

The 8th June 1960

No.LJL.18/59.—The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

(Received the assent of the Governor on the 4th June 1960)

ASSAM ACT No.XXIII OF 1960

THE ASSAM LOUD-SPEAKERS (CONTROL)
ACT, 1960

(As passed by the Assembly)

[Published in the *Assam Gazette*, Extraordinary, dated the 8th June 1960]

An
Act

*to provide for the control of indiscriminate use of loud-speakers
microphones, or other apparatus for amplifying human
voice or amplifying music or other sounds in the State of
Assam.*

Preamble.

WHEREAS it is expedient to make provision for the control of indiscriminate use of loud-speakers, microphones, or other apparatus for amplifying human voice or amplifying music or other sounds in the State of Assam :

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

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Loud-speakers (Control) Act, 1960.
(2) It shall extend to the whole of the State of Assam.
(3) It shall come into force at once.

Definition.

2. In this Act—“urban area” means—
(i) any area declared to be, or included in a municipality under the provisions of sub-section (2) of Section 5 or declared to be a notified area under the provisions of sub-section (4) of Section 334 of the Assam Municipal Act, 1956 and includes a cantonment as defined in the Cantonment Act, 1924, and
(ii) such areas as may be so declared under Section 3 of this Act.

Power to
declare ur-
ban area.

3. (1) The State Government may, by notification in the official Gazette, declare any area as urban area for the purposes of this Act.
(2) Notwithstanding anything contained in the Assam Municipal Act, 1956 and the rules and bye-laws framed thereunder and subject to the control of the State Government the Deputy Commissioners or the Subdivisional Officers, as the case may be, may by order for a period not exceeding three months at a time and subject to a maximum of six months, declare any area as urban area for the purposes of this Act.

Power to
prohibit,
restrict, re-
gulate or
impose con-
ditions on
the use of
micropho-
nes, etc.

4. (1) (a) If, in the opinion of the Deputy Commissioner or the Subdivisional Officer, it is necessary so to do for the purpose of preventing annoyance to, or injury to the health of, the public or of any section thereof, or for the purpose of maintaining public peace and tranquillity or for the purpose of preventing disturbance to the educational institutions, hospitals and Courts, he may by order prohibit, restrict, regulate or impose conditions on, the use or operation in any urban area or in any vehicle within such area, of microphones, loud-speakers, or other apparatus for amplifying human voice or amplifying music or other sounds.
(b) The State Government may, on its own motion or on the representation of any person or persons aggrieved, modify, alter or cancel any such order.
(2) A Police Officer not below the rank of a Sub-Inspector, may take such steps or use such force as may be reasonably necessary for securing compliance with any order made under clause (a) of sub-section (1) or any such order as modified or altered by

the State Government under clause (b) of that sub-section and may seize any microphone, loud-speaker or other apparatus used or operated in contravention of the order.

(3) A Police Officer referred to above, who seizes any microphone, loud-speaker or other apparatus under sub-section (2), may also at the same time seize any vehicle in which such microphone, loud-speaker or other apparatus is being carried or conveyed or is being kept at that time:

Provided that any officer of the Police Station within the limits of which the vehicle is seized not below the rank of a Sub-Inspector shall release immediately such vehicle on a bond for such sum, not exceeding five hundred rupees, as he deems reasonable, being executed to produce the vehicle at the time of the investigation or the trial.

(4) Any person who contravenes any order of the Deputy Commissioner or of the Subdivisional Officer made under clause (a) of sub-section (1) or who contravenes any such order as modified or altered by the State Government under clause (b) of that sub-section, shall be punished with a fine which may extend to five hundred rupees and the Court trying an offence under this section may also direct the forfeiture of any microphone, loud-speaker or other apparatus seized under sub-section (2).

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