



सत्यमेव जयते

COLLECTION

OF

MEGHALAYA ACTS

AND

ORDINANCES

FOR THE YEAR 1980

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MEGHALAYA ACT 1 OF 1980

**THE MEGHALAYA MUNICIPAL (GARO HILLS AUTONOMOUS DISTRICT)
(AMENDMENT) ACT, 1979**

(As passed by the Assembly)

[Received the assent of the Governor of Meghalaya on the 2nd January, 1980]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 3rd January, 1980)

An

Act

to amend the Meghalaya (Garo Hills Autonomous District) Act, 1978

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

Short title, extent and commencement.

1. (1) This Act may be called the Meghalaya Municipal (Garo Hills Autonomous District) (Amendment) Act, 1979.

(2) It extends to the Garo Hills Autonomous District.

(3) It shall be deemed to have come into force on the 9th day of August, 1979.

Amendment of Section 2 of Act 7 of 1978.

2. In the Meghalaya Municipal (Garo Hills Autonomous District) Act, 1978, the existing Section 2 shall be renumbered as Section 2 (1) and after sub-section (1) as so re-numbered the following shall be inserted as sub-section (2), namely:-

“(2) On the constitution of any area into a Municipality of establishment of a Town Committee for any notified area under the provisions of this Act and the Meghalaya Municipal Act and Municipality or Town Committee constituted or established by or under any law of the District Council of Garo Hills Autonomous District shall cease to exercise any jurisdiction within such area”.

Repeal of Meghalaya Ordinance 4 of 1979.

3. The Meghalaya Municipal (Garo Hills Autonomous District) (Amendment) Ordinance, 1979 is hereby repealed.

MEGHALAYA ACT 2 OF 1980

THE MEGHALAYA APPROPRIATION (No. IV) ACT, 1979

(As passed by the Assembly)

[Received the assent of the Governor of Meghalaya on the 2nd January, 1980](Published in the *Gazette of Meghalaya*, Extraordinary, dated 3rd January, 1980)**An****Act****to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year 1979-80.**

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

Short title

1. This Act may be called the Meghalaya Appropriation (No. IV) Act, 1979.

Withdrawal of Rs.1, 01, 17,621 from and out of the Consolidated Fund of Meghalaya for the financial year 1979-80.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of one crore, one lakh, seventeen thousand, six hundred and twenty-one rupees towards defraying the several charges which will come in course of payment during the financial year 1979-80 in respect of the services specified in column (2) of the Schedule.

Appropriation.

3. The sums to be paid and applied from and out of the Consolidated Fund of Meghalaya by this Act, shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year

SCHEDULE

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Rs.	Total Rs.	
6	229 - Land Revenue	Revenue	3,27,000	...	3,27,000
	288 - Social Security and Welfare-B-II- Relief and Rehabilitation of Displaced Persons.				
	289 - Relief on Account of Natural Calamities.				
	295 - Other Social and Community Services.				
	304 - Other General Economic Services-III- Land Ceilings.				
	688 - Loans for Social Security and Welfare- III-Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.					Capital	60,000	...	60,000
695 - Loans for Other Social and Community Services.					
705 - Loans for Agriculture.					
14	253 - District Administration	Revenue	1,90,768	...	1,90,768
16	255 - Police and 260-Fire Protection and Control, 283-Housing-C-Government Residential Buildings.	Revenue	1,37,178	...	1,37,178
27	280 - Medical	Revenue	2,75,000	...	2,75,000
	281 - Family Welfare				
	282 - Public Health Sanitation and Water Supply-A-Public Health and Sanitation.				
28	282 - Public Health, Sanitation and Water Supply-B-Sewerage and Water Supply.	Revenue	6,00,000	2,144	6,02,144
	283 - Housing-C-Government Residential Buildings.	Capital	50,00,000	531	50,00,531
	482 - Capital Outlay on Public Health, Sanitation and Water Supply.				
	682 - Loans for Public Health, Sanitation and Water Supply.				

SCHEDULE-contd....

(1) Grant No.	(2) Services and purposes (Major Heads)		(3) Sums not exceeding		
			Voted by the Assembly Rs.	Charged on the Consolidated Rs.	Total Rs.
38	288 - Social Security and Welfare –E- Other Social Security and Welfare Programmes-V-Other Programmes.	Revenue	1,00,000	...	1,00,000
39	295 - Other Social and Community Services.	Revenue	7,00,000	...	7,00,000
53	314 - Community Development-283- Housing-C-Government Residential Buildings and 288-Social Security and Welfare.	Revenue	20,00,000	...	20,00,000
	714 - Loans for Community Development.	Capital	...	...	...
56	321 - Village and Small Industries-II-Small Industries.	Revenue	...	...	...
	521 - Capital Outlay on Village and Small Industries-II-Small Industries.	Capital	7,25,000	...	7,25,000
	721 - Loans for Village and Small Industries-II-Small Industries.				
Total		...	1,01,14,946	2,675	1,01,17,621

MEGHALAYA ACT 3 OF 1980

THE MEGHALAYA AMUSEMENT AND BETTING TAX (AMENDMENT) ACT, 1979

(As passed by the Assembly)

[Received the assent of the Governor of Meghalaya on the 7th February, 1980]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th February, 1980)

An

Act

further to amend the Meghalaya Amusements and Betting Tax Act (Assam Act VI of 1939 as adapted and modified by Meghalaya).

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

Short title, extent
and Commencement

1. (1) This Act may be called the Meghalaya Amusements and Betting Tax (Amendment) Act, 1979.
- (2) It extends to the whole of the State of Meghalaya.
- (3) It shall come into force at once.

Amendment of Section
5A.

2. In the Meghalaya Amusements and Betting Tax Act, in Section 5A.-
 - (i) for sub-section (2) the following shall be substituted namely:-

“(2) Whoever resells any ticket for admission to an entertainment in contravention of the provision of sub-section (1), shall on first conviction before a Magistrate, be punishable with fine which may extend to five hundred rupees but which shall not be less than one hundred rupees and for a subsequent offence with imprisonment which may extend to six months and also with fine which may extend to give hundred rupees, but in no case the punishment with imprisonment shall be less than one month and that with fine be less than one hundred rupees”.
 - (ii) for the word “bailable” occurring in sub-section (3), the words “non-bailable” shall be substituted.

MEGHALAYA ACT 4 OF 1980

THE MEGHALAYA APPROPRIATION (No. I) ACT, 1979

(As passed by the Assembly)

[Received the assent of the Governor of Meghalaya on the 28th March, 1980]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 28th March, 1980)

An

Act

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year 1979-80.

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

- | | |
|--|--|
| Short title | 1. This Act may be called the Meghalaya Appropriation (No. I) Act, 1979. |
| Withdrawal of Rs.3, 75, 35, 770 from and out of the Consolidated Fund of Meghalaya for the financial year 1979-80. | 2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of three crores, seventy two lakhs, thirty-five thousand, seven hundred and seventy rupees towards defraying the several charges which will come in course of payment during the financial year 1979-80 in respect of the services specified in column (2) of the Schedule. |
| Appropriation. | 3. The sums authorised to be paid an applied from and out of the Consolidated Fund of Meghalaya by this Act, shall be appropriated for the services and purpose expressed in the Schedule in relation to the said year. |

SCHEDULE

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Rs.	Total Rs.	
3	213 - Council of Ministers	Revenue	3,24,427	...	3,42,427
5	215 - Elections ...	Revenue	11,82,873	...	11,82,873
6	229 - Land Revenue ...	Revenue	46,35,531	...	46,35,531
	288 - Social Security and Welfare-B-II- Relief and Rehabilitation of Displaced Persons.				
	289 - Relief on account of Natural Calamities.				
	295 - Other Social and Community Services.				
	304 - Other General Economic Services-III- Land Ceilings.				
688 - Loans for Social Security and Welfare- II-Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	Capital	...	...	...
695 - Loans for Other Social and Community Services.					
705 - Loans for Agricultural					

SCHEDULE-contd...

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding				
		Voted by the Assembly	Charged on the Consolidated	Total		
		Rs.	Rs.	Rs.		
9	240 - Sales Tax and 245-I-Other Taxes and Duties on Commodities and Services.	Revenue	45,410	...	45,410	
10	{ 241 - Taxes on Vehicles. 265 - Other Administrative Services-II- Motor Garages, etc. 338 - Roads and Water Transport Services.	Revenue	...	...	...
		538 - Capital Outlay on Road and Water Transport Services, etc.	Capital	12,00,000	...	12,00,000
		11	{ 245 - Other Taxes and Duties on Commodities and Services-II- Inspectorate of Electricity. 331 - Water and Power Development Services-B-Power Development.	Revenue	8,856	...	8,856
734 - Loans for Power Projects.	Capital			...	...	...
13	{ 252 - Secretariat – General Services-I-Civil Departments. 276 - Secretariat-General Services-I-Civil Departments. 296 - Secretariat-Economic Services-I-Civil Departments.		Revenue	13,66,670	...	13,66,670

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
16	255 - Police and Control 260-Fire Protection and and 283-Housing-C- Government Residential Buildings.	Revenue	13,27,178	...	13,27,178
17	256 - Jails	Revenue	19,000	...	19,000
18	258 - Stationery and Printing.	Revenue	1,12,117	...	1,12,117
28	282 - Public Health, Sanitation and Water Supply-B-Sewerage and Water Supply.	Revenue	...	...	...
			283 - Housing-C-Government Residential Buildings.		
	482 - Capital Outlay on Public Health, Sanitation and Water Supply.	Capital	50,00,000	...	50,00,000
			682 - Loans for Public Health, Sanitation and Water Supply.		
32	285 - Information and Publicity.	Revenue	44,044	...	44,044

SCHEDULE-contd...

(1) Grant No.	(2) Services and purposes (Major Heads)		(3) Sums not exceeding		
			Voted by the Assembly	Charged on the Consolidated	Total
			Rs.	Rs.	Rs.
36	288 - Social Security and Welfare-C-III- Welfare of Scheduled Castes, Scheduled Tribes, and Other Backward Classes-D-Social Welfare.	Revenue	4,56,621	...	4,56,621
	688 - Loans for Social Security Welfare-C- III-Welfare of Scheduled Castes, Schedule Tribes and Other Backward Classes.	Capital	...	...	...
38	288 - Social Security and Welfare-E-Other Social Security and Welfare Programmes	Revenue	2,65,000	...	2,65,000
39	295 - Other Social and Community Services.	Revenue	2,40,000	...	2,40,000
41	298 - Co-operation	Revenue	50,750	...	50,750
	498 - Capital Outlay on Co-operation.	Capital	1,84,250	...	1,84,250
	505 - Capital Outlay on Agriculture.				
	698 - Loans to Co-operative Societies.				

SCHEDULE-contd...

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
45	305 - Agricultural/306-I-Minor Irrigation/295-Other Social and Community Services/283-Housing-C-Government Residential Buildings.	Revenue	15,00,000	...	15,00,000
	515 - Investments in Agricultural Financial Institutions.	} Capital	...	...	...
	705 - Loans for Agricultural.				
52	313 - Forest ...	Revenue	1,25,26,875	95,768	1,26,22,643
	513 - Capital Outlay on Forests.	Capital	...	...	...
53	314 - Community Development-283-Housing - C - Governments Residential Buildings and 283-Social Security and Welfare.	} Revenue	59,27,000	...	59,27,000
	314 - Community Development-II-C-Rural Works Programme.				
	714 - Loans for Community Development.	Capital	...	...	...

SCHEDULE-*contd.*...

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated	Total
		Rs.	Rs.	Rs.
56	321 - Village and Small Industries-II- Small Industries and 283-Housing-C-Government Residential Buildings. Revenue	...	...	...
	521 - Capital Outlay on Village Small Industries-II-Small Industries. Capital	2,99,400	...	2,99,400
	721 - Loans for Village and Small Industries-II-Small Industries.			
57	328 - Mines and Minerals –B-Regulation and Development of Mines. Revenue	4,24,000	...	4,24,000
	528 - Capital Outlay on Mining and Metallurgical Industries. Capital	...	...	...
Total		3,71,40,002	95,768	3,72,35,770

MEGHALAYA ACT 5 OF 1980

THE MEGHALAYA APPROPRIATION (VOTE ON ACCOUNT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on the 28th March, 1980](Published in the Gazette of Meghalaya, Extraordinary issue, dated 31st March 1980)**An****Act**

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of Meghalaya for the services of a part of financial year, 1980-81.

Be it enacted by the Legislature of Meghalaya, in the Thirty-first Year of the Republic of India, as follows:-

- Short title, and commencement
1. (1) This Act may be called the Meghalaya Appropriation (Vote on account) Act, 1980.
- (2) It shall come into force on the first day of April, 1980.
- Withdrawal of Rs.20,15,90,600 from and out of the Consolidated Fund of Meghalaya for the financial year 1980-81.
2. From and out of the Consolidated Fund of Meghalaya there may be withdrawn sum not exceeding the aggregate to the sum of twenty crores, fifteen lakhs, ninety thousand and six hundred rupees, towards defraying the several charges which will come in course of payment during the period of three months beginning on the first day of April, 1980 in respect of the services specified in column (2) of the Schedule.
- Appropriation.
3. The sums authorised to be withdrawn from and out of the Consolidated Fund of Meghalaya by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the financial year 1980-81.

SCHEDULE

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
1	211 - Parliament/State/Union Territory Legislatures-B-State Legislatures.	Revenue	8,65,000	33,200	8,98,200
2	212 - Governor ...	Revenue	2,500	2,61,500	2,64,00
3	213 - Council of Ministers ...	Revenue	3,06,700	...	3,06,700
4	214 - Administration of Justice	Revenue	4,46,000	1,15,000	5,61,000
5	215 - Elections ...	Revenue	4,61,000	...	4,61,000

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding							
		Voted by the Assembly	Charged on the Consolidated	Total					
		Rs.	Rs.	Rs.					
6	229 - Land Revenue ...	Revenue	12,02,000	...	12,02,000				
	288 - Social Security and Welfare-B-II- Relief and Rehabilitation of Displaced persons.								
	289 - Relief on Account of Natural Calamities.								
	295 - Other Social and Community Services								
	304 - Other General Economic Services-III- Land Ceilings.								
	688 - Loans for Social Security and Welfare- III-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes.					Capital	6,200	...	6,200
	695 - Loans for other Social and Community Services.								
	705 - Loans for Agricultural.								
7	230 - Stamps and Registration.	Revenue	38,800	...	38,800				
8	239 - State Excise	Revenue	4,11,200	...	4,11,200				
9	240 - Sales Tax and 145-I-Other Taxes and Duties on Commodities and Services.	Revenue	3,16,000	...	3,16,000				
10	241 - Taxes on Vehicles.	Revenue	6,74,500	...	6,74,500				
	265 - Other Administrative Services-II- Motor Garages, etc.								
	388 - Roads and Water Transport Services.								
	538 - Capital Outlay on Road and Water Transport Services, etc.	Capital	19,59,000	...	19,59,000				

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
11	245 - Other Taxes and Duties on Commodities and Services-II- Inspectorate of Electricity.	Revenue	52,000	...	52,000
	331 - Water and Power Development Services-B-Power Development.	Capital	1,50,000	...	1,50,000
	734 - Loans for Power Projects ...				
12	247 - Other Fiscal Services-Promotion of Small Savings.	Revenue	18,200	...	18,200
	248 - Appropriation for Reduction or Avoidance of debt (<i>Charged</i>).	Revenue	...	...	...
	249 - Interest Payments (<i>Charged</i>).	Revenue	...	45,23,000	45,23,000
	251 - Public Service Commission (<i>Charged</i>).	Revenue	...	1,33,500	1,33,500
13	252 - Secretariat-General Services-I-Civil Departments.	Revenue	28,75,000	...	28,75,000
	276 - Secretariat-Social and Community Services-I-Civil Departments.				
	296 - Secretariat-Economic Services-I- Civil Departments.				
14	253 - District Administration	Revenue	12,65,000	...	12,65,000
15	254 - Treasury and Accounts Administration.	Revenue	5,63,200	...	5,63,200
16	255 - Police,260-fire Protection and Control and 283 Housing -C-Government Residential Buildings..	Revenue	1,28,01,500	...	1,28,01,500
17	256 - Jails	Revenue	4,79,500	...	4,79,500
18	258 - Stationery and Printing ...	Revenue	15,11,800	...	15,11,800

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
19	252 - Secretariat-General Services-II-Public Works Department-Secretariat.				
	259 - Public Works ...				
	277 - Education, 278-Art and Culture, 280-Medical, 282-Public Health, etc.	Revenue	80,37,800	...	80,37,800
	283 - Housing-II-C-Government Residential Buildings (I/C.P.W.D.).				
	287 - Labour and Employment-III-B-Employment and Training, 288-Social Security and Welfare-Social Welfare, etc.				
	459 - Capital Outlay on Public Works.				
	477 - Capital Outlay on Education, Arts and Culture.				
	480 - Capital Outlay on Medical.				
	481 - Capital Outlay on Family Welfare.				
	482 - Capital Outlay on Public Health, Sanitation and Water Supply-A-Public Health.	Capital	76,35,500	...	76,35,500
	483 - Capital Outlay on Housing-A-Government Residential Buildings (I.C.P.W.D.)				
	510 - Capital Outlay on Animal Husbandry.				
	511 - Capital Outlay on Dairy Development.				
	530 - Investment in Industrial Financial Institutions.				

SCEHDULE- contd..

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
20	265 - Other Administrative Services-I-Civil Defence and Home Guards.	Revenue	18,23,000	...	18,23,000
21	265 - Other Administrative Services-III- Gazetteers and Statistical Memoirs.	Revenue	2,26,13,900	...	2,26,13,900
	268 - Miscellaneous General Services- Pension and Awards in consideration of distinguished Services.				
	277 - Education				
	278 - Art and Culture				
	279 - Scientific Services and Research, 677 - Loans for Education, Art and Culture.					Capital	5,000	...	5,000
22	265 - Other Administrative Services-IV- Census, Vital Statistics, Guest Houses, etc.	Revenue	3,72,000	...	3,72,000
23	265 - Other Administrative Services-V- Miscellaneous Administrative Services.	Revenue	84,200	...	84,200
24	266 - Pension and other Retirement Benefits.	Revenue	5,99,000	...	5,99,000
25	267 - Aid Materials and Equipments.	Revenue	5,68,800	...	5,68,800
26	268 - Miscellaneous General Services, Pre- partition Payments, State Lotterries and pension for distinguished Services.	Revenue	...	...	...
27	280 - Medical	Revenue	1,36,11,500	...	1,36,11,500
	281 - Family Welfare				
28	282 - Public Health, Sanitation and Water Supply-A-Public Health and Sanitation.	Revenue	38,37,300	...	38,37,300
	282 - Public Health, Sanitation and Water Supply-B-Sewerage and Water Supply.				
28	283 - Housing-C-Government Residential Buildings.	Capital	1,54,10,000	...	1,54,10,000
	482 - Capital Outlay on Public Health, Sanitation and Water Supply.				
	682 - Loans for Public Health, Sanitation and Water Supply.				

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
29	283 - Housing-I-A-General and B-Housing Scheme.	Revenue	84,000	...	84,000
	683 - Loans for Housing ...	Capital	4,77,500	...	4,77,500
30	284 - Urban Development-A-General-I-Municipal Administration.	Revenue	1,58,500	...	1,58,500
	684 - Loans for Urban Development.	Capital	...	...	...
31	284 - Urban development-A-General -II-Town and Regional Planning.	Revenue	5,68,000	...	5,68,000
	484 - Capital Outlay on Urban Development-A-General.	Capital	...	...	...
32	285 - Information and Publicity.	Revenue	4,81,200	...	4,81,200
33	287 - Labour and Employment-I-A-Labour.	Revenue	12,66,500	..	12,66,500
	287 - Labour and Employment-II-A-Labour Inspectorate Factories and Steam Boilers.				
	287 - Labour and Employment-III-B-Employment and Training.				
34	288 - Social Security and Welfare-A-I-Civil Supplies.	Revenue	4,38,800	...	4,38,800
	488 - Capital Outlay on Social Security and Welfare-E-Other Social Security and welfare Programmes-I-Civil Supplies Scheme.	Capital	34,700	...	34,700
35	309 - Capital Outlay on Food Nutrition.	Revenue	25,500	...	25,500
	288 - Social Security and Welfare-B-II-Relief and Rehabilitation of Displaced persons.				
35	688 - Loans for Social Security and Welfare -I- Relief Measures and Rehabilitation Schemes.	Capital	...	...	...

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
36	288 - Social Security and Welfare-C-III- Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes-D-Social Welfare.	Revenue	23,14,000	...	23,14,000
	688 - Loans for Social Security and Welfare- C-III-Welfare of -Scheduled Castes, Scheduled Tribes and Other Backward Classes.	Capital	...	...	...
37	288 - Social Security and Welfare-E-Other Social Security and Welfare Programmes-IV-Soldiers' Sailors' and Airmen's Board.	Revenue	27,500	...	27,500
	688 - Loans for Social Security and Welfare- II-Loans to <i>Ex-Service</i> Personnels.	Capital	2,500	...	2,500
38	283 - Social Security and Welfare-E-Other Social Security and Welfare Programmes-V-Other Programmes.	Revenue	1,200	...	1,200
39	295 - Other Social and Community Services.	Revenue	68,800	...	68,800
40	296 - Secretariat-Economic Services-II- Planning Boards and attached Offices.	Revenue	4,15,500	...	4,15,500
41	293 - Co-operation	Revenue	21,39,000	...	21,39,000
	498 - Capital Outlay on Co-operation.	Capital	5,72,600	...	5,72,600
	505 - Capital Outlay on Agriculture.				
	698 - Loans to Co-operative Societies.				
299 - Special and Backward Areas-C-North Eastern Areas.	Revenue	6,95,500	...	6,95,500	
42	499 - Capital Outlay on Special and Backward Areas-C-North Eastern Areas.	Capital	50,25,000	...	50,25,000
	699 - Loans for Special and Backward Areas-C-North Eastern Areas.				

SCEHDULE- contd..

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
43	304 - Other General Economic Services-I- Economic Advices and Statistics.	Revenue	6,13,500	...	6,13,500
44	304 - Other General Economic Services-II- Regulation of Weights and Measures.	Revenue	1,70,800	...	1,70,800
45	395 - Agriculture/306-I-Minor Irrigation/295-Other Social and Community Services/283-Housing-C- Government Residential Buildings.	Revenue	1,02,19,800	...	1,02,19,800
		515 - Investments in Agricultural Financial Institutions.	Capital	25,000	...	25,000
46	705 - Loans for Agriculture 306 - Minor Irrigation-II-Works under Embankment and Drainage Wing, P.W.D.Minor Irrigation Projects.	Revenue	1,76,200	...	1,76,200
49	533 - Capital Outlay on Irrigation, Navigation Drainage and Flood Control Projects.	Capital	14,75,000	...	14,75,000
47	307 - Soil and Water Conservation and 283- Housing-C-Government Residentials Buildings.	Revenue	60,39,000	...	60,39,000
48	308 - Area Development ...	Revenue	41,98,800	...	41,98,800
		706 - Loans for Minor Irrigation, Soil Conservation and Area Development.	Capital
49	310 - Animal Husbandry and 283-Housing- C-Government Residential Buildings.	Revenue	43,07,200	...	43,07,200
		710 - Loans for Animal Husbandry.	Capital

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
50	311 - Dairy Development and 282-Housing-C-Government Residential Buildings.	Revenue	10,65,800	...	10,65,800
51	312 - Fisheries	Revenue	7,77,500	...	7,77,500
52	313 - Forest 513 - Capital Outlay on Forest	Revenue	67,77,200	...	67,77,200
		Capital	...	...	...
53	413 - Community Development, 2830-Housing-C-Government Residential Buildings and 288-Social Security and Welfare. 314 - Community Development -II- Rural Works Programme.	Revenue	60,87,000	...	60,87,000
		Capital			
		714 - Loans for Community Development.	Capital		
	320 - Industrial	Revenue	2,07,000	...	2,07,000
54	520 - Capital Outlay on Industrial Research and Development. 522 - Capital Outlay on Machinery and Engineering Industries. 525 - Capital Outlay on Consumer Industries. 720 - Loans for Industrial Research and Development.	Capital	12,50,000	...	12,50,000
		Capital			
		Capital			
		Capital			
	321 - Village and Small Industries-I-Handloom and Sericulture and 283-Housing-C-Government Residential Buildings.	Revenue	20,22,500	...	20,22,500
55	698 - Loans to Co-operative Societies. 721 - Loans for Village and Small Industries-I-Handloom and Sericulture.	Capital			
		Capital			

SCEHDULE- *contd.*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding							
		Voted by the Assembly	Charged on the Consolidated	Total					
		Rs.	Rs.	Rs.					
56	321 - Village and Small Industries-II-Small Industries.	Revenue	23,31,700	...	23,31,700				
	283 - Housing-C-Government Residential Buildings.								
	521 - Capital Outlay on Village and Small Industries-II-Small Industries.					Capital	7,31,000	...	7,31,000
	721 - Loans for Village and Small Industries-II-Small Industries.								
57	328 - Mines and Minerals-B-Regulation and Development of Mines.	Revenue	7,48,000	...	7,48,000				
	528 - Capital Outlay on Mining and Metallurgical Industries.	Capital	...	...	...	
58	637 - Roads and Bridges	Revenue	77,85,000	...	77,85,000				
	537 - Capital Outlay on Raods and Bridges..	Capital	1,11,75,000	...	1,11,75,000				
59	339 - Tourism	Revenue	7,07,200	...	7,07,200				
	544 - Capital Outlay on other Transport and Communication Services.	Capital	...	...	...	
60	530 - Investment in Industrial Financial Institutions.	Capital	...	..	...	
	603 - Internal Debt of the State Government (<i>Charged</i>).	Capital	...	29,38,800	29,38,800				
	604 - Loans and Advances from the Central Government (<i>Charged</i>).	Capital	...	56,18,000	56,18,000				
61	766 - Loans to Government Servants.	Capital	15,75,000	...	15,75,000				
62	767 - Miscellaneous Loans	Capital	...	...	...	
63	768 - Inter-State Settlement	Capital	9,42,000	...	9,42,000				
64	769 - Appropriation to Contingency Fund.	Capital	...	...	...	
Total		...	18,79,67,600	1,36,23,000	20,15,90,600				

MEGHALAYA ACT 6 OF 1980

THE MEGHALAYA PROVISIONAL COLLECTION OF TAXES ACT, 1979

(As passed by the Assembly)

[Received the assent of the Governor on the 25th April, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary issue, dated 28th April, 1980)

An

Act

to provide for the immediate effect for a limited period of provisions in Bills relating to the imposition or increase of State taxes or duties on instruments.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Meghalaya Provisional Collection of Taxes Act, 1980.
- (2) It shall come into force at once.

