



सत्यमेव जयते

THE

COLLECTION

OF

MEGHALAYA ACTS

AND

ORDINANCES

FOR THE YEAR 2002

INDEX

MEGHALAYA LIST OF ACTS AND ORDINANCES, 2002

Serial No.	Acts	Acts No. & Year	Page
1	The Meghalaya Lokayukta and Up Lokayukta Act, 2002	1 of 2002	1-20
2	The Meghalaya Appropriation (No. 1) Act, 2002	2 of 2002	21-33
3	The Meghalaya Appropriation (Vote-on-Account) Act, 2002	3 of 2002	34-57
4	The Meghalaya Tax on Luxuries (Hotels and Lodging houses) Amendment, Act, 2002	4 of 2002	-58
5	The Meghalaya (Mobile Phone connection) Cess Act, 2002	5 of 2002	59-64
6	The Meghalaya Appropriation (No. II) Act, 2002	6 of 2002	65-88
7	The Legislative Assembly of Meghalaya (Member's Pension) (Amendment) Act, 2002	7 of 2002	89-90
8	The Legislative Assembly of Meghalaya (Member's Salaries and Allowance) (Amendment) Act, 2002	8 of 2002	-91
9	The Legislative Assembly of Meghalaya (Member's Family Pension) (Amendment) Act, 2002	9 of 2002	92-93

ORDINANCES

Serial No.	Ordinance	Ord. No. & Year	Page
1	The Contingency Fund of Meghalaya (Amendment) Ordinance, 2002	1 of 2002	94-95
2	The Meghalaya Tax on Luxuries (Hotels and Lodging houses) Amendment, Act, 2002	2 of 2002	96-97
3	The Meghalaya (Mobile Phone connection) Cess Ordinance, 2002	3 of 2002	98-104
4	Contingency Fund of Meghalaya (Amendment) Ordinance, 2002	4 of 2002	105-106
5	Contingency Fund of Meghalaya (Amendment) Ordinance, 2002	5 of 2002	-107
6	The Meghalaya (Tax on Luxuries) Ordinance, 2002	6 of 2002	108-115

The 22nd February, 2002

No. LL(B) 11/99/91- The following Act of the Meghalaya Legislative Assembly which received the assent of the President of India is hereby published for general information.

MEGHALAYA ACT NO. 1 OF 2002

THE MEGHALAYA LOKAYUKTA AND UP LOKAYUKTAS ACT, 2000

(As passed by the Assembly on the 13th April, 2000)

(Received the assent of the President on 15th February, 2000)

(Published in the Gazette of Meghalaya, Extra-ordinary, dated 22nd February, 2002)

An

Act

To make provisions for appointment and functions at Lokayukta an Up-Lokayukta in Meghalaya and for matter connected therewith or incidental thereto.

Whereas, it is expedient to make provisions for the appointment of Lokayuktas and Up-Lokayuktas in Meghalaya for the investigation of grievance and allocations against Ministers, Legislators and other public servants in certain cases and for matters connected therewith.

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

- | | | |
|--------------------------------------|---|--|
| Short title, extent and commencement | 1 | (1) This Act may be called the Meghalaya Lokayukta and Up-Lokayukta Act, 2000
(2) It extends to the whole of the State of Meghalaya and applies also to the public servants posted outside Meghalaya in connection with the affairs of the State of Meghalaya.
(3) It shall come into force at once. |
| Definitions | 2 | In this Act, unless the context otherwise requires:-
(a) "Act" means the Meghalaya Lokayukta and Up-Lokayukta Act, 2000;
(b) "Action" means action taken by way of decision, recommendation of finding or in any other manner and includes failure to act, and all other expression connoting action shall be constructed accordingly;
(c) "allegation" in relation to a public servant, means any affirmation that such public servant-
i) Has abused his position as such to obtain any gain or favour to himself or to any other person or to cause undue harm or hardship to any other person; |

2

- ii) Was activated in the discharge of his functions as such public servant by personal interest or improper or corrupt motive; or
- iii) Is guilty of corruption, or lack of integrity in his capacity as such public servant;
- (d) “Component authority” in relation to a public servant, means-
 - i) In the case of Minister or Secretary or member of the Legislative Assembly- the Chief Minister.
 - ii) In the case of any other public servant- such authority as may be prescribed;
- (e) “Governor” means the Governor of the State of Meghalaya.
- (f) “grievance” means a claim by a person that he substituted injustice or undue hardship in consequence of mal-administration;
- (g) “Lokyukata” means a person appointed as the Lokyukata and “Up-Lokyukata” means a person appointed as an Up-Lokyukata under Section 3;
- (h) “Mal-administration” means action taken or purporting to have been taken in exercise of administrative function in any case-
 - i) Where such action or the administrative procedure or practice governing such action is unreasonable, unjust, oppressive or improperly discriminatory; or
 - ii) Where there has been negligence or undue delay in taking such action or the administrative procedure or practice governing such action involves undue delay;
- (i) “Minister” means a member (other than the Chief Minister) of the Council of Ministers by whatever name called, for the State of Meghalaya, that is to say a Minister, a Minister of State or a Deputy Minister and also includes Parliamentary Secretary;
- (j) “Officer” means a person appointed to a public service or post in connection with the affairs of the State of Meghalaya;
- (k) “Official Gazette” means the Gazette of Meghalaya;
- (l) “Prescribed” means prescribed by rules made under this Act;
- (m) “Public servant” denote a person falling under any of the following description and includes, subject to the provisions of the sub-section (4) of Section 8, a person who at any time in the post fall under any of the following description, namely:-
 - i) Every Minister referred to in clause (i);

3

- ii) Every member of the Legislative Assembly of the State of Meghalaya not being the Chief Minister or Minister referred to in clause (j);
- iii) Every officer referred to in clause (j);
- iv) Chairman/Vice Chairman/and Ward Commissioners of Municipal Board or Town Committee;
- v) A non-official Chairman including every office bearer of that description by whatever name called or the Managing Director of a district level or official of a central society or of an apex society registered under any law relating to Co-operative Society for the time being in force;

Explanation- In this sub-clause, “central society” means a co-operative society which includes in its membership other co-operative society, and “apex society” means a State level central society;

- vi) Every person in the service or pay of
 - (ai) Any local authority in the State of Meghalaya which is notified by the State Government in this behalf in the Official Gazette.
 - (aii) Any corporation not being a local authority established by or under Meghalaya or Central Act and owned or controlled by the State Government. Which is notified by the State Government in this behalf in the official Gazette.
 - (aiii) Any Government company within the meaning of Section 617 of the Companies Act, 1956 (Central Act 1 of 1956) in which not less than fifty-one percent of the paid up share capital is held by the State Government of any company which is a subsidiary or a company in which not less than fifty one percent of the paid-up share capital is held by the State Government and which is notified by the State Government in this behalf in the Official Gazette.
 - (aiv) Any society registered under the Societies Registration Act, 1960 which is owned or controlled by the State Government and which is notified by that Government in this behalf in the Official Gazette.

- (n) "Scheduled" means the scheduled appended to this Act.
- (o) "Secretary" means Chief Secretary, Additional Chief Secretary Principal Secretary Commissioner and Secretary to the Government of Meghalaya and includes a special Secretary, and an Additional Secretary, a Joint Secretary, a Deputy Secretary an Under Secretary and also an Officer on Special Duty to the State Government; and
- (p) "State Government" means the Government of the State of Meghalaya.

Appointment of
Lokyukata and Up-
Lokyukata.

- 3 (1) For the purpose of conducting investigation, in accordance with the provisions of this Act, the Governor shall, by warrant under his hand and seal, appoint a person to be known as the Lokyukata and one or more persons to be known as the Up-Lokyukata or Up-Lokyukatas.

Provided that-

- (a) The Lokyukatas shall be appointed after consultation with the Chief Justice of the Guahati High Court, the Speaker and the Leader of the Opposition in the Meghalaya Legislative Assembly, and if there be no such Leader a person elected in this behalf by the members of the opposition in that House in such manner as the Speaker may direct.
- (b) The Up-Lokyukata or the Up-Lokyukatas shall be appointed after consultation with the Lokyukatas.

Provided further that where the Speaker of the Legislative Assembly is satisfied that circumstances exist on account of which it is not practicable to consult Leader of the Opposition in accordance with clause (a) of the proceeding proviso, he may intimate the Governor the name of any other member of the Opposition in the Legislative Assembly who may be constituted under that clause instead of the Leader of the Opposition.

- (2) The Lokyukata shall be a person who is or has been a Judge of the Supreme Court or a High Court, or a civil servant of the rank of Secretary to the Government of India or Chief Secretary of a State.
- (3) The Up-Lokyukata shall be a person who is or has been a District and Sessions Judge or a civil servant who has work as Secretary of the State Government.
- (4) Every person appointed as the Lokyukata or an Up-Lokyukata shall before entering upon his office, make

and subscribe before the Governor or some person appointed in that behalf by him, an oath or affirmation in the form set out for the purpose in the First Schedule.

(5) The Up-Lokyukata shall be subject to the administrative control of the Lokyukata and, in particular, for the purpose of convenient disposal, of investigations under this Act, the Lokyukata may issue such general or special direction as he may consider necessary to the Up-Lokyukata.

Provided that nothing in this sub-section shall be construed to authorize the Lokyukata to question any finding, conclusion or recommendation of an Up-Lokyukata.

Lokyukata and Up-Lokyukata to hold no other office.

4 Lokyukata or an Up-Lokyukata, as the case may be, shall be a person who is not or never has been a member of parliament or a member of Legislature of any State and shall not hold any office of trust or profit other than his office as the Lokyukata, or as the case may be, an Up-Lokyukata or be connected with any political party or carry on any business or practice, any profession and accordingly before he enters upon his office, a person appointed as the Lokyukata or as the case may be, an Up-Lokyukata, shall:-

- (a) If he is a sitting Judge or holds any other office of trust or profit, resign from such office; or
- (b) If he is connected with any political party, sever his connection with it; or
- (c) If he is carrying on any business sever his connection (short of diverting himself of ownership) with the conduct management of such business; or
- (d) If he is practicing any profession, suspend practice of such profession.

