

Received the assent of the Governor on the 17th December 1960

ASSAM ACT No.XXXIII OF 1960

THE ASSAM OFFICIAL LANGUAGE ACT, 1960

(As passed by the Assembly)

[Published in the *Assam Gazette*, Extraordinary, dated the 19th
December 1960]

An

Act

to declare the Official Language of the State of Assam.

Preamble.

Whereas Article 345 of the Constitution provides that the Legislature of a State may by law adopt any one or more of the languages in use in the State as the language to be used for official purposes of the State and for matters hereinafter appearing ;

It is hereby enacted in the Eleventh Year of the Republic of India, as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Official Language Act, 1960.

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

(3) It shall come into force on such date as the State Government may, by notification, in the official Gazette, appoint and different dates may be appointed for different official purposes and for different parts of the State of Assam :

Provided that the date or dates appointed by the State Government in respect of any of the parts of the State of Assam shall not be later than five years from the date the assent to this Act is first published in the official Gazette.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context :—

(a) "Autonomous District" means an area deemed as such under paragraph 1 (1) of the Sixth Schedule to the Constitution of India.

(b) "Autonomous Region" means an area deemed as such under paragraph 1 (2) of the Sixth Schedule to the Constitution of India.

(c) "District Council" means a District Council constituted under paragraph 2 of the Sixth Schedule to the Constitution of India.

(d) "Mohkuma Parishad" means a Mohkuma Parishad established under the Assam Panchayat Act, 1959. Assam
XXIV
1959.

(e) "Municipal Board" means a Municipal Board established under the Assam Municipal Act, 1956 and shall include Town Committees established under the said Act. Assam
XV of 1956.

(f) "Prescribed" means prescribed by rules made under this Act.

(g) "Regional Council" means a Regional Council constituted under paragraph 2 of the Sixth Schedule to the Constitution of India.

Official language for official purposes of the State of Assam.

3. Without prejudice to the provisions of Articles 346 and 347 of the Constitution of India and subject as hereinafter provided, Assamese shall be used for all or any of the official purposes of the State of Assam :

Provided that the English language, so long as the use thereof is permissible under Article 343 of the Constitution of India, and thereafter Hindi in place of English, shall also be used for such official purposes of the Secretariat and the offices of the Heads of the Departments of the State Government and in such manner as may be prescribed :

Provided further that,—

- (a) all Ordinances promulgated under Article 213 of the Constitution of India ;
- (b) all Acts passed by the State Legislature ;
- (c) all Bills to be introduced or amendments thereto to be moved in the State Legislature ; and
- (d) all Orders, Regulations, Rules and Bye-laws issued by the State Government under the Constitution of India or any law made by Parliament or the Legislature of the State

shall be published in the official Gazette in the Assamese language.

Safeguard of the use of language in the Autonomous Region and in the Autonomous District.

4. Notwithstanding anything in Section 3, only languages which are in use immediately before the commencement of this Act shall continue to be used for administrative and other official purposes upto and including the level of the Autonomous Region or the Autonomous District, as the case may be, until the Regional Council or the District Council in respect of the Autonomous Region or the Autonomous District, as the case may be, by a majority of not less than two-thirds of the members present and voting decide in favour of adoption of any other language for any of the administrative or official purposes within that region or district.

Safeguard of the use of Bengali language in the district of Cachar.

5. Notwithstanding anything in Section 3, the Bengali language shall be used for administrative and other official purposes upto and including the district level in the district of Cachar until the Mohkuma Parishads and Municipal Boards of the district in a joint meeting by a majority of not less than two-thirds of the members present and voting decide in favour of adoption of the official language for use in the district for the aforesaid purposes.

The use of English as official language in respect of examination conducted by the Assam Public Service Commission.

6. Notwithstanding anything in Section 3, any examination held by the Assam Public Service Commission which immediately before the commencement of this Act used to be conducted in the English language shall continue to be so conducted till such time as the use thereof is permissible under clause (2) of Article 343 of the Constitution of India :

Provided that a candidate shall have the right to choose the language in use in the State of Assam, which was the medium of his University examination.

Rights of the
various ling-
uistic group.

7. Subject to the provision of this Act, the State Government may by notification issued from time to time direct the use of the language as may be specified in the notification and in such parts of the State of Assam as may be specified therein :

Provided that—

- (a) the rights of the various linguistic groups in respect of medium of instruction in educational institutions as laid down in the Constitution of India shall not be affected ;
- (b) the State shall not, in granting aid to educational and cultural institutions, discriminate against any such institutions on grounds of language ;
- (c) the rights to appointments in the Assam Public Services and to contracts and other avocations shall be maintained without discrimination on the ground of language ; and
- (d) in regard to noting in the offices in the region or district if any member of the staff is unable to note in any of the district language, the use of English shall be permitted by the Heads of Departments so long as the use thereof is permissible under Article 343 of the Constitution of India.

Powers to
make rules.

8. The State Government shall have the power to make rules for carrying out the purposes of this Act.

B. C. BARUA,
Secy. to the Govt. of Assam, Law Deptt.

ASSAM ACT No. XXIII OF 1961

THE ASSAM OFFICIAL LANGUAGE (AMENDMENT) ACT, 1961

(As passed by the Assembly)

(Received the assent of the Governor on the 10th November 1961)

[Published in the *Assam Gazette*, Extraordinary, dated the 13th November
1961]

**An
Act**

to amend the Assam Official Language Act, 1960.

Preamble. WHEREAS it is expedient to amend the Assam Official Language Act, 1960, hereinafter called the Principal Act, in the manner hereinafter appearing ;

Assam Act
XXXIII of
1960.

It is hereby enacted in the Twelfth Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Official Language (Amendment) Act, 1961.

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

(3) It shall come into force at once.

Amendment
of Section 2
of Assam
Act XXXIII
of 1960.

2. In Section 2 of the Principal Act, clauses (d) and (e) shall be deleted.

Amendment
of Section 5
of Assam
Act XXXIII
of 1960.

3. For Section 5 of the Principal Act, the following shall be substituted, namely:—

“5. Without prejudice to the provisions contained in Section 3, the Bengali Language shall be used for administrative and other official purposes upto and including the district level in the district of Cachar”.