Definition.

2. In this Act, a “declared provision” means a provision in a Bill in respect of which a declaration has been made under Section 3.

Power to make declaration under this Act.

3. Where a Bill to be introduced in the State Legislature on behalf of the State Government provides for the imposition or increase of any State taxes or duties on instruments the State Government may cause to be inserted in the Bill a declaration that it is expedient in the Public Interest that any provision of the Bills relating to such imposition or increase shall have immediate effect under this Act.

Effect of declarations under this Act and duration thereof.

4. (1) A declared provision shall have the force of law immediately on the expiry of the day on which the Bill containing it is introduced.
- (2) A declared provision shall cease to have the force law under provisions of this Act-
 - (a) when it comes into operation as an enactment, with or without amendment, or

(b) when the State Government, in pursuance of a motion passed by the State Legislature, directs, by notification, that it shall cease to have the force of law, or

(c) if it has not already ceased to have the force of law under clauses (a) or clause (b), then on the expiry of the Sixtieth day after the day on which the Bill containing it was introduced.

Certain refunds to be made when declarations cease to have effect.

5. (1) Where a declared provision comes into operation as an enactment in an amended form before the expiry of the Sixtieth day after the day on which the Bill containing it was introduced, refunds shall be made of all State taxes or duties collected which would not have been collected if the provision adopted in the enactment had been the declared provision:

Provided that the rate at which refunds of any tax or duty may be made under this subsection shall not exceed the difference between the rate of such tax or duty in force when the Bill was introduced.

(2) Where a declared provision ceases to have the force of law under clause (b) or clause (c) of section (2) of Section 4, refund shall be made of all taxes or duties collected which would not have been collected if the declaration in respect of it has not been made.

MEGHALAYA ACT 7 OF 1980

THE GAURIPUR (GHOLLA) ZAMINDARS' ANNUITY RIGHTS ABOLITION AND EXTINGUISHMENT ACT, 1979

(As passed by the Assembly)

[Received the assent of the Governor on the 23rd May, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary issue, dated 6th June, 1980)

An

Act

to provide for abolition and extinguishment of annuity rights of the Zamindars of Gauripur (Gholla) within West Garo Hills District.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Gauripur (Gholla) Zamindars' Annuity Rights Abolition and Extinguishment Act, 1979.

(2) It shall come into force at once.

(3) It shall apply to the Gauripur (Gholla) Estate in the West Garo Hills District.

Definition.

2. In this Act, unless the context otherwise requires,-

(a) "Annuity" means the fixed sum of Rs.7,164.40 paise paid or payable yearly as annuity by Government to Raj Protap Chandra Barua Bahadur, proprietor/ Zamindar of Gauripur Rah Estate, his heirs, successors, executors and assignees as consideration for resigning in perpetuity and making over to Government all rights, title or interest which he possesses or may have possessed in portions of his permanently settled estate, parganas, Kalumalupara and Aurangabad as lie within the West Garo Hills District under the terms and conditions of the agreement, dated the 30th April, 1878 executed between the said proprietor/Zamindar and the Secretary of State of India;

(b) "Gauripur (Gholla) Estate" includes all land being portions of the permanently settled estate, parganas, Kalumalupara and Aurangabad as lie within the West Garo Hills District in the State of Meghalaya which their proprietor/Zamindar had resigned in perpetuity and made over to the Government all the rights, title or interest which he possesses or may have possessed in the said lands in consideration of annuity.

Abolition and extinguishment of annuity and all rights thereof.

3. Notwithstanding any judgement, decree or order of any court or any contract, agreement or treaty or any law in force on and from the commencement of this Act, annuity paid or payable by Government to the proprietors/Zamindars of Gauripur (Gholla) Estate or to other person who, at any time before such commencement, was recognised as proprietor/Zamindar of the said estate or any person who, at any time before such commencement was recognised as heirs, successors, executors and assignees or such proprietors/Zamindars, is abolished and all rights, liabilities and obligations pertaining to such annuity or any claim for its payment are extinguished and, accordingly, the proprietors/Zamindars of the said estate or, as the case may be, the other person recognised as proprietors/Zamindars of the estate or any person recognised as the heirs, successors, executors and assignees of such proprietors/Zamindars, on such commencement, shall cease to be recognised as such.

Payment of annuity in lumpsum.

4. With the abolition of annuity pertaining to the Gauripur (Gholla) Estate and the extinguishment of all rights, liabilities and obligations or of any claim for payment of annuity under Section 3, there shall be paid by the State Government to the proprietors/Zamindars of the said estate or to other person who, at any time before the commencement of this Act, was recognised as the proprietor/Zamindar of the said estate or any person who, at any time before such commencement was recognised as the heirs, successors, executors and assignees of such proprietors/Zamindars, as the case may be, for such abolition and extinguishment, a sum of one lakh forty-three thousand two hundred eighty-eight rupees in lumpsum being twenty times the value of the annual annuity pertaining the said estate.

MEGHALAYA ACT 8 OF 1980

THE MEGHALAYA STATE LEGISLATURE (CONTINUANCE OF THE ENGLISH LANGUAGE) BILL, 1980

(As passed by the Assembly)

[Received the consent of the Governor on 26th June, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary issue, dated 28th June, 1980)

An

Act

to provide for continuance of English Language for the transaction of business in the Legislature of the State of Meghalaya.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Meghalaya State Legislature (Continuance of the English Language) Act, 1980.
- (2) It shall come into force at once.

Continuation of English language for the transaction of business in the Legislature of the State.

2. Notwithstanding the expiration of the period of twenty-five years from the commencement of the Constitution, the English language shall continue to be used for the transaction of business in the Legislature of the State of Meghalaya.

MEGHALAYA ACT 9 OF 1980

THE MEGHALAYA APPROPRIATION (No. II) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 26th June, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 28th June, 1980)

An

Act

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year ending on the thirty-first day of March, 1981.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Meghalaya Appropriation (No. II) Act, 1980.

(2) It shall be deemed to have come into force on the first day of April, 1980.

Withdrawal of Rs.80, 63, 64,900 from and out of the Consolidated Fund of Meghalaya for the Financial year 1980-81.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate [inclusive of the sums specified in column (3) of the Schedule to the Meghalaya Appropriation (Vote-on-Account) Act, 1980] to the sum of eighty crores, sixty-three lakhs, sixty-four thousand and nine hundred rupees towards defraying the several charges which will come in course of payment during the financial year come in course of payment during the financial year ending on the thirty-first day of March, 1981 in respect of the services specified in column (2) of the Schedule.

Appropriation.

3. The sums authorise to be withdrawn from and out of the Consolidated Fund of Meghalaya by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

SCHEDULE

(See Sections 2 and 3)

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding										
		Voted by the Assembly	Charged on the Consolidated	Total								
		Rs.	Rs.	Rs.								
1	211 - Parliament, State/Union Territory Legislatures-B-State Legislatures.	Revenue	34,60,000	1,33,000	35,93,000							
2	212 - Governor	Revenue	10,000	10,46,000	10,56,000							
3	213 - Council of Ministers	Revenue	12,27,000	...	12,27,000							
4	214 - Administration of Justice	Revenue	17,84,000	4,60,000	22,44,000							
5	215 - Elections	Revenue	18,44,000	...	18,44,000							
6	{ 229 - Land Revenue 289 - Social Security and Welfare-B-II-Relief and Rehabilitation of Displaced Persons. 289 - Relief on account of Natural Calamities. 295 - Other Social and Community Services. 304 - Other General Economic Services-III-Land Ceilings.	Revenue	48,08,000	...	48,08,000							
						688 - Loans for Social Security and Welfare-III-Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes	Capital	25,000	...	25,000		
											695 - Loans for other Social and Community Services.	
												705 - Loans for Agriculture
8	239 - State Excise	Revenue	16,45,000	...	16,45,000							
9	240 - Sale Tax and 245-I-Other Taxes and Duties on Commodities and Services.	Revenue	12,67,000	...	12,67,000							
10	{ 241 - Taxes on Vehicles 265 - Other Administrative Services-II-Motor Garages, etc. 338 - Road and Water Transport Services.	Revenue	26,98,000	...	26,98,000							
						538 - Capital Outlay on Road and Water Transport Services, etc.	Capital	78,36,000	...	78,36,000		

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
11	245 - Other Taxes and Duties on Commodities and Services-II-Inspectorate of Electricity.	Revenue	2,08,000	...	2,08,000
	331 - Water and Power Development Services-B-Power Development.				
	734 - Loans for Power Projects	Capital	6,00,000	...	6,00,000
12	247 - Other Fiscal Services-Promotion of Small Savings.	Revenue	73,000	...	73,000
	248 - Appropriation for Reducation or Avoidance of Dedbt (<i>Charged</i>).	Revenue	...	...	...
	249 - Interest Payments (<i>Charged</i>)	Revenue	...	1,89,92,000	1,89,92,000
	251 - Public Service Commission (<i>Charged</i>)	Revenue	...	5,34,000	5,34,000
13	252 - Secretariat-General Services-I- Civil Departments.	Revenue	1,15,00,000	...	1,15,00,000
	276 - Secretariat-Social and Community Services-I-Civil Departments.				
	296 - Secretariat Economic Services-I-Civil Departments.				
14	253 - District Administration	Revenue	50,60,000	...	50,60,000
15	254 - Treasury and Accounts Administration.	Revenue	22,53,000	...	22,53,000
16	255 - Police and Control and 260-Fire Protection and 283-Housing-C-Govenment Residential Buildings.	Revenue	5,12,06,000	...	5,12,06,000
17	256 - Jails	Revenue	19,18,000	...	19,18,000
	258 - Stationery and Printing	Revenue	60,47,000	...	60,47,000

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
19	252 - Secretariat –General Services-II-Public Works Department – Secretariat	Revenue	3,21,51,400	...	3,21,51,400
	159 - Public Works ...				
	277 - Education, 278-Art and Culture, 280-Medical, 282-Public Health, etc.				
	283 - Housing-II-C-Government Residential Building (I/C.P.W.D.).	Capital	3,05,44,000	...	3,05,44,000
	287 - Labour and Employment-III-B-Employment and Training,288-Social Security and Welfare-Social Welfare, etc.				
	459 - Capital Outlay on Public Works.				
	477 - Capital Outlay on Education, Arts and Culture.				
	480 - Capital Outlay on Medical.				
	481 - Capital Outlya on Family Welfare.				
	482 - Capital Outlay on Public Health, Sanitation and Water Supply-A-Public Health.				
	483 - Capital Outlay on Housing-A-Government Residential Buildings (in-charge, Public Works Department).				
	510 - Capital Outlay on Animal Husbandry.				
	511 - Capital Outlay on Dairy Development.				
	530 - Investment in Industries Financial Institutions.				

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
20	265 - Other Administrative Services-I-Civil Defence and Home Guards..	Revenue	72,92,000	...	72,92,000
	266 - Other Administrative Services-III- Gazetteers and Statistical Memoirs.				
	268 - Miscellaneous General Services- Pensions and Awards in consideration of distinguished Services.				
21	277 - Education	Revenue	9,04,56,000	...	9,04,56,000
	278 - Art and Culture				
	279 - Scientific Services and Research.				
	677 - Loans for Education, Art and Culture.	Capital	20,000	...	20,000
22	265 - Other Administrative Services-IV- Census, Vital Statistics, Guest Houses, etc.	Revenue	14,88,000	...	14,88,000
23	265 - Other Administrative Services-V- Miscellaneous Administrative Services	Revenue	3,37,000	...	3,37,000
24	266 - Pension and other Retirement Benefits.	Revenue	23,96,000	...	23,96,000
25	267 - Aid Materials and Equipments.	Revenue	22,75,000	...	22,75,000
26	268 - Miscellaneous General Services-Pre- partition Payments, State Lotteries and Pension for Distinguished Services.	Revenue	...	...	...
	280 - Medical				
	281 - Family Welfare				
27	282 - Public Health, Sanitation and Water Supply-A-Public Health and Sanitation.	Revenue	5,44,46,000	...	5,44,46,000
	282 - Public health, Sanitation and Water Supply-B-Sewerage and Water Supply.	Revenue	1,53,49,000	...	1,53,49,000
	283 - Housing-C-Government Residential Buildings.				
28	482 - Capital Outlay on Public Health, Sanitation and Water Supply.	Capital	6,16,40,000	...	6,16,40,000
	682 - Loans for Public Health, Sanitation and Water Supply.				

SCHEDULE-*contd.*...

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
29	283 - Housing-I-A-General and B-Housing Schemes.	Revenue	3,36,000	...	3,36,000
	683 - Loans for Housing	Capital	19,10,000	...	19,10,000
30	284 - Urban Development-A-General-I-Municipal Administration.	Revenue	6,34,000	...	6,34,000
	684 - Loans for Urban Development.	Capital	....	...	...
31	284 - Urban Development-A-General-II-Town and Regional Planning.	Revenue	22,72,000	...	22,72,000
	484 - Capital Outlay on Urban Development-A-General.	Capital	...	...	...
32	285 - Information and Publicity.	Revenue	19,25,000	...	19,25,000
33	287 - Labour and Employment-I-A-Labour.	Revenue	50,66,000	...	50,66,000
	287 - Labour and Employment-II-A-Labour-Inspectorate of Factories and Stream Boilers.				
	287 - Labour and Employment-II-B-Employment and Training.				
34	288 - Social and Security and Welfare-A-I-Civil Supplies.	Revenue	17,55,000	...	17,55,000
	488 - Capital Outlay on Social Security and Welfare-E-Other Social Security and Welfare Programmes-I-Civil Supplies Schemes.	Capital	1,38,900	...	1,38,900
	509 - Capital Outlay on Food Nutrition.				
35	288 - Social Security and Welfare-B-II-Relief and Rehabilitation of Displaced Persons.	Revenue	1,02,000	...	1,02,000
	688 - Loans for Social Security and Welfare-I-Relief Measures and Rehabilitation Schemes.	Capital	...	...	...

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)		(3) Sums not exceeding		
			Voted by the Assembly	Charged on the Consolidated	Total
			Rs.	Rs.	Rs.
36	288 - Social Security and Werlfare-C-III- Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes-D- Social Welfare.	Revenue	92,56,000	...	92,56,000
	688 - Loans for Social Security and Welfare- C-III-Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	Capital	...	...	...
37	288 - Social Security and Welfare-E-Other Social Security and Welfare Programmes-IV-Soldiers',Sailors' and Airmen's Board.	Revenue	1,10,000	...	1,10,000
	688 - Loans for Social Security and Welfare- II-Loans for <i>Ex</i> -Service Personnnels.	Capital	10,000	...	10,000
38	288 - Social Security and Welfare-E-Other Social Security and Welfare Programmes-V-Other Programmes.	Revenue	5,000	...	5,000
39	295 - Other Social and Community Services.	Revenue	2,75,000	...	2,75,000
40	296 - Secretariat-Economic Services-II- Planning Boards and attached Offices.	Revenue	16,62,000	...	16,62,000
41	298 - Co-operation	Revenue	85,56,000	...	85,56,000
	498 - Capital Outlay on Co-operation.	Capital	22,90,000	...	22,90,000
	505 - Capital Outlay on Agriculture.				
	698 - Loans to Co-operative Societies.	Revenue	27,82,000	...	27,82,000
299 - Special and Backward Areas-C-North Eastern Areas.					
42	499 - Capital Outlay on Special and Backward Areas-C-North Eastern Areas.	Capital	2,01,00,000	...	2,01,00,000
	699 - Loans for Special and Backward Areas-C-North Eastern Areas.				

SCHEDULE-contd...

(1) Grant No.	(2) Services and purposes (Major Heads)		(3) Sums not exceeding			
			Voted by the Assembly	Charged on the Consolidated	Total	
			Rs.	Rs.	Rs.	
43	304 - Other General Economic Services-I- Economic Advice and Statistics.	Revenue	24,54,000	...	24,54,000	
44	304 - Other General Economic Services-II- Regulation of Weights and Measures.	Revenue	6,83,000	...	6,83,000	
45	305 - Agriculture/306-I-Minor Irrigation/295-Other Social and Community Services/283-Housing-C- Government Residential Buildings.	Revenue	4,08,79,000	...	4,08,79,000	
		Capital	515 - Investments in agricultural Financial Institutions	1,00,000	...	1,00,000
			705 - Loans for Agriculture			
46	306 - Minor Irrigation-II-Works under Embankment and Drainage Wing, P.W.D.Minor Irrigation Projects.	Revenue	7,07,500	...	7,07,500	
		Capital	333 - Irrigation, Navigation, Drainage and Flood Control Projects.			
			506 - Capital Outlay on Minor Irrigation, Soil Conservation and Areas Development.	59,00,000	...	59,00,000
47	533 - Capital Outlay on Irrigation, Navigation, Drainage and Flood Control Projects.					
47	307 - Soil and Water Conservation and 283- Housing-C-Government Residential Buildings.	Revenue	2,41,56,000	...	2,41,56,000	
48	308 - Area Development ...	Revenue	1,67,95,000	...	1,67,95,000	
		Capital	...	...	...
		706 - Loans for Minor Irrigation, Soil Conservation and Area Development.				
49	310 - Animal Husbandry and 283-Housing- C-Government Residential Buildings.	Revenue	1,72,29,000	...	1,72,29,000	
		Capital	...	...	...
49	710 - Loans for Animal Husbandry.	Capital	...	...	...

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
50	311 - Dairy Development and 283-Housing-C-Government Residential Buildings.	Revenue	42,63,000	...	42,63,000
51	312 - Fisheries	Revenue	31,10,000	...	31,10,000
52	313 - Forest	Revenue	2,71,09,000	...	2,71,09,000
	513 - Capital Outlay on Forsts	Capital	...	...	...
53	314 - Community Development-283-Housing-C-Govenment Residential Buildings and 288-Social Security and Welfare.	Revenue	2,43,48,000	...	2,43,48,000
	314 - Community Development-II-C-Rural Works Programme.				
	714 - Loans for Community Development.	Capital	...	...	...
54	320 - Industries	Revenue	38,68,000	...	38,68,000
	520 - Capital Outlay on Industrial Research and Development.	Revenue	50,00,000	...	50,00,000
	522 - Capital Outlay on Machinery and Development				
	526 - Capital Outlay on Consumer Industries.				
	720-Loans for Industrial Research and Development.				
321 - Village and Small Industries-I-Handloom and Sericulture and 283-Housing-C-Government Residential Buildings.	Revenue	80,90,000	...	80,90,000	
55	698 - Loans to Co-operative Societies.	Capital	...	...	...
	721 - Loans for Village and Small Industries-I-Handloom and Sericulture.				

SCHEDULE-*contd...*

(1) Grant No.	(2) Services and purposes (Major Heads)		(3) Sums not exceeding		
			Voted by the Assembly	Charged on the Consolidated	Total
			Rs.	Rs.	Rs.
	321 - Village and Small Industries-II-Small Industries and 283-Housing-C-Government Residential Buildings.	Revenue	93,25,000	...	93,25,000
56	521 - Capital Outlay on Village and Small Industries-II-Small Industries.	Capital	29,24,000	...	29,24,000
	721 - Loans for Village and Small Industries-II-Small Industries.				
56	328 - Mines and Minerals-B-Regulation and Developments of Mines.	Revenue	29,92,000	...	29,92,000
	528 - Capital Outlay on Mining and Metallurgical Industries.	Capital	...	...	...
	337 - Roads and Bridges ...	Revenue	3,11,40,000	...	3,11,40,000
58	537 - Capital Outlay on roads and Bridges.	Capital	4,47,00,000	...	4,47,00,000
	339 - Tourism ...	Revenue	28,29,000	...	28,29,000
59	544 - Capital Outlay on Other Transport and Communication Services.	Capital	...	...	...
60	30 - Investment in Industrial Financial Institutions.	Capital	...	...	...
	603 - Internal Debt of the State Government (<i>Charge</i>).	Capital	...	1,17,55,100	1,17,55,100
	604 - Loans and Advances from the Central Government (<i>Charge</i>).	Capital	...	2,24,72,000	2,24,72,000
61	766 - Loans to Government Servants.	Capital	63,00,000	...	63,00,000
62	767 - Miscellaneous Loans ...	Capital	...	...	...
63	768 - Inter State Settlement ...	Capital	37,68,000	...	37,68,000
64	763 - Appropriation to Contingency Fund.	Capital	...	...	...
Total		...	75,18,72,800	5,44,92,100	80,63,64,900

MEGHALAYA ACT 10 OF 1980

**THE MEGHALAYA (MINISTERS' SALARIES AND ALLOWANCES) (AMENDMENT)
ACT, 1980**

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 9th July, 1980)

An

Act

further to amend the Meghalaya (Ministers' Salaries and Allowances) Act, 1972.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and
commencement

1. (1) This Act may be called the Meghalaya (Ministers' Salaries and Allowances) (Amendment) Act, 1980.

(2) It shall come into force at once.

Amendment of Section
8 of Act 4 of 1972.

2. In the Meghalaya (Ministers' Salaries and Allowances) Act, 1972 (hereinafter referred to as the principal Act), the existing Section 8 shall be re-numbered as sub-section (1), and after section 8 nos so renumbered the following shall be inserted as sub-section (2), namely:-

“(2) Without prejudice to the provision of sub-section (1), the State Government may, from time to time by order, revise the rates so prescribed and such order may also be made to have retrospective effect”.

Amendment of Section
10 of the principal Act.

3. In the principal Act, the existing Section 10 shall be re-numbered as sub-section (1), and after Section 10 as so re-numbered the following shall be inserted as sub-section (2), namely:-

“(2) Such Rules may also be made to have retrospective effect”.

Validation of Rules
already made with
retrospective effect.

4. All Rules made under the principal Act prior to the coming into force of this Act shall not be deemed to be invalid on ground only that the Rules were made to have retrospective effect.

MEGHALAYA ACT 11 OF 1980

**THE MEGHALAYA LAND SURVEY AND RECORDS PREPARATION ACT, 1980
ACT, 1980**

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 9th July, 1980)

An

Act

to provide for the Survey of lands in the State and the preparation of preliminary records thereof and for matters, connected therewith or incidental thereto Act, 1972.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

CHAPTER I

Preliminary

Short title, and commencement

1. (1) This Act may be called the Meghalaya Land Survey and Records-Preparation Act, 1980.

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

(3) It shall come into force in such areas of the State and on such dates as the Government may by notification specify and different dates may be specified for different areas.

Definitions.

