

ASSAM ACT NO.XXXIII OF 1960

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

THE ASSAM OFFICIAL LANGUAGE ACT, 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 commencement.

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 ¹[ten] years from the date the assent to this Act is first published in the official Gazette.

1. Subs. by Assam Act No. XXII of 1964.

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.

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(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 purpose of the State of Assam:

Provided that the English language, so long as the use thereof is permissible ³[for the 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:

1. Omitted by Assam Act No. XXIII of 1961.

2. Omitted by Assam Act No. XXIII of 1961.

3. Subs. by Assam Act NO. XXII of 1964.

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 Cachar.

5. ¹[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.]

- ²[5A. Without prejudice to the provisions contained in Section 3, the Bodo Language in Devanagiri script shall be used as an Associate Official Language for all or any of the official purposes of the State of Assam as are specified in the Schedule.

1. Subs. by Assam Act No. XXIII of 1961.

2. Ins. by Assam Act No. VI of 1985.

3. subs. by Assam Act No. XI of 2021

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 ¹[for the official purposes of the Union under any law made by the Parliament in 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;

Rights of the various linguistic 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 nothing 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 ²[for the official purposes of the Union under any law made by the Parliament in this behalf]

1. Subs. by Assam Act No. XXII of 1964.

2. Subs. by Assam Act No. XXII of 1964.

Powers to make rules.

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

²[(2) Every rule made under this section shall be laid as soon as may be after it is made, before the Assam Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the sessions 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.]

³[**SCHEDULE**

(See Section 5 A)

- (1) Entertaining applications in Bodo presented by members of the public.
- 2) Receiving documents in Bodo presented for registration with English copy as long as the use thereof is permissible for the official purposes of the Union under any law made by the Parliament in this behalf, and thereafter Hindi in place of English or Assamese copy thereof.
- (3) Publication of :-
 - (i) all Acts passed by the State Legislature in Bodo;
 - (ii) all Orders, Regulations, Rules and Byelaws issued by the State Government under the Constitution of India or any law made by Parliament or the Legislature of the State in Bodo.
- (4) Publication of Government advertisements in Bodo.]

1. Ins. by Assam Act No. XXII of 1964.

2. Ins. by Assam Act No. XXII of 1964.

3. Ins. by Assam Act No. VI of 1985

