st October, 1968.

LEGISLATIVE DEPARTMENT

Notification

The 15th December, 2004

No. Leg. 32/2004.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on 14th December, 2004, and is hereby published for general information :—

Haryana Act No. 30 of 2004

THE HARYANA OFFICIAL LANGUAGE (AMENDMENT) ACT, 2004

AN

ACT

further to amend the Haryana Official Language Act, 1969.

Be it enacted by the Legislature of the State of Haryana in the Fifty-fifth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Official Language (Amendment) Act, 2004.

2. For the existing long title of the Haryana Official Language Act, 1969 (hereinafter called the principal Act), the following long title shall be substituted, namely :—

“ to provide for the adoption of Hindi as the first language and Punjabi as the second language to be used for the official purposes of the State of Haryana.”.

3. After clause (b) of section 2 of the principal Act, the following clause shall be inserted, namely :—

“(bb) ‘Punjabi’ means Punjabi in Gurmukhi script;”.

4. For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. Official language for official purposes of State.—(1) Subject to the provisions of this Act, Hindi shall, as from the appointed day, be the first language to be used for all official purposes of the State of Haryana except such purposes as the State Government may, by notification, specify and the language in use for such excepted purposes immediately before the appointed day may be used as official language for such purposes.

(2) The State Government may, by notification, specify that Punjabi shall be the second language to be used for all such official purposes which the State Government may deem fit.”.

R. S. MADAN,
Secretary to Government Haryana,
Legislative Department.

Short title.

Substitution of long title of Haryana Act 17 of 1969.

Amendment of section 2 of Haryana Act 17 of 1969.

Substitution of section 3 of Haryana Act 17 of 1969.