2. In this Act, unless the context otherwise requires.-
 - (a) "Director" means the Director of Land Records, Meghalaya, and includes such other officers as may be empowered by Government as "Director" within their respective jurisdictions.
 - (b) "estate" includes any land over which a person has the right or interest of an owner, holder or occupier, and also includes Government lands (State or Central) District Council lands and land of any local authority;

- (c) “holder” means any person who lawfully holds any land under Government or District Council or local authority or hold any land under a person who is an owner or under another holder of land for any purpose whether on payment of rent, land revenues ,or not and whether the person is in actual possession of the land or not, and shall also include a lessee;
- (d) “land” includes land covered by or under any forest established or constituted under any law, custom or practice, agricultural or non-agricultural land, waste or arable land and land under any cultivation or otherwise and shall also include fisheries;
- (e) “owner” means a person who owns any land as owner or a person recognised as such under any law in force, custom of practice and includes Government (State or Central), District Council or local authority in respect of Government lands, District Council lands or lands of a local authority, as the case may be;
- (f) “occupier” means any person who occupies, holds, possesses, manages or acts as custodian of any Ri - Kynti land whether under any custom, usage or practice or otherwise;
- (g) “prescribed” means prescribed by rules made under this Act;
- (h) “Revenue Enforcement Inspector” or “Assistant Revenue Enforcement Inspector” means any person appointed as such under Section 4, and includes any Officer of the Government appointed by the State Government to exercise the powers and perform the duties and functions of the Revenue Enforcement Inspector under this Act;
- (i) “Records” includes titles and interests of every owner, holder or occupier of land as maintained in the prescribed registers ;
- (j) “State” means the State of Meghalaya;
- (k) “State Government” or “Government” means the Government of Meghalaya;

- (l) "Survey Officer" or "Assistant Survey Officer" means any person appointed as such under Section 4, and includes any officer of the Government appointed by the State Government to exercise the powers and perform the duties and functions of the Survey or Assistant Survey under this Act;
- (m) "Survey" includes identification of boundaries and all other operations antecedent to and connected with Survey.

CHAPTER II

Survey, Demarcation and preparation Records

Power of the State Government to order survey of lands, demarcation of boundaries and preparation of records.

3. Notwithstanding anything contained in any law for the time being in force, or in any custom or practice, the State Government may, by order published in the Official Gazette direct a survey to be made and conducted of any land, class or classes of land or area, as may be specified in the order, or that the boundaries of all land be demarcated and defined, or that records of all lands and estate so surveyed or to be surveyed, be prepared.

Appointment of Officer their duties and powers.

4. (1) For all or any of the purposes of this Act, State Government may appoint one or more Survey Officers, Revenue Enforcement, Inspectors, Assistant Survey Officer, Assistant Revenue Enforcement Inspectors and any other Officers.

(2) Subject to the overall control of the State Government, the provisions of this Act and any rules made thereunder, the Survey Officer and the Revenue Enforcement Inspector shall be under the control and supervision of the Director.

(3) Subject to other provisions of this Act, the Survey Officers shall be in-charge of the Survey and demarcation of boundaries and the Revenue Enforcement Inspector shall be in-charge the preparation of records, within their respective jurisdiction. The Officers shall also exercise such other powers and perform such other duties and functions as may be prescribed.

(4) Besides performing the duties and exercising the powers specified and conferred by and under this Act and the rules made thereunder, the Survey Officer, the Revenue Enforcement Inspector and their Assistants shall perform such other duties, and exercise such other powers as may be specified or conferred upon them by the Director, by general or special order with approval of the State Government.

Publication of a proclamation before entering any lands..

5. (1) Before, entering any land for the purpose of Survey, demarcation of boundaries, preparation of records or for any other purpose under this Act, the Director shall cause a proclamation to be published, calling upon the owners, holders or occupiers of the lands which are about to be surveyed, and of the conterminous lands, and all persons employed on or connected with the management of, or otherwise interested un such lands, to attend, either personally or by agent before the Survey Officer and/or the Revenue Enforcement Inspector or their Assistants, or any other officer mentioned n the proclamation at such place and time and on such date as may be specified in the proclamation (which shall not be less than fifteen days from the date of the proclamation) for the purpose of pointing out the boundaries, production of documents if any or evidence in support of their interest and of affording such assistance and information as may be required.

(2) The Director may also, by special notice, require any officer of the District Council or local authority, the Syiem, Lyngdoh, Wahadadar, Dolloi, Sirdar, Laskar, Nokma or any other village authority to attend before him or before him or before the Survey Officer, Revenue Enforcement Inspector or their Assistant or any Officer mentioned in the notice at such place and time and on such date (which shall not be less than 7 days from the date of service of the notice) as may be specified in the notice, for affording such information and assistance as may be necessary for the purposes of this Act.

(3) The proclamation under this Section shall be published-

- (a) by serving a copy of the proclamation upon the District Council concerned, the Syiem Lyngdoh, Wahadadar, Dolloi, Laskar, Sirdar, Nokma and other village authority in whose jurisdiction any portion of the land about to be surveyed is situate;
- (b) by making public announcement in the villages concerned by such village authority as the Director may direct;
- (c) by publication in the Official Gazette and in al least3 local Newspaper; and
- (d) by posting a copy thereof-
 - i. at the Court of Deputy Commissioner and the District Council Court of every District;
 - ii. at the Office of every Sub divisional Officer and Officer-in-charge Administrative Unit ;
 - iii. at every Police Station within the jurisdiction of which any portion of the land about to be surveyed is situate;
 - iv. at the Office of every Block Development Officer within the District where the land about to be surveyed is situate;

- v. at any conspicuous place near the land to be surveyed, and
- vi. at such other place or places as the Director may direct.

(4) The proclamation and the notice made under this Section shall be in English as well as in Khasi or Garo or in both and in any other languages as the Director may think necessary.

(5) The Deputy Commissioner, Sub-divisional Officer and the Officer-in-charge of the administrative Unit concerned shall be furnished with a copy of every proclamation or notice published or issued under this Section.

Entry upon lands.

6. After the expiry of the period of 15 days from the date of the proclamation made under Section 5, the Director, Survey Officer, Revenue Enforcement Inspector or any other Officer duly authorised by the Director may, between the hours of sunrise and sunset, enter upon such lands, and do all things necessary for affecting the survey, demarcation of boundaries and preparation of the records whether any person mentioned in sub-sections (1) and (2) of Section 5 attends or not :

Provided that where for any of the purposes of this Act it is necessary to enter upon any other land of which no proclamation has been made under Section 5, such enter shall only be made after a notice of the intention so to entry has been served by the Survey Officer or the Revenue Enforcement Inspector or any Officer authorised by him in this behalf upon the owner, holder or occupier of such land at least 24 hours previously.

Payment of cost of materials or labour supplied and other expenses.

7. (1) When any material or labour has been supplied or has to be supplied for any of the purposes mentioned in Section 5, the Director shall forthwith cause the cost of such materials or labour to be paid to the person by whom the same were supplied.
(2) The Director shall also pay to every person requisitioned under Section 5 (2) such expenses as may be prescribed.

Owner holder or occupier or lands to clear boundary lines, etc.

8. The Survey Officer, or other officer authorised by him may, by a notice issued for this purpose, require any owner, holder or occupier to clear any boundary or other line as may be necessary for all or any of the purposes of this Act, by cutting down and removing any trees, jungles, fences or standing crops on his land.

Compensation.

9. If any demand for compensation be made in respect of the clearance of any boundary or line or for any damage caused to the land or standing crops in pursuance of the requisition made under Section 8, or by any other act lawfully done in the course of the survey and demarcation of boundaries or for any other purposes under this Act, the Director or such other officer as may be authorised by him in this behalf, shall ascertain and record the nature and the estimated value of any trees, jungles fences or standing crops which have been cut down or removed and of any other damages caused to the land and shall offer compensation to the persons entitled.

Survey map Registers,
etc.

10. (1) The Survey Officer shall prepare or cause to be prepared under his direction maps and such registers and other documents as may be prescribed of all lands which are to be, or have been, surveyed and demarcated under this Act.

(2) If at the time of survey, the boundary of any estate or field be undisputed, and its correctness be affirmed by any village authority than present, it may be defined and demarcated as pointed out by the owner holder, occupier or person in occupation of the land.

(3) In case of dispute regarding boundary, ownership, possession or other rights in respect of any land, the nature of the dispute and the names of the parties thereof shall be entered in the relevant Registers and other relevant documents.

Preparation of
Records.

11. (1) The Revenue Enforcement Inspector shall prepare or cause to be prepared under his direction the records of lands in such form and manner as may be prescribed in respect of all lands and estates which are to be or have been surveyed and demarcated under Section 10.

(2) All entries in the records prepared under Section 11 shall be made on the basis of actual possession provided that such possession is not contrary to any law for the time being in force, and every entry made in the records shall, until the contrary is proved, be presumed to be correct.

(3) Any dispute with regard to the rights over, title to or interest in the land so surveyed and demarcated under this section shall be referred to the civil court of competent jurisdiction, for decision.

Inspection of maps
records, etc and filing
of objections to Survey
Officer and Revenue
Enforcement
Inspectors.

12. (1) As soon as the survey, demarcation of boundaries and preparation of records of any land or estate in any area have been completed, the Survey Officer or the Revenue Enforcement Inspector shall, by a general notice issued under his signature call upon all persons specified in the notice to personally or by agent attend before them within 15 days of the date of the said notice for the purpose of inspecting the maps, records, field books and other relevant registers or documents and every person so called upon shall be allowed to inspect the maps, records and other relevant registers or documents in accordance with such requisition.

(2) The notice under sub-section (1) shall specify the names of all persons required to appear and shall be published or served in such manner as the Director may direct.

(3) Any person so called upon may file objection in writing as to any entry relating to his lands made or recorded in the maps, records or any other relevant registers to documents within 10 days of his inspection of the maps of records and all such objections shall be attached to the relevant records, and shall be forwarded to the Director together with the maps, records and other relevant registers or documents.

Inspection of maps, records, etc , and filing of objections Director.

13. (1) The Director after receipt of the maps, records and other relevant registers and documents together with objections, if any, forwarded under section 12, shall cause a notice to be published in the manner mentioned under clauses (b) and (c), sub-clauses (i),(ii),(iv) and (vi) of clause (d) of sub-section (3) of section 5 ; for general information that the maps, demarcation of boundaries and records relating to the lands or estates specified in the notice are open to inspection and that any person who may have any objection, may file such objection in writing before the Director after depositing such fee, not exceeding one hundred rupees, as may be prescribed within 30 days of the date of the notice.

(2) The Director shall after the expiry of the said period of 30 days, consider all the objections forwarded under section 12 and those received under this section and if he is satisfied-

1. that the objections relate to manifest errors or omissions in the maps as to identification or demarcation of boundaries or any entry in the records or other relevant register or documents, he may, whether after making such inquiry or otherwise as he deems fits order such corrections to be made and the person or persons concerned shall be informed of the corrections so made within 7 days of the date of the order:

Provided that no such order shall be made to the prejudice of any person without affording him reasonable opportunity to show cause-

2. that the objections may be settled amicably, he shall try for such settlement and if a settlement is arrived at between the parties, cause necessary corrections to be made, in the maps, registers and other relevant documents.

(3) The Director may, for the purpose of disposal of the objections make such inquiry as he may deem fit and direct any person whom he believes has information or document pertaining to the objections to appear at the hearing and to furnish such information or to produce such documents as may be required.

(4) The Director shall disposed of all the objections within 90 days from the date of expiry of the notice under sub-section (1) and for the purpose of holding the enquiry may sit at any place within the State.

(5) After 90 days from the date of expiry of the notice under sub-section (1) the Director shall forward to the Government the maps, records and other relevant registers or documents with all objections received and orders passed thereon by him.

Confirmation of the maps or records by Government and their maintenances and custody.

14. (1) The State Government may after considering the maps, records and other documents forwarded under sub-section 5 of section 13, by Order direct the publication of the maps or records prepared under this Act:

Provided that where the Government for reasons to be recorded thereof deem it necessary that any maps, records or document should be corrected or modified it may direct the Director to cause such correction or modification to be made after hearing the objection, if any, in accordance with the provision of Section 13.

(2) The State Government may after 45 days of the publication of the maps or records under sub-section (1) confirm such maps or records and every such order of confirmation shall be published in the Official Gazette, upon which and until the contrary is proved such maps or records shall be presumed to be correct.

(3) The maps, records and other registers and documents prepared under this Act shall be maintained in such manner and kept in the custody of such officer as may be prescribed.

Order and confirmation to be placed before the State Legislature.

15. Every order made under sub-section (2) of section 14 shall be laid before the earlier possible session of the Legislature of the State.

Erection of temporary boundary marks and maintenance thereof.

16. The Director, the Survey Officer or the Revenue Enforcement Inspector may cause to be erected temporary boundary marks in such manner as may be prescribed on any land surveyed or to be surveyed under this Act, and may require any occupant of the land to maintain such marks until the survey operation is concluded or until permanent boundary marks are erected.

Erection of permanent boundary marks and maintenance thereof.

17. (1) The Director may at any time cause to be erection on any land which has been surveyed under this Act, permit boundary marks in such manner as may be prescribed in such number as may be prescribed:

Provided that, ten days before the erection of any permanent boundary mark, the Director shall, for the information of all concerned, cause to be posted in his office and at such other place of places as the Director may direct, besides causing public announcement in the village concerned by such village authority as the Director may direct a specification of the marks which he proposes to erect on direct any land or estate and as estimate of their cost.

(2) Every owner, holder or occupier of the land shall preserve such permanent boundary marks lawfully erected on his land and shall give immediate notice to the Director or such other authority as may be prescribed, if such marks are injured, destroyed or removed.

Re-erection of injured boundary marks and recovery of expenses thereof.

18. Whenever it shall come to the notice of the Director, the Survey Officer or the Revenue Enforcement Inspector that any temporary or permanent mark erected under the provisions of this Act has been injured, destroyed, or removed or requires repairs the Director, the Survey Officer or the Revenue Enforcement Inspector may cause such boundary mark to be re-erected, restored or repaired and the Director may cause to be recovered any expenses incurred in respect of such re-erected, restoration or repairs in such proportions he shall think fit from the owner holder or occupier of the land to whom such boundary marks may have been assigned under the provisions of this Act;

Provided that no such expenses shall be recovered unless the Director is satisfied that the owner, holder or occupier has removed, destroyed or injured the said mass wilfully.

CHAPTER III

MISCELLANEOUS

Power to exempt from operation of the Act.

19. The State Government may, by notification, direct that all or any of the provisions of this Act shall not apply to such areas, land or classes of lands as may be specified in the notification.

Service of Notice.

20. (1) Every notice under this Act or the Rule made thereunder required to be served on any person may be served-

(a) by delivering an authenticated copy thereof to the person to whom it is directed, or by delivering such copy at the usual place of abode of such person to some adult member of his family, or, in case it cannot be so served, by posting such a copy upon some conspicuous part of the usual or last known place of abode of person.

(b) by registered post such persons' usual place of abode, or to the place where he may be known to reside;

Provide that in case such notice cannot be served in any of the ways hereinbefore mentioned, it shall be served in such way as the Officer issuing the notice may direct.

(2) In cases where two or more persons are owners, holders or occupiers of any land services of notice under this Section shall be deemed to be good and sufficient service if it is served on any, one of them.

- Penalty for not giving notice of injury to bounding marks.
21. If any person, being bound by the provisions of sub-section (2) of Section 17 to give notice in respect of any boundary marks having been injured, destroyed or removed, or required repairs, fail to give such notice, he shall on conviction be liable to a fine not exceeding one hundred respect.
- Penalty for removing boundary marks.
22. Any person, wilfully erasing, removing or damaging any boundary mark which has been lawfully erected under this Act shall, on conviction, be punishable with imprisonment for a term which may extend to one year or with fine not exceeding five hundred rupees or with both.
23. (1) An appeal, if presented within 30 days from the date of such order or decision shall lie-
- i. to the Director, against any order or decision of the Survey Officer Assistant Survey Officer, a Revenue Enforcement Inspector or an Assistant Revenue Enforcement Inspector, and
 - ii. to the Meghalaya Board of Revenue against any order or decision of the Director.
- (2) In computing the period of 30 days under sub-section (1) , the time required to obtain the certified copy of the order appealed against shall be excluded.
- Delegation of powers of the Director.
24. The Director with the approval of the State Government may delegate all or any of his duties or functions under this Act to any Officer appointed by the Government in this behalf.
- Expenses of the persons appearing at the hearings.
25. All expenses incurred by any person or persons filing an objection, including their witnesses, in attending the hearing before the Director under this Act shall be borne by the persons concerned but persons attending such hearing on a requisition made by the Director or the Government shall paid such expenses as may be prescribed.
- Bar of suit in Civil Court.
26. No suit shall lie in any Civil Court to set aside or modify any order or decision passed or made by the State Government, the Meghalaya Board of Revenue, the Director any Officer under this Act.
- Collection and recovery of amount due under the Act and Rules.
27. Except as provided in this Act, any costs, fines, expenses or any amount which is payable under this Act or the Rules made thereunder may be recovered as arrears of land revenue.

Officers to have the powers of a Civil Court in certain matters.

28. The Director, the Survey Officer, the Revenue Enforcement Inspector and their Assistants shall, for the purposes of survey, demarcation of boundaries, enquiry and disposal of objections and preparation of records under this Act, have the powers of a Civil Court under the Code of Civil Procedure, 1908 (Act 5 of 1908) in respect of the following matters, namely:-

- (a) Summoning the attendance of any person;
- (b) Requiring the production of any document;
- (c) Examination any person on oath.

Bar of suits etc.

29. No suit, persecution or legal proceedings shall lie against the Government, Director or any other Officer or person for anything done or intended to be done in good faith under the Act and all officers or persons appointed or engaged in the Survey operation and the preparation of records under this Act shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Codes.

Power to make rules.

30. (1) The State Government may, by notification make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- i. Powers and duties of the Officers under section 4;
- ii. form of the registers and other documents for the purposes of survey and demarcation of boundaries and the forms of records and the manner of maintaining them ;
- iii. the procedure and manner of ascertaining or determining the compensation and the price of materials and labour supplied under Section 7 and payment therefor ;
- iv. the materials and specification of the temporary or permanent boundary marks and the manner of erecting them ;
- v. procedure and fees in appeals ;
- vi. procedure and manner of collection and recovery of any fines, costs, expenses and other dues;
- vii. any other matter that may or which is required to be prescribed under this Act.

(3) All rules made under this Act shall be subject to the condition of previous publication.

MEGHALAYA ACT 12 OF 1980

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBERS' SALARIES AND ALLOWANCES) (FIRST AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 9th July, 1980)

An

Act

further to amend the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (First Amendment) Act, 1980.

(2) It shall come into force at once.

Amendment of section 7 of Act 8 of 1972.

2. In the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (First Amendment) Act, 1972 (hereinafter referred to as the principal Act), the existing Section 7 shall be re-numbered as sub-section (1), and after Section 7 as so re-numbered the following shall be inserted as sub-section (2), namely:-

“(2) Such Rules may also be made to have retrospective effect”

Validation of Rules already made with retrospective effect.

3. All Rules made under the principal Act prior to the coming into force of this Act shall not be deemed to be invalid on ground only that the Rules were made to have retrospective effect.

MEGHALAYA ACT 13 OF 1980

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBERS' SALARIES AND ALLOWANCES) (SECOND AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

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An

Act

further to amend the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Second Amendment) Act, 1980.

(2) It shall be deemed to have come into force on the first day of October, 1979.

Amendment of Section 4 of the Meghalaya Act 8 of 1972.

2. In Section 4, Clause (c), of the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972, for the words "Senior Grade", the word and figure "Grade I" shall be substituted

MEGHALAYA ACT 14 OF 1980

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (SPEAKER AND DEPUTY SPEAKER SALARIES AND ALLOWANCES) (AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 9th July, 1980)

An

Act

further to amend the Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) Act, 1972.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, and commencement

1. (1) This Act may be called the Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) (Amendment) Act, 1980.
- (2) It shall come into force at once.

Amendment of Section 8 of Act 2 of 1972.

2. In the Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) Act, 1972 (hereinafter referred to as the principal Act), the existing Section 8 shall be renumbered as sub-section (1) and after Section 8 as so renumbered the following shall be inserted as sub-section (2), namely:-

“(2) Without prejudice to the provision of sub-section (1), the State Government may from time to time, by order, revise the rate so prescribed and such order may also be made to have retrospective effect”.

Amendment of Section 10 of the principal Act.

3. In the principal Act, the existing Section 10 shall be re-numbered as sub-section (1), and after Section 10 as so renumbered the following shall be inserted as sub-section (2), namely:-

“(2) Such Rules may also be made to have retrospective effect.”

Validation of Rules already made with retrospective effect.

4. All Rules made under the principal Act prior to the coming into force of this Act shall not be deemed to be invalid on ground only that the Rules were made to have retrospective effect.

MEGHALAYA ACT 15 OF 1980

**THE MEGHALAYA PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS)
ACT, 1980**

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 9th July, 1980)

An

Act

to provide for the eviction of unauthorised occupants from public premises and for certain incidental matters.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Meghalaya Public Premises (Eviction or Unauthorised Occupants) Act, 1980.
- (2) It extends to the whole of the State of Meghalaya.
- (3) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise require,-
 - (a) "Board of Revenue" means the Meghalaya Board of Revenue constituted under the Meghalaya Board of Revenue Act (Assam Act XXI of 1962 as adapted by Meghalaya);
 - (b) "Corporate authority" means-
 - i. any company as defined in Section 3 of the Companies Act, 1956, (1 of 1956) in which not less than fifty-one percent of the paid up share capital is held by the State Government.

- ii. any corporation, board, public undertaking, institution or any other authority, whether statutory or not, owned, controlled or sponsored by the State Government.
 - iii. a municipal corporation, municipality or town committee constituted or established by or under any State Act.
 - iv. the Meghalaya State Electricity Board.
 - v. the Meghalaya Transport Corporation, and
 - vi. the Meghalaya Co-operative Apex Bank Ltd.
- (c) “Deputy Commissioner” includes the Additional Deputy Commissioner and the Sub-divisional Officer within their respective jurisdiction ;
- (d) “Premises” means any land or any building or part of a building and includes,-
- i. the garden, grounds and out houses, if any, appertaining to such building or part of a building, and
 - ii. any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof ;
- (e) “Prescribed” means prescribed by rules made under this Act;
- (f) “Public Premises” means any premises belonging to, or taken on lease or requisitioned by, or on behalf of, the State Government and includes any premises belonging to, or taken on lease by, or on behalf of, a corporate authority;
- (g) “Rent” in relation to any public premises, means the consideration payable periodically for the authorised occupation of the premises, and includes.-
- i. any charge for electricity, water or any other services in connection with the occupation of the premises.
 - ii. Any tax (by whatever name called; payable in respect of the premises,

Where such charge or tax is payable by the State Government or the corporate authority;

(h) "State Government" means the State Government of Meghalaya;

(i) "Unauthorised Occupation", in relation to any public premises, means the occupation by any person of the public premises without authority for such occupation, and includes the continuance in occupation by any person of the public premises after, the authority (whether by way of grant or any other mode of transfer grant under which he was allowed to occupy the premises has expired or has been determined for any reason whatever.

Issue of notice to show cause against order of eviction.

3. (1) If the Deputy Commissioner is of opinion that any persons are in unauthorised occupation of any public premises and that they should be evicted the Deputy Commissioner shall issue in the manner hereinafter provided a notice in writing calling upon all persons concerned to show cause why an order of eviction should not be made.

(2) The notice shall-

a) specify the grounds on which the order of eviction is proposed to be made ; and

b) require all persons concerned, that is to say, all persons who are, or may be, in occupation of, or claim interest in, the public premises to show cause if any, against the proposed order on or before such date as is specified in the notice being a date not earlier than ten days from the date of issue thereof.

(3) The Deputy Commissioner shall cause the notice to be served by having it affixed on the outer door or some other conspicuous part of the public premises, and in such other manner as may be prescribed, where upon the notice shall be deemed to have been duly given to all persons concerned.

(4) Where the Deputy Commissioner knows or has reason to believe that any persons are in occupation of the provisions of sub-section (3), he shall cause a copy of the notice to be served on every such person by post or by delivering or tendering it to that person or in such other manner as may be prescribed.

Eviction of unauthorised occupants.

4. If, after considering the cause, if any, shown by any person in pursuance of a notice under Section 3 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the Deputy Commissioner is satisfied that the public premises are in unauthorised occupation the Deputy Commissioner may make an order of eviction, for reason to be recorded therein, directing that the public premises shall be vacated, by such date not being earlier than fifteen days from the date of its service, as may be in occupation thereof or any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part of the public premises.

(2) If any person refuses or fails to comply with the order of eviction under sub-section (1) the Deputy Commissioner or any other officer duly authorised by the Deputy Commissioner in this behalf may evict that person from, and take possession of the public premises and for that purpose, use such force as may be necessary.

Disposal of property left on public premises by unauthorised occupants.