Terms of office and other conditions of service of Lokyukata and Up-Lokyukata

5 (1) Every person appointed as the Lokyukata or Up-Lokyukata shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of 67 years whichever is earlier provided that:-

- (a) The Lokyukata or an Up-Lokyukata may, by writing by under his hand addressed to the Government, resign his office;
- (b) The Lokyukata or an Up-Lokyukata may be removed from office in the manner specified in Section 6;

- (2) If the office of the Lokyukata or an Up-Lokyukata becomes vacant, or if the Lokyukata or an Up-Lokyukata is by reason of absence or for any other reason whichever, unable to perform the duties of his office shall until some other person appointed under Section 3 enters upon such office or, as the case may be until the Lokyukata or such Up-Lokyukata or such resumes his duties, be performed-
- (a) Where the office of the Lokyukata becomes vacant or where he is unable to perform the duties of his office, by the Up-Lokyukata or if there are two or more Up-Lokyukata by such one of the Up-Lokyukata as the Governor may by order direct
 - (b) Where the office of the Lokyukata or Up-Lokyukata becomes vacant or where he is unable to perform the duties of his office by the Up-Lokyukata himself or if the Lokyukata so directs by the other Up-Lokyukata, or as the case may be, such one of the other Up-Lokyukata as may be specified in the direction.
- (3) On ceasing to hold office the Lokyukata or an Up-Lokyukata shall be ineligible employment (where as the Lokyukata or an Up-Lokyukata) or in any other capacity under the Government of Meghalaya or for any employment under, or office in any such local authority, cooperation, Government company or society as is referred to in sub-clause (vi) of clause (m) of Section 2.
- (4) The Lokyukata shall be entitled to such pay, allowances pension, privilege and other condition of service as may be admissible to the Judge of the Supreme Court or of the High Court as the case may be, from time to time.
- (5) The Up-Lokyukata shall be entitled to such pay, allowances pension, privileged and other conditions of services as may admissible to the District and Session Judge from time to time.
- (6) The pay and allowance and pension, or privileges and other conditions of service of the Lokyukata or the Up-Lokyukata shall not be varied to his disadvantage during the tenure of his office.
- (7) If the Lokyukata or Up-Lokyukata at the time of his appointment is in receipt of a pension (other than a disability pension) in respect of any previous service rendered under the Government of India or any of its predecessor Government or under Government of any State or any of its predecessor Government, his salary in respect of his service as Lokyukata or as the Up-Lokyukata as the case may be, shall be reduced.

- (a) By the amount of that person; and
 - (b) If he has before such appointment received in lieu of a position of the pension due to him in respect of such previous service the commuted value thereof, by the amount of that portion of the pension; and
 - (c) If he has before such appointment, receive a retirement gratuity in respect of such previous service, by the pension equivalent of that gratuity.
- Removal of Lokyukata and Up-Lokyukata. 6
- (1) Subject to the provisions of Article 311 of the Constitution of India the Lokyukata or Up-Lokyukata may be removed from his office by the Government on the ground of mis-behaviour or incapacity and on no other ground;
- Provided that the inquiry required to be hold under clause (2) of Article 311 of the Constitution before such removal-
- (a) In respect of Lokyukata, shall only be held by a peon appointed by the Governor being a person who is or has been a Judge of the Supreme Court or a Chief Justice of High Court; and
 - (b) In respect of an Up-Lokyukata, shall be held by a person appointed by the Governor being a person who is or has been a Judge of the Supreme Court or who is or has been a Judge of a High Court.
- (2) The person appointed under the proviso to sub-section (1) shall submit the report of his inquiry to the Governor who shall, as soon as may be, cause it to be laid before the State Legislative.
- (3) Notwithstanding anything contained in sub-section (1) the Governor shall not remove the Lokyukata or an Up-Lokyukata unless a resolution by the State Legislature supported by a majority of the total membership of that House and a Majority of not less than two third of the members of that House present and voting, has been presented to the Governor in the same Session for such removal.
- Matters which may be investigated by Lokyukata or an Up-Lokyukata 7
- (1) Subject to the provisions of this Act and on a complaint involving a grievance or an allegation being made in that behalf, the Lokyukata may investigate any action which is taken by, or with the general to specific approval of-
- (i) A Minister or a Secretary; and
 - (ii) Any public servant referred to in Clause (m) of Section (2); or

8

- (iii) Any other public servant being a public servant of a class or sub-class of public servants notified by the State Government in consultation with the Lokyukata, in this behalf.
- (2) Subject to the provisions of this Act and on a complaint involving a grievance or an allegation being made in that behalf an Up-Lokyukata may investigate any action which taken by, or with the general or specific approval of the public servant not being a Minister, Secretary or other public referred to in sub-section (1) .
- (3) Notwithstanding anything contained in sub-section (2), the Lokyukata may, for reasons to be recorded in writing investigate any action which may be investigated by an Up-Lokyukata under that sub-section.
- (4) Where two or more Up-Lokyukata are appointed under this Act, the Lokyukata may, be general or special order, assign to each of them matters which may be investigated by them under this Act;
Provided that no investigation made by an Up-Lokyukata under this Act and no action taken or thing done by him in respect of such investigation shall be open to question on the ground only that such investigation related to a matter which is not assigned to him by such order.

Matter not subject to 8 investigation

- (1) Save as hereinafter provided, the Lokyukata or an Up-Lokyukata shall not conduct any investigation under this Act.
 - (a) Except on a complaint made under and in accordance with Section 9; or
 - (b) In the case of a complaint involving a grievance in respect of any action-
 - (i) If such action relates to any matter specified in the second schedule; or
 - (ii) If the complaint has or had any remedy by way of proceeding before any remedy by way of proceeding before any Tribunal or Court of Law.

Provided that nothing in clause (b) (ii) shall prevent the Lokyukata or an Up-Lokyukata from conducting an investigation if he is satisfied that such person could not or cannot, for sufficient cause, have recourse to a remedy referred to in that sub-clause.

- (2) The Lokyukata or an Up-Lokyukata shall not investigate to any action-
- (a) In respect of which a formal and public inquiry has been ordered under the public Servants (Inquiries) Act, 1850 (Central Act 37 of 1850), by the Government of India or by the State Government; or
 - (b) In respect of a matter which has been referred for inquiry under the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952), by the Government of India or by the State Government.
- (3) The Lokyukata and an Up-Lokyukata shall not investigate to any complaint which is excluded from his jurisdiction by virtue of a notification issue Section 19.
- (4) The Lokyukata and an Up-Lokyukata shall not investigate-
- (a) Any complain involving a grievance if the complaint is made after the expiry of twelve months from the date on which the action complained against becomes known to the complainant;
 - (b) Any complaint involving an allegation, if the complaint is made after the expiry of five years from the date on which the action complained against is alleged to have taken place;
- Provided that the Lokyukata or an Up-Lokyukata may entertain a complaint referred to in sub-clause (a), if the complainant satisfied him he had sufficient cause for not making the complaint within the period specified in that clause.
- (5) In the case of any complaint involving a grievance, nothing in this Act shall be construed as empowering the Lokyukata or an Up-Lokyukata to question any administrative action involving the exercise of a direction except where he is satisfied that the element involved in the exercise of the discretion are absent to such an extent that the direction cannot be regarded as having properly exercised.
- (6) The Lokyukata shall not investigate any complaint involving a grievance against a public servant referred to in clause (m) of section 2.

Provision relating to
complaint.

9

- (1) Subject to the provisions of this Act, a complaint may be under this Act to the Lokyukata or an Up-Lokyukata-

(a) In the case of a grievance, by the person aggrieved other than a public servant.

(b) In the case of an allegation by any person other than public servant:

Provided that, where the person aggrieved is dead or is for any reason unable to act for himself, the complaint may be made by any person who in law represent to his estate or, as the case may be, by any person who is authorised by him in his behalf.

(2) Every complaint shall be accompanied by the complainant's own affidavit in support thereof and also affidavits of all persons from whom he claims to have received information of facts relating to the accusation, verified before a Magistrate of First Class together with all documents in his possession or power pertaining to the accusation.

(3) Every complaint and affidavit under this section as well as annexures attached thereto shall be verified in the manner laid down in the Code of Civil Procedure 1908 for the verification of pleadings and affidavits respectively.

(4) Not less than three copies of the complaint as well of each of its annexures shall be submitted by the complainant.

(5) A complaint which does not comply with any of the foregoing provisions shall not be entertained.

(6) Notwithstanding anything contained in sub-section (1) to (5), or in any other enactment, any letter written to the Lokyukata or Up-Lokyukata by a person in police custody, or in a goal or in any asylum or other place for insane persons, shall be forwarded to the addresses un-opened and without delay by the police officer or other persons incharge of such goal, asylum or other place, and the Lokyukata or Up-Lokyukata, as the case may be, may entertain it and treat it as a complaint but no action in respect of such complaint shall be taken unless it is accompanied or subsequently supported by an affidavit under sub-section (2)

Procedure in respect of investigations

10 (1) Where the Lokyukata or an Up-Lokyukata possesses (after making such preliminary inquiry if any, as he deems fit) to conduct any investigation under this Act he-

(a) Shall forward a copy of the complaint to the public servant concerned and the competent authority concerned;

(b) Shall afford to the public servant concerned an opportunity to offer his comments on such complaint and

(c) May make such order as to the safe custody of documents relevant to the investigation as he deems fit.

(2) Every such investigation shall be conducted in private, and in particular, the identity of the complainant and of the public servant affected by the investigation shall not be disclosed to the public or the press whether before during or after investigation.

Provided that the Lokyukata or an Up-Lokyukata may conduct any investigation relating to a matter of definite public importance in public, if he, for reasons to be recorded in writing, thinks fit to do so.

(3) Save as aforesaid, the procedure for conducting any such investigation shall be such as the Lokyukata or as the case may be the Up-Lokyukata considers appropriate in the circumstances of the case.

(4) The Lokyukata or an Up-Lokyuykata may, in his discretion, refuse to investigate or cease to investigate any complaint involving a grievance or, an allegation, if in his opinion-

(a) The complaint is frivolous or vexatious, or is not made in good faith or,

(b) There are no sufficient grounds for, investigating or, as the case may be, for continuing the investigation; or

(c) Other remedies are available to the complaint and the circumstances of the case it would be more proper for the complainant to avail of such remedies.

(5) In any case where the Lokyukata or an Up-Lokyukata decides not to entertain a complaint or to discontinue any investigation in respect of a complaint he shall record his reasons therefore and communicate the same to the complaint and the public servant concerned.

(6) The conduct of an investigation under this Act in respect of any action shall not affect such action or any power or duty of any public servant to take further action with respect to any matter subject to the investigation.

(7) The provisions of this Act shall be in addition to and not in derogation of the provisions of the Prevention of Corruption Act, 1988 or any other law for the time being in force.

(8) If the Lokyukata declines to inquire into any matter against any person who may be his close relation and in case there is no Up-Lokyukata in the Lokyukata Organisation in that event the Lokyukata shall submit a report to the Government with a request to refer the matter in dispute to the Chief Justice of the High Court of the State for his opinion and to decide the disoute conformity with such opinion.

