



The Assamese Language Learning Act, 2020

Act 5 of 2020

Keywords:

Barak Valley, BTAD, Sixth Scheduled Areas

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THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 22nd May, 2020

No. LGL.53/2020/4.— The following Act of the Assam Legislative Assembly which received the assent of the Governor on 15th May, 2020 is hereby published for general information.

ASSAM ACT NO. V OF 2020

(Received the assent of the Governor on 15th May, 2020)

THE ASSAMESE LANGUAGE LEARNING ACT, 2020

AN ACT

to provide and ensure learning of Assamese as one of the language in all Schools in the State of Assam except in the Sixth Schedule areas, Bodo medium Schools of Bodo inhabited areas and Barak valley areas.

Preamble

Whereas, a policy decision has been taken by the Government of Assam to ensure that all students studying in Nursery and Class I to X standards in all Schools in the State of Assam except in the Sixth Schedule areas, Bodo medium Schools of Bodo inhabited areas and Barak valley areas, shall learn Assamese as one of the language from the Academic Year 2021 in a phased manner;

It is hereby enacted in the Seventy-first Year of the Republic of India as follows:-

Short title and commencement.

1. (1)

This Act may be called the Assamese Language Learning Act, 2020.

(2)

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

Application

2. (1)

It shall apply in all the Pre-Primary Schools, Primary schools, Upper Primary Schools, High Schools and Higher Secondary Schools irrespective of medium of instruction located in the whole of the State of Assam except in the Sixth Schedule areas, Bodo medium Schools of Bodo inhabited areas and Barak valley areas.

(2)

It shall be applicable to all the Examination Boards functioning in the State like Central Board of Secondary Education (CBSE), Indian Certificate of Secondary Education (ICSE), Board of Secondary Education, Assam (SEBA) and all other equivalent Boards .

Definitions

3.

In this Act, unless the context otherwise requires,-

- (a) "Academic Year" means the year commencing on the first day as followed by the respective school as per guidelines or norms of the respective examination Board or academic authority, as the case may be;
- (b) "Barak Valley" means the districts of Cachar, Hailakandi and Karimganj ;
- (c) "Bodo inhabited areas" means a village which is situated outside the BTAD area in which the population of Bodo Language speaking people is more than 50 percent of the total population of the village ;
- (d) "BTAD" means the Bodoland Territorial Area District ;
- (e) "Government" means the Government of Assam;
- (f) "Sixth Scheduled areas" means the district of Karbi Anglong, West Karbi Anglong, Dima Hasao and BTAD areas;
- (g) "prescribed" means prescribed by rules made under this Act;
- (h) "School" means,-
 - (i) any Pre-Primary School, Primary School, Upper Primary School, High School or Higher Secondary School irrespective of medium of instruction, established and maintained by the State Government or Local Bodies; or
 - (ii) any Pre-Primary School, Primary School, Upper Primary School, High School or Higher Secondary School irrespective of medium of instruction, established and administered or maintained by any Society, Trust or any private educational agency including minority school established and administered under clause (1) of Article 30 of the Constitution of India, whether receiving aid out of the State fund or not; or

- (iii) such other School or schools as may be notified by the Government in this behalf.

Explanation.- A school or educational institution imparting education from Nursery to Class X standard or equivalent thereof, by whatever name called and running under any examination Board in the state shall be considered as a school for the purposes of this clause.

Assamese as a
Compulsory
Language.

4. (1) Assamese language shall be taught as a compulsory language in all Classes, of all the schools in the State, except in the Sixth Schedule areas, Bodo medium schools of Bodo inhabited areas and Barak Valley areas either as MIL or as first language or as second language or as a Elective subject.
- (2) In those Schools which are not teaching Assamese as MIL or first language or second language or Elective language, as of now, shall introduce Assamese as a subject in Standard I to Standard X from the Academic Year 2021 in phased manner. The Pre-Primary School shall also introduce teaching of Assamese language in their School from the Academic Year 2021.
- (3) Every School shall follow Text Books prescribed by the respective academic authorities of the Government for teaching Assamese as MIL or first language or second language or as Elective Subject compulsorily.
- (4) A student who has not opted his mother tongue (other than Assamese) as First or Second Language may study his mother tongue as Third Language.

Exemption of
Students
transferred from
other States.

5. Notwithstanding anything contained in section 4 of this Act, a student admitted in class VI or above in any School in the State of Assam on transfer from other state shall be exempted from the purview of this Act.

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| Competent Authority. | 6. (1) | The Government may, by notification, appoint any officer of the Education Department not below the rank of Deputy Director of Elementary and/ or Secondary Education to be the Competent Authority for the purposes of carrying out the provisions of this Act and the rules made thereunder and different Competent Authorities may be appointed for different areas. |
| | (2) | The Competent Authority shall exercise such powers and perform such functions as may be prescribed. |
| Competent Authority to be public servant. | 7. | The competent authority appointed under section 6 shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code. |
| | | Central Act 45 of 1860 |
| Power of the Government to give direction. | 8. (1) | The Government may, in public interest, by order, direct the Competent Authority to make an enquiry or to take appropriate proceedings under this Act in any case specified in the order and the Competent Authority shall report to the Government the result of the enquiry made or the proceedings taken by him within such period as may be prescribed. |
| | (2) | On receipt of the report from the Competent Authority under sub-section (1), the Government shall issue a Notice to the defaulting School to rectify and to introduce Assamese Language as compulsory subject in all Classes of the School within one year from the date of issue of the Notice and even after the lapse of one year, the school fails to comply with the provisions of this Act , then the trade license issued by the Guwahati Municipal Corporation or Municipal authorities or Panchayati Raj Institutions,, as the case may be, shall be cancelled and power connection provided by the Assam Power Distribution Company shall be disconnected. In addition to the above, the State Government may give such direction as it deems fit and such direction shall be final and binding on such Schools. |

- Protection of action taken in good faith. 9. No suit, prosecution or other legal proceedings shall lie against the Competent Authority, Government or its officers for anything which is in good faith done or intended to be done under this Act or any rule or order made thereunder.
- Power to make rules. 10. The Government may, by notification, after publication of this Act, may, make rules for carrying out the purposes of this Act.
- Power to remove difficulties. 11. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the official Gazette, make such provisions, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

S. M. BUZAR BARUAH,
Commissioner & Secretary to the Government of Assam,
Legislative Department, Dispur, Guwahati-6.