5. (1) Where any persons have been evicted from any public premises under Section (4), the Deputy Commissioner may after giving fourteen days' notice to the persons from whom possession of the public premises has been taken and after publishing the notice in at least one newspaper having circulation in the locality remove or cause to be removed or disposed of by public auction any property remaining on such premises.

(2) Where any property is sold under sub-section (1) the sale proceeds thereof shall after deducting the expenses of the sale and the amount if any, due to the State Government or the corporate authority on account of arrears of rent or damages or costs, be paid to such person or persons as may appear to the Deputy Commissioner to be entitled to the same;

Provided that where the Deputy Commissioner is unable to decide as to the person or persons to whom the balance of the amount is payable or as to the appointment of the same, he may refer such dispute to the civil court of competent jurisdiction and the decision of the court thereon shall be final.

Power to require payment of rent for damages in respect of public premises.

6. (1) Where any person is in arrears of rent payable in respect of any public premises, the Deputy Commissioner may, by order, require that person to pay the same within such time and in such instalments as may be specified in the order.

(2) Where any person is or has at any time been, in unauthorised occupation of any public premises, the Deputy Commissioner may, having regard to such principles of assessment of damages as may be prescribed, assess the damages on account of the use and occupation of such premises and may, by order, require that person, to pay the damages within such time and in such instalments as may be specified in the order ;

(3) No order under sub-section (1) or sub-section (2) shall be made against any person until after the issue of a notice in writing to the person calling upon him to show cause within such time as may be specified in the notice why such order should not be made and until his objections if any, and any evidence he may produce in support of the same, have been considered in by the Deputy Commissioner.

Powers of Deputy Commissioner.

7. The Deputy Commissioner shall, for the purpose of holding any inquiry under this act, have the same powers are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908), when trying a suit in respect of the following matters, namely:-

- a) Summoning and enforcing the attendance of any person and examining him or oath;
- b) Requiring the discovery and production of documents;
- c) Any other matter which may be prescribed/

Appeals.

8. (1) An appeal shall lie from every order of the Deputy Commissioner in respect of any public premises under Section 4 or Section 6 to the Board of Revenue.

(2) An appeal under sub-section (1) shall be preferred within fifteen days from the date on which the order is Communicated to the appellant:

Provided that the Board of Revenue may entertain the appeal after the expiry of the said period of fifteen days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(3) Where an appeal is preferred from an order of the Deputy Commissioner, the Board of Revenue may stay the enforcement of that order for such period and on such conditions as it deems fit.

(4) Every appeal under this section shall be disposed of by the board of Revenue as expeditiously as possible.

(5) The costs of any appeal under this section shall be in the discretion of the Board of Revenue.

Finality of orders.

9. Save as otherwise expressly provided in this Act, every order made by a Deputy Commissioner of the Board of Revenue under this Act shall be final and shall both be called in question in any original suit, application or execution proceedings and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

Offence and penalty.

10. (1) If any person who has been evicted from any public premises under this Act again occupied the premises without authority for such occupation, he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

(2) Any magistrate convicting a person under sub-section (1) may make an order for evicting that person summarily and he shall be liable to such eviction without prejudice to any other action that may be taken against him under this Act.

Power to obtain information.

11. If the Deputy Commissioner, has reason to believe that any persons are in unauthorised occupation of any public premises, the Deputy Commissioner or any other officer authorised by him in this behalf may require those persons or any other person in furnish Information relating to the names and other particulars of the persons in occupation of the public premises and every person so required shall be bound to furnish the information in his possession.

Liability of heirs and legal representatives.

12. (1) Where any person against whom any proceeding for the determination of arrears of rent or for the assessment of damages is to be or has been taken dies before the proceedings is taken or during the pendency thereof, the proceeding may be taken or, as the case may be, continued against the heirs or legal representatives of that person.

(2) Any amount due to the State Government or the corporate authority from any person whether by way of arrears of rent or damages or costs shall, after the death of the person, be payable by his heirs or legal representatives but their liability shall be limited to the extent of the assets of the deceased in their hands.

Recovery of rent, etc., as an arrear of land revenue.

13. If any person refuses or fails to pay the arrears of rent payable under sub-section (1) of Section 6 or the damages payable under sub-section (2) of that section or the costs awarded to the State Government or the corporate authority under sub-section (5) of Section 8 or any portion of such rent, damages or costs, within the time, if any, specified, therefore in the order relating thereto, the Deputy Commissioner may issue a certificate for the amount due to the Collector who shall proceed to recover the same as an arrear of land revenue.

Bar of jurisdiction.

14. No court shall have jurisdiction to entertain any suit or proceeding in respect of the eviction of any person who is in unauthorised occupation of any public premises or the recovery of the arrears of rent payable under sub-section (1) of Section 6 or the damages payable under sub-section (2) of that section or the cost awarded to the State Government or the corporate authority under sub-section (5) of Section 8 or any portion of such rent, damages or costs.

Protection of action taken in good faith

15. No suit, prosecution of other legal proceeding shall lie against the State Government or the corporate authority or the Board of Revenue or the Deputy Commissioner or any officer of the Government in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.

Power to make rules.

16. (1) The State Government, may, by notification in the Official Gazette., make rules for carrying out the purposes.

(2) In particular, and without prejudiced to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the form of any notice required or authorised to be given under this Act and the manner in which it may be served;

(b) the holding of inquiries under this Act;

(c) the distribution and allocation of work to Deputy Commissioner and the transfer of any proceeding pending before the Deputy Commissioner to another Deputy Commissioner.

(d) the procedure to be followed in taking possession of public premises;

(e) the manner in which damages for unauthorised occupation may be assessed and the principles which may be taken into accounts to assessing such damages;

(f) the manner in which appeals may be preferred and fees thereof;

(g) any other matter which has to be or may be prescribed.

MEGHALAYA ACT 16 OF 1980

THE CONTINGENCY FUND OF MEGHALAYA (AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 7th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 9th July, 1980)

An

Act

further to amend the Contingency Fund of Meghalaya Act, 1972.

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

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| Short title, extent and commencement | 1. (1) This Act may be called the Contingency Fund of Meghalaya (Amendment) Act, 1980. |
| | (2) It shall come into force at once. |
| Insertion of an explanation to Section 3 of Act 5 of 1972. | 2. In the Contingency Fund of Meghalaya Act, 1972, below Section 3 the following shall be inserted as an explanation, namely:-
“ Explanation – The words” unforeseen expenditure” mentioned in the Section also includes “expenditure on a new Service”. |

MEGHALAYA ACT 17 OF 1980

THE MEGHALAYA ELECTRICITY DUTY (AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 15th July, 1980]

(Published in the *Gazette of Meghalaya* Extraordinary, dated 18th July, 1980)

An

Act

further to amend the Meghalaya Electricity Duty act (Assam Act No.XXX of 1964 as adapted and modified by Meghalaya) (hereinafter referred to as the principal Act).

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

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| Short title, extent and commencement | 1. (1) This Act may be called the Meghalaya Electricity Duty (Amendment) Act, 1980. |
| | (2) It shall have the like extent as the principal Act. |
| | (3) It shall be deemed to have come into force on the 1 st day of April, 1980. |
| Amendment Section 3 the principal Act. | 2. In sub-section (1) of Section 3 of the principal for the words “three paise” the words “four paise” shall be substituted. |

MEGHALAYA ACT 18 OF 1980

THE MEGHALAYA FINANCE (SALES TAX) (AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 15th July, 1980]

(First Published in the *Gazette of Meghalaya*, Extraordinary, dated 18th July, 1980 and republished in the *Gazette of Meghalaya*, Extra-ordinary, dated the 9th September, 1980)

An

Act

further to amend the Meghalaya Finance (Sales Tax) (Assam Act XI of 1956 as adapted and modified by Meghalaya) (hereinafter referred to as the principal Act).

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Meghalaya finance (Sales Tax) (Amendment) Act, 1980.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of Schedule to the principal Act.

2. In the Schedule to the principal Act, after the existing item 74, the following new item shall be inserted as item 75 namely;

No.	Name of taxable good	Rate of tax
“75	Tea, that is to say, any one of the forms of tea in which it is sold but excluding the tea beverage.	7 paise in the rupee.”

MEGHALAYA ACT 19 OF 1980

THE COURT FEES (MEGHALAYA THIRD AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 15th July, 1980]

(First Published in the *Gazette of Meghalaya*, Extraordinary, dated 18th July, 1980)

An

Act

further to amend the Court Fees Act, 1870 in its application to Meghalaya

It is hereby enacted in the Thirty-first year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Court Fees Act, 1980.
(2) It extends to Meghalaya with such exceptions or modifications as are in force.
(3) It shall come into force at once.

Amendment of Schedule II to Act VII of 1870

2. In the Schedule II to the Court Fees Act, 1870 (Act VII of 1870), for the words "Eight rupees and twenty-five paise" occurring in column (3) of items (b) and (f) of Article 1, the words "Ten rupees" shall be substituted.

MEGHALAYA ACT 20 OF 1980

THE MEGHALAYA SALES TAX (AMENDMENT) ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor on 15th July, 1980]

(First Published in the *Gazette of Meghalaya*, Extraordinary, dated 18th July, 1980)

An

Act

further to amend the Meghalaya Sales Tax Act (Assam Act XVII of 1947 as adapted and modified by Meghalaya hereinafter referred to as the principal Act).

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Meghalaya Sales Tax (Amendment) Act, 1980.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of Schedule II to the principal Act.

2. In the Schedule II to the principal Act,-
 - i. between the existing items 2 and 3 , the following shall be inserted as item 3, namely-

“3. Food served for consumption in any eating house, restaurant, hotel, refreshment room or boarding establishment except food supplied to students in boarding home or hotel attached to educational institution or patient in hospitals or dispensaries or supplied in any establishment for treatment or care of the sick, infirm, destitute or mentally unfit.....7 Paise in the rupee.”
 - ii. the existing item 3 shall be re-numbered as item 3A and for the figure and words “6 Paise in the rupee” occurring under the column “rate of Tax” the figure and words “7 Paise in the rupee,” shall be substituted.

Amendment of Schedule II to the principal Act.

3. In Schedule III to the principal Act, items and 61 shall be deleted.

MEGHALAYA ACT 21 OF 1980**THE MEGHALAYA FINANCE ACT, 1980**

(As passed by the Assembly)

[Received the assent of the Governor on 15th July, 1980](First Published in the *Gazette of Meghalaya*, Extraordinary, dated 18th July, 1980)**An****Act****to fix the rates at which the Meghalaya Purchase Tax shall be levied and charged for the financial year 1980-81.**

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Meghalaya Finance Act, 1980.
- (2) It extends to the whole of the State of Meghalaya.
- (3) It shall be deemed to have come into force on the 1st day of April, 1980.

Rates of the Meghalaya Purchase Tax.

2. The rates at which the tax shall be levied and collected on the purchase of the items of the Schedule under the Meghalaya Purchase Tax Act (Assam Act XIX of 1967 as adapted and modified by Meghalaya), for the year beginning on the 1st days of April 1980 shall be as follows:-

In respect of items 1,2 and 3

Four paise per rupee value of the price at which the taxable goods are purchased.

In the respect of item 4

Two paise per rupee value of the price at which the taxable goods are purchased.

In respect of item 5.

Fifteen paise per rupee value of the price at which the taxable goods are purchased.

MEGHALAYA ACT 22 OF 1980**THE INDIAN STAMP MEGHALAYA (AMENDMENT) ACT, 1980****(As passed by the Assembly)**

[Received the assent of the Governor of Meghalaya on the 19th July, 1980]
 (First Published in the *Gazette of Meghalaya*, Extraordinary, dated 19th July, 1980)

An**Act****further to amend the Indian Stamp Act, 1899 in its applications to Meghalaya.**

Be it enacted by the Legislature of Meghalaya in the Thirty-first year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Indian Stamp (Meghalaya Amendment) Act, 1980.

(2) It extends to the whole of Meghalaya.

(3) It shall come into force at once.

Amendment of Schedule I of Act 2 of 1899.

2. In Schedule I to the Indian Stamp Act, 1890, for items, Numbers 1-10,12,15-20,22-26,28,29,31-36, 38-46,48,50,51,54-31 and 63-65 the following shall be substituted namely:-

Description of instrument

“1. ACKNOWLEDGEMENT of a debt exceeding twenty rupees in amount or value, written or signed by or on behalf of, a debtor in order to supply evidence of such debt in any book (other than a banker’s pass-book) or on a separate piece of paper when such book or paper is left in the creditor’s possession; Provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.

2. ADMINISTRATION-BOND including a bond, given under section 6 of the Government Savings Banks; act, 1873, or section 291 of section 376 of the Indian Succession Act, 1925-

Proper stamp-duty

Thirty paise.

Act V of 1873.

Act XXXIX of 1925.

- (a) where the amount does not exceed Rs.1,000;
 (b) In any other case

The same duty as a bond (No.15) for such amount Twenty rupees

3. ADOPTION DEED, that is to say, any instrument (other than a will) recording an adoption, or conferring or purporting to confer an authority to adopt. Thirty-nine rupees sixty paise.

4. AFFIDAVIT, including an affirmation or declaration in the case of persons by law allowed affirm or declare instead of swearing. Four rupees.

Exemptions

Affidavit or declaration in writing when made-

- (a) as a condition of enlistment under the Indian Army Act, 1950;
- (b) for the immediate purpose of being filed or being used in any Court or before the officer of any Court; or
- (c) for the sole purpose of enabling any person to receive any pension or charitable allowance.

Act XLVI of
1950

5. AGREEMENT OR MEMORANDUM OF AN AGREEMENT-

- (a) if relating to the sale of a bill or exchange; Sixty paise
- (b) if relating to the sale of a Government security. Subject to a maximum of fifty-three rupees twenty five paise for every Rs.10, 000 or part thereof of the value of the security.
- (c) if relating to the purchase or sale of share, scrip, stocks bonds, debentures, debenture stocks or any other marketable security of a like nature in or of any incorporated company or other body corporate-
 - i. when such agreement or memorandum of an agreement is with or through a member or between members of a Stock Exchange recognised under the Securities, Contracts (Regulation) Act, 1956. Twenty-five paise for every Rs.2, 500 or part thereof of the value of the security at the time of its purchase or sale, as the case may be.

Description of instrument	Proper stamp-duty
ii. in other cases:	Fifty-five paise for every Rs. 2.500 or part thereof of the value of the security at that time of its purchase of sale, as the case may be.
(d) if executed for service or for performance of work in any estate whether held by one person, or by more persons than one as co-owner, and whether in one or more blocks, and situated in Meghalaya where the advance given under such agreement does not exceed fifty rupees.	Forty paise.
(e) If not, otherwise provided for	Two rupees sixty paise.

Exemptions

AGREEMENT FOR MEMORANDUM OF AGREEMENT-

- (a) for or relating to the sale of goods or merchandise exclusively, not being a note or memorandum chargeable under No. 43.
- (b) Made in the form of tenders to the Government of India for or relating to any loan.

AGREEMENT TO LEASE-lease (No.35).

6. AGREEMENT RELATED TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing an agreement relating to-

1. the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or

Description of instrument	Proper stamp-duty
2. the pawn or pledge of moveable property, where such deposit, pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan of an existing or future debt-	
(a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement-	
if amount of loan does not exceed Rs.500;	Three rupees thirty paise.
if it exceeds Rs.500 and does not exceed Rs.1,000;	Six rupees sixty paise.
and for every Rs.1,000 or part thereof in excess of Rs.1,000;	Six rupees sixty paise.
(b) If such loan or debt is repayable not more than three months from the date of such instruments.	Half the duty payable under sub-clause (a).

Exemptions

Instrument of pawn or pledge of goods if unattested.

7. APPOINTMENT UNDER EXECUTION OF A POWER-whether of trustees or of property, movable or immovable, where made by any writing not being a will-

- | | |
|---|-------------------------------|
| (a) where the value of the property does not exceed Rs.1,000; | Thirty-three rupees. |
| (b) in any other case. | Fifty-nine rupees forty paise |

Description of instrument	Proper stamp-duty
8. APPRAISMENT OR VALUATION made otherwise than under an order of the Court in the course of a suit-	
(a) where the amount does not exceed Rs.1,000.	The same duty as Board (No.15) for such amount.
(b) In any other case	Nineteen rupees eighty paise.

Exemptions

Appraisement or valuation made for the information of one party only, and not being in any matter obligatory between parties either by agreement or operation of law.

(b) Appraisement of crops for the purpose of ascertaining the amount to be given to a landlord as rent.

9. APPRENTICESHIP-DEED, including every writing relating to the service or tuition of any apprentice clerk or servant placed with any master to learn any profession, trade or employment.	Nineteen rupees eighty paise.
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Exemptions

Instrument of apprenticeship executed by a Magistrate under the Apprentices Act, 1961, or by, which a person is apprenticed by or at the charge of, any public charity.

Act
LII 1961

10. ARTICLES OF ASSOCIATION OF A COMPANY-

a) where the company has no share capital or the nominal share capital does not exceed Rs.2, 500.	Fifty-seven rupees seventy-five paise.
b) where the nominal share capital exceeds Rs. 2,500 but not exceed Rs.5,000,	Sixty-six rupees.

Description of instrument	Proper stamp-duty
c) where the nominal share capital exceeds Rs.5,000 but does not exceed Rs.1,00,000;	Ninety-nine rupees.
d) Where the nominal share capital exceeds Rs.1,00,000;	One hundred ninety-eight rupees.

Exemptions

Articles of any Association not formed for profits and registered under Section 25 of the Companies act, 1956, *See* also Memorandum of Association of a Company (No.39).

Act I of
1956

ASSIGNMENT-*See* Conveyance (No.23), Transfer (No.62), and Transfer of lease (No.63), as the case may be.

ATTORNEY-*See* Power-of-Attorney (No.48).

AUTHORITY TO ADOPT- *See* Adoption-deed (No.3)

12. AWARD, that is to say, any decision in writing by an arbitrator or umpire, not being an award directing a partition, on a reference made otherwise than by an order or the Court in the course of a suit.

The same duty as a Board (No.15) for the amount or value of the property to which the award relates as set forth in such award subject to a maximum if Ninety-nine rupees.

15. BOND [as defined by section2 (5)], not being a DEBENTURE (No.27), and not being otherwise provided for by this Act, or by the Court-fees Act, 1870-

Act VII of
1870.

where the amount or value secured does not exceed Rs.10; Forty paise.

where it exceeds Rs.10 does not exceed Rs.50; and Sixty-five paise.

where it exceeds Rs.50 does not exceed Rs.100 ; and One rupees thirty-five paise.

Description of instrument	Proper stamp-duty
where it exceeds Rs.100 and does not exceed Rs.200.	Three rupees, thirty paise.
where it exceeds Rs.200 and does not exceed Rs.300.	Five rupees.
where it exceeds Rs.300 does not exceed Rs.400.	Six rupees sixty paise.
where it exceeds Rs.400 does not exceed Rs.500.	Eight rupees ninety-five paise.
where it exceeds Rs.500 does not exceed Rs.600.	Eleven rupees ninety paise.
where it exceeds Rs. 600 does not exceed Rs. 700	Thirteen rupees eighty-five paise.
where it exceeds Rs.700 does not exceed Rs. 800.	Fifteen rupees eighty-five paise.
where it exceeds Rs.800 does not exceed Rs.900.	Seventeen rupees seventy paise.
where it exceeds Rs.900 does not exceed Rs.1,000;	Nineteen rupees eighty paise.
and for every Rs.500 or thereof in excess of Rs.1, 000.	Ten rupees ninety paise.
<i>See Administration Bond (No.2), Bottomry Bond (No.16) Customs Bond (No.26), Indemnity Bond (No.34), Respondentia Bond (No.56), Security Board (No.57).</i>	

Exemptions

Bond, when executed by-

- (a) Headmen nominated under rules framed in accordance with the Bengal Irrigation Act, 1876
- (b) Any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility shall not be less than a specified sum per mensem.

Description of instrument	Proper stamp-duty
16. BOTTOMRY BOND, that is to say, any instrument whereby the master of a sea-going ship borrows money on the security of a ship to enable him to preserve the ship or prosecute her voyage.	The same duty as a Bond (No.15) for such amount
17. CANCELLATION, instrument of (including any instrument by which any instrument previously executed is cancelled). If attested and not otherwise provided for.	Nineteen rupees eighty paise.
<i>See also</i> RELEASE (No.55) Revocation of Settlement (No.58-B), Surrender of Lease (No.61), Revocation of Trust (No.64-B).	
18. CERTIFICATE OF SALE (in respect of each property put up as a separate lot and sold), granted to the purchase of any property sold by public auction by a Civil or Revenue Court, Collector or other Revenue Officer-	
i. where the purchase money does not exceed Rs.10;	Fifty-five paise.
ii. where the purchase money exceeds Rs.10 but does not exceed Rs.25;	One rupee five paise.
iii. In any other case. ...	The same duty as a Conveyance (No.23), for a consideration equal to the amount of the purchase-money only.
19. CERTIFICATE OR OTHER DOCUMENT, evidencing the right or title of the holder thereof or any other person, either to any shares, scrip or stock in or of any incorporated company or other body corporate or the become proprietor of shares, scrip or stock in or any such company or body.	Forty paise.
<i>See also</i> LETTER OF ALLOTMENT OF SHARES (No.36).	

20. CHARTERED PARTY. that is to say any instrument (except an agreement for the hire of a tugsteamer), whereby a vessel or some specified principal part thereof is let for the specified purposes of the charterer, whether it includes a penalty clause or not.	Three rupees ninety-five paise.
22. COMPOSITION DEED. that is to say, any instrument executed by a debtor, whereby he conveys his property for the benefit of his creditors, or whereby payment of a composition or dividend on their debts is secured to the creditors, or whereby provision is made for the continuance of the debtor's business under the supervision of inspectors or under letters of license, for the benefits of his creditors.	Three rupees sixty paise.
33. CONVEYANCE [as defined by section 2 (10) not being a Transfer charged of exempted under No.62-	
where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs.50;	One-rupee fifty-five paise.
where it exceeds Rs.50 but does not exceed Rs.100;	Three rupees
where it exceeds Rs.100 but does not exceed Rs.200;	Five rupees ninety-five rupees.
where it exceeds Rs.200 but does not exceed Rs.300;	Eight rupees fifty-five paise.
where it exceeds Rs.300 but does not exceed Rs.400;	Eleven rupees.
where it exceeds Rs.400 but does not exceed Rs.500;	Fourteen rupees ninety paise.
where it exceeds Rs.500 but does not exceed Rs.600;	Seventeen rupees seventy-five paise.
where it exceeds Rs.600 but does not exceed Rs.700;	Twenty rupees eighty-five paise.
where it exceeds Rs.700 but does not exceed Rs.800;	Twenty-three rupees seventy-five paise.
where it exceeds Rs.800 but does not exceed Rs.900;	Twenty-six rupees seventy-five paise.
where it exceeds Rs.900 but does not exceed Rs.1,000;	Twenty-nine rupees seventy paise.
where it exceeds Rs.500 but does not exceed Rs.1,000;	Fourteen rupees ninety paise.

Description of instrument	Proper stamp-duty
where it exceeds Rs.50,000 but does not exceed Rs.90,000;	Thirty-nine rupees sixty paise.
where it exceeds Rs. 90,000but does not exceed Rs.1,50,000;	Fifty-two rupees eighty paise.
and where it exceeds Rs.1,50,000	Sixty-six rupees.

Provided that where the “instrument or the conveyance” is in respect of an Industrial Loan, certified as such by the Director of Industries, Meghalaya, the stamp duty shall be half of the above rate.

Exemption

Assignment of copyright under the Indian Copyright Act, 1957.

Act XIV
of 1957

CO-PARTNERSHIP DEED *See* Partnership (No.46).

24. COPY OR EXTRACT certified to be true copy or extract by or by order of any public officer and not chargeable under the law for the time being in force relating to court fee –

- | | |
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| i. if the original was not chargeable with duty, or if the duty with which it was chargeable does not exceed one rupees; | Two rupees and five paise. |
| ii. in any other case not falling within the provision of section 6A. | Four rupees. |

Exemption

- (a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose.

Description of instrument	Proper stamp-duty
(b) Copy of, or extract from any register relating to births, baptisms, naming, dedications, marriages, divorces, deaths or burials.	
25. COUNTERPART OR DUPLICATE of any instrument, chargeable with duty and in respect of which the proper duty has been paid-	
(a) if the duty with which the original instrument is chargeable does not exceed two rupees;	The same duty as is payable on the original.
(b) In any other case not falling within the provisions of section 6A.	Four rupees.

Exemption

Counterpart of any lease granted to a cultivator, when such lease is exempted from duty.