Produce of evidence
document and
information

11

- (1) Subject to the provisions of this Section, for the purpose of any investigation (including the preliminary inquiry, if any, before such investigation) under this Act the Lokyukata or an Up-Lokyukata may require any public servant or any other person who in his opinion is able to furnish information or produce document relevant to the investigation to furnish such information to produce any such documents.
- (2) For the purpose of any such investigation, (including the preliminary enquiry) the Lokyyukata or an Up-Lokyukata shall have all the powers of a Civil Court while trying a suit under the Code of Civil procedure, 1908, in respect to the following matters namely-
 - (a) Summoning and enforcing the attendance of any person and examining him on oath;
 - (b) Requiring discovery and production of any document.
 - (c) Receiving evidence on affidavit
 - (d) Requisition on any public record or copy thereof from any court or office.
 - (e) Issuing commissions for the examination of witnesses, or documents.
 - (f) Such other matters as may be prescribed.
- (3) Any proceeding before the Lokyukata or an Up-Lokyukata shall be deemed to be a Judicial Proceeding within the meaning of Section 193 of the Indian Penal Code, 1860
- (4) Subject to the provisions of sub-section (5), no obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to the State Government or any public servant, whether imposed by any enactment or by any rule of law shall apply to the disclosure of information for the purpose of any investigation under this Act and the State Government or any public servant shall not be entitled in relation to any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by any enactment or by rule of law in legal proceedings

(5) No person shall be required or authorised by virtue of this Act to furnish any information or answer any such question or produce so much of any document-

(a) As may prejudice the security of the state or the defence or international relations of India (including India's relation with the Government of any other country or with any international organisation) or the investigation of detection of crime; or

(b) As may involve the disclosure of the proceeding of the Cabinet of the State Government or any committee of that Cabinet.

And for the purpose of this sub-section a certificate issued by the Chief Secretary certifying that any information, answer or portion of a document is of the nature specified in clause (a) or clause (b), shall be binding and conclusive.

(6) Subject to the provisions of sub-section (4), no persons shall be compelled for the purpose of investigation under this Act to give any evidence or produce any documents which he could both be compelled to give or produce in proceedings before a Court.

Reports of Lokyukata
and Up-Lokyukata 12

(1) If, after investigation of any action in respect of which a complaint involving a grievance has been made, the Lokyukata or an Up-Lokyukata is satisfied that such action has resulted in injustice or undue hardship to the complainant or any other person, the Lokyukata or an Up-Lokyukata shall by a report in writing recommended to the competent authority concerned that such injustice or under hardship shall be remedied or redressed in such manner and within such time as may be specified in the report

(2) The competent authority to whom is sent under sub-section (1), shall within one month of the expiry of the time specified in the report, intimate or cause to be intimated to the Lokyukata, or as the case may be, the Up-Lokyukata, the action taken for compliance with the report.

(3) If, after investigation of any action in respect of which a complaint involving an allegation has been made the Lokyukata or an Up-Lokyukata is satisfied that such allegation can be substantiated either wholly or partly, he shall by report in writing communicate his finding and recommendation along with the relevant documents, material and either evidence to competent authority.

- (4) The competent authority shall intimate within three months of the date of receipt of the report the Lokyukata or, as the case may be the Up-Lokyukata, the action taken on the basis of the report.
- (5) If the Lokyukata or an Up-Lokyukata is satisfied with the action taken on his recommendation or findings referred to in sub-section (1) and (3), he shall close the case under information to the complainant, the public servant and the competent authority concerned, but where he is not so satisfied and if he consider that the case so deserves he may make a special report upon the case to the Government and also inform the complainant concerned.
- (6) The Lokyukata and the Up_lokyukata shall present annually a consolidated report on the performances of their functions under this Act to the Governor.
- (7) On receipt of a special report under sub-section (5) or the annual report under sub-section (6), the Governor shall cause a copy thereof together with an explanatory memorandum to be laid before the Meghalaya State Legislative.
- (8) Subject to the provision of sub-section (2) of Section 10, the Lokyukata may, at his direction make available, from time to time, the substance of cases closed or otherwise disposed of by him or by an Up-Lokyukata which may appear to him to be general, public, academic or professional interest, in such manner and to such person as he may deem appropriate.

Action in the case of
false complaint

13

- (1) Notwithstanding anything contained in any other provision of this Act every person who wilfully or malicious makes any false complaint under this Act shall, on conviction, be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.
- (2) No Court, except a Court of Session, in the case of a complaint investigated by the Lokyukata or a Court of Magistrate First Class in the case of a complaint investigated by an Up-Lokyukata shall take cognizance of the offence under sub-section (1).
- (3) No such Court shall take cognizance of such offence as aforesaid except on a complaint in writing made by the public prosecutor at the direction of the Lokyukata or Up-Lokyukata, as the case may be and the Court of Session may be take cognizance of the offence on such a complaint without the case being committed to it.

- (4) Such Court, on conviction of a person making false complaint may award, out of the amount of fine to the complaint such amount of compensation as it think fit.
- (5) If at any stage of a proceeding under this Act before the Lokyukata or an Up-Lokyukata if appear to him that any person appearing in such proceeding or any person who find an affidavit support of a complaint made under this Act had knowingly or wilfully give false evidence or had fabricated false evidence with the intention that such evidence should be used in such proceeding, the Lokyukata or an Up-Lokyukata as the case may be, may if satisfied that it is necessary and expedient in the interest of justice, that the person should be tried summarily forgiving or fabricating, as the case may be false evidence, takes cognizance of the offence and may, after giving the offender a reasonable opportunity of showing cause why he should not be punished for such offence, try such offender summarily so far as may be in accordance with the procedure prescribed for summary trials under the Code of Criminals procedure, 1973 and sentence him to imprisonment for a term which may extent to six months or with fine which may extend to five thousand rupees, or with both.
- (6) When any such offence as is describe in section 175, 178, 179 or section 180 of the Indian Penal Code is committed in the view or presence of the Loyukata or Up-Lokyukata, he may cause the offender to be detained in custody and may, at any time on the samed day take cognizance of the offence and after giving the offender a reasonable opportunity of showing cause why he should not be punish under the section, sentence the offender to simple imprisonment for a term which may extend to one month or with fine which extend to one thousand rupees, or with both.
- (7) In every case tried under sub-section (6), the Lokyukata or Up-Lokyukata, as the case may be shall record the facts constituting the offence with the statement (if any) made by the offender as well as the finding and the sentence.
- (8) Any person, convicted on a trial held under sub-section (5) or (6) may appear to the High Court and the provisions of the Chapter XXIX of the Code of Criminal Procedure, 1973, shall, so far as they are applicable apply to appeals under this sub-section, and the Appealate Court may alter or reverse the finding or reduce or reverse the sentence appealed against.

(9) The provisions of sub-section (5), (6), (7) and (8) shall have effect notwithstanding anything contained in the Code of Criminal Procedure, 1973, but nothing in these sub-section shall effect the power of the Lokyukata or Up-Lokyukata, as the case may be, to proceed under sub-section (3) in respect of any offence, where it does not choose to proceed under sub-section (2), (6) and (7)

Staff of Lokyukata and
Up-Lokyukata. 14

(1) The Lokyukata may appoint, or authorise an Up-Lokyukata or any officer sub-ordinate to the Lokyukata or an Up-Lokyukata to appoint officers and other employees to assist the Lokyukata and the Up-Lokyukata in the discharge of their functions under this Act.

Provided that nothing in this sub-section shall be construed to prevent any person who hold a post under the Central or the State Government from being appointed on deputation with the consent of the State Government.

(2) The number and categories of officers and employed who may be appointed under sub-section (1), their salaries, allowances and other conditions of service and the administrative powers of the Lokyukata and Up-Lokyukata shall be such as may be determined by general or special order of the State Government made after consultation with the Lokyukata.

(3) Without prejudice to the provisions of sub-section (1), the Lokyukata or an Up-Lokyukata may, for the purpose of conducting investigation under this Act, utilize the service of-

- (i) Any officer or investigation agency of the State or Central Government with the concurrence of the State Government.
- (ii) Any other person or agency.

Secrecy of information 15

(1) Any information obtain by the Lokyukata or an Up-Lokyukata or members of their staff in the course of or for the purpose of any investigation under this Act and any evidence recorded or collected in connection with such information, shall, subject to the provisions of the proviso to sub-section (2) of Section 10, be treated as confidential and notwithstanding anything contained in the Indian evidence Act, 1872, no Court shall be entitled to compel the Lokyukata or an Up-Lokyukata or any public servant to give evidence relating to such information or produce the evidence so recorded or collected.

- (2) Nothing in sub-section (1) shall apply to the disclosure of any information or particulars-
- (a) For purposes of the investigation or in any report to be made any action or proceeding to be taken on such report; or
 - (b) For purpose of any proceedings for an offence under the Official Secrets Act 1923, or an offence of giving or fabricating false evidence under the Indian Penal Code, 1860 (Central Act 45 of 1860) or for purposes of any trial of an offence under section 13 or any proceeding under section 16; or
 - (c) For such other purposes as may be prescribed.
- (3) An officer or other authority prescribed in this behalf may give notice in writing to the Lokyukata or an Up-Lokyukata, as the case may be, with respect to any documents or information specified in the notice or any class of documents or information so specified that in opinion of the State Government the disclosure of the documents or information or of documents or information of the class would be contrary to public interest, and where such notice is giving, nothing in this act; shall be construed as authorising or requiring the Lokyukata, and the Up-Lokyukata, for the reason to be recorded, is of the opinion that disclosure of such document or information involves no public interest, to communicate to any person any document or information specified in the notice or any documents or information of a class so specified.

Intentional insults or interruption to, or bring into disrepute, Lokyukata or Up-Lokyukata.

- 16
- (1) Whoever intentionally offers any insults, or cause any interruption to the Lokyukata or an Up-Lokyukata while the Lokyukata or the Up-Lokyukata is conducting any investigation under this Act, shall, on conviction, be punished with simple imprisonment for a term which may extend to six months or with fine, or with both.
 - (2) Whoever, by words spoken or intended to be read, makes or publishes any statements or does any other act, which is calculated to bring the Lokyukata or an Up-Lokyukata into this disrepute, shall on conviction, be punished with simple imprisonment for a term which may extend to six months, or with fine or with both.

The provisions of sub-section (2) to (6) of Section 199 of the Code of Criminal procedure, 1973, shall apply a relation to an offence under sub-section (1) or sub-section (2) as they apply in relation to an offence referred to in sub-section (2) of the said section 199 subject to the modification that no complaint in respect of such offence shall be made by the public prosecutor except with the provisos sanction:-

- (a) In the case of an offence against the Lokyukata of the Lokyukata.
- (b) In the case of an offence against an Up-Lokyukata of the Up-Lokyukata concerned.

Protection of action taken in good faith.

- 17
- (1) No suit, prosecution or other legal proceeding shall lie against the Lokyukata or an Up-Lokyukata or against any officers, employee, agency or person referred to in Section 14 in respect of anything which is in good faith done or intended to be done under this Act, or any rule or order made there under.
 - (2) No proceedings of the Lokyukata or the Up-Lokyukata shall be hold bad for want of form and except on the ground or jurisdiction no proceedings or decision of the Lokyukata or the Up-Lokyukata shall be liable to be challenged, reviewed, quashed or called in question in any court.

Conferment of additional functions of Lokyukata & Up-Lokyukata etc.

