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PART IV

GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 4th May, 2005

No.LL.(B)18/2002/63.—The Meghalaya State Language Act, 2005 (Act No. 10 of 2005) is hereby published for general information.

MEGHALAYA ACT NO. 10 OF 2005

As passed by the Meghalaya Legislative Assembly

Received the assent of the Governor on the 1st May, 2005

Published in the Gazette of Meghalaya Extra Ordinary issued dated 4th May, 2005.

THE MEGHALAYA STATE LANGUAGE ACT, 2005

An

Act

to provide for the language (s) to be used for official purposes for the State of Meghalaya.

Whereas, Art.345 of the Constitution of India provides that the Legislature of a State may, by law, adopt anyone 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 connected therewith;

Be it enacted by the Legislature of the State of Meghalaya in the Fifty-fifth Year of the Republic of India as follows :-

Short title, extent and commencement. 1. (1) This Act may be called the Meghalaya State Language Act, 2005

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

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

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

Definitions

2. In this Act, unless there is anything repugnant to the context-

- (a) "Act" means the Meghalaya State Language Act, 2004;
- (b) "Associate official language" means a language prescribed under section 4 of the Act, or such language (s) as may be prescribed under provision of section 5 of this Act;
- (c) "Autonomous District" means an area deemed as such under paragraph 1 of the Sixth Schedule to the Constitution of India;
- (d) "District Council" means a District Council constituted under para 2 of the Sixth Schedule to the Constitution of India;
- (e) "Government" means the Government of the State of Meghalaya;
- (f) "notification" means a notification published by Government in the Official Gazette;
- (g) "Official Gazette" means the Meghalaya Gazette; and
- (h) "prescribed" means prescribed by rules made under this Act.

Official Language of the State of Meghalaya.

3. Without prejudice to the provisions of Articles 343 and 347 of the Constitution of India and the provisions of the Meghalaya State Legislature (continuance of the English Language) Act, 1980 and subject to as hereinafter provided, the English language, shall continue to be the official language of the State of Meghalaya.

Associate official language (s) of the State.

4. Notwithstanding anything contained in Section 3, the Khasi language may be used as the associate official language for all purposes in the District, Sub-Divisions and Block level offices of the State Government located in the Districts of East Khasi Hills, West Khasi Hills, Jaintia Hills and Ri Bhoi. The Garo Language may be used as associate official language for all purposes in the districts, Sub-Divisions and Block Level Offices of East Garo Hills, West Garo Hills and South Garo Hills:

Provided that only the English language shall continue to be used in all civil and Criminal Courts located in the State;

Provided, further, that all inter-district official communications shall continue to be in the English language.

Direction of Government not to affect other linguistic groups, culture, appointment to posts.

5. Subject to the provisions of sections 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, in such part of the State of Meghalaya as may be specified therein:

Provided that –

- (a) the rights of the various linguistic groups in respect of medium 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 education and cultural institutions, discriminate against any such institutions on ground of languages;
- (c) the right of appointment to the post(s) and services and to contract(s) shall be maintained without discrimination on the ground of languages; and
- (d) in regard to notings in the offices located in the district, if any member of the staff is unable to record in any of the associate official language of such district, the use of English shall be permitted 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.

Power to make Rules.

6. The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

S. DYKES,

Joint Secretary to the Govt. of Meghalaya,
Law (B) Department.