26. CUSTOMS-BONDS-

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| (a) Where the amount does not exceed Rs.1,000; | The same duty as Bond (No.15) for such amount. |
| (b) in any other case. | Twenty-six rupees forty paise. |

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| 27. DELIVERY ORDER IN RESPECT OF GOODS that is to say, any instrument entitling any person therein named, or his assigns or the holder thereof, to the delivery of any goods lying in any dock or port or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such instrument being signed by or on behalf of the owner of such goods upon the sale or transfer of the property therein, when such goods exceed in value twenty rupees. | Thirty paise. |
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Description of instrument	Proper stamp-duty
DEPOSIT OF TITLE DEEDS	
<i>See</i> Agreement relating to Deposit of Title deeds, Pawn or Pledge (No.6).	
DISSOLUTION OF PARTNERSHIP- <i>See</i> partnership (No.46).	
29. DIVORCE. Instrument of, that is to say, any instrument by which any person effects the dissolution of his marriage.	Thirteen rupees twenty paise.
DOWER.....Instrument of, <i>see</i> settlement (No.58).	
DUPLICATE.- <i>see</i> counterpart (No.25).	
31. EXCHANGE OF PROPERTY.-Instrument of.	The same duty as conveyance (No.23) for a consideration equal to the value of the property of greatest value as set forth in such instrument.
EXTRACT.- <i>see</i> copy (No.24).	
32.FURTHER CHARGE- Instrument of, that is to say, any instrument imposing a further charge on mortgaged property-	
(a) when original the marriage in one of the description referred to in clause (a) of Article No.40 (that is, with possession).	The same duty as a conveyance (No.23) for a consideration equal to the amount of the further charge secured by such instrument.
(b) when such mortgage is one of the description referred to in clause (b) of Article No.40 (that is, without possession):-	
i. if at the time of execution of the instrument of further charge possession property is given or agreed to be given under such instrument.	The same duty as a conveyance (No.23) for a consideration equal to the total amount of the charge (including the original mortgage and any further charge already made), less the duty already paid to such original mortgage and further charge.
ii. If possession is not so given.	The same duty as a Bond (No.15) for the amount of the further charge secured by such instrument.

Description of instrument	Proper stamp-duty
33.GIFT- Instrument of, not being a settlement (No.58), or will or Transfer (No.62).	The same duty as a conveyance (No.23) for a consideration equal to the value of the property as set forth in such instrument.
HIRING AGREEMENT.-Or agreement for service <i>see</i> Agreement (No.5).	
34.IDEMNITY BOND	
INSPECTORSHIP DEED or Composition-Deed (No.22).	The same duty as a security Bond (No.57) for the same amount.
35. LEASE- including and under lease or sub-lease and any agreement to let or sub-let:	
(a) whereby such lease the rent is fixed and no premium is paid or delivered:-	
i. where the lease purports to be for a term of less than one year.	The same duty as a Bond (No.15) for the whole amount payable or deliverable under such lease.
ii. where the lease purports to be for a term of not less than one year but not more than five years;	The same duty as a Bond (No.15) for the amount or value of the average annual rent reserved.
iii. where the lease purports to be for a term exceeding five years and not exceeding ten years;	The same duty as a conveyance (No.23) for a consideration equal to the amount or value of the average annual rent reserved.
iv. where the lease purports to be for a term exceeding ten years, but not exceeding twenty years;	The same duty as a conveyance (No.23) for a consideration equal to twice the amount or value of the average annual rent reserved.
v. where the lease purports to be for a term exceeding twenty years, but not exceeding thirty years;	The same duty as a conveyance (No.23) for a consideration equal to three times the amount or value of the average annual rent reserved.
vi. where the lease purports to be for a term exceeding thirty years, but not exceeding one hundred years;	The same duty as conveyance (No.23) for a consideration equal to four times the amount or value of the average annual rent reserved.

Description of instrument**Proper stamp-duty**

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| vii. where the lease purports to be for a term exceeding one hundred years or in perpetuity. | The same duty as a conveyance (No.23) for a consideration equal in the case of a lease granted solely for agricultural purposes to one-tenth and in any other case to one-sixth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease. |
| viii. where the lease does not purport to be for any definite term; | The same duty as conveyance (No.23) for a consideration equal to three times the amount of value of the average annual rent which would be paid or delivered for the first ten years if the first ten years if the lease continued so long. |
| (b) where the lease is granted for a fine or premium, or for money advanced and where no rent is reserved; | The same duty as a conveyance (No.23) for a consideration equal to the amount or value for such fine or premium or advance as set forth in the lease. |
| (c) where the lease is granted for a fine or premium , or for money advanced in addition to rent reserved. | The same duty as a conveyance (No.23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease, in addition to the duty which would have been payable such lease, if no fine or premium or advance had been paid or delivered; provided that, in any case when an agreement to lease is stamped with <i>advolorem</i> stamp required for a lease, and a lease in pursuance of such agreement in subsequently executed the duty on such lease shall not exceed one rupee and fifty-five paise. |

Exemption

Lease, executed in the case of a cultivator and for the purpose of cultivation (including a lease of trees for the production of food or drinking). Without payment or delivery of any fine or premium, when a definite term is expressed and such term does not exceed one year, or when the average annual rent reserved does not exceed one hundred rupees.

Description of instrument**Proper stamp-duty**

In this exemption a lease for the purpose of cultivation shall include a lease of lands for cultivation together with a home stand or tank.

Explanation.- When a lessee undertakes to pay any recurring charge, such a Government revenue landlord's share of cesses, or the owner's share of municipal rates or taxes, which is by law recoverable from the lessor, the amounts so agreed to be paid by lessee shall be deemed to be part of the rent.

36. LETTER OF ALLOTMENT OF SHARES, in any company or proposed company or in respect of any loan to be raised by any company or proposed company. Thirty-five paise.

See in also CERTIFICATE OR OTHER DOCUMENT (No.19).

38. LETTER OF LICENSE, that is to say any agreement between a debtor and his creditors that the letter shall, for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion. Twenty-six rupees forty paise.

39. MEMORANDUM OF ASSOCIATION OF A COMPANY-

(a) if accompanied by articles of association under section 26 of the Companies Act, 1956; Seventy-nine rupees twenty paise. Act I of 1956.

Description of instrument	Proper stamp-duty
(b) if not so accompanied-	
i. where the nominal share capital does not exceed one lakh of rupees;	One hundred ninety-eight rupees.
ii. Where the nominal share capital exceeds one lakh of rupees.	Three hundred thirty rupees.

Exemption

Memorandum of any association not formed for profit and registered under section 25 of the Companies Act, 1956.

Act I of
1956

40. MORTGAGE-DEED not being an Agreement relating to Deposit of Title Deeds, Pawn or Pledge (No.6), Bottomry Bond (No.16) Mortgage of Crop (No.41), Respondentia Bond (No.56) or Security Bond (No.57).

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| (a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given; | The same duty as a Conveyance (No.23) for a consideration equal to the amount secured by such deed. |
| (b) when possession of the property or any part of the property comprised in such deed is not given by the mortgagor nor agreed to be given; | The same duty as a Bond (No.15) for the amount secured by such deed. |

Explanation – A mortgagor who gives to the mortgagee a power of attorney to collect rents or a lease of the property mortgaged or part thereof is deemed to give possession within the meaning of this article;

Description of instrument	Proper stamp-duty
(c) (i) when a collateral or auxiliary or additional or substituted security, or by way of further assurance for the above mentioned purpose where the principal or primary security is duly stamped for every sum secured not exceeding Rs.1,000.	Two Rupees.
(ii) and for every Rs.1,000 or part thereof secured in excess of Rs.1,000.	Two rupees forty paise.

Exemption

(d) Instruments executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturist's Loan Act, 1884, or by their sureties as security for the repayment of such advances.	Act XIX of 1883. Act XLI of 1884
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(2) Letter of hypothecation accompanying a bill of exchange.

41. MORTGAGE OF CROP, including any instrument evidencing an agreement to secure the repayment of a loan made upon any mortgage of a crop, whether the crop is or is not in existence at the time of the mortgage –

(a) when the load is repayable not more than three months from the date of the instrument.

for every sum secured not exceeding Rs.200, and	Thirty-five paise.
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for every sum Rs.200 or part thereof secured in excess of Rs.200.	Fifty paise.
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(b) when the loan is repayable more than three months, but not more than eighteen months from the date of instrument-

for every sum secured not exceeding Rs. 100, and	Fifty-five paise.
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Description of instrument	Proper stamp-duty
for every Rs.100 or part thereof secured in excess of Rs.100.	Fifty-five paise.
42. NOTARIAL ACT. That is to say, any instrument, endorsement, note, attestation, certificate or entry not being a Protest (No.50) made or signed by a Notary Public in the execution of the duties of his office, or by and other person lawfully acting as a Notary Public.	Three rupees and ninety five paise.
<i>See</i> also Protest of Bill or Note (No.50).	
43. NOTE OR MEMORANDUM, sent by a Broker or Agent to his principal intimating the purchase or sale on account of such principal-	
(a) of any goods exceeding in value twenty rupees;	Sixty-five paise.
(b) Of any stock or marketable security exceeding in value twenty rupees.	Seventy-five paise for every Rs.5, 000 or part thereof of the value of the stocks or security subject to a maximum of thirty-three rupees.
44. NOTE OF PROTEST BY THE MASTER OF A SHIP- <i>See</i> also Protest by the Master of Ship (No.51).	Two rupees and sixty paise.
Order for the payment of money- <i>See</i> Bill of Exchange (No.13).	
45. PARTITION – Instrument of [as defined by Section 2 (15)].	The same duty as a Bond (No.45) for the amount of the value of the separated share or shares of the property.
	<i>N.B.-</i> The learnt share remaining after the property is partitioned or if there are two or more shares of equal value and not smaller than any of the other share, then one of such equal (share) shall be deemed to be that from which the other shares are separated:

Description of instrument**Proper stamp-duty**

Provided always that-

- (a) when an instrument of partition containing an agreement to divide property in severalty is executed and a partition is effected in pursuance of such agreement the duty chargeable upon the instrument affecting such partition shall be reduced by the amount of duty paid in respect of the first instrument but shall not be less than two rupees and sixty-five paise;
- (b) where land is held on revenue settlement for a period not exceeding thirty years and paying the full assessment the value for the purpose of duty shall be calculated at not more than five times the annual revenue;
- (c) where final order for effecting a partition passed by any Revenue authority or any Civil Court, or an award by an arbitrator directing a partition, is stamped with the stamp required for such instrument of partition and an instrument of partition in pursuance of such order or award is subsequently executed the duty in such instrument shall not exceed two rupees and sixty-five paise.

Description of instrument	Proper stamp-duty
46. PARTNERSHIP	Provided always that-
A-Instrument of -	
(a) where the capital of the partnership does not exceed Rs.1,000.	The same duty as a Board (No.15).
(b) in any other case	Fifty-two rupees eighty paise.
B.- Dissolution of –	
Twenty-six rupees forty paise.	
PAWN OR PLEDGE.- See Agreement relating to Deposit of Title-deeds Pawn or Pledge (No.6).	
48. POWER OF ATTORNEY [as defined by section 2 (21)] not being a XV-	
1. when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents;	Two Rupees
2. when required in suits or proceeding under the Presidency small Cause Court; Act, 1882;	Two Rupees.
3. When authorising one person or more to act in a single transaction other than the case mentioned in clause (a);	Three rupees ninety-five paise.
4. When authorising not more than five persons to act jointly and severally in more than one transaction or generally;	Nineteen rupees eighty paise.
5. When authorising more than five persons but not more than ten persons to act jointly and severally in more than one transaction or generally.	Thirty-nine rupees sixty paise.

Act XV of
1882

Description of instrument**Proper stamp-duty**

6. when given for consideration and authorising the attorney to sell any immovable properly; The same duty as a Conveyance (No.23) for the amount of the consideration.

7. in any other case ... Three rupees and thirty paise for each person authorised.

Explanation. - For the purpose of this Article more persons than one when belonging to the same firm shall be deemed to be one person.

N.B. – The term “Registration” includes every operation incidental to registration under the Registration Act, 1908.

Act XVI
of 1908.

50. PROTEST OF BILL OR NOTE, that is to say, any declaration in writing made by a Notary public or other person lawfully acting as such, attesting the dishonour of a bill-of-exchange or promissory note. Three rupees ninety-five paise.

51. PROTEST BY THE MASTER OF A SHIP, that is to say, any declaration of the particulars of her voyage drawn up by him with a view to adjustment of losses or the calculation of averages, and every declaration in writing made by him against the characters or consignees for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such. Three rupees ninety-five paise.

See also Note of Protest by the Master of a Ship (No.44).

54. RECONVEYANCE OF
MORTGAGED PROPERTY.-

(a) If the consideration for which the property was mortgaged does not exceed Rs.1, 000. The same duty as a conveyance (No.23) for the amount of such consideration as set forth in the conveyance.

Description of instrument	Proper stamp-duty
(b) In any other case	Thirty-nine rupees and sixty paise.
55.RELEASE, that is to say, any instrument (not being such a release as is provided for by section 23-A), whereby a person renounces a claim upon another person or against any specified property.-	
(a) if the amount of value of the claim does not exceed Rs.1,000;	The same duty as a Bond (No.15) for such amount or value as set forth in the release.
(b) In any other case.	Nineteen rupees eighty paise.
56.RESPONDIETIA BOND, that is to say any instrument securing a loan on the cargo laden or to be laden on Board a ship and making repayment contingent on the arrival of the cargo at the port of destination.	
REVOCATION OF ANY TRUST ON SETTLEMENT	
<i>See settlement (No.58), Trust (No.64).</i>	
57.SECURITY BOND OR MORTGAGE DEED, executed by way of security for the due execution of an office; or to account for money or other property received by virtue thereof or executed by a surety to secure the due performance of contract -	
(a) When the amount secured does not exceed Rs.1,000;	The same duty as a Bond (No.15) for the amount secured.

Description of instrument**Proper stamp-duty**

(b) in any other case Nineteen rupees and eighty paise.

Exemption

Bond or other instrument, when executed-

- (a) by headmen nominated under rules framed in accordance with the Bengal Irrigation Act, 1876, section 99, for due performance of their duties under that Act; Ben.Act II of 1876
- (b) by any person for the purpose of guaranteeing that the local income derived from private subscription to a charitable dispensary or hospital, or any other object of public utility, specified sum per mensem;
- (c) under N.3-A of the rules made by the Government of Bombay in Council under section 70 of the Bombay Irrigation Act, 1879; Bom, Act VII of 1879.
- (d) executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturist's Loans Act, 1884, or by their sureties, as sureties as security for the re-payment of such advance; Act XIX of 1883.
- (e) executed by officers of Government or their sureties to secure the due execution of an Office or the due accounting for money or other property received by virtue thereof; Act XII of

58.SETTLEMENT-

A.- Instrument of (including a deed of power). The same duty as a Conveyance (No.23) for a sum equal to the amount or value of the property settled as set forth in such settlement;

Description of instrument**Proper stamp-duty**

Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed one rupee and fifty-five rupee.

Exemptions

- (a) Deed of power executed on the occasion of a marriage between Muhammadans.
- (b) Hindus, that is to say, any settlement of immovable property executed by a Buddhist in Burma for a religious purpose in which no value has been specified on which a duty of Rs.10 has been paid.

B.-Revocation of -

The same duty as a Conveyance (No.23) for a sum equal to the amount or value of the property concerned, are set forth in the instrument of Revocation, but not exceeding thirty-three rupees.

See also TRUST (No.64)

59.SHARE WARRANTS to bearer issued under the Companies Act, 1956.

One and a half time the duty payable one Conveyance (No.23) for a consideration equal to the nominal amount of the shares specified in the warrant.

Act I
1956

Description of instrument**Proper stamp-duty**

Share warrant when issue by a Company in pursuance of the Companies Act, 1956, Section 114, to have effect only upon payment, as Composition for the duty, to the Collector of Stamp revenue of-

Act I of
1956

- (a) one-and-a-half per centum of the whole subscribed capital of the company, or
- (b) if any company which has paid the said duty or composition in full, subsequently issues an addition to its subscribed capital one-and-a-half per centum of the additional capital so issued.

SHIPPING ORDER for or relating to the conveyance of goods on board of any vessel.

Twenty-five paise.

61. SURRENDER OF LEASE –

- (a) when the duty with which the lease is chargeable does not exceed seven rupees and fifty paise.

The duty with which such leases chargeable.

- (b) In any other case ...

Nineteen rupees and eighty paise.

Exemptions

Surrender of lease, when such lease is exempted from duty.

63. TRANSFER OF LEASE BY way of Assignment, and not by way of underlease.

The same duty as a Conveyance (No.23) for a consideration equal to the amount of the consideration for the transfer.

Description of instrument**Proper stamp-duty****Exemptions**

Transfer of any lease from duty.

64. TRUST –

A-Declaration of or concerning any property when made by any writing not being a will.

The same duty as a Bond (No.15) for a sum equal to the amount or value of the property concerned, as set forth in the instrument but not exceeding thirty-three rupees.

-Revocation of or concerning property when made by any document other than a will.

The same duty as a Bond (No.15) for a sum equal to the amount or value of the property concerned, as set forth in the instrument, but not exceeding thirty-three paise.

See also settlement (No.58).

Valuation.- *See* Appraisement (No.8)

65. Warrant for goods, that is to say, any instrument evidencing the title of any person therein named, or his assigns, or the holder thereof to the property in any goods lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.

One rupee thirty paise.

MEGHALAYA ACT 23 OF 1980

THE MEGHALAYA ESSENTIAL SERVICES MAINTENANCE ACT, 1980.

(As passed by the Assembly)

[Received the assent of the President on the 13th October, 1980]

(Published in the *Gazette of Meghalaya*, Extra-ordinary, dated the 31st October, 1980)

An

Act

to provide for the maintenance of certain essential services and the normal life of the community and for matters connected therewith.

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

Short title, extent and commencement.

1. (1) This Act may be called the Meghalaya Essential Services Maintenance Act, 1980.
- (2) It extends to the whole of the State of Meghalaya.
- (3) It shall come into force at once.

Definitions.

2. (1) In this Act, unless the context otherwise requires:-
 - (a) "Essential service" means (i) any service in any establishment or undertaking wholly or substantially owned, controlled or managed by the Government of Meghalaya connected with the production, generation, storage, transmission, supply or distribution, as the case may be, of gas water or electricity;
 - (b) "strike" means the cessation of work by a body of persons employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or who have been so employed to continue to work or to accept employment, and includes-
 - (i) refusal to work overtime where such work is necessary for the maintenance of any essential services;

(ii) any other conduct which is likely to result in, or results in cessation or substantial retardation of work in any essential service;

(c) "State" means the State of Meghalaya.

(2) Any reference in this Act to any law which is not in force in any area of the State and to any authority under such law shall, in relation to that area, be construed as a reference to the corresponding law in force in that area and to the corresponding authority under such corresponding law.

Power to prohibit strikes in certain employments.

3. (1) If the State Government is satisfied that in the public interest it is necessary of expedient so to do, it may, by general or special order, prohibit strikes in the State in any essential service specified in the order.

(2) An order made under sub-section (1) shall be published in such manner as the State Government considers best calculated to bring it to the notice of the persons affected by the order.

(3) An order made under sub-section (1) shall be in force for six months only, but the State Government may, by a like order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon the issue of an order under sub-section (1),-

(a) no person employed in any essential service to which the order relates shall go or remain on strike;

(b) any strike declared or commented, whether before or after the issue of the order, by persons employed in any such service shall be illegal.

Dismissal of employees participating in illegal strikes.

4. Any person who commences a strike which is illegal under this Act, or goes or remains on, or otherwise takes part in any such strike, shall be liable to disciplinary action (including dismissal) in accordance with the same provisions as are applicable for the purpose of taking such disciplinary action (including dismissal) on any other ground under the terms and conditions of service applicable to him in relation to his employment.

- Penalty for illegal strikes.
5. Any person who commences a strike which is illegal under this act, or goes or remains on, or otherwise takes part in, any such strike shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.
- Penalty for instigation etc.
6. Any person who instigates or incites other persons to take part in, or otherwise acts in furtherance of, a strike which is illegal under this act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.
- Penalty for giving financial aid to illegal strikes.
7. Any person who knowingly expends or supplies any money in furtherance or support of a strike which is illegal under this Act shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.
- Power to arrest without warrant.
8. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any police officer may arrest without warrant any person who is reasonably suspected or having committed any offence under this Act.
- Offences to be trial summarily.
9. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 all offences under this act shall be tried in a summary way by a Magistrate or Judicial Magistrate of the first class specially empowered in this behalf by the State Government and the provisions of Sections 262 to 265 (both inclusive) of the said Code shall as for as may be, apply to such trial:
- Provided that in a case of conviction for any offence in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for any term for which such offence is punishable under this Act.
- Act to override other laws.
10. The provisions of this Act and of any Order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force.
- Repeal of Ordinance 7 of 1980.
11. The Meghalaya Essential Services Maintenance Ordinance, 1980 is hereby repealed.

MEGHALAYA ACT 24 OF 1980

THE MEGHALAYA (BENAMI TRANSACTIONS PROHIBITION) ACT, 1980.

(As passed by the Assembly)

[Received the assent of the President on the 13th October, 1980]

(Published in the *Gazette of Meghalaya*, Extra-ordinary, dated the 31st October, 1980)

An

Act

to prohibit benami transactions between a tribal and non-tribal.

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

Short title,
extent and
commencement.

1. (1) This Act may be called the Meghalaya (Benami Transaction Prohibition) Act, 1980.
- (2) It extends to the whole of Meghalaya.
- (3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires-
 - (a) “benami transaction” or “transaction in benami” means the acquiring or holding of any property (movable or immovable or the carrying of any business, trade or any transaction by a non-tribal in the name or on behalf of a tribal ;
 - (b) “non-tribal” means a person who is not a tribal;
 - (c) “State” means the State of Meghalaya;
 - (d) “tribal” means a person belonging to any of the Scheduled Tribes pertaining Meghalaya and as specified in the Constitution (Scheduled Tribes) Order, 1950 as amended from time to time and for the purposes of this Act shall also include the Rabhas, Kacharis and Kochs resident in Meghalaya.

Benami Transaction unlawful.

3. On and from the commencement of this Act and notwithstanding anything to the contrary contained in any law in force or in any custom or usage benami transaction, in any from between a tribal an a non-tribal is prohibited and shall be unlawful and void and every person involved in any such transaction shall be deemed to have committed an offence under this act;

Provided that no transaction in the name of a tribal shall be deemed to be benami where such transaction is in favour of or for and on behalf of any tribal organisation association or institution:

Provided further that no transaction shall be deemed to be benami where such transaction is between the members of the same family.

Explanation.- For the purpose of this section-

(i) “tribal organisation, association or institution” means any organisation association or institution as may be recognised and notified by the State Government as a tribal organisation, association or institution for the purposes of this Act.

(ii) “members of the same family” includes the children either of whose parents is or was a non-tribal.

4. (a) On a complaint or information in writing made to a Magistrate of the First Class or Superintendent of Police by such person, Committee or authority as the State Government may notify in this behalf that a transaction is in benami, such Magistrate or Superintendent of Police shall or

(b) If a Magistrate of the First Class or a Superintendent of Police upon credible information and after such enquiry as he may consider necessary has reason to believe that a transaction is in benami, such Magistrate or Superintendent of Police may,

Either by himself or by his warrant authorises an Officer of Police not below the rank of a Sub-Inspector of Police to enter and search at all reasonable hours, any premises which he has reason to believe any register, books of account or any other documents relating to or having any bearing or such transaction are kept therein and such police officer may direct any person whom he has reason to believe to be in custody of such register, books of account or any other documents relating the transaction to produce them for his inspection or he may seize such register, books of account or other documents found therein or so produced for his inspection, as the case may be.

Power to enter and search.