- 18
- (1) The State Government may, by notification published in the Official Gazette and after consultation with the Lokyukata, confer on the Lokyukata or an Up-Lokyukata as the case may be such additional function in relation to the eradication of corruption as may be specified in the notification.
 - (2) The State Government may, by order in writing and after consultation with the Lokyukata, confer on the Lokyukata or an Up-Lokyukata such powers of the supervisory nature over agencies, authorities or officers set-up, constituted or appointed by the State Government for the eradication of corruption.
 - (3) The State Government may, by order in writing and subject to such conditions and limitations as may be prescribed in the order, require the Lokyukata to investigate any action being an action in respect of which a complaint may be made under this Act, to the Lokyukata or an Up-Lokyukata and notwithstanding anything contained in this Act the Lokyukata shall comply with such order;

Provided that the Lokyukata may entrust investigation of any such action (being action in respect of which a complaint may be made under this Act to an Up-Lokyukata) or an Up-Lokyukata

(4) When any additional functions are conferred on the Lokyukata or an Up-Lokyukata under sub-section (1) or when the Lokyukata or an Up-Lokyukata is investigate any action under sub-section (3), the Lokyukata or Up-Lokyukata shall exercise the same powers and discharge the same functions as he would in the case of any investigation made on a complain involving an allegation and the provisions of this Act shall apply accordingly.

Power to exclude complaint against certain classes of public servants.

19 (1) The State Government may in consultation with the Lokyukata and on being satisfied that it is necessary or expelient in the public interest to do, exclude, by notification in the official Gazette, complaints involving a grievance or an allegation against persons belonging to any class of public servant specified in the notification, from the jurisdiction of the Lokyukata or, as the case may be, Up-Lokyukata;

Provided that no such notification shall be issued in respect of public servants holding posts carrying a minimum salary (excluding allowance of three thousand rupees or less)

(2) Every notification issued under sub-section (1) shall be laid, as soon as may be after it is issued, before the State Legislative while it is in session for a total period of thirty days which may be comprised in one session or in more than one successive sessions, and if, before the expiry of the said period the House agrees in making any modification in the notification or the House agrees that the notification should be annulled and notifies such decision in the Official Gazette, the notification shall from the date of publication of such decision have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done by virtue of that notification.

Delegation of powers and duties

20 The Lokyukata or an Up-Lokyukata may, by a general or special order in writing, direct that any power conferred or duties imposed on him by or under this Act (except the powers to make reports to the Government under Section 12) may also be exercised or discharged by such of the officers, employees or agencies referred to in Section 14 as may be specified in the order.

Power to make rules

- 21 (1) The State Government may, by notification in the Official gazette, make rules for the purpose of carrying out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing provisions, such rules may provide for-
- (a) The authorities for purposes required to be prescribed under sub-clause (ii) of clause (b) of section 2;
 - (b) The allowances and pension payable to and other conditions of service of the Lokyukata and Up-Lokyukata;
 - (c) The from, in which complaints may be made and the fees, if any, which may be changed and the security, for the cost of the person against whom an allegation is made which may be required to be furnished in respect thereof;
 - (d) The powers of a Civil Court which may be exercised by the Lokyukata or an Up-Lokyukata.
 - (e) Any other matter which is to be prescribed or in respect of which this Act makes no provision or makes insufficient provision and provision is in the opinion of the State Government necessary for the proper implementation of this Act.
- (3) Every rule made under this Act shall be laid as soon as may be, after it is made, before the State Legislature.
- 22 For the removal of doubts it is hereby declared that nothing in this Act shall be construed to authorize the Lokyukata or an Up-Lokyukata to investigate any allegation against-
- (a) The Chief Justice or any Judge of the High Court.
 - (b) Any officer or servant of High Court;
- 23 If any difficulty arise in giving effect to the provisions of this Act, the State Government may make such order, not in consistent with the provision of the Act, as may appear to it to be necessary for purpose of removing the difficulty;
- Provided that no such power shall be exercised after the expiry of a period of two years from the commencement of this Act.

S. DYKES

Deputy Secretary to the Govt. Of Meghalaya,

Law (B) Department.

The 26th March, 2002

No. LL(B) 17/96/330- The Meghalaya Appropriation (No. I) Act, 2002 (Act No.2 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 2 OF 2002

(As passed by the Meghalaya Legislative Assembly)

(Received the assent of the Governor on the 26th March, 2002)

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 26th March, 2002)

THE MEGHALAYA APPROPRIATION NO.1 ACT, 2002

An

Act

To authorise payment and appropriation of certain further sums out of the Consolidated Fund of Meghalaya for the services of financial year 2001-2002

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

Short title and Commencement	1	(1) This Act may be called the Meghalaya Appropriation (No. I) Act, 2002
Withdrawal of Rs. 50,15,61,233 from and out of the Consolidated Fund of Meghalaya	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 sums of Rupees fifty crores, fifteen lakhs, sixty one thousand, two hundred thirty three towards defraying the several charges which will come in the course of payment during the financial year 2001-2002 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 2001-2002.

22
SCHEDULE
(See Section 2 & 3)

(1)	(2)	(3)			
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
1.	2011-Parliamentary/State/Union Territory Legislature	Revenue	1,13,26,000	7,00,000	1,20,26,000
	2058-Stationery and Printing	Capital	...	...	...
	4058-Capital Outlay on Stationery and Printing				
2.	2012-Governor	Revenue	...	...	...
	4216-Capital Outlay on Housing	Capital	...	...	...
3.	2013-Council of Ministers	Revenue	8,00,262	...	8,00,262
	2070-Other Administrative Services, etc				
4.	2014-Administration of Justice ...	Revenue	12,70,100	...	12,70,100
5.	2015-Elections	Revenue	...	...	...
6.	2029-Land Revenue	Revenue	1,00,00,000	...	1,00,00,000
	2245-Relief on account of Natural Calamities				
	2250-Other Social Services				
	3475-Other General Economic Services				
	6225-Loans for Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes	Capital	...	...	...
	6250-Loans for Other Social Services				
	6401-Loans for Crop Husbandry				

23
SCHEDULE
(See Section 2 & 3)

(1)	(2)	(3)		
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
7.	2030-Stamps and Registration Revenue	7,86,670	...	7,86,670
8.	2039-State Excise Revenue	...	...	...
9.	2040-Sales Tax	}	Revenue	...
	2045-Other Taxes and Duties on Commodities and Services			
10.	2041-Taxes on vehicles	}	Revenue	7,74,06,668
	2070-Other Administrative Services etc			
	3055-Road Transport			
	5053-Capital Outlay on Civil Aviation			
	5055-Capital Outlay on Road Transport	}	Capital	...
11.	2045-Other Taxes and Duties on Commodities and Services	}	Revenue	...
	2501-Special Programme for Rural Development			
	2801-Power			
	2810-Non-Conventional Sources of Energy			
	6801-Loans for Power Project	}	Capital	1,00,26,700
12.	2047-Other Fiscal Services	}	Revenue	...
	2048-Appropriation for reduction or avoidance of Debt	}	Revenue	...
	2049-Interest Payments	}	Revenue	...
	2051-Public Services Commission	}	Revenue	...
			}	Revenue

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs	
13.	2052-Secretariat General Services	Revenue	3,80,000	...	3,80,000
	2251-Secretariat Social Services				
13.	3451-Secretariat Economic Services	Capital	...	...	...
	5275-Capital Outlay on other Communication Services				
14.	2053-District Administration	Revenue	...	...	...
15.	2054-Treasury and Accounts Administration	Revenue	...	...	...
16.	2055-Police	Revenue	28,96,700	30,292	29,26,939
	2070-Other Administrative Services etc				
16.	2216-Housing	Capital	...	...	...
	4059-Capital Outlay on Police				
17.	4216-Capital Outlay on Housing	Revenue	...	...	...
	2056-Jails				
17.	4059-Capital Outlay on Public Works	Capital	...	...	...
	2058-Stationery and Printing				
18.	4058-Capital Outlay on Stationery and Printing	Revenue	25,00,000	...	25,00,000
	4216-Capital Outlay on Housing				
		Capital	...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs
19.	2052-Secretariat-General Services	Revenue
	2059-Public Works			
	2203-Technical Education			
	2204-Sports and Youth Services			
	2205-Art and Culture			
	2216-Housing			
	4059-Capital Outlay on Public Works			
	4202-Capital Outlay on Education, Art and Culture			
	4210-Capital Outlay on Medical and Public Health			
	4216-Capital Outlay on Housing			
20.	4403-Capital Outlay on Animal Husbandry	Capital
	4404-Capital Outlay on Dairy Development			
	2070-Other Administrative Services etc			
	4059-Capital Outlay on Public Works			

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding							
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs					
21.	2075-Miscellaneous General Services	Revenue	15,50,90,981	...	15,50,90,981				
	2202-General Education								
	2203-Technical Education								
	2204-Sports and Youth Services								
	2205-Art and Culture								
	2236-Nutrition								
	3425-Other Scientific Research								
	3454-Census, Survey and Statistics								
	4202-Capital Outlay on Education, Art and Culture					Capital
	4204-Capital Outlay on Education, Sports, Art and Culture								
6202-Loans for Education, Art and Culture									
22.	2070-Other Administrative Services etc	Revenue	1,26,25,000	...	1,26,25,000				
	2216-Housing	Capital				
4059-Total Outlay on Public Works									
23.	2070-Other Administrative Services etc	Revenue	2,43,574	...	2,43,574				
24.	2071-Pensions and other Retirements Benefits	Revenue				
25.	2075-Miscellaneous General Services	Revenue				

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs	
26.	2210-Medical and Public Health	Revenue	2,85,05,000	...	2,85,05,000
	2211-Family Welfare				
	4210-Capital Outlay on Medical and Public Health				
26.	4216-Capital Outlay on Family Welfare	Capital	...	...	...
	2215-Water Supply and Sanitation	Revenue	...	...	...
2216-Housing					
27.	4215-Capital Outlay on Water Supply and Sanitation				
27.	4216-Capital Outlay on Housing	Capital	...	...	...
	2216-Housing	Revenue	...	...	...
28.	4216-Capital Outlay on Housing	Capital	...	...	...
	4217-Capital Outlay on Urban Development				
29.	2216-Housing	Revenue	...	...	...
	2217-Urban Development				
	4216-Capital Outlay on Housing				
29.	4217-Capital Outlay on Urban Development	Capital	...	...	...
	30.	2220-Information and Publicity	Revenue
31.	2230-Labour and Employment	Revenue	...	...	...
32.	3456-Civil Supplies	Revenue	95,19,989	...	95,19,989
	4408-Capital Outlay on Food Storage and Warehousing	Capital	...	...	...
33.	2235-Social Security and Welfare	Revenue	...	...	...
	6235-Loans for Social Security and Welfare	Capital	...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding							
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs					
34.	2225-Welfare of S.CS, S.TS and Other B.CS	Revenue	57,82,477	...	57,82,477				
	2235-Social Security and Welfare								
	2236-Nutrition								
	4059-Capital Outlay on Public Works								
	4235-Capital Outlay on Social Security and Welfare								
	6225-Loans for Welfare of S.CS, S.TS and Other B.CS					Capital
35.	2235- Social Security and Welfare	Revenue	...	...	...	
36.	2075-Miscellaneous General Services	Revenue	7,36,810	...	7,36,810				
	2235-Social Security and Welfare								
37.	2250-Other Social Services	Revenue	...	...	...	
38.	3451-Secretariat Economic Services	Revenue	10,00,000	...	10,00,000				
39.	2425-Co-operation	Revenue	61,10,000	...	61,10,000				
	4425-Capital Outlay on Co-operation								
	4435-Capital Outlay of other Agricultural Programmes					Capital	1,24,88,000	...	1,24,88,000
	6425-Loans for Co-operation								
40.	2552-North Eastern Areas (Special Areas Programme)	Revenue	...	...	...	
	4552-Capital Outlay on North Eastern Areas	Capital	...	...	...	

