APPENDIX - 2

THE ASSAM OFFICIAL LANGUAGE ACT, 1960
(As Amended up to 10th November, 1967)
Received the Assent of the Governor on the 17th Dec.
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 Seventh year of the Republic of India, as follows:

1. (A) This Act may be called the Assam Official Language Act, 1960.
(B) It extends to the whole of the State of Assam.
(C) It shall come into force on the date as the State Government may, by notification in the Official Gazetteer, appoint
different dates may be appointed for 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 (ten) years from the date of assent to this act in first published in the official Gazette.

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

Definitions.

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

(b) "Autonomous Region" means an area described 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) (deleted)

(e) (deleted)

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


2. The clauses (d) and (e) were omitted vide Assam Act XXII of 1961.
(g) "Regional Council" means a Regional Council Constituted under paragraph 7 of Sixth Schedule to the Constitution of India.

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 for official purposes of the Union under any law made by the Parliament in this behalf) 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 amended there to be moved in the State Legislature.

Offical
language
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(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.

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 up to 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.

5. Without prejudice to the provisions contained in Section 3, the Bengali language shall be used for administrative and other official purposes up to and including the district level in the district of Cachar.
6. Notwithstanding anything in Section 2, 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 (for the official purposes of the Union under any law made by the Parliament on this behalf).

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.

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 right 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 institution on grounds of language;

(c) the rights to appointments in the Assam Public Services and to contract and other appointments shall be maintained without discrimination on the grounds 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 (for the official purposes of the Union under any law made by the Parliament in this behalf).

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

(2) Every rule made under this section shall be laid as soon as may be after it is made, before the Assam Legislative Assembly which is in Session for a total period of fourteen days which may be comprised in one session or

5. Inserted by Assam Act XXII of 1964, original Section being re-numbered as clause (1).
in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Assam Legislative Assembly agree in making any modification in the rule or the Assam Legislative Assembly 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.