- | | |
|--|---|
| Searches how to be made. | 5. All searches under this Act shall be conducted, as far as may be, in accordance with the provisions of the Code of Criminal Procedure, 1973. |
| Offence to be cognizable and bailable. | 6. An offence under this Act shall be cognizable and bailable. |
| Penalty | 7. Whoever commits an offence under Section 3 or wilfully refuses or fails to comply with any direction or lawful order made under Section 4, shall on conviction by a Magistrate, be punishable with imprisonment for a term not exceeding six months or with fine not exceeding two thousand rupees or with both;
Provided that the minimum punishment for the second offence under Section 3, shall be with imprisonment for a term of not less than one month and also with fine of not less than five hundred rupees. |
| Protection of action in good faith. | 8. No suits, prosecution or other legal proceeding shall lie against any person or officer of the Government for anything which is in good faith done or intended to be done under this Act. |
| Power to make rules. | 9. The State Government may make rules to carry out the purposes of this Act. |

MEGHALAYA ACT 25 OF 1980

THE MEGHALAYA APPROPRIATION (No.III) ACT, 1980

(As passed by the Assembly)

[Received the Assent of the Governor on the 15th December, 1980]

(Published in the *Gazette of Meghalaya* (Extraordinary), dated the 16th December, 1980)

An

Act

**to authorise payment and appropriation of certain further sums
from and out of the Consolidated Fund of Meghalaya
for the services of the financial year 1980-81**

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

- | | |
|---|---|
| Short title | 1. This Act may be called the Meghalaya Appropriation (No.III) Act, 1980. |
| Withdrawal of Rs.5,00,84,413 From and out of the Consolidated Fund of Meghalaya for the financial year 1980-81. | 2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of five crore, eighty-four thousand, four hundred and thirteen rupees towards defraying the several charges which will come in course of payment during the financial year 1980-81 in respect of the services specified in column (2) of the Schedule. |
| Appropriation. | 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of Meghalaya by this Act, shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. |

SCHEDULE

(See Sections 2 and 3)

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated	Total
		Rs.	Rs.	Rs.
1	213 - Council of Ministers ... Revenue	2,89,500	...	2,89,500
5	229 - Land Revenue	} Revenue	...	...
	288 - Social Security and Welfare-B-II- Relief and Rehabilitation of Displaced Persons.			
	289 - Relief on account of Natural Calamities.			
	295 - Other Social and Community Services.			
	304 - Other General Economic Services-III- Land Ceilings.			
5	688 - Loans for Social Security and Welfare- III-Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	} Capital	44,000	...
	695 - Loans for other Social and Community Services.			
	705 - Loans for Agriculture			
6	239 - State Exc ise ... Revenue	3,22,500	...	3,22,500

SCHEDULE...contd.

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding					
		Voted by the Assembly Rs.	Charged on the Consolidated Rs.	Total Rs.			
9	340 - Sales Tax and 245-I-Other Taxes and Duties on Commodities and Services.	Revenue	2,03,358	...	2,03,358		
10	{ 241 - Taxes on Vehicles ... 265 - Other Administrative Services-II- Motor Garages,etc. 338 - Roads and Water Transport Services. }	Revenue	...	...	...
		538 - Capital Outlay on Road and Water Transport Services, etc.	Capital	30,00,000	...	30,00,000	
		13	{ 252 - Secretariat-General Services-I-Civil Departments. 276 - Secretariat-Social and Community Services-I-Civil Departments. 296 - Secretariat-Economic Services-I-Civil Departments. }	Revenue	3,90,630	...	3,90,630
14	253 - District Administration			Revenue	2,00,000	...	2,00,000
16	{ 255 - Police and 260-Fire Protection and Control and 283-Housing-C-Government Residential Buildings. 483 - Capital Outlay on Housing-A-Government Residential Buildings. }			Revenue	5,12,050	...	5,12,050
		Capital	31,57,900	...	31,57,900		
18	258 - Stationery and Printing	Revenue	11,33,500	...	11,33,500		

SCHEDULE...contd.

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Rs.	Total Rs.	
19	252 - Secretariat-General Services-II-Public Works Department-Secretariat.	Revenue
	259 - Public Works				
	277 - Education, 278-Art and Culture,280-Medical, 282-Public Health, etc.				
	283 - Housing-II-G-Government Residential Buildings (I/C.P.W.D.)				
	287 - Labour and Employment-III-B-Employment and Training,288-Social Security and Welfare-Social Welfare,etc.				
	459 - Capital Outlay on Public Works.	Capital	15,00,000	...	15,00,000
	477 - Capital Outlay on Education, Arts and Culture.				
	480 - Capital Outlay on Medical.				
	481 - Capital Outlay on Family Welfare.				
	482 - Capital Outlay on Public Health, Sanitation and Water Supply-A-Public Health.				
	483 - Capital Outlay on Housing-A-Government Residential Buildings (in-charge, Public Works Department).				
	510 - Capital Outlay on Animal Husbandry.				
	511 - Capital Outlay on Dairy Development.				
	530 - Investment in Industrial Financial Institutions.				

SCHEDULE...contd.

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding							
		Voted by the Assembly	Charged on the Consolidated	Total					
		Rs.	Rs.	Rs.					
21	{ 265 - Other Administrative Services-III- Gazetteers and Statistical Memoirs. 268 - Miscellaneous General Services- Pensions and Awards in consideration of distinguished Services. 277 - Education 278 - Art and Culture 279 - Scientific Services and Research. 677 - Loans for Education, Art and Culture.	Revenue	50,00,000	...	50,00,000				
		Capital	...	...	...	
		22	{ 265 - Other Administrative Services-IV- Census,vital Statistics, Guest Houses, etc.	Revenue	12,79,000	...	12,79,000		
				33	{ 287 - Labour and Employment-I-A-Labour. 287 - Labour and Employment-II-A-Labour- Inspectorete of Factories and Steam Boilers.	Revenue	1,10,000	...	1,10,000
						287 - Labour and Employment-III-B- Employment and Training.			
34	{ 288 - Social Security and Welfare-A-Civil Supplies. 309 - Food. 488 - Capital Outlay on Social Security and Welfare-E-Other Social Security and Welfare Programmes -I-Civil Supples Schemes. 509 - Capital Outlay on Food and Nutrition.	Revenue	50,000	...	50,000				
		Capital	...	...	...	
		35	{ 288 - Social and Security and Welfare-B-II- Relief and Rehabilitaion of Displaced persons. 688 - Loans for Social Security and Welfare- I-Relief Measures and Rehabilitation Schemes.	Revenue	3,89,984	...	3,89,984		
				Capital		

SCHEDULE...contd.

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated	Total	
		Rs.	Rs.	Rs.	
36	288 - Social Security and Welfare-C-II- Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes-D-Social Welfare.	Revenue	13,95,000	...	13,95,000
	688 - Loans for Social Security and Welfare-C-III- Welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes.	Capital	...	...	...
37	288 - Social Security and welfare-E-Other Social Security and Welfare Programme-IV-Soldier's Sailors' and Airmen's Board.	Revenue	15,000	...	15,000
	688 - Loans for Social Security and Welfare- II-Loans to Ex-Service Personnels.	Capital	...	...	...
	288 - Social Security and welfare-E-Other Social Security and Welfare Programme-V-Other Programmes.	Revenue	15,06,225	...	15,06,225
41	298 - Co-operation ...	Revenue	36,000	...	36,000
	498 - Capital Outlay on Cooperation.	Capital	30,99,000	...	30,99,000
	505 - Capital Outlay on Agriculture.				
	698 - Loans to Co-operative Societies.				
45	305 - Agriculture-306-I-Minor Irrigation 295-Other Social and Community services 283-Housing-C-Government Residential Buildings.	Revenue	9,20,000	...	9,20,000
	515 - Investment in Agricultural Financial Industries.	Capital	...	...	...
	705 - Loans for Agriculture.				

SCHEDULE...contd.

(1) Grant No.	(2) Services and purposes (Major Heads)	(3) Sums not exceeding								
		Voted by the Assembly	Charged on the Consolidated	Total						
		Rs.	Rs.	Rs.						
47	307 - Soil and Water Conservation and 283 Housing-C-Government Residential Buildings.	Revenue	8,22,485	...	8,22,485					
49	310 - Animal Husbandary and 283-Housing- C-Government Residential Buildings.	Revenue	13,00,000	1,18,000	14,18,000					
		710 - Loans for Animal Husbandry.	Capital				
53	314 - Community Development-283- Housing-C-Government Residential Buildings and 288-Social Security and Welfare.	Revenue	21,90,281	...	21,90,281					
						714 - Loans for Community Development.	Capital
							321 - Village and Small Industries-I- Handloom and Sericulture and 283- Housing-C-Government Residential Buildings.	Revenue	6,00,000	...	6,00,000
55	698 - Loans to Co-operative Societies.	Capital	...	...	...		
						721 - Loans for Village and Small Industries-I-Handloom and Sericulture.	Capital
58	337 - Roads and Bridges	Revenue	...	...	...		
		537 - Capital Outlay on Roads and Bridges.	Capital	1,90,00,000	...	1,90,00,000				
61	766 - Loans to Government Servants	Capital	15,00,000	...	15,00,000					
Total			4,99,66,413	1,18,000	5,00,84,413					

MEGHALAYA ACT 25 OF 1980

THE MEGHALAYA NATURAL CALAMITIES RELIEF FUND ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor of Meghalaya on 17th December, 1980]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 20th December, 1980)

An

Act

to provide for the establishment and maintenance in the State Meghalaya of a fund called the Meghalaya Natural Calamities Relief Fund.

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

Short title extent and commencement.

1. (1) This Act may be called the Meghalaya Natural Calamities Relief Fund Act, 1980.
- (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, appoint.

Definition.

2. In this Act, unless the context otherwise requires, "Fund" means the Meghalaya Natural Calamities Relief Fund established under Section 3.

Establishment of the Meghalaya Natural Calamities Relief Fund.

3. On the commencement of this Act, the State Government shall establish in an for the State of Meghalaya a Fund to be called the Meghalaya Natural Calamities Relief Fund which shall consist of :-
 - (i) contribution by the State Government under Section 4.
 - (ii) any contribution by the Government of India;

(iii) such other sums as the State Government may transfer from the unspent balance of the budget provisions of any year under Section 4 and

(iv) Donation, if any, by the public, any institution, autonomous body, association or authority.

Initial contribution to the Meghalaya Natural Calamities Relief Fund.

4. As soon as may be after the commencement of this Act, the State Government shall make an initial contribution, to the Fund of a sum of Rupees ten lakhs from the head "289-Relief on account of Natural Calamities" from the budget for the year 1981-82 or the unspent balance thereof on the 31st March, 1981 and thereafter make an annual contribution of the sum equal to the margin money recommended by the Finance Commission.

Purpose for which the Fund may be utilised.

5. Withdrawal from the Fund shall not be made except to cover the expenditure on relief of distress caused by flood, cyclone, hailstorm, drought, earthquake, or the calamities as may be notified by the State Government for the purpose.

Investment and re-investment of the amount not required.

6. The State Government shall, from time to time invest or reinvest in easily encashable securities all amounts which may not be immediately required for any of the purposes mentioned in section 5 and the interest accrued thereon to the credit of the Fund.

Accounts of the Fund and making up of the deficiency in the Fund.

7. (1) The accounts of the Fund shall be made up at the end of each financial year in a proforma account as may be prescribed by rules made under this Act.

(2) If the accounts so made up in respect of any year shows that the balance at the credit of the Fund falls short of Rupees fifteen lakhs, the deficiency shall be made up by contribution from the revenues of the State Government.

Power to make rules.

8. The State Government may make rules for carrying out the purposes of this act.

Repeal of Assam Act 28 of 1948.

9. The Assam Famine Relief and Insurance Fund Act 1948 is hereby repealed.

THE MEGHALAYA KHADI AND VILLAGE, INDUSTRIES BOARD ACT, 1980

Arrangement of Section

Sections

CHAPTER I

Preliminary

1. Short title, extent and commencement.
2. Definitions.

CHAPTER II

Meghalaya Khadi and Village Industries Board.

3. Establishment and incorporation of Board.
4. Constitution of the Board.
5. Vacancy.
6. Allowance to members.
7. Appointment of Financial Adviser and Chief Account Officer.
8. Appointment of Chief Executive Officer.
9. Proceedings presumed to be good and valid.
10. Temporary association of persons with the Board for particular purposes.
11. Meeting of the Board.
12. Term of office and conditions of service of the Chairman Vice-Chairman, Secretary and other members of the Board.
13. Power and duties of the Secretary.
14. Officers and Servants of the board and conditions of their services.
15. Standing finance Committee.
16. Appointment of other Committees.

CHAPTER III

Functions and Powers of the Board.

17. Functions and powers of the Board.
18. General powers of the Board.
19. Powers to make contracts.
20. Powers of the Khadi and Village Industries Commission to give directions.

CHAPTER IV

Programmes or Schemes of work.

21. Preparation and Submission of Programmes.
22. Sanction of Programme.
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CHAPTER V

Finance, Accounts, audits and Reports.

25. Transfer of property.
26. Funds of the Board.
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28. Subventions and loans to the Board.
29. Budget.
30. Supplementary Budget.
31. Annual Report.
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33. Accounts and Audits.
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CHAPTER VI

Miscellaneous

37. Member of the Board and Officers and Servants of the Board to the Public Servants.
38. Protection of action taken under this Act.
39. Power to make Rules.
40. Regulations.
41. Repeal of Assam Act 16 of 1955, as adapted by Meghalaya.

MEGHALAYA ACT 27 OF 1980

THE MEGHALAYA KHADI AND VILLAGE INDUSTRIES BOARD ACT, 1980

(As passed by the Assembly)

[Received the assent of the Governor of Meghalaya on 17th December 1980]

(Published in the *Gazette of Meghalaya*, Extra-ordinary, dated the 20th December, 1989)

An

Act

to provide for the better organisation, development and regulation of Khadi and Village Industries in the State and for establishment and constitution of Khadi and Village Industries Board for the State by consolidating and amending the existing law on the subject and for matters, connected therewith and incidental thereto.

Be it enacted by the Legislature of Meghalaya in the Thirty-first Year of the Republic of India as follows:-

CHAPTER I

Preliminary

Short title extent and commencement.

1. (1) This Act may be called the Meghalaya Khadi and Village Industries Board Act, 1980.
- (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, appoint in this behalf.

Definitions.

2. In this Act, unless the context otherwise requires-

- (a) "Board" means the Meghalaya Khadi and Village Industries Board, established under Section 3;
- (b) "Chairman" means Chairman of the Board;
- (c) "Government" means the State Government of Meghalaya;
- (d) "Khadi and Village Industries Commission" means the Khadi and Village Industries Commission established under Section 4 of the Khadi and Village Industries Commission Act, 1956 (Central Act 61 of 1956);
- (e) "Khadi" means any cloth woven on handlooms in India from cotton, silk or woollen yarn handspun in India or from mixture of any two or all of such yarns and includes readymade garments made out of such cloth;
- (f) "Members" means the member of the Board.
- (g) "Prescribed" means prescribed by rules made under this act;
- (h) "Regulations" means the regulations made by the Board under this Act;
- (i) "Village Industries" means-
 - (a) all or any of the Industries specified in the Schedule to the Khadi and Village Industries Commission Act, 1956, and includes any other industry deemed to be specified in the said Schedule by reason of a notification issued by the Central Government under Section 3 of the said Act, and
 - (b) any other industry specified in this behalf by the Government by notification in the official gazette in consultation with the Khadi and Village Industries Commission and Board.

CHAPTER II

MEGHALAYA KHADI AND VILLAGE INDUSTRIES BOARD

Establishment &
Incorporation of Board.

3. (1) With effect from such date as the Government may by notification fix in this behalf, there shall be established a Board to be called the Meghalaya Khadi and Village Industries.

(2) The Board shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract and may, by the said name, sue and be sued.

Constitution of the
Board.

4. (1) The Board shall consist of such number of member, as the State Government may appoint;

(2) One of the members of the Board shall be appointed by the State Government as the Chairman and another as the Secretary. The State Government may, if it so decides, also appoint another member of the Board as the Vice-Chairman.

Vacancy

5. (1) The Chairman, the Vice-Chairman, the Secretary or any other member of the Board may, at any time resign his office by submitting his resignation in writing to the State Government provided that the resignation shall not take effect until it is accepted.

(2) In the event of any vacancy in the office of a member of the Board by reason of death, resignation or removal such vacancy shall be filled up by appointment by the Government and the member appointed in such vacancy

Allowance to
members.

6. (1) The Chairman, the Vice-Chairman, the Secretary or any other member of the Board shall receive such allowances as the Government may decide and at such rates as may be prescribed.

(2) The allowances to the members shall be paid from the fund of the Board.

Appointment of Financial adviser and Chief Accounts Officer.

7. The State Government may appoint a person, not being a member of the board of the Board, as Financial Adviser and Chief Accounts Officer of the Board. He shall hold office for such period as the State Government may, by general or special order, direct and unless otherwise directed by the State Government, he shall receive his salary and allowances from the fund of the Board.

Appointment of Chief Executive Officer.

8. The State Government may appoint an officer of his own to act as the Chief Executive Officer of the Board. He shall hold office for such period as the State Government may, by general or special order, direct and unless otherwise directed by the State Government he shall receive his salary and allowances from the fund of the Board.

Proceedings presumed to be good and valid.

9. No act or proceeding of the Board shall be questioning or be invalidated merely by reason of any vacancy in its membership on account of resignation, death or otherwise, or by reason of any defect in the constitution thereof.

Temporary association of persons with the Board for particular purposes.

10. (1) The board may associate with itself in such manner and for such purpose as may be determined by regulations made under this act, any person whose assistance or advice it may desire in complying with any of the provisions of this Act.

(2) A person associated with the Board under sub-section (1) for any purpose shall have the right to take part in the discussions of the Board relevant to that purpose, but shall not have the right to vote and shall not be a member for any other purpose.

(3) Government may, by order, depute one or more officers of the Government to attend any meeting of the Board and to take part in the discussions of the Board but such officer or officers shall not have the right to vote.

Meeting of the Board.

11. (1) The Board shall meet and shall, from time to time , make arrangement with respect to date, time, notice, management and adjournment of its meetings as is thinks fit. Such meetings shall be held at least once in every three months;

Provided that when the Chairman, in consultation with the Secretary or Chief Executive Officer, decides that an emergency meeting of the Board should be called in the interest of the Board, fix date, time and place for the same.

(2) The Chairman shall preside over the meeting of the Board and in his absence the Vice-Chairman and in the absence of both, the member elected in the meeting from among the members shall preside.

(3) All questions at a meeting of the Board shall be decided by the majority of the votes of the members present and voting; and in the case of any equality of votes, the Chairman or in his absence the Vice-Chairman and in absence of both the member presiding, shall have a second or casting vote.

(4) The proceedings of the meeting of the Board shall be forwarded to the Government and relevant extracts sent to the Khadi and Village Industries Commission within fifteen days of every meeting.

Term of office and conditions of services of the Chairman, Vice-Chairman, Secretary and other members of the Board.

12. The term of office and the terms and conditions of services of the Chairman, the Vice-Chairman, the Secretary and other members of the Board shall be such as may be prescribed.

Power and duties of the Secretary.

13. The Secretary shall exercise such powers and discharge such duties as may be prescribed or as may, from time to time, be delegated to him, by the Government or by the Chairman.

14. (1) The Board may appoint such members of the staff as it may consider necessary.

(2) The remuneration, allowances and other conditions of services of the members of the staff of the Board shall be such as may be determined by the Board.

Standing Finance Committee.

15. The Board may constitute from among the members of the Board a Standing Finance Committee relating to finances of the Board.

Appointment of other committees.

16. The Board may, from time to time, appoint one or more Committees for the purpose of securing the efficient discharge of its functions and in particular, for the purpose of securing that the functions are discharged with due regard to the circumstances and requirements of Khadi or any particular Village Industry. Such Committees may be appointed for any particular area or areas.

CHAPTER III

Functions and Powers of the Board

Functions and Powers of the Board.

17. (1) It shall be the duty of the Board to encourage, organise, develop and regulate Khadi and Village Industries and perform such functions as the Government may prescribe from time to time.

(2) Without prejudice to the generality of the provisions of subsection (1) the board shall also in particular discharge and perform all or any of the following duties and functions, namely:-

- (a) to start, encourage, assist and carry on Khadi and Village Industries and to carry on trade or business in such industries and in the matters incidental to such trade or business;
- (b) to help the people by providing them with work in their homes and to give loans and other form of monetary help to individuals or societies or institutions on such terms as may be prescribed;
- (c) to encourage establishment of co-operative societies for Khadi and Village Industries;
- (d) to conduct training centres and to train people there at with a view to equipping them with the necessary knowledge for starting or carrying on Khadi and Village Industries.
- (e) (i) to manufacture tools and implements required for carrying on Khadi and Village Industries and to manufacture the products of such industries;
 - (ii) to arrange for the supply of raw materials and tools and implements required for the same purposes; and
 - (iii) to sell and to arrange for the sale of the products of the said industries;
- (f) to arrange for publicity and popularising of finished products of Khadi and Village Industries by opening stores, shops, emporia or exhibition and to take similar measures for the purposes;
- (g) to endeavour to educate public opinion and to impress upon the public the advantages of patronising the products of Khadi and Village Industries;
- (h) to seek and obtain advice and guidance of experts in Khadi and Village Industries.

- (i) to undertake and encourage research work in connection with Khadi and Village Industries and to carry on such activities as are incidental and conducive to the objects of this Act.
- (j) to discharge such other duties and to perform such other functions as the Government may direct for the purpose of carrying out the objects of this Act.

General powers of the Board.

18. The Board shall, for the purpose of carrying out its functions under this act, have the following powers, namely-

- (i) to acquire and hold such movable and immovable property as it deems necessary and to lease, sell or otherwise transfer any such property;

Provided that any lease, sale/mortgage, hypothecation or other transfer to any persons or authority other than the Khadi and Village Industries Commission of any immovable property belonging to the Board shall be null and void unless it is sanctioned by the Government.

- (ii) to incur expenditure and undertake any work in any area in the State for the framing and execution of such schemes as it may consider necessary for the purpose of carrying out the provisions of this Act, or as may be entrusted to it by the Government;
- (iii) to borrow money from the Khadi and Village Industries Commission and also to hypothecate or mortgage properties as securities against the loans;
- (iv) to write off minor irrecoverable losses as provided for under Section 35 of this Act.

Power to make contracts.

19. (1) The Board may enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of the purposes of this Act.

(2) Every contract shall be made on behalf of the Board by its Chairman;

Provided that the Chairman may, by an order in writing, delegate his powers in this behalf to the Vice-Chairman, Secretary or Chief Executive Officer.

(3) Every contract made on behalf of the Board shall subject to the provisions of this section, be entered into in such manner and form as may be prescribed.

(4) A contract not executed in the manner provided in this section and the rules made thereunder, shall not be binding on the Board.

Powers of the Khadi and Village Industries Commission to give directions.

20. In the performance of its functions under this Act, the Board shall be bound by such direction as the Khadi and Village Industries Commission may give to it from time to time in the implementation of Schemes financed by the Commission.

CHAPTER IV

Programmes or schemes of work

Preparation and submission of programmes.

21. (1) In each year, on such date as may be fixed by the Government, the Board shall prepare and forward to the Government a programme.

(2) The programme shall contain-

(a) Particulars of the Schemes which the Board proposes to execute whether in part or whole during the next year;

(b) Particulars of any work or undertaking which the Board proposes to execute during the next year for the purpose of carrying out its functions under this Act; and

(c) Such other particulars as may be prescribed.

Sanction of programme.

22. The Government may in consultation with the Khadi and Village Industries Commission, approve and sanction the programme in whole or part or with such modification as it deems fit.

Supplementary programmes.

23. The Board may prepare and forward a supplementary programme for the sanction of the Government in such form and before such date as the Government may prescribe and the provisions of section 22 shall apply to such supplementary programme.

Power of the Board to alter schemes.

24. The Board may, with the previous approval of the State Government, make any alteration in any scheme so long as the aggregate amount sanctioned for the scheme is not exceeded. A report of the alteration shall be sent to Khadi and Village Industries Commission in such form and within such time as may be prescribed.

CHAPTER IV

Finance, Accounts, Audit and Reports

Transfer of property

25. The State Government may transfer to the Board buildings, land or any other property, whether movable or immovable, for use and management by the Board on such conditions and limitations as the State Government may deem fit for the purposes of this Act.

Funds of the Board.

26. (1) The Board shall have its own fund and all receipt of the Board shall be credited thereto, and all payments by the Board shall be met therefrom.

(2) The Board may accept grants, subventions, donations and gifts and receive loans from Government or a local authority or anybody or association, whether incorporated or not, or an individual for all or any of the purposes or this Act. It may also create reserves for irrecoverable losses and losses in direct trading activities.

(3) All moneys belonging of the fund of the Board shall be deposited in a Government Treasury or the State Bank of India, or the Meghalaya Co-operative Apex Bank Ltd., or any other Bank, approved by the Government;

Provided that it will not be necessary for all the moneys to be kept in any one Bank or Treasury.

(4) The accounts of the Board shall be operated upon by such officers jointly or individually as may be authorised by the Board.

Application of
Fund and property.

27. All property, fund and other assets of the Board shall be held and applied by it subject to the provisions and for the purposes of this Act.

Subventions and loans to
the Board.

28. (1) The Government may, from time to time, make subvention and grants to the Board for the purpose of this Act on such terms and conditions as the Government may determine in each case. Establishment expenditure of the State Board will be the sole responsibility of State Government. Similarly, it may grant subvention compensating irrecoverable debts.

(2) The Board may from time to time, with the previous sanction of the Government and subject to the provisions of this Act and such conditions as the Government may determine, borrow any sum required for the purpose of this Act:

Provided that the previous sanction of the Government shall not be necessary to borrow any sum from the Khadi and Village Industries Commission

Budget.