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs	
41.	3454-Census, Surveys and Statistics	Revenue
42.	2216-Housing 3475-Other General Economic Services	Revenue
43.	2216-Housing 2401-Crop Husbandry 2408-Food Storage and Warehousing	Revenue
	2415-Agricultural Research and Education				
	2702-Minor Irrigation				
	4216-Capital Outlay on Housing 4401-Capital Outlay on Crop Husbandry				
	4416-Investments in Agricultural Financial INST				
44.	4702-Capital Outlay on Minor Irrigation 6401-Loans for Crop Husbandry	Capital
	2701-Medium Irrigation-II-Works Under E. And D Wing P.W.D Medium Irrigation Projects				
	2711-Flood Control				
	4701-Capital Outlay on Medium Irrigation				
	4711-Capital Outlay on Flood Control Projects				

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs	
45.	2216-Housing	Revenue	
	2402-Soil and Water Conservation				
	2415-Agricultural Research and Education				
46.	2501-Special Programmes for Rural Development	Revenue	90,00,000	...	90,00,000
47.	2216-Housing	Revenue
	2235-Social Security and Welfare				
	2403-Animal Husbandry				
	2415-Agricultural Research and Education				
47.	4059-Capital Outlay on Public Works	Capital
	4403-Capital Outlay on Animal Husbandry				
	6225-Loans for Welfare of S.CS, S.TS and other B.CS				
	6403-Loans for Animal Husbandry				
48.	2216-Housing	Revenue	60,00,000	...	60,00,000
	2404-Dairy Development				
	2415-Agricultural Research and Education				
49.	2216-Housing	Revenue
	2405-Fisheries				
	2415-Agricultural Research and Education				
	4216-Capital Outlay on Housing				
	4405-Capital Outlay on Fisheries	Capital

31

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs	
50.	2406-Forestry and Wild Life	Revenue	1,75,00,000	...	1,75,00,000
	2415-Agricultural Research and Education				
	4406-Capital Outlay on Forestry and Wild Life					Capital	...	...
51.	2216-Housing	Revenue	28,70,000	...	28,70,000
	2236-Nutrition				
	2401-Crop Husbandry				
	2501-Special Programmes for Rural Development				
	2505-Rural Employment				
	2515-Other Rural Development Programmes				
51.	4216-Capital Outlay on Housing	Capital
	4515-Capital Outlay on Rural Development				
	6515-Loans for other Rural Development Programmes				
52.	2852-Industries	Revenue
	4854-Capital Outlay on Cement and non-Metallic Mineral	Capital	3,20,00,000	...	3,20,00,000
	4885-Capital Outlay on Industries and Minerals				
	6885-Loans for other Industries and Mineral				

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs	
53.	2216-Housing	Revenue	1,88,014	...	1,88,014
	2851-Village and Small Industries				
	4851-Capital Outlay on Village and Small Scale Industries	Capital	...	...	...
	6851-Loans for Village and Small Industries				
54.	2216-Housing	Revenue	7,86,37,450	...	7,86,37,450
	2851-Village and Small Industries				
	4216-Capital Outlay on Housing	Capital	...	...	...
	4851-Capital Outlay on Village and Small Scale Industries				
6851-Loans for Village and Small Industries					
55.	2853-Non-Ferrous Mining and Metallurgical Industries	Revenue	...	...	...
	4216-Capital Outlay on Housing	Capital	9,18,000	...	9,18,000
	4853-Capital Outlay on Mining and Metallurgical Industries				
56.	3054-Roads and Bridges	Revenue	...	...	...
	5054-Capital Outlay on Roads and Bridges	Capital	...	...	...
57.	3452-Tourism	Revenue	12,24,000	...	12,24,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
	5275-Capital Outlay on other Communication Services				
	5452-Capital Outlay on Tourism				
	7452-Loans for Tourism				

33

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs
58.	3606-Aid Materials and Equipment Revenue	...	...	...
59.	5465-Investment in General Capital Financial and Training Institutions	...	...	...
	6003-Internal Debt. Of the State Capital Government	...	...	...
	6004-Loans and Advances from Capital the Central Government	...	...	...
60.	7610-Loans to Government Capital Servants etc	...	...	...
61.	7615-Miscellaneous Loans Capital	...	...	...
62.	7810-Inter-State Settlement Capital	...	...	...
63.	7999-Appropriation to Contingency Capital Fund	...	...	...
Total		50,08,30,994	7,30,239	50,15,61,233

L.M.SANGMA,
Deputy Secretary,
Government of Meghalaya,
Law Department,
Shillong

The 30th March, 2002

No. LL(B) 17/96/314- The Meghalaya Appropriation (Vote-on-Account) Act, 2002 (Act No.3 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 3 OF 2002

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on the 28th March, 2002

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 30th March, 2002)

THE MEGHALAYA APPROPRIATION (Vote-on-Account) ACT, 2002

An

Act

To provide for the withdrawal of certain further sums out of the Consolidated Fund of Meghalaya for the services of financial year 2002-2003

Be it enacted by the Legislature of the State of Meghalaya in the Fifty-third 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, 2002
(2) It shall come into force on the first day of April, 2002 |
| Withdrawal of Rs. 469,90,81,432 from and out of the Consolidated Fund of Meghalaya for the financial year 2002-2003 | 2 | From and out of the Consolidated fund of Meghalaya there may be withdrawn sums not exceeding those specified in Column (3) of the Schedule amounting in the aggregate to the sums of Rupees four hundred sixty nine crores, ninety lakhs, eighty one thousand, four hundred thirty two towards defraying the several charges which will come in the course of payment beginning on the first day of April, 2002 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 2002-2003. |

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
1.	2011-Parliamentary/State/Union Territory Legislature	Revenue	1,88,00,590	6,03,66	1,94,04,250
	2058-Stationery and Printing	Revenue	9,82,500	...	9,82,500
		Total	Revenue	1,97,83,090	6,03,660	2,03,85,75
	4058-Capital Outlay on Stationery and Printing	Capital	1,75,000	...	1,75,000
		Total	Capital	1,75,000	...	1,75,000
2.	2012-Governor	Revenue	7,500	59,85,750	59,93,250
		Total	Revenue	7,500	59,85,750	59,93,250
	4216-Capital Outlay on Housing	Capital	...	...	...
		Total	Capital	...	...	...
3.	2013-Council of Ministers 2070-Other Administrative Services, etc	Revenue	1,21,00,000	...	1,21,00,000
		Total	Revenue	1,21,00,000	...	1,21,00,000
	4.	2014-Administration of Justice ...	Revenue	76,92,500	27,82,500	1,04,75,000
Total			Revenue	76,92,500	27,82,500	1,04,75,000
5.	2015-Elections	Revenue	1,41,00,000	...	1,41,00,000
		Total	Revenue	1,41,00,000	...	1,41,00,000

36

SCHEDULE-contd.

(See Section 2 & 3)

(1)	(2)	(3)		
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding		
		Voted by The Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
	2029-Land Revenue	1,09,82,000	...	1,09,82,000
	2245-Relief on account of Natural Calamities	1,08,75,000	...	1,08,75,000
	2250-Other Social Services	...	...	...
	3475-Other General Economic Services	...	...	...
	Total	2,18,57,000	...	2,18,57,000
6.	6225-Loans for Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes	...	...	...
	6250-Loans for Other Social Services	...	...	...
	6401-Loans for Crop Husbandry	...	...	...
	Total	...	...	...
7.	2090-Stamps and Registration	15,79,000	...	15,79,000
	Total	15,79,000	...	15,79,000
8.	2039-State Excise	89,72,000	...	89,72,000
	Total	89,72,500	...	89,72,500
	2040-Taxes on Sales Trade Etc	89,00,000	...	89,00,000
9.	2045-Other Taxes and Duties on Commodities and Services	...	...	...
	Total	89,00,000	...	89,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by The Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
10.	2041-Taxes on Vehicles	Revenue	1,46,75,000	...	1,46,75,000
	2070-Other Administrative Services etc		37,50,000	...	37,50,000
	3055-Road Transport		...	...	...
	Total	Revenue	1,84,25,000	...	1,84,25,000
	5053-Capital Outlay on Civil Aviation	Capital	12,50,000	...	12,50,000
	5055-Capital Outlay on Road Transport		1,13,75,000	...	1,13,75,000
	Total	Capital	1,26,25,000	...	1,26,25,000

38

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
11.	2045-Other Taxes and Duties on Commodities and Services	Revenue	10,32,500	...	10,32,500
	2501-Special Programmes for Rural Development		27,50,000	...	27,50,000
	2801-Power		3,00,00,000	...	3,00,00,000
	2810-Non-Conventional Sources of Energy		35,00,000	...	35,00,000
	Total	Revenue	3,72,82,500	...	3,72,82,500
	6801-Loans for Power Projects	Capital	13,75,00,000	...	14,75,00,000
	Total	Capital	13,75,00,000	...	13,75,00,000

39

SCHEDULE-contd.

(See Section 2 & 3)

(1)	(2)	(3)				
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding				
		Voted by The Assembly	Charged on the Consolidated Fund	Total		
		Rs.	Rs.	Rs.		
12.	2047-Other Fiscal Services	Revenue	2,42,500	...	2,42,500	
	Total	Revenue	2,42,500	...	2,42,500	
	2048-Appropriation for Reduction or Avoidance of Debt	Revenue	...	1,16,02,250	1,16,02,250	
	Total	Revenue	...	1,16,02,250	1,16,02,250	
	2049-Interest Payment	Revenue	...	40,58,08,856	40,58,08,856	
	Total	Revenue	...	40,58,08,856	40,58,08,856	
	2051-Public Services Commission	Revenue	...	27,99,750	27,99,750	
	Total	Revenue	...	27,99,750	27,99,750	
	13.	2052-Secretariat General Services	Revenue	7,33,75,000	...	7,33,75,000
		2251-Secretariat Social Services		77,50,000	...	77,50,000
3451-Secretariat Economic Services			1,21,25,000	...	1,21,25,000	
Total		Revenue	9,32,50,000	...	9,32,50,000	
5275-Capital Outlay on other Communication		Capital	...	...	...
Total		Capital	...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
14.	2053-District Administration	Revenue	2,15,88,250	...	2,15,88,250
	Total	Revenue	2,15,88,250	...	2,15,88,250
15.	2054-Treasury and Accounts Administration	Revenue	1,87,68,000	...	1,87,68,000
	Total	Revenue	1,87,68,000	...	1,87,68,000
16.	2055-Police	Revenue	27,07,29,000	43,750	27,07,72,750
		Total	Revenue	2,27,50,000	...
	2070-Other Administrative Services etc	Revenue	25,00,000	...	25,00,000
		Total	Revenue	29,59,79,000	43,750	29,60,22,750
	4055-Capital Outlay on Police 4059-Capital Outlay on Public Works	Capital	39,25,000	...	39,25,000
		Capital	...	...	...
		Total	Capital	39,25,000	...	39,25,000
17.	2056-Jails	Revenue	91,92,000	...	91,92,000
		Total	Revenue	91,92,000	...	91,92,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
18.	2058-Stationery and Printing	Revenue	1,86,25,000	...	1,86,25,000
		Total	Revenue	1,86,25,000	...	1,86,25,000
	4058-Capital Outlay on Stationery and Printing	Capital	6,50,000	...	6,50,000
		Total	Capital	6,50,000	...	6,50,000

