

भारत का राजपत्र
The Gazette of India



असाधारण
EXTRAORDINARY

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PART II—Section 2

प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती हैं जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 7th August, 1978:—

BILL No. XII OF 1978

A Bill to provide for authorised translations of the Constitution.

BE it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Authorised Translations) Act, 1978.

Short title and commencement.

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

2. In this Act, "Hindi" means Hindi in Devanagari script.

Definition.

3. A translation in Hindi or in any other language specified in the Eighth Schedule to the Constitution, published under the authority of the President in the Official Gazette, of the Constitution or of any Act amending the Constitution shall be deemed to be the authorised translation thereof in Hindi or such other language.

Authorised translation of the Constitution in Hindi and other languages.

Power
to make
rules.

4. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, 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 immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter 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 under that rule.

STATEMENT OF OBJECTS AND REASONS

Authorised translations of the Constitution and the various Central Laws in Hindi and other languages used for official purposes in different States would be extremely useful in promoting the use of Hindi and other languages in proceedings in courts. Section 5 of the Official Languages Act, 1963, and the Authorised Translation (Central Laws) Act, 1973, already provide for the publication of Central Acts and Ordinances promulgated by the President and Orders, rules, regulations and bye-laws issued under the Constitution or under any Central Act.

2. A Hindi translation of the Constitution of India was published in 1950 under the authority of the President of the Constituent Assembly, in accordance with a resolution adopted by that Assembly. But this translation is not invested with the character of an authorised text or translation, as it was published in pursuance of a resolution. Besides, several amendments have been made to the Constitution after the publication of this translation.

3. It is, therefore, necessary to make suitable provision for the publication of authorised translations of the Constitution in Hindi and other languages specified in the Eighth Schedule to the Constitution. Hence this Bill.

DHANIK LAL MANDAL:

NEW DELHI;
The 20th July, 1978.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the publication of authorised translation of the Constitution, or any Act amending the Constitution, in Hindi or in any other language specified in the Eighth Schedule to the Constitution.

2. In the Official Languages Wing of the Legislative Department, arrangements exist for the translation of Central Acts into Hindi and the various official languages of the States. The work involved in preparing the translations of the Constitution in Hindi and other languages will be the responsibility of the said Wing and the Wing has already done some work in this direction. Hence it is not considered necessary to create any new machinery or incur any extra expenditure for the purpose of the work relating to the translation of the Constitution into Hindi and other languages. However, the publication of the authorised translation of the Constitution, and of Acts amending it, in Hindi and other languages would involve some additional expenditure by way of printing and publication charges. This expenditure, which will be roughly of the order of rupees seventy-five thousand (depending on the number of copies to be printed, quality of paper to be used etc.) in respect of each language version of the Constitution, will be met from the normal budgetary allotment of the Official Languages Wing of the Legislative Department. The said expenditure will be of a recurring nature in the sense that reprints of the different language versions will have to be issued from time to time. It may also be mentioned that a substantial part of the expenditure on the publication of authorised versions and the reprints would be realised from the sale of the publications.

3. The Bill does not involve any other expenditure, whether of a recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill empowers the Central Government to make rules for carrying out the purposes of the proposed legislation. Clause 3 provides that a translation in Hindi, or in any other language specified in the English Schedule to the Constitution, published under the authority of the President in the Official Gazette, of the Constitution or any Act amending the Constitution shall be deemed to be the authorised translation thereof in Hindi or such other language. The manner in which such translation will be authorised may be prescribed by rules. Similarly, the procedure to be followed for obtaining the authority of the President for the publication of a translation in Hindi, or in any other language specified in the Eighth Schedule to the Constitution, of the Constitution or of an Act amending the Constitution may have to be prescribed by rules. All these matters are of a procedural character. Moreover, the rules made under clause 4 will have to be laid before each House of Parliament and they will be subject to the scrutiny of Parliament.

The delegation of legislative power is, therefore, of a normal character.

S. S. BHALERAO,
Secretary-General.