29. (1) The Board shall, by such date, in each year, as may be prescribed, prepare and submit to the Government for approval the budget in the prescribed form for the next financial year showing the estimated receipts and expenditure in respect of Khadi and Village Industries respectively during that financial year. The board shall forward a copy of the budget to the Khadi and Village Industries Commission for information and comments, if any.

(2) Subject to the provisions of sub-sections (3) and (4) , no sum shall be expended by or on behalf of the Board unless such expenditure is covered by a specific provision in the budget approved by the Government.

(3) The Board may, within the respective limits of the budget, sanction any reappropriation from one head of expenditure to another or from a provision made for one scheme to that in respect of another:

Provided that no reappropriation from the head "Loan" to any other head of expenditure and *vice versa* in the budget shall be sanctioned by the Board except with the previous approval of the Government and the Khadi and Village Industries Commission.

(4) The Board may within such limits and subject to such conditions as may be prescribed incur expenditure in excess of the limit provided in the budget approved by the Government under any head of expenditure or in connection with any particular scheme so long as the aggregate amount in either budget approved by the Government is not exceeded.

Supplementary
Budget.

30. The Board may submit a Supplementary budget for the sanction of the Government in such form and before such data as the Government may prescribe and the provision of section 29 shall apply to such supplementary budget.

Annual Report.

31. (1) The Board shall prepare and forward to the Government in such manner as may be prescribed an annual report within three months from the end of the financial year giving a complete account of its activities during the previous financial year along with a copy of the annual statement of accounts referred to in section 33.

(2) The Board shall prepare and forward to the Khadi and Village Industries Commission an annual report within three months from the end of the financial year giving a complete account of the funds received by the Board from the said Commission and the activities carried on by the Board from and out of such fund during the previous financial year.

(3) The report received by the Government under sub-section (1) shall be laid before the State Legislature as soon as may be after it is received by the Government.

Returns and Reports.

32. (1) The board shall furnish to the Government and the Khadi and Village Industries Commission at such time and in such form and manner as may be prescribed or as the Government may direct, such returns and statements and such particulars in regard to any proposed or existing programme for the promotion and development of Khadi and Village Industries as the Government may, from time to time require.

(2) Without prejudice to the provisions of sub-section (1), the Board shall, as soon as possible after the end of each financial year, submit to the Government a report in such form and before such date as may be prescribed, giving true and full account of its activities policy and programme during the previous year.

Accounts and
Audit

33. (1) The Board shall cause proper accounts and other records in relation thereto to be kept, including a proper system of internal check and prepare an Annual Statement of Accounts including the Profit and Loss Account and the Balance Sheet in such form as may be prescribed by the State Government in consultation with the Comptroller and Auditor-General of India.

(2) The Accounts of the Board shall be audited by the Comptroller and Auditor-General of India or by such person as he may authorise in this behalf and any expenditure incurred by him in connection with such audit shall be payable by the Board to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person authorised by him in connection with the audit of the accounts of the Board shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has connection with the audit of Government accounts and in particular shall have the right to demand the production of books of accounts, connected vouchers and other documents and papers, and to inspect any of the offices of the Board.

(4) The Accounts of the Board as certified by the Comptroller and Auditor-General of India or any other person authorised by him in this behalf together with the Audit Report thereon shall be forwarded annually to the State Government and that Government may issue such instructions to the board in respect thereof as it deems fit and the Board shall comply with such instructions.

(5) The State Government shall –

- (a) cause the accounts of the Board together with the Audit Report thereon forwarded to it under sub-section (4) to be laid annually before the State Legislature; and
- (b) cause the accounts of the board to be published in the prescribed manner and make available copies thereof on sale at a reasonable price.

Recovery of
Arrears

34. If any amount due to the Board in accordance with the terms of a contract or otherwise or any sum payable in connection therewith, has not been paid, the Board may without prejudice to any other remedy provided by law, recover such amount or sum as arrears of land revenue.

Power to
write off
losses.

35. The Board shall be competent to write off losses upto Rs.500 in individual cases and not exceeding Rs.5,000 in the aggregate in any financial year in cases failing under all or any of the following categories:-

- (a) loss of irrecoverable value of stores or of public money due to theft, fraud or such other cause;
- (b) loss of irrecoverable advance other than loans; and
- (c) deficiency and depreciation in the value of stores.

Dissolution of the
Board

36. (1) If at any time the Government are satisfied that –

- (a) the Board has without reasonable cause or excuse made default in the discharge of its duties or in the performance of its functions imposed or entrusted by or under this Act, or exceeded or abused its powers, or

(b) circumstances have so arisen that the Board is rendered unable, or may be rendered unable, to discharge its duties or perform its functions under this Act, or

(c) it is otherwise expedient or necessary to dissolve the Board,

the Government may, by notification, dissolve the Board for such period as may be specified in the notification and declare that the duties, powers and functions of the Board shall during the period of its dissolution, be discharge, exercised and performed by such person or authority, as may be specified in the notification:

Provided that the Government shall, before dissolving the Board, give reasonable opportunity to it to show cause against the proposed action.

(2) The Government shall before the expiration of the period of dissolution, reconstitute the Board in accordance with the provisions of section 3 and 4.

(3) The Government may make such, incidental and consequential provision as may appear to them to be necessary for giving effect to the provision of this section.

(4) Any notification issued or order made by the Government under this section shall not be questioned in any court of law.

(5) On the Board being dissolved under sub-section (1) –

(i) all properties and funds, which immediately before the said date were in the possession of the Board for the purposes of this Act shall vest in the State Government.

(ii) all members, with effect from the date of the notification under sub-section (1), shall vacate and be deemed to have vacated office as members of the Board, and

(iii) all rights, obligations and liabilities (including any liabilities under any contract) of the Board shall become the rights, obligations and liabilities of the State Government.

CHAPTER VI

Miscellaneous

Member of the Board and Officers and Servants of the Board to be public servants.

37. Members of the Board and Officers and servants of the Board shall be deemed when acting or purporting to act in pursuance of any of the provisions of this act to be public servants within the meaning of section 29 of the Indian Penal Code.

Protection of action taken under this act.

38. No suit, prosecution or other legal proceedings shall lie against the State Government, the Board or an officer or person for anything which is in good faith done or purported to be done by or under this Act.

Power to make Rules

39. (1) The Government may, by notification, make rules, to give effect to the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provided for all or any of the following matters, namely-

- (a) the place at which the office of the Board shall be located;
- (b) the term of office of and the manner of filling casual vacancies among the members of the Board and the term and conditions of service of the Chairman, Vice-Chairman, the Secretary and the other members of the Board, including the salaries and allowances to be paid to them and travelling and daily allowances to be drawn by them;
- (c) the disqualifications for membership of the Board and the procedure to be followed for removing a member who is or becomes subject to any disqualifications;
- (d) powers and duties to be exercised and performed by the Chairman and the Vice-Chairman;
- (e) the conditions subject to which and the mode in which, contracts may be entered into by or on behalf of the Board;
- (f) constitution of the Standing Finance Committee;
- (g) the procedure to be followed in the performance of functions by members of the Board;
- (h) the powers and duties to be exercised and discharged by the Secretary, the Financial Adviser and the Executive Officer of the Board.

- (i) the date by which and the form in which the budget and the supplementary budget shall be prepared and submitted in each year under sections 29 and 30;
- (j) the procedure to be followed for placing the Board in possession of funds;
- (k) the procedure to be followed and the conditions to be observed in borrowing moneys and in granting loans;
- (l) the form and manner in which the returns, reports or statements shall be submitted under section 32;
- (m) the form and manner in which the accounts of the Board shall be maintained under section 33; and
- (n) any other matter which has to be, or may be, prescribed.

Regulations.

40. (1) The Board, with the previous sanction of the Government by notification, make regulations not inconsistent with this Act and the Rules made thereunder, for enabling it to perform its functions under this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulation may provide for all or any of the following matters, namely-

- (a) the terms and conditions of appointment and service and the scales of pay of Officers and servants of the Board other than the Secretary including the payment of travelling and daily allowances in respect of journeys undertaken by such Officers and servants for the purposes of this Act;
- (b) the time and place of meetings of the Board, the procedure to be followed in regard to transaction of business at such meetings and the quorum necessary for the transaction of such business at a meeting;
- (c) functions of committees and the procedure to be followed by such committees in the discharge of their functions;
- (d) the delegation of powers and duties to the Standing Finance Committee, Secretary or any employees of the board;
- (e) the maintenance of minutes of meeting of the Board and transmission of copies thereof to the Government and the Khadi and Village Industries Commission;
- (f) the persons by whom and the manner in which payments, deposits and investments may be made on behalf of the Board.

(g) the custody of moneys required for the current expenditure of the Board and investment of moneys not so required; and

(h) the maintenance of accounts;

(3) The Government may, by notification, rescind any regulations made under this section and thereupon, the regulation shall cease to have effect.

Repeal of
Assam Act 16
of 1955 as
adapted by Meghalaya.

41. The Meghalaya Khadi and Village Industries Board Act is hereby repealed.

MEGHALAYA ORDINANCE No. I OF 1980

THE COURT FEES (MEGHALAYA THIRD AMENDMENT) ORDINANCE, 1980

An

Ordinance

further to amend the Court Fees Act, 1870 in its application to Meghalaya.

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement.- (1) This Ordinance may be called the Court Fees (Meghalaya Third Amendment) Ordinance, 1980.

(2) It extends to Meghalaya with such exceptions or modification as are in force.

(3) It shall come into force at once.

2. Amendment of schedule II to Act VII of 1870.- In schedule II to the Court Fees Act, 1870 (Act VII of 1870), for the words "Eight rupees and twenty-five paise" occurring in column (3) of items (b) and (f) of Articles 1, the words "Ten rupees" shall be substituted.

MEGHALAYA ORDINANCE 2 OF 1980

THE MEGHALAYA FINANCE ORDINANCE, 1980

An

Ordinance

to fix the rates at which the Meghalaya Purchase Tax shall be levied and charged for the financial year 1980-81

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement. - (1) This Ordinance may be called the Meghalaya Finance Ordinance, 1980.

(2) It extends to the whole of the State of Meghalaya with such exceptions or modification as are in force.

(3) It shall be deemed to have come into force on the 1st day of April, 1980.

2. Rates of the Meghalaya Purchase Tax.- The rates at which the tax shall be levied and collected on the purchase of the items of the Schedule under the Meghalaya Purchase Tax Act (Assam Act XIX of 1967 as adapted and modified by Meghalaya), for the year beginning on the 1st day of April, 1980 shall be as follows:-

In respect of items 1, 2 and 3.	...	Four paise per rupee value of the price at which the taxable goods are purchased.
In respect of item 4	...	Two paise per rupee value of the price at which the taxable goods are purchased.
In respect of item 5	...	Fifteen paise per rupee value of the price at which the taxable goods are purchase.

MEGHALAYA ORDINANCE 3 OF 1980

THE MEGHALAYA ELECTRICITY DUTY (AMENDMENT) ORDINANCE, 1980

An

Ordinance

further to amend the Meghalaya Electricity Duty Act (Assam Act No.XXX of 1964 as adapted and modified by Meghalaya) (hereinafter referred to as the principal Act).

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement. - (1) This Ordinance may be called the Meghalaya Electricity Duty (Amendment) Ordinance, 1980.

(2) It extends to the whole of the State of Meghalaya with such exceptions or modification as are in force.

(3) It shall be deemed to have come into force on the 1st day of April, 1980.

2. Amendment of Section 3 to the principal Act.- In sub-section (1) of Section 3 of the principal Act, for the words "three paise" the words "four paise" shall be substituted.

MEGHALAYA ORDINANCE 4 OF 1980

THE MEGHALAYA SALES TAX (AMENDMENT) ORDINANCE, 1980

An

Ordinance

further to amend the Meghalaya Sales Tax Act (Assam Act XVII of 1947 as adapted and modified by Meghalaya) (hereinafter referred to as the principal Act).

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement. - (1) This Ordinance may be called the Meghalaya Electricity Duty (Amendment) Ordinance, 1980.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

2. Amendment of Section II to the principal Act.- In Schedule II of the principal Act,-

(i) Between the existing items 2 and 3, the following shall be inserted as item 3, namely-

“3, Food served for consumption in any eating house, restaurant, hotel, refreshment room or boarding establishment except food supplied to students in boarding home or hostel attached to educational institution or patient in hospitals or dispensaries or supplied in any establishment for the treatment or care of the sick, infirm, destitute or mentally unfit.....7 paise in the rupee.”

(ii) The existing item 3 shall be re-numbered as item 3A and for the figure and words “6 paise in the rupee” occurring under the column “Rate of Tax” the figure and words “7 paise in the rupee”, shall be substituted.

3. Amendment to Schedule III to the principal Act.- In Schedule III to the principal Act, items 4 and 61 shall be deleted.

MEGHALAYA ORDINANCE 5 OF 1980

THE MEGHALAYA FINANCE (SALES TAX) (AMENDMENT) ORDINANCE, 1980

An

Ordinance

further to amend the Meghalaya Finance (Sales Tax) Act (Assam Act XI of 1956 as adapted and modified by Meghalaya) (hereinafter referred to as the principal Act).

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement. - (1) This Ordinance may be called the Meghalaya Finance (Sales Tax) (Amendment) Ordinance, 1980.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

2. Amendment of Section II to the principal Act.- In Schedule to the principal Act, after the existing item 74, the following new item shall be inserted as item 75, namely:-

No.	Name of taxable goods	Rate of tax
“75	Tea, that is to say, any one of the forms or tea in which it is sold but excluding the tea beverage.	7 paise in the rupee.”

MEGHALAYA ORDINANCE 6 OF 1980

THE INDIAN STAMP (MEGHALAYA AMENDMENT) ORDINANCE, 1980

An

Ordinance

further to amend the Indian Stamp Act, 1899 in its applications to Meghalaya.

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement. - (1) This Ordinance may be called the Indian Stamp (Meghalaya Amendment) Ordinance, 1980.

(2) It extent to the whole of Meghalaya.

(3) It shall come into force at once.

2. Amendment of Section I Act 2 of 1899.- In Schedule I to the Indian Stamp Act, 1899, for items Numbers 1 to 10,12,15 to 20,22 to 26, 28,29,31 to 36, 38 to 46,48,50,51,54 to 61 and 63 to 65, the following shall be substituted, namely:-

Description of Instrument	Proper stamp-duty
<p>“1. ACKNOWLEDGEMENT of a debt exceeding twenty rupees in amount or value, written or signed by or on behalf of a debtor in order to supply evidence or such debt in any book (other than a banker’s passbook) or on a separate piece of paper when such book or paper is left in the creditor’s possession: Provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest to deliver any goods or other property.</p>	<p>Thirty paise.</p>
<p>2. ADMINISTRATION-BOND including a bond, given under section 6 of the Government Savings Banks Act,1873 (Act V of 1873) or section 291 or section 376 of the Indian Succession Act, 1925 (Act XXXIX of 1925).-</p>	
<p>(a) where the amount does not exceed Rs.1,000;</p>	<p>The same duty as a bond (No.15) for such amount.</p>
<p>(b) in any other case </p>	<p>Twenty rupees.</p>

Description of Instrument	Proper stamp-duty
3. ADOPTION-DEED, that is to say, any instrument (other than a will) recording and adoption, or conferring or purporting to confer an authority to adopt.	Thirty-nine rupees sixty paise.
4. AFFICAVIT, including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing.	Four rupees.
Exemption	
Affidavit or declaration in writing when made-	
<ul style="list-style-type: none"> (a) as a condition of enlistment under the Indian Army Act, 1950 (Act XLVI of 1960); (b) for the immediate purpose of being filed or used in any Court or before the officer of any Court; or (c) for the sole purpose of enabling any person to receive any pension to receive any pension or charitable allowance. 	
5. AGREEMENT OR MEMORANDUM OF AN AGREEMENT-	
(a) IF RELATING TO THE SALE OF A BILL OF EXCHANGE;	Sixty paise.
(b) If relating to the sale of a Government security;	Subject to a maximum of fifty-three rupees, twenty-five paise for every Rs.10, 000 or part thereof of the value of the security.
(c) If relating to the purchase of sale of shares, scripts, stocks, bonds, debentures ,debenture stocks or any other marketable security of a like nature in or of any incorporated company or other body corporate-	
(i) When such agreement or memorandum of an agreement is with or through a member or between members of a Stock Exchange recognised under the securities Contracts (Regulation) act, 1956 (Act XLII of 1956);	Twenty-five paise for every Rs.2, 500 or part thereof of the value of the security at the time of its purchase or sale, as the case may be.

Description of Instrument	Proper stamp-duty
(ii) in other case;	Fifty-five paise for every Rs.2,500 or part thereof of the value of the security as the time of its purchase or sale, as the case may be.
(d) If executed for service or for performance of work in any estate whether held by one person, or by more persons than one as co-owners, and whether in one or more blocks, and situated in Meghalaya where the advance given under such agreement does not exceed fifty rupees;	Forty paise.
(e) If not, otherwise provided for	Two rupees sixty paise.

Exemption

AGREEMENT FOR MEMORANDUM OF AGREEMENT-

- (a) for or relating to the sale of goods or merchandise exclusively, not being a note or memorandum chargeable under No.43;
- (b) made in the form of tenders to the Government of India for a relating to any loan.

AGREEMENT TO LEASE –

Lease (No.35)

6. AGREEMENT RELATING TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing an agreement relating to-

- 1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or

Description of Instrument	Proper stamp-duty
<p>2) the pawn or pledge of moveable property, where such deposit pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan of an existing or future debt-</p> <p>(a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement,-</p> <p>if the amount of loan does not exceed Rs.500;</p> <p>if it exceeds Rs.500 and does not exceed Rs.1,000;</p> <p>And for every Rs. 1,000 or part thereof in excess of Rs.1,000;</p> <p>(b) if such load or debt is repayable not more than three months from the date of such instrument.</p>	<p>Three rupees thirty paise.</p> <p>Six rupees sixty paise.</p> <p>Six rupees sixty paise.</p> <p>Half the duty payable under sub-clause (a).</p>
Exemption	
Instrument of pawn or pledge or goods if unattended.	
7. APPOINTMENT IN EXECUTION OF A POWER.-	
Whether or trustees or of property, moveable or immovable, where made by any writing not being a will, -	
<p>(a) where the value of the property does not exceed Rs.1,000;</p> <p>(b) in any other case.</p>	<p>Thirty three rupees.</p> <p>Fifty nine-rupees forty paise.</p>
8. APPRAISEMENT OR VALUATION	
made otherwise than under an order of the Court in the course of a suit-	
<p>(a) where the amount does not exceed Rs.1,000;</p>	<p>The same duty as a bond (No.15) for such amount</p>

Description of Instrument	Proper stamp-duty
(b) in any other case.	Nineteen rupees eighty paise.
Exemptions	
Appraisement or valuation made for the information of one party only, and not being in any manner obligatory between parties either by agreement or operation.	
(c) Appraisement of crops for the purpose of ascertaining the amount to be given to a landlord as rent.	
9. APPRENTICESHIP-DEED, including every writing relating to the service or tuition, of any apprentice, clerk or servant placed with any matter to learn any profession, trade or employment.	
Exemptions	
Instruments of apprenticeship executed by a Magistrate under the Apprentices Act, 1961 (Act LII of 1961), or by , which a person is apprenticed by or at the charge of, any public charity.	
10. ARTICLES OF ASSOCIATION OF A COMPANY-	
(a) where the company has no share capital or the nominal share capital does not exceed Rs.2,500.	Fifty-seven rupees seven five paise.
(b) where the nominal share capital exceeds Rs.2, 500 but does not exceed Rs.5, 000.	Sixty six rupees.
(c) where the nominal share capital exceed Rs.5,000 but does not exceed Rs.1,00,000.	Ninety nine rupees.
(d) Where the nominal share capital exceed Rs.1,00,000;	One hundred ninety eight rupees.

Description of Instrument	Proper stamp-duty
Exemptions	
Articles of any Association not formed for profit and registered under Section 25 of the Companies Act, 1956 (Act I of 1956).	
<i>See</i> also Memorandum of Association of a Company (No.39).	
ASSIGNMENT- <i>See</i> Conveyance (No.23), Transfer (No.62), and Transfer of lease (No.63), as the case may be.	
ATTORNEY TO ADOPT-	
<i>See</i> Adoption-deed (No.3).	
12. AWARD, that is to say, any decision in writing by an arbitrator or umpire, not being an award directing a partition, on a reference made otherwise than by an order of the court in the course of a suit.	The same duty as a Bond (No.15) for the amount or value of the property to which the award relates as set forth in such award subject to a maximum of ninety-nine rupees.
13. BOND, [as defined by section 2 (5)], not being a DEBENTURE (No.27), and not being otherwise provided for by this Act, or by the Court-fees Act, 1870 (Act VII of 1870-)	
where the amount or value secured does not exceed Rs.10;	Forty paise.
where it exceeds Rs.10 and does not exceed Rs.50;	Sixty-five paise.
where it exceeds Rs.50 and does not exceed Rs.100;	One rupee thirty-five paise.
where it exceeds Rs.100 and does not exceed Rs.200;	Three rupees thirty paise

Description of Instrument	Proper stamp-duty
where it exceeds Rs.200 and does not exceed Rs.300;	Five rupees.
where it exceeds Rs.300 and does not exceed Rs.400;	Six rupees sixty paise.
where it exceeds Rs.400 and does not exceed Rs.500;	Eight rupees ninety paise.
where it exceeds Rs.500 and does not exceed Rs.600;	Eleven rupees ninety paise.
where it exceeds Rs.600 and does not exceed Rs.700;	Thirteen rupees eighty-five paise.
where it exceeds Rs.700 and does not exceed Rs.800;	Fifteen rupees eighty-five paise.
where it exceeds Rs.800 and does not exceed Rs.900;	Seventeen rupees seventy-five paise.
where it exceeds Rs.900 and does not exceed Rs.1,000;	Nineteen rupees eighty paise.
and for every Rs.500 or part thereof in excess of Rs.1,000.	Ten rupees ninety paise.
<i>See Administration Bond (No.2), Bottomry Bond (No.16) Customs Bond (No.26), Indemnity-Bond (No.34), Respondentia Bond (No.56). Security Bond (No.57).</i>	

Exemptions

Bond, when executed by-

(a) Headmen nominated under rules framed in accordance with the Bengal Irrigation Act, 1876 (Bengal Act III of 1876), section 99, for the due performance of their duties under the Act;

(b) any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public, utility, shall not be less than a specified sum per mensem.

Description of Instrument	Proper stamp-duty
16. BOTTOMRY BOND, that is to say, any instrument whereby the master of a sea going ship borrows money on the security of a ship to enable him to preserve the ship or prosecute her voyage-	The same duty as a Bond (No.15) for such amount.
17. CANCELLATION, Instrument of (including any instrument by which any instrument previously executed is cancelled) if attested and not otherwise provided for.	Nineteen rupees eighty paise.
<i>See</i> also RELEASE (No.55) Revocation of Settlement (No. 58-B), Surrender of Lease (No.61), Revocation of Trust (No.64-B).	
18. CERTIFICATE OF SALE (in respect of each property put up as a separate lot and sold), granted to the purchase of any property sold by public auction by a Civil or Revenue Court, or Collector or other Revenue Officer-	
(a) Where the purchase money does not exceed Rs.10;	Fifty-five paise.
(b) Where the purchase-money exceeds Rs.10 but does not exceed Rs.25;	One rupee five paise.
(c) In any other case	The same du as a Conveyance (No.23), for a consideration equal to the amount of the purchase money only.
19. CERTIFICATE OR OTHER DOCUMENT, evidencing the rights or title of the holder thereof or any other person either to any shows scrip or stock in or of any incorporated company or other body corporate, or to become proprietor of shares script or stock in or any such company or body.	Forty paise.
<i>See</i> also LETTER OF ALLOTMENT OF SHARES (No.36).	
20. CHARTERED PARTY, that is to say any instrument (except an agreement for the hire of a tug-steamer), whereby a	Three rupees ninety-five-paise.