41

SCHEDULE-contd.
(See Section 2 & 3)

(1)	(2)	(3)		
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
19.	2052-Secretariat General Services	Revenue	46,25,000	... 66,25,000
	2059-Public Works		15,87,50,775	... 15,87,50,775
	2203-Technical Education		...	...
	2204-Sports and Youth Services		...	...
	2205-Art and Culture		...	...
	2216-Housing		98,77,500	... 98,77,500
	Total	Revenue	17,32,49,275	... 17,32,49,275
	4059-Capital Outlay on Public Works		2,01,07,500	... 2,01,07,500
	4202-Capital Outlay on Education		60,50,000	... 60,50,000
	4210-Capital Outlay on Medical and Public Health		7,50,000	... 7,50,000
	4216-Capital Outlay on Housing		21,37,500	... 21,37,500
	4403-Capital Outlay on Animal Husbandry		...	...
	4404-Capital Outlay on Dairy Development		...	...
	Total	Capital	2,90,45,000	... 2,90,45,000

SCHEDULE-contd.
(See Section 2 & 3)

(1)	(2)	(3)			
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
20.	2070-Other Administrative Services etc	Revenue	8,23,94,250	...	8,23,94,250
	Total	Revenue	8,23,94,250	...	8,23,94,250
	4059-Capital Outlay on Public Works	Capital	...	...	...
	Total	Capital	...	...	...

43

SCHEDULE-contd.
(See Section 2 & 3)

(1)	(2)	(3)			
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
21.	2075-Miscellaneous General Services	Revenue	15,000	...	15,000
	2202-General Education		65,26,34,500	...	65,26,34,500
	2203-Technical Education		1,64,50,000	...	1,64,50,000
	2204-Sports and Youth Services		2,52,07,250	...	2,52,07,250
	2205-Art and Culture		1,44,25,000	...	1,44,25,000
	2236-Nutrition		...	...	...
	3425-Other Scientific Research		6,75,000	...	6,75,000
	3454-Census, Survey and Statistic		6,50,000	...	6,50,000
	Total	Revenue	71,00,56,750	...	71,00,56,750
	4202-Capital Outlay on Education	Capital	...	...	...
6202-Loans for Education, Sports, Art and Culture		...	...	...
Total	Capital	...	...	...
22.	2070-Other Administrative Services etc	Revenue	92,50,000	...	92,50,000
	2216-Housing		47,00,000	...	47,00,000
	Total	Revenue	1,39,50,000	...	1,39,50,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
23.	2070-Other Administrative Services etc	Revenue	27,80,000	... 27,80,000
	Total	Revenue	27,80,000	... 27,80,000
24.	2871-Pensions and Other Retirement Benefits	Revenue	19,24,25,000	... 19,24,25,000
	Total	Revenue	19,24,25,000	... 19,24,25,000
25.	2075-Miscellaneous General Services	Revenue	8,00,000	... 8,00,000
	Total	Revenue	8,00,000	... 8,00,000
26.	2210-Medical and Public Health	Revenue	20,21,98,500	... 20,21,98,500
	2211-Family Welfare		3,05,17,000	... 3,05,17,000
	Total	Revenue	23,27,16,000	... 25,27,16,000
	4210-Capital Outlay on Medical and Public Health	Capital	2,50,82,500	... 2,50,82,500
	4211-Capital Outlay on Family Welfare		20,00,000	... 20,00,000
Total	Capital	2,70,82,500	... 2,70,82,500	

45

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
27.	2215-Water Supply and Sanitation	Revenue	13,20,50,000	... 13,20,50,000
	2216-Housing		3,50,000	... 3,50,000
	Total	Revenue	13,24,00,000	... 13,24,00,000
	4215-Capital Outlay on Water Supply and Sanitation	Capital	21,63,00,000	... 21,63,00,000
	4216-Capital Outlay on Housing		7,50,000	... 7,50,000
	Total	Capital	21,70,50,000	... 21,70,50,000
28.	2216-Housing	Revenue	3,45,77,000	... 3,45,77,000
	Total	Revenue	3,45,77,000	... 3,45,77,000
	4216-Capital Outlay on Housing	Capital	18,47,500	... 18,47,500
	6216-Loans for Housing		2,75,500	... 2,75,500
	Total	Capital	21,22,500	... 21,22,500

46

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding				
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.		
29.	2216-Housing	Revenue	...	...	...
	2217-Urban Development		3,21,00,000	...	3,21,00,000	
		Total	Revenue	3,21,00,000	...	3,21,00,000
	4216-Capital Outlay on Housing	Capital	1,75,000	...	1,75,000	
	4217-Capital Outlay on Urban Development		3,51,25,000	...	3,51,25,000	
		Total	Capital	,53,00,000	...	3,53,00,000
30.	2220-Information and Publicity	Revenue	1,08,08,500	...	1,08,08,500	
		Total	Revenue	1,08,08,500	...	1,08,08,500
31.	2230-Labour and Employment	Revenue	2,60,01,000	...	2,60,01,000	
		Total	Revenue	2,60,01,000	...	2,60,01,000
32.	3456-Civil Supplies	Revenue	89,19,500	...	89,19,500	
		Total	Revenue	89,19,500	...	89,19,500
	4408-Capital Outlay on Food Storage and Warehousing	Capital	...	...	...
		Total	Capital

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
33.	2235-Social Security and Welfare	Revenue	...	...	...
	Total	Revenue	...	...	...
	6235-Loans for Social Security and Welfare	Capital	2,50,000	...	2,50,000
	Total	Capital	2,50,000	...	2,50,000
34.	2225-Welfare of S.CS, S.TS and Other B.CS	Revenue	1,50,50,000	...	1,50,50,000
	2235-Social Security and Welfare		4,31,83,750	...	4,31,83,750
	2236-Nutrition		2,23,96,250	...	2,23,96,250
	Total	Revenue	8,06,30,000	...	8,06,30,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
	4235-Capital Outlay on Social Security and Welfare		4,00,000	...	4,00,000
	6225-Loans for Welfare of S.CS, S.TS and other B.CS		...	...	...
	Total	Capital	4,00,000	...	4,00,000

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
35.	2235-Social Security and Welfare	Revenue	5,67,250	...	5,67,250
	Total	Revenue	5,67,250	...	5,67,250
36.	2075-Miscellaneous General Services	Revenue	38,500	...	38,500
	2235-Social Security and Welfare	Total	27,62,500	1,25,000	28,87,500
37.	2250-Other Social Services	Revenue	12,500	...	12,500
	Total	Revenue	28,01,000	1,25,000	29,26,000
38.	3451-Secretariat Economic Services	Revenue	1,08,00,000	...	1,08,00,000
	Total	Revenue	1,08,00,000	...	1,08,00,000
39.	2425-Co-operation	Revenue	1,74,32,000	...	1,74,32,000
	4425-Capital Outlay on Co-operation	Total	1,76,32,000	...	1,76,32,000
	4435-Capital Outlay on Other Agriculture	Capital	1,97,49,300	...	1,97,49,300
	6425-Loans for Co-operation	Total	7,50,000	...	7,50,000
	Total	Capital	73,47,200	...	73,47,200
40.	2552-North Eastern Areas (Special Areas Programme)	Capital	2,78,46,500	...	2,78,46,500
	4552-Capital Outlay on North Eastern Areas	Revenue	2,60,75,000	...	2,60,75,000
	Total	Revenue	2,60,75,000	...	2,60,75,000
41.	3454-Census, Surveys and Statistics	Capital	4,50,00,000	...	4,50,00,000
	Total	Revenue	1,07,50,250	...	1,07,50,250
		Revenue	1,07,50,250	...	1,07,50,250

49

SCHEDULE-contd.

(See Section 2 & 3)

(1)	(2)	(3)			
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
42.	2216-Housing	Revenue	25,000	...	25,000
	3475-Other General Economic		32,78,750	...	32,78,750
	Services				
	Total	Revenue	33,03,750	...	33,03,750
43.	2216-Housing	Revenue	18,50,000	...	18,50,000
	2401-Crop Husbandry		12,42,13,250	...	12,42,13,250
	2408-Food Storage and Warehousing		37,50,000	...	37,50,000
	2415-Agricultural Research and Education	Revenue	63,22,250	...	63,22,250
	2435-Other Agricultural Programmes		53,52,000	...	53,52,000
	2702-Minor Irrigation		2,67,00,000	...	2,67,00,000
	Total	Revenue	16,81,87,500	...	16,81,87,500
	4216-Capital Outlay on Housing	Capital	5,00,000	...	5,00,000
4401-Capital Outlay on Crop Husbandry		5,50,000	...	5,50,000	

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
44.	4416-Investment in Agricultural Financial Institution	Capital	1,25,000	...	1,25,000
	4702-Capital Outlay on Minor Irrigation	Capital	1,95,00,000	...	1,95,00,000
	6401-Loans for Crop Husbandry	Capital	...	...	...
	Total	Capital	2,06,75,000	...	2,06,75,000
	2701-Medium Irrigation-II works under E. And D. Wing P.W.D medium	Revenue	8,25,025	...	8,25,025
	2711-Flood Control	Revenue	13,00,000	...	13,00,000
	Total	Revenue	21,25,025	...	21,25,025
	4701-Capital Outlay on Medium Irrigation	Capital	1,15,49,975	...	1,15,49,975
	4711-Capital Outlay on Flood Control Projects	Capital	55,00,000	...	55,00,000
	Total	Capital	1,70,49,975	...	1,70,49,975

51

SCHEDULE-contd.
(See Section 2 & 3)

