

ASSAM ACT No.III OF 1961

THE ASSAM SPECIAL POWERS (PRESS) ACT, 1960

(Received the assent of the President on the 12th January 1961)

[Published in the Assam Gazette, Extraordinary, dated the 20th January 1961]

An
Act

to provide for special powers to the State Government of Assam to deal more effectively with the printing press for maintenance of law and order and the preservation of peace and communal harmony among the people living in the State of Assam.

Preamble. WHEREAS it is expedient to provide by law to the State Government of Assam special powers to deal more effectively with the printing press for the maintenance of law and order and the preservation of peace and communal harmony among the people living in the State of Assam, in the manner hereinafter appearing;

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

Short title, extent and commencement. 1. (1) This Act may be called the Assam Special Powers (Press) Act, 1960.

(2) It extends to the whole of Assam.

(3) It shall come into force at once.

Power to control publication. 2. (1) If the Governor is satisfied that a situation exists where by the maintenance of communal harmony is threatened and by reason thereof it is necessary to use the special powers under this Act for the purpose of preventing or combating any activity affecting or likely to affect public order, he may make a declaration to that effect by notification in the Official Gazette.

(2) Upon such declaration having been made, the State Government or any authority so authorised in that behalf may, by order in writing addressed to the printer, publisher or editor of any publication or the keeper of a press,—

(a) prohibit the printing or publication in any document or any class of documents of any matter relating to a particular subject or class of subjects for a specified period or in a particular issue or issues of a newspaper or periodical:

Provided that no such order shall remain in force for more than two months from the making thereof. Unless before the expiry of such period the State Government, by an order made in the like manner, extends it by any period not exceeding two months at a time as it thinks fit so, however, that the total period of the original order does not exceed four months:

Provided further that the persons against whom the order has been made may within ten days of the passing of this order make a representation to the State Government which may on consideration thereof modify, confirm or rescind the order;

(b) require that any matter, covering not more than two columns, be published in any particular issue or issues of a newspaper or periodical on payment of adequate remuneration and may while doing so, specify the period (not exceeding one week) during which such publication shall take place;

(c) require any matter relating to a particular subject or class of subjects shall before publication be submitted for scrutiny by an authority appointed by the State Government in its behalf and published only in accordance with the directions given thereat.

(3) In the event of disobedience of an order under this section, the State Government or the authority issuing the order may, without prejudice to the other penalty to which the person guilty of the disobedience is liable under this Act, order the seizure of all copies of any publication concerned and of any printing press or other instrument or apparatus used in the publication.

Power to prohibit entry into Assam of newspapers, et c.

3. (1) The State Government or any authority authorised by it in this behalf, if satisfied that such action is necessary for the purpose of preventing or combating any activity prejudicial to the maintenance of communal harmony affecting or likely to affect public order, may, by order notified in the Official Gazette, prohibit the bringing into Assam of any newspaper, periodical, leaflet or other publication:

Provided that no such order shall remain in force for more than two months from the making thereof. Unless before the expiry of such period the State Government, by an order made in the like manner, extends it by any period not exceeding two months at a time as it thinks fit so, however, that the total period of the original order does not exceed four months:

Provided further that a person aggrieved by such order may, within ten days of the passing thereof, make a representation to the State Government which may on consideration thereof modify, confirm or rescind the order.

(2) In the event of disobedience of an order under this section, the State Government or the authority issuing the order, may, without prejudice to the other penalty to which the person guilty of the disobedience is liable under this Act, order the seizure of all copies of any newspaper, periodical, leaflet or other publication concerned.

Penalty.

4. Whoever contravenes, disobeys or neglects to comply with any order made or direction given under sections 2 and 3 of this Act, shall, on conviction, be liable to be punished with imprisonment of either description which may extend to one year or with fine upto one thousand rupees or with both.

ASSAM ACT No. IV OF 1961

THE ASSAM APPROPRIATION (No. 1) ACT, 1961

(Received the assent of the Governor on the 16th March 1961)

[Published in the *Assam Gazette*, Extraordinary, dated the 17th March 1961]

An
Act

to provide for the withdrawal of certain further sums from and out of the Consolidated Fund of the State of Assam to the service of the year ending on the thirty-first day of March 1961.

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

Short title
and com-
mencement

1. This Act may be called the Assam Appropriation (No. 1) Act, 1961.

Withdrawal of Rs. 5,69,41,340 from the State of Assam there may be paid and applied and out of sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of five crores, sixty-nine lakhs, forty-one thousand, three hundred and forty rupees towards defraying the several charges which will come in course of payment during the year ending on the thirty-first day of March, 1961 in respect of the services specified in column (2) of the Schedule.