Description of Instrument	Proper stamp-duty
Vessel or some specified principal part thereof is let for the specified purposes, of the charterer, whether it includes a penalty clause or not.	
22. COMPOSITION-DEED, that is to say, any instrument executed by a debtor whereby he conveys his property for the benefit of his creditors, or whereby payment of a composition or divided on their debts is secured to the creditors or whereby provision is made for the continuance of the debtor's business under the supervision of Inspectors or under letters of license for the benefit of his creditors.	Three rupees sixty paise.
23. CONVEYANCE [as defined by section 2 (10)] no being a Transfer charged or exempted under No.62-	
where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs.50;	One rupee fifty-five paise.
where it exceeds Rs.50 but does not exceed Rs.100;	Three rupees.
where it exceeds Rs.100 but does not exceed Rs.200;	Five rupees ninety-five paise.
where it exceeds Rs.200 but does not exceed Rs.300;	Eight rupees fifty-five paise.
where it exceeds Rs.300 but does not exceed Rs.400;	Eleven rupees.
where it exceeds Rs.400 but does not exceed Rs.500;	Fourteen rupees ninety paise.
where it exceeds Rs.500 but does not exceed Rs.600;	Seventeen rupees seventy-five paise.
where it exceeds Rs.600 but does not exceed Rs.700;	Twenty rupees eighty-five paise.
where it exceeds Rs.700 but does not exceed Rs.800;	Twenty-three rupees seventy-five paise
where it exceeds Rs.800 but does not exceed Rs.900;	Twenty-six rupees seventy paise.
where it exceeds Rs.900 but does not exceed Rs.1,000;	Twenty-nine rupees seventy paise.

Description of Instrument	Proper stamp-duty
For every Rs.500 or part thereof in excess Rs.1,000;	Fourteen rupees.
where it exceeds Rs.50,000 but does not exceed Rs.90,000;	Thirty-nine rupees-sixty paise.
where it exceeds Rs.90,000 but does not exceed Rs.1,50,000;	Fifty-two rupees eighty paise.
and where it exceeds Rs.1,50,000;	Sixty-six rupees.

Provided that where the "instrument" or the conveyance is in respect of an Industrial Loan, certified as a such by the Director of Industries, Meghalaya the stamp duty shall be half of the above rate.

Exemptions

Assignment of copyright under the Indian Copyright Act, 1957 (Act XIV of 1957).

CO-PARTNERSHIP DEED – *see* Partnership (No.46).

24. COPY OR EXTRACT, certified to be a true copy or extract by or by order of any public officer and not chargeable under the law for the time being in force relating to court fees-

- | | |
|--|----------------------------|
| (i) if the original was not chargeable with duty, or if the duty with which it was chargeable does not exceed one rupee; | Two rupees and five paise. |
| (ii) If any other case not falling within the provisions of section 6A. | Four rupees. |

Exemption

- (a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose;
- (b) Copy of, or extract from any register relating to births, baptisms naming, dedications, marriages, divorces deaths or burials.

Description of Instrument	Proper stamp-duty
25. COUNTERPART OF DUPLICATE of any instrument, chargeable with duty and in respect of which the proper duty has been paid-	
(a) if the duty with which the original instrument is chargeable does not exceed two rupees;	The same duty as is payable on the original.
(b) In any other case not failing within the provisions of section 6A.	Four rupees.

Exemption

Counterpart of any lease granted to a cultivator, when such lease is exempted from duty.

26. CUSTOMS-BOND-

(a) where the amount does not exceed Rs.1,000;	The same duty as Bond (No.15) for such amount.
(b) in any other case	Twenty six rupees forty paise.

26. DELIVERY ORDER IN RESPECT OF GOODS, that is to say, any instrument entitling any person therein named, or his assigns or the holder thereof to the delivery of any goods lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such instrument being signed by or on behalf of the owner of such goods upon the sale or transfer of the property therein, when such goods exceed in value twenty rupees.

DEPOSIT OF TITLE DEEDS-

See Agreement relating to Deposit of Title Deeds, Pawn or pledge (No.6).

DISSOLUTION OF PARTNERSHIP

See Partnership (No.46)

29. Divorce- Instrument of, that is to say, any instrument by which any person effects the dissolution of his marriage.	Thirteen rupees twenty paise.
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Dower- Instrument of, *See* settlement (No.58).

Duplicate-*See* Counterpart (No.25).

Description of Instrument	Proper stamp-duty
31. Exchange of Property.- Instrument of.	The same duty as conveyance (No.25) for a consideration equal to the value of the property of greatest value as set forth in such instrument.
Extract-See Copy (No.24)	
32. Further Charge- Instrument of, that is to say, any instrument imposing a further charge on mortgaged property-	
(a) when the original mortgage is one of the description referred to in clause (a) of Article No.40 (that is, with possession).	The same duty as a conveyance (No.23) for a consideration equal to the amount of the further charge secured by such instrument.
(b) When such mortgage is none of the description referred to in clause (b) of Article No.40 (that is) without possessions:-	
(i) If at the time of execution of the instrument of further charge possession of the property is given or agreed to be given under such instrument;	The same duty as a conveyance (No.23) for a consideration equal to the total amount of the charge (including the original mortgage and any further charge already made), less the duty already paid on such original mortgage and further charge.
(ii) If possession is not, so given.	The same duty as a Bond (No.15) for the amount of the further charge secured by such instrument.
33. Gift:- Instrument of, not being a settlement (No.58), or will or transfer (No.62).	The same duty as a conveyance (No.23) for a consideration equal to the value of the property as set forth in such instrument.
Hiring Agreement- or agreements for service see agreement (No.5).	
34. Indemnity Bond.	The same duty as a security bond (No.57) for the same amount.
Inspectorship Deed, - See composition – Deed (No.22).	

Description of Instrument	Proper stamp-duty
35. Lease. - including an under-lease or sub-lease and any agreement to let or sub-let.	
(a) where by such lease the rent is fixed and no premium is paid or delivered:-	
(i) where the lease purports to be for a term of less than one year;	The same duty as a Bond (No.15) for the whole amount payable or deliverable under such lease.
(ii) where the lease purports to be for a term of not less than one year but not more than five years;	The same duty as a Bond (No.15) for the amount or value of the average annual rent reserved.
(iii) where the lease purports to be for a term exceeding five years, and not exceeding twenty years;	The same duty as a conveyance (No.23) for a consideration equal to the amount or value of the average annual rent reserved.
(iv) where the lease purports to be for a term exceeding ten years, but not exceeding one hundred years;	The same duty as a conveyance (No.23) for a consideration equal to twice the amount or value of the average annual rent reserved.
(v) where the lease purports to be for a term exceeding twenty years ; but not exceeding thirty years;	The same duty as a conveyance (No.23) for a consideration equal to three times the amount or value of the average annual rent reserved.
(vi) where the lease purports to be for a term exceeding thirty years, but not exceeding one hundred years;	The same duty as a conveyance (No.23) for a consideration equal to four times the amount or value of the average annual rent reserved.
(vii) where the lease purports to be for a term exceeding one hundred years or in perpetuity;	The same duty as a conveyance (No.23) for a consideration equal in the case of a lease granted solely for agricultural purposes to one-tenth and in any other case to one-sixth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease.

Description of Instrument	Proper stamp-duty
(viii) where the lease does not purports to be for any definite term;	The same duty as a conveyance (No.23) for consideration equal to three times the amount or value of the average annual rent which would be paid or delivered for the first ten years if the lease continued so long.
(b) where the lease is granted for a fine or premium , or for money advanced and where no rent is reserved;	The same duty as a conveyance (No.23) for a consideration equal to the amount or value of such fine or premium or advance as said forth in the lease.
(c) Where the lease is granted for a fine or premium, or for money advanced in addition to rent reserved.	The same duty as a conveyance (No.23) for a consideration equal to the amount or value of such fine or premium, or advance as set forth in the lease, in addition to the duty which would have been payable such lease, if no fine or premium or advance had been paid or delivered: Provided that, in any case when an agreement to lease is tampered with the <i>advalorem</i> stamp required for a lease, and a lease in pursuance of such agreement is subsequently executed the duty on such lease shall not exceed one rupee and fifty-five paise.

Exemption

Lease, executed in the case of a cultivator and for the purpose of cultivation (including a lease of trees for the production of food or drinks), without the payment or delivery of any fine or premium, when a definite term is expressed and such term does not exceed one year, or when the average annual rent reserved does not exceed one year, or when the average annual rent reserved does not exceed one hundred rupees.

In this exemption a lease for the purpose of cultivation shall include a lease of lands for cultivation together with a homestead of tank.

Description of Instrument	Proper stamp-duty
<p>Explanation .-When a lessee undertake, to pay any recurring charge, such as Government revenue, landlord's share of cesses, or the owner's share of Municipal rates or taxes, which is by law recoverable from the lessor, the amounts so agreed to be paid by the lessee shall be deemed to be part of the rent.</p>	
<p>36. LETTER OF ALLOTMENT OF SHARES, in any company or proposed company, or in respect of any loan to be raised by any company or proposed company.</p> <p><i>See also CERTIFICATE OF OTHER DOCUMENT (No.19).</i></p>	<p>Thirty-five paise.</p>
<p>38. LETTER OF LICENSE, that is to say any agreement between a debtor and his creditors that the latter shall, for specified time, suspend their claims and allow the debtor to carry on business at his own discretion.</p>	<p>Twenty-six rupees forty paise.</p>
<p>39. MEMORANDUM OF ASSOCIATION OF A COMPANY –</p> <p>(a) if accompanied by articles of association under section 26 of the Companies Act, 1956 (Act I of 1956);</p> <p>(b) if not so accompanied-</p> <p>(i) where the nominal share capital does not exceed one lakh of rupees.</p> <p>(ii) Where the nominal share capital exceeds one lakh of rupees.</p>	<p>Seventy –nine rupees twenty paise.</p> <p>One hundred ninety-eight rupees.</p> <p>Three hundred thirty rupees.</p>

Exemption

Memorandum of any association not formed for profit and registered under section 25 of the Companies Act, 1956 (Act I Of 1956).

40. MORTGAGED-DEED, not being an Agreement relating to Deposit of Title-deeds, Pawn or Pledge (No.6), Bottomry Bond (No.16), Mortgage of a Crop (No.41), Respondentia Bond (No.56), or Security Bond (No.57).

Description of Instrument**Proper stamp-duty**

- | | |
|---|---|
| (a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given; | The same duty as a Conveyance (No.23) for a consideration equal to the amount secured by such deed. |
| (b) when possession of the property of any part of the property comprised in such deed is not given by the mortgagor or agreed to be given; | The same duty as a Bond (No.15) for the amount secured by such deed. |

Explanation.- A mortgagor who gives to the mortgagee a power of attorney to collect rents or a lease of the property mortgaged or part thereof if deemed to give possession within the meaning of this article;

- | | |
|---|-------------------------|
| (c) (i) when a collateral or auxiliary or additional or substituted security, or by way of further assurance for the abovementioned purpose where the principal or primary security is duly stamped for every sum secured not exceeding Rs.1,000; | Two rupees. |
| (ii) and for every Rs.1,000 or part thereof secured in excess Rs.1,000. | Two rupees forty paise. |

Exemptions

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|---|-------------|
| (1) Instruments executed by persons taking advances under the Land Improvement Loans Act, 1883 (Act XIX of 1883), of the Agriculturist's Loan Act, 1884 (Act XII of 1884), or by their sureties as security for the repayment of such advances. | Two rupees. |
|---|-------------|

Letter of Hypothecation accompanying a bill of exchange.

41. MORTGAGE OF CROP, including any instrument evidencing an agreement to secure the repayment of a loan made upon any mortgage of a crop, whether the crop is or is not in existence at the time of the mortgage-

Description of Instrument	Proper stamp-duty
(a) when the loan is repayable not more than three months from the date of the instrument-	
for every sum secured not exceeding Rs.200; and	Thirty-five paise.
for every Rs. 200 or part thereof secured in excess of Rs. 200	Fifty paise.
(b) when the Loan is repayable more than three months, but not more than eighteen months from the date of instrument.	
for every sum secured not exceeding Rs.100; and	Fifty-five paise.
for every Rs.100 or part thereof secured in excess Rs.100.	Fifty-five paise.
 42. NOTARIAL ACT, that is to say, any instrument, endorsement, note attestations, certificate or entry not being a Protest (No.50) made or signed by a Notary Public in the execution of the duties of his office, or by any other person lawfully acting as a Notary Public.	 Three rupees and ninety-five paise.
<i>See also Protest of bill or note (No.50)</i>	
 43. NOTE OR MEMORANDUM, sent by a Broker or Agent to his Principal intimating the purchase or sale on account of such principal-	
(a) of any goods exceeding in value twenty rupees;	Sixty-five paise.
(b) of any stock or marketable security exceeding in value twenty rupees.	Seventy five paise for every Rs.5, 000 or part thereof of the value of the stock or security subject to a maximum of thirty-three rupees.

Description of Instrument**Proper stamp-duty**

44. NOTE OF PROTEST BY THE MASTER OF A SHIP – *see* also protest by the Master of Ship (No.51).

Two rupees and sixty paise.

Order for the payment of Money *see* Bill of Exchange (No.13).

45. PARTITION- Instrument of [as defined by section 2 (15)].

The same duty as a Bond (No.15) for the amount of the value of the separated share or shares of the property.

N.B.- The largest share remaining after the property is partitioned (or if there are two or more shares of equal value and not smaller than any of the other share, then one of such equal (share) shall be deemed to be that from which the other shares are separated;

Provided always that –

(a) when an instrument of partition containing an agreement to divide property in severalty is executed and a partition is effected in pursuance of such agreement the duty chargeable upon the instrument affecting such partition shall be reduced by the amount of duty paid in respect of the first instrument, but shall not be less than two rupees and sixty-five paise.

(b) where land is held on revenue settlement for a period not exceeding thirty years and paying the full assessment, the value for the purpose of duty shall be calculated at not more than five times the annual revenue.

Description of Instrument	Proper stamp-duty
	(c) where a final order for effecting a partition passed by any Revenue authority or any Civil Court, or an award by an arbitrator directing a partition, is stamped with the stamp required for an instrument of partition and an instrument of partition in pursuance of such order or award is subsequently executed the duty in such instrument shall not exceed two rupees and sixty five paise.
 46. PARTNERSHIP 	
A- Instrument of –	
(a) where the capital of partnership does not exceed Rs.1,000;	The same duty as a Bond (No.15).
(b) in any other case	Fifty two rupee eighty paise.
(c)	
B- Dissolution of –	Twenty six rupees forty paise.
 Pawn or Pledge. - See Agreement relating to Deposit of Title-deeds. Pawn or Pledge (No.6). 	
48. Power of Attorney [as defined by section 2 (21)] not being a XV-	
(a) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents;	Two rupees.
(b) when required in suits or proceedings under Presidency Small Cause Courts Act, 1882, (Act XV of 1882);	Two rupees.
(c) When authorising one person or more to act in a single transaction other than the case mentioned in clause (a);	Three rupees ninety-five paise.

Description of Instrument	Proper stamp-duty
(d) when authorising not more than five persons to act jointly and severally in more than one transaction or generally;	Nineteen rupees eighty paise.
(e) when authorising more than five persons but not more than ten persons to act jointly and severally in more than one transaction or generally;	Thirty-nine rupees sixty paise.
(f) when given for consideration and authorising the attorney to sell any immovable property;	The same duty as a Conveyance (No.23). for the amount of the consideration.
(g) in any other case	Three rupees and thirty paise for each person authorised.

Explanation.- For the purpose of this Article more persons than one when belonging to the same firm shall be deemed to be one person.

N.B.-The term "Registration" includes every operation incidental to registration under the Indian Registration Act, 1908. (Act XVI of 1908).

50. PROTEST OF BILL OF NOTE, that is to say, any declaration in writing made by a Notary Public or other person lawfully acting as such attesting the dishonour of a bill-of-exchange of promissory note.

51. PROTEST BY THE MASTER OF A SHIP, that is to say, any declaration of the particulars of her voyage drawn up by him with a view to adjustment of losses or the calculation of averages, and every declaration in writing made by him against the charterers or consignees for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such.

Three rupees ninety five paise.

See also note protest by the Master of a Ship (No.44).

Description of Instrument	Proper stamp-duty
54.RECONVEYANCE OF MORTGAGED PROPERTY-	
(a) If the consideration for which the property was mortgaged does not exceed Rs.1,000;	The same duty as a conveyance (No.23) for the amount of such consideration as set forth in the conveyance.
(b) In any other case ...	Thirty nine rupees sixty paise.
55.RELEASE, that is to say instrument (not being such a release as is provided for by section 23-A), whereby a person renounces a claim upon another person or against any specified property-	
(a) If the amount or value of the claim does not exceed Rs.1,000;	The same duty as a Bond (No.15) for such amount or value as set forth in the release.
(b) In any other case ...	Nineteen rupees eighty paise.
56. RESPONDENTIA BOND, that is to say, any instrument securing a loan on the cargo laden or to be laden on Board a ship and making repayment contingent on the arrival of the cargo at the port of destination.	
REVOCATION OF ANY TRUST ON SETTLEMENT	
See settlement (No.58). Trust (No.64)	
57. SECURITY BOND OR MORTGAGED-DEED, executed by way of security for the due execution of an office, or to account for money or other property received by virtue thereof or executed by a surety to secure the due performance of a contract-	
(a) When the amount secured does not exceed Rs.1,000;	The same duty as a Bond (No.15) for the amount secured Nineteen rupees eighty paise.
(b) In any other case	The same duty as a Bond (No.15) for the amount secured.
	Nineteen rupees and eighty paise.

Description of Instrument	Proper stamp-duty
Exemptions	
Bond or other instruments, when executed-	
<ul style="list-style-type: none"> (a) By headmen nominated under rules framed in accordance with the Bengal Irrigation Act, 1876, (Ben, Act III of 1876); section 99, for due performance of their duties. Under this Act; (b) By any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or and other object of public utility, specified sum per mensem; (c) Under No.3-A of the rules made by the Government of Bombay in Council under section 70 of the Bombay Irrigation Act, 1879; (Bom , Act VII of 1879); (d) Executed by persons taking Advances under the Land Improvement Loans Act, 1883, (Act XIX of 1883) or the Agriculturists Loans Act, 1884, (Act XII of 1884) or by their sureties, as sureties, as security for the re-payment of such advance; (e) Executed by officers of Government or their sureties to secure the due execution of an office, or the due accounting for money or other property received by virtue thereof; 	
58. SETTLEMENT-	
A.-Instrument of (including a deed of power).	<p>The same duty as a Conveyance (No.23) for a sum equal to the amount or value of the property settled as set forth in such settlement;</p> <p>Provided that, where an agreement to settle is stamp required for an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed one rupee and fifty-five rupee.</p>

Description of Instrument**Proper stamp-duty****Exemptions**

- (a) Deed of power executed on the occasion of a marriage between Muhammadans.
- (b) Hludasa, that is to say, any settlement of immovable property executed by a Buddhist in Burma for a religious purpose in which no value has been specified and on which no value has been specified and on which a duty of Rs.10 has been paid.

B.- Revocation of-

See also TRUST (No.61)

59. SHARE WARRANTS to bearer issued under the Companies Act, 1956 (Act I of 1956).

The same duty as a Conveyance (No.23) for a sum equal to the amount or value of the property concerned, as set forth in the instrument of Revocation, but not exceeding thirty-three rupees.

One-and-a half times the duty payable on a Conveyance (No.23) for a consideration equal to the shares specified in the warrant.

Exemptions

Share warrant when issued by a Company in pursuance of the Companies Act, 1956 (Act I of 1956), section 114, to have effect only upon payment, as composition for the duty, to the Collector of Stamp- revenue of -

- (a) One-and-a-half per centum of the whole subscribed capital of the company, or
- (b) If any company which has paid the said duty or composition in full, subsequently issues an addition to its subscribed capital one-and-a-half per centum of the additional capital so issued.

60. SHIPPING ORDER for or relating to the conveyance of goods on board any vessel.

Twenty-five paise.

61. SURRENDER OF LEASE-

- (a) When the duty with which the lease is chargeable, does not exceed seven rupees and fifty paise;

The duty with which such lessee is chargeable.

Description of Instrument	Proper stamp-duty
(b) In any other case ...	Nineteen rupees and eight paise.
Exemption	
Surrender of lease, when such lease is exempted from duty.	
63. TRANSFER OF LEASE BY way of assignment, and not by way of under lease.	The same duty as a Conveyance (No.23) for a consideration equal to the amount of the consideration for the transfer.
Exemption	
Transfer of any lease exempt from duty.	
64. TRUST –	
A. Declaration of or concerning, any property when made by any writing not being a will.	The same duty as a bond (No.15) for a sum equal to the amount or value of the property concerned as set forth in the instrument, but not exceeding thirty-three rupees.
Revocation of or concerning, property when made by any document other than a will.	The same duty as a Bond (No.15) for a sum equal to the amount or value of the property concerned, as set forth in the instrument, but not exceeding thirty-three rupees.
Valuation – <i>See</i> Appraisement (No.8)	
65. Warrant for Goods, that is to say, any instrument evidencing the title of any person therein named, or his assigns or the holder thereof, to the property in good lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.	One rupees and thirty paise.

MEGHALAYA ORDINANCE 7 OF 1980

MEGHALAYA ESSENTIAL SERVICE MAINTENANCE ORDINANCE, 1980

An

Ordinance

to provide for maintenance of certain essential service and the normal life of the community and for matters connected therewith.

Whether, the Legislature of the State of Meghalaya is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

And, whereas, instructions from the President have been obtained to promulgate the Ordinance;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor is pleased to promulgate in the Thirty-first year of the Republic of India the following Ordinance:-

1. Short title, extent and commencement.- (1) This Ordinance may be called the Meghalaya Essential Services Maintenance Ordinance, 1980.

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

(3) It shall come into force at once.

2. Definitions.- In the Ordinance, unless the context otherwise requires.-

(a) "Essential service" means-

(i) any service in any establishment or undertaking wholly or substantially owned, controlled or managed by Government of Meghalaya connected with the production, generation, storage, transmissions supply or distribution, as the case may be, of gas, water or electricity;

(ii) any other service or employment or class thereof, connected with matters with respect to which the State Legislature of Meghalaya has power to make laws and which the State Government being of opinion that strikes therein would prejudicially affect the maintenance of any public utility services the public safety or the maintenance of supplies and service necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, declare to be an essential service for the purposes of this Ordinance.

(a) "strike" means the cessation of work by a body of persons employed in any essential service acting combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or who have been so employed to continue to work or to accept employment, and includes-

- (i) refusal to work overtime where such work is necessary for the maintenance of any essential service;
- (ii) any other conduct which is likely to results in, or results in cessation or substantial retardation of work in any essential service;
- (c) "State" means the State of Meghalaya.

(2) Every notification issued under sub-clause (ii) of clause (a) of sub-section (1) shall be laid before the house of the State Legislature immediately after it is made if it is in session and on the first day of the commencement of the next session of the of the House if it is not in session and shall cease to operate of the expiration of forty days from the date of its being so laid or from the re-assembly of the State Legislature, as the case may be, unless before the expiration of that period a resolution approving the issue of the notification is passed by the House of the State Legislature.

(3) Any reference in this Ordinance to any law which is not in force in any area of the State and to any authority under such law shall, in relation to that area, be construed as a reference to the corresponding law in force in that area and to the corresponding authority under such corresponding law.

3. Power to prohibit strikes in certain employments.- (1) if the State Government is satisfied that in the public interest⁵ it is necessary or expedient so to do, it may, by general or special Order, prohibit strike in the State in any essential service specified in the Order.

(2) An Order made under sub-section (1) shall be published in such manner as the State Government considers best calculated to bring it to the notice of the persons affected by the Order.

(3) An Order made under sub-section (1) shall be in force for six months, only, but the State Government may, by alike Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do.

(4) Upon to issue of an Order under sub-section (1), -

- (a) No person employed in any essential service to which the Order relates shall go or remain on strike.
- (b) Any strike declared or commenced, whether before or after the issue of the Order, by persons employed in any such service shall be illegal.

4. Dismissal of employees participating in illegal Strikes:- Any person who commences a strike which is illegal under this Ordinance, or goes or remains on , otherwise takes part in any such strike, shall be liable to disciplinary action (including dismissal) in accordance with the same provisions as are applicable for the purpose of taking such disciplinary action (including dismissal) on any other ground under the terms and conditions of service applicable to him in relation to his employment.

5. Penalty for illegal strikes.-Any person who commences a strike which is illegal under this Ordinance, or goes or remains on, or otherwise take s part in, any such strike shall be punishable with imprisonment for term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

6. Penalty for instigation, etc.- Any person who instigates or incites other persons to take part in, or otherwise acts in furtherance of a strike which is illegal under this Ordinance shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

7. Penalty for giving financial aid to illegal strikes. - Any person who knowingly expends or supplies any money in furtherance or support of a strike which is illegal under this Ordinance shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

8. Power to arrest without warrant.- Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any police officer may arrest without warrant any person who is reasonably suspected of having committed any offence under this Ordinance.

9. Offences to be tried summarily.- Not withstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Ordinances shall be tried in a summary way by a Magistrate or Judicial Magistrate of the first class specially empowered in this behalf by the State Government and the provisions of Sections 262 to 265 (both inclusive) or the said Code shall, as for as may be, apply to such trial;

Provided that in a case of conviction for any offence in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for any term for which such offence is punishable under this Ordinance.

10. Ordinance to over-ride other laws:- The Provisional of this Ordinance and of any Order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force.