(1)	(2)	(3)			
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
45.	2216-Housing	Revenue	8,12,750	...	8,12,750
	2402-Soil and Water Conservation		5,84,03,000	...	5,84,03,000
	2415-Agricultural Research and Education		3,96,000	...	3,96,000
	Total	Revenue	5,96,11,750	...	5,96,11,750
46.	2501-Special Programmes for Rural Development	Revenue	2,49,92,000	...	2,49,92,000
	Total	Revenue	2,49,92,000	...	2,49,92,000
47.	2216-Housing	Revenue	17,74,717	...	17,74,717
	2235-Social Security and Welfare		...	...	...
	2403-Animal Husbandry		6,15,27,783	...	6,15,27,783
	2415-Agricultural Research and Education		37,73,750	...	37,73,750
	Total	Revenue	6,70,76,250	...	6,70,76,250
	4059-Capital Outlay on Public Works	Capital	...	...	...
4403-Capital Outlay on Animal Husbandry		...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
	6225-Loans for Welfare of S.CS, S.TS, and other B.CS	...	...	...
	6403-Loans for Animal Husbandry	...	...	...
	Total } Capital	...	...	...
48.	2216-Housing } Revenue	4,00,000	...	4,00,000
	2404-Dairy Development	1,77,56,500	...	1,77,56,500
	2415-Agricultural Research and Education	...	...	...
	Total } Revenue	1,81,56,500	...	1,81,56,500
49.	2216-Housing } Revenue	1,00,000	...	1,00,000
	2405-Fisheries	1,36,93,750	...	1,36,93,750
	2415-Agricultural Research and Education	4,68,750	...	4,68,750
	Total } Revenue	1,42,62,500	...	1,42,62,500
	4216-Capital Outlay on Housing } Capital	75,000	...	75,000
	4405-Capital Outlay on Fisheries	1,62,500	...	1,62,500
	Total } Capital	2,37,500	...	2,37,500

53

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
50.	2406-Forestry and Wild Life	Revenue	8,91,00,000	2,500	8,91,02,500
	2415-Agricultural Research and Education		20,00,000	...	20,00,000
		Total	Revenue	9,11,00,000	1,250	9,11,02,500
	4406-Capital Outlay on Forestry and Wild Life	Capital	2,50,000	...	2,50,000
		Total	Capital	2,50,000	...
51.	2216-Housing	Revenue	8,50,000	...	8,50,000
	2236-Nutrition		...	...	...
	2401-Crop Husbandry		25,00,000	...	25,00,000
	2501-Special Programmes for		1,34,00,000	...	1,34,00,000
	2505-Rural Development		2,31,25,000	...	2,31,25,000
	2515-Other Rural Development Programmes		7,51,37,500	...	7,51,37,500
		Total	Revenue	11,50,12,500	...	11,50,12,500
	4216-Capital Outlay on Housing	Capital	51,12,500	...	51,12,500
	4515-Capital Outlay on Rural Development		51,12,500	...	51,12,500
		Total	Capital	1,02,25,000	...
6515-Loans for other Rural Development Programmes		...	...	...
	Total	Capital	1,02,25,000	...	1,02,25,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
52.	2852-Industries	Revenue	78,23,250	...	78,23,250
		Revenue	78,23,250	...	78,23,250
	4854-Capital Outlay on Cement and non-Metallic Mineral	Capital	...	...	...
	4885-Capital Outlay on Industries and Minerals		2,00,00,000	...	2,00,00,000
	6885-Loans for other Industries and Minerals		...	...	...
	Total	Capital	2,00,00,000	...	2,00,00,000
53.	2216-Housing	Revenue	...	...	...
	2851-Village and Small Industries		2,73,83,125	...	2,73,83,125
	Total	Revenue	2,73,83,125	...	2,73,83,125
	4851-Capital Outlay on Village and Small Scale Industries	Capital	...	...	...
	6851-Loans for Village and Small Industries	Capital	12,50,000	...	12,50,000
	Total	Capital	12,50,000	...	12,50,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
54.	2216-Housing	Revenue	...	...	...
	2851-Village and Small Industries	Revenue	2,90,36,750	...	2,90,36,750
	Total	Revenue	2,90,36,750	...	2,90,36,750
	4216-Capital Outlay on Housing	Capital	...	...	...
	4851-Capital Outlay on Village and Small Scale Industries	Capital	1,05,75,000	...	1,05,75,000
	6851-Loans for Village and Small Industries	Capital	...	...	...
	Total	Capital	1,05,75,000	...	1,05,75,000
55.	2853-Non-Ferrous Mining and Metallurgical Industries	Revenue	5,03,75,000	...	5,03,75,000
	Total	Revenue	5,03,75,000	...	5,03,75,000
	4216-Capital Outlay on Housing	Capital	1,00,000	...	1,00,000
	4853-Capital Outlay on Mining and Metallurgical Industries	Capital	4,75,000	...	4,75,000
	Total	Capital	4,75,000	...	4,75,000
56.	3054-Roads and Bridges	Revenue	10,74,10,500	...	10,74,10,500
	Total	Revenue	10,74,10,500	...	10,74,10,500
	5054-Capital Outlay on Roads and Bridges	Capital	21,30,76,551	...	21,30,76,551
	Total	Capital	21,30,76,551	...	21,30,76,551

56

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
57.	3452-Tourism	Revenue	3,04,27,500	...	3,04,27,500
	Total	Revenue	3,04,27,500	...	3,04,27,500
		4059-Capital Outlay on Public Works	
	5275-Capital Outlay on other Communication Services		...	...	...
	5452-Capital Outlay on Tourism		13,75,000	...	13,75,000
	7452-Loans for Tourism		7,50,000	...	7,50,000
	Total	Capital	21,25,000	...	21,25,000
58.	3606-Aid Materials and Equipment	Revenue	...	...	...
	Total	Revenue	...	...	...
59.	5465-Investment in General Financial and Training Institutions	Capital	...	...	...
		Total	Capital	...	...
	6003-Internal Debt of the State Government	Capital	...	15,28,62,575	15,28,62,575
	Total	Capital	...	15,28,62,575	15,28,62,575
60.	6004-Loans and Advances from the Central Government	Capital	...	5,44,86,800	5,44,86,800
		Total	Capital	...	5,44,86,800	5,44,86,800
	7610-Loans to Government Servants etc	Capital	5,00,00,000	...	5,00,00,000
	Total	Capital	5,00,00,000	...	5,00,00,000
61.	7615-Miscellaneous Loans	Capital	...	...	...
	Total	Capital	...	...	...
62.	7810-Inter-State Settlement	Capital	...	...	...
	Total	Capital	...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding				
		Voted by The Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.		
63.	7999-Appropriation to Contingency Fund	Capital	...	...	...
		Total Capital	...	...	...
Total		406,19,78,041	63,71,03,391	469,90,81,432

L.M.SANGMA,
Deputy Secretary, to the
Government of Meghalaya,
Law (B) Department
Shillong.

The 8th May, 2002

No. LL(B) 33/91/155- The Meghalaya Tax on Luxuries (Hotel and Lodging Houses) (Amendment) Act, 2002 (Act No.4 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 4 OF 2002

(As passed by the Meghalaya Legislative Assembly)

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 7th May, 2002)

THE MEGHALAYA TAX ON LUXURIES (HOTEL AND LODGING HOUSES) ACT,
2002.

An

Act

Further to amend the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) Act, 1991

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

- | | | |
|---|---|--|
| Short title and commencement | 1 | (1) This Act may be called the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) *(Amendment) Act, 2002
(2) It shall be deemed to have come into force on and from 18 th January, 2002 |
| Amendment of Section 3 of Act 8 of 1991 | 2 | In the Meghalaya tax on Luxuries (Hotels and Lodging Houses) Act, 1991, in sub-section (1) of Section 3, against-
i) Item (b), for figure and words "5 percent", the figure and words "10 percent";
ii) Item (c), for the figure and words "6 ½ percent"; the figure and words "11 ½ percent";
iii) Item (d) for the figure and words "7 ½ percent"; the figure and words "12 ½ percent";
iv) Item (e), for the figure and words "9 percent"; the figure and words "14 percent"; |
| Repeal | 3 | The Meghalaya Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Ordinance, 2002, (Ordinance No. 2 of 2002) is hereby repealed. |

L.M.SANGMA,
Deputy Secretary, to the
Government of Meghalaya,
Law (B) Department

The 8th May, 2002

No. LL(B) 5/2002/24- The Meghalaya (Mobile Phone Connection) Cess, Act, 2002 (Act No.5 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 5 OF 2002

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 7th May, 2002

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 8th May, 2002)

THE MEGHALAYA (MOBILE PHONE CONNECTION) CESS ACT, 2002.

An

Act

To provide for levy of Cess on Mobile Phone Connection

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

- | | | |
|--------------------------------------|---|---|
| Short title, extend and commencement | 1 | (1) This Act may be called the Meghalaya (Mobile Phone Connection) Cess Act, 2002
(2) It extends to the whole of the State of Meghalaya.
(3) It shall be deemed to have come into force on and from 18 th January, 2002 |
| Definition | 2 | In this Act, unless the context otherwise requires:-
(a) "Act" means the Meghalaya (Mobile Phone Connection) Cess Act,2002;
(b) "Authorised Officer" means the officer competent to collect the Cess and exercise the power and functions as referred to in section 5 of this Act;
(c) "Business" includes the activity of providing mobile phone connection and any other service in connection, incidental or ancillary to activity for monetary consideration;
(d) "Cess" means one time payment of tax for mobile phone connection provided to customer;
(e) "Magistrate" means Magistrate of the First class as defined under the Code of Criminal Procedure, 1973
(f) "Operator" include firm/company issuing mobile phone connection including a firm or company of society or association who owns the operation and also a person who for the time being is in charge of the management of the operation and registered under Section 6 of this Act; |

- (g) “place of business” include an office, or any other place which a company uses for the purpose of his business or where he keeps his books of accounts;
- (h) “prescribed” means rules made under this Act;
- (i) “State Government” means the Government of the State of Meghalaya.

Levy and collection of Cess	3	Subject to the provisions of this Act there shall be levied and collected a one time Cess at the rate of rupees five hundred per mobile phone connection including existing connection at the commencement of this Act.
Liability of operator to pay the tax	4	<ul style="list-style-type: none"> (1) The cess leviable under this Act shall be paid to Government by a operator. (2) If a person other than the operator is for the time being in-charge of the operation then such person shall jointly and severally be liable to pay the Cess.
Exercise of powers and authorities	5	The authorities competent to recover and enforce payment of Cess hear appeals and exercise powers and functions incidental thereto under the Meghalaya Sales tax (Assam Act XVII of 1947 as adapted by Meghalaya) and rules framed there under shall, within the local limits of their jurisdiction be the authorities competent to exercise the corresponding powers and functions under this Act and the rules so prescribed.
Registration	6	<ul style="list-style-type: none"> (1) No operator who is liable to pay Cess under section 3 shall run the business unless he possess a valid certificate of registration as provided under this Act; Provided that such operator who, at the commencement of this Act, is running the business may continue to do so but shall apply to the Authorised Officer for registration within thirty days there from. (2) Every operator who is required to possess a certificate of registration shall apply in the prescribed form to the Authorised Officer within thirty days from the date on which he first become liable to pay the Cess. (3) If the Authorised Officer after such enquiry as he deems fit is satisfied that an application for registration is in order he shall register the applicant and issue him a certificate of registration in the prescribed form. (4) The Authorised Officer may, after considering the information furnished or received under any provisions of this Act, amend, from time to time the certificate of registration.

(5) Where a registered operator discontinues, transfers or otherwise disposes of the business applies in the prescribed form to the assessing officer for cancellation of the registration, the latter shall, after such enquiry as may be necessary, cancel the certificate of registration with effect from such date as he may fix in accordance with the rules.

(6) Where the Authorised Officer is satisfied that any registered operator has discontinued, transferred or otherwise disposed of the business and has failed to apply under sub-section (5) for cancellation of the registration the Authorised Officer may, after giving the operator a reasonable opportunity of being heard, cancel the certificate of registration with effect from such date as he may fix and the said activity shall be discontinued transferred or otherwise disposed of from that date:

Provided that the cancellation of a certificate of registration shall not affect the liability of the operator to pay the Cess, including any penalty, due for any period up to the date of cancellation whether such Cess including any penalty is recovered before or after the date of cancellation.

Registration Certificate not transferrable.	7	Save as otherwise provided in section 9, certificate of registration shall be personal to the operator to whom it is granted and shall not be transferable.
Information to be furnished regarding changes in business etc.	8	<p>(1) If an operator liable to pay Cess under the Act-</p> <p>(a) Sells or otherwise disposes of his business or any parts thereof or makes any other changes in the ownership of the business or,</p> <p>(b) Discontinues his business or changes the name, nature or place thereof or opens a new place of business, or</p> <p>(c) Enters into a partnership or association in regard to his business, he shall within the prescribed time inform the Authorised Officer of the change.</p> <p>(2) Where an operator dies, the executor, administration other legal representative or where any such operator is a firm and there is a change in the constitution of the firm or the firm is dissolved every person who was a partner thereof shall, in like manner inform the Authorised Officer, of such death or, as the case may be, change or dissolution of the firm.</p>
Certificate of registration to continue in certain circumstances	9	<p>Where a registered operator-</p> <p>(a) Effect any change in the name of his business; or</p> <p>(b) Is a firm, and there is a change in the constitution of the firm without dissolving it; or</p> <p>(c) Is a trustee of a trust, and there is change in the trustees thereof;</p>

It shall not be necessary for the operator or the firm with the changed constitution or the new trustees to apply for a fresh certificate of registration and of information being furnished in the manner required by section 8, the certificate of registration shall be amended accordingly

- | | | |
|--|----|---|
| Furnish of returns | 10 | <p>(1) Every registered operator shall furnish returns showing total mobile phone connection for such periods on such dates and to such authority as may be prescribed</p> <p>(2) If operator discovers any omission or incorrect statement to the returns furnished under sub-section (1) shall furnish revised returns before the expiry of three months next following the last prescribed for furnishing the original returns.</p> |
| Prohibition against collection of tax in certain cases and imposition or penalty | 11 | <p>(1) No, operator-</p> <p style="padding-left: 40px;">(a) Who is not required to pay the Cess, shall collect it from any person; and</p> <p style="padding-left: 40px;">(b) Who is required to pay the Cess, shall collect from any person any amount on that account in excess of that due under this Act.</p> <p>(2) Whoever contravenes the Provision of sub-section; (1) shall be punishable with fine of rupees two thousand or twice the amount collected or, the case may be, collected in excess of the Cess due whichever is higher and the amount so collected shall be forfeited to the State Government and the person from whom the operator had recovered it may claim for it fund from the Government within one year from the date he became aware of its forfeiture.</p> |
| Bill or cash memorandum to be issued to a customer. | 12 | <p>A registered operator shall issue to a customer a bill or cash memorandum serially numbered signed by him or his employee, manager or agent showing therein such particulars as may be prescribed and shall retain the counterfoil or duplicate copy of such bill or cash memorandum and preserve it for a period of not less than eight years.</p> |
| Account | 13 | <p>(1) Every operator liable to pay Cess under this Act and every operator who is required so to do by the Authorised Officer shall keep as account of the connection by him in such form as may be prescribed.</p> <p>(2) The Commissioner of Taxes by notice in writing or by notification in the Official Gazette, direct any operator or any class of operator to maintain accounts and records showing such particulars regarding their business in such manner as may be specified by him.</p> |

- (3) A register operator shall keep all books of accounts, registers and documents relating to his business at the place of business specified in the certificate of registration with his previous approval, at such other place, as Authorised Officer may allow.

Declaration in respect of an operation which is a firm, company etc.

- 14 Where the operator is a firm, company, society, association or trust the person who is in charge of and his responsible to the firm, company, society, association or trust as the case may be shall furnish a declaration stating the names of the persons who are members of the Board of Directors or Governing Body thereof and such other particulars as may be prescribed.

Offences and imposition of penalty

- 15 (1) Any registered operator who under Section 10 knowingly furnishes false returns shall on conviction be punished-
- (a) Where the Cess attempted to the evaded by submission of the false returns exceeds rupees two thousand, with simple imprisonment for a term which shall not be less than six months and with fine which may extend to rupees two thousand; and
- (b) In any other case, with rigorous imprisonment for a term which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand.
- (2) Any operator who knowingly keeps false copies of bill or cash memorandum as required in Section 12 or other books as requires under Section 13 shall on conviction before a magistrate be punished with rigorous imprisonment for a terms which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand.
- (3) Any operator who attempts in any manner to evade payment the Cess shall on conviction be punished-
- (a) Where the amount involved exceeds rupees fifty thousand, with rigorous imprisonment for a term which shall not be less than six months but which may extend to three years and with fine which may extend to rupees two thousand; and
- (b) In any other case, with rigorous imprisonment for a term which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand.
- (4) Whoever contravenes the provisions of Section 6 or fails to comply with those of Section 8 or Section 10 to issue a bill or cash memorandum to any customer as required under Section 12, or whoever obstructs an officer from discharging his duties under this Act, shall, on conviction be punished with imprisonment for a term which may extends to one year or with or with both.

(5) Whoever aids or abets any person in the commission of an offence under this Act or rules framed there under shall, on conviction, be punished with rigorous imprisonment which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand.

Cognizance of Offences	16	No Court shall take cognizance of any offence under this Act, or under the rules made there under except with the previous sanction of the Commissioner, and no Court inferior to that of a Magistrate of the first class shall try and such offence under this Act.
Power to make Rules	17	<p>(1) The State Government may, by notification in the Offence Gazette, make rules to carry out the purposes of this Act.</p> <p>(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for all or any of the following matters, namely-</p> <p>(a) The manner of payment or refund of Cess;</p> <p>(b) The form in which accounts and registers shall be maintained by an operator;</p> <p>(c) The manner in which registration under Section 6 is to be made and the forms of the licence to be granted;</p> <p>(d) The form of returns to be submitted;</p> <p>(e) The manner of and period for payment of the Cess; and</p> <p>(f) Any other matter which is required to be prescribed for the purpose of this Act;</p>
Power to remove difficulties	18	Rules except rules made for the first time, shall be subject to the condition of previous publication for a period of not less than three weeks.
Repeal	19	If any difficulty arise in giving effect to any provision of this Act the State Government may, by general or special order, do anything not inconsistent with such provision for the purpose of removing the difficulty.

The Meghalaya (Mobile Phone Connection) Cess Ordinance, 2002 (Ordinance No. 3 of 2002) is hereby repealed.

The 23rd June, 2002

No. LL(B) 17/96/376- The Meghalaya Appropriation (No.II) Act, 2002 (Act No.6 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 6 OF 2002

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 19th June, 2002

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 28th June, 2002)

THE MEGHALAYA APPROPRIATION (No. II) Act, 2002.

An

Act

To authorise payment and appropriation of certain sums from and out of the Consolidated Fund of Meghalaya for the services of Financial year ending on the thirty first day of March, 2003

Be it enacted by the Legislature of the State of Meghalaya in the Fifty-third 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, 2002 (2) It shall be deemed to have come into force on the first day of April, 2002
Withdrawal of Rs. 1879,63,25,729 from and out of the Consolidated Fund of Meghalaya for the Financial year 2002-2003	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 sums specified in column (3) of the Schedule to the Meghalaya Appropriation (Vote-on-Account) Act, 2002 to the sums of Rupees one thousand eight hundred seventy nine crores, sixty three lakhs, twenty five thousand, seven hundred twenty nine towards defraying the several charges which will come in the course of payment during the financial year ending on the thirty first day of March, 2003 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 said year.

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by The Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
1.	2011-Parliamentary/State/Union Territory Legislature	Revenue	7,52,02,360	24,14,640	7,76,17,000
		Total			
	2058-Stationery and Printing	Revenue	39,30,000	...	39,30,000
		Total	Revenue	7,91,32,360	24,14,640	8,15,47,000
	4058-Capital Outlay on Stationery and Printing	Capital	7,00,000	...	7,00,000
Total		Capital	7,00,000	...	7,00,000
2.	2012-Governor	Revenue	30,000	2,39,43,000	2,30,73,000
		Total	Revenue	30,000	2,39,43,000
	4216-Capital Outlay on Housing	Capital	...	...	...
3.	2013-Council of Ministers 2070-Other Administrative Services, etc	Revenue	4,84,00,000	...	4,84,00,000
		Total	Revenue	4,84,00,000	...	4,84,00,000
4.	2014-Administration of Justice ...	Revenue	3,07,70,000	1,11,50,000	4,19,09,000
		Total	Revenue	3,07,70,000	1,11,50,000	4,19,09,000
5.	2015-Elections	Revenue	5,64,00,000	...	5,64,00,000
		Total	Revenue	5,64,00,000	...	5,64,00,000

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by The Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
	2029-Land Revenue	Revenue	4,39,28,000	...	4,39,28,000
	2245-Relief on account of Natural Calamities		4,35,00,000	...	4,65,00,000
	2250-Other Social Services		...	...	...
	3475-Other General Economic Services		...	...	...
	Total	Revenue	8,78,29,000	...	8,74,28,000
6.	6225-Loans for Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes		...	...	...
	6250-Loans for Other Social Services	Capital	...	...	...
	6401-Loans for Crop Husbandry		...	...	...
	Total	Capital	...	...	...
7.	2090-Stamps and Registration	Revenue	63,16,000	...	63,16,000
	Total	Revenue	63,16,000	...	63,16,000
8.	2039-State Excise	Revenue	3,58,90,000	...	3,58,90,000
	Total	Revenue	3,58,90,000	...	3,58,90,000
9.	2040-Taxes on Sales Trades etc.	Revenue	3,56,00,000	...	3,56,00,000
	2045-Other Taxes and Duties on Commodities and Services		...	...	...
	Total	Revenue	3,56,00,000	...	3,56,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
10.	2041-Taxes on Vehicles	Revenue	5,87,00,000	...	5,87,00,000
	2070-Other Administrative Services etc		1,50,00,000	...	1,50,00,000
	3055-Road Transport		...	...	...
	Total	Revenue	7,37,00,000	...	7,37,00,000
	5053-Capital Outlay on Civil Aviation	Capital	50,00,000	...	50,00,000
	5055-Capital Outlay on Road Transport		4,55,00,000	...	4,55,00,000
	Total	Capital	5,05,00,000	...	5,05,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
11.	2045-Other Taxes and Duties on Commodities and Services	Revenue	41,30,000	...	41,30,000
	2501-Special Programmes for Rural Development		1,10,00,000	...	1,10,00,000
	2801-Power		12,00,000	...	12,00,000
	2810-Non-Conventional Sources of Energy		1,40,00,000	...	1,40,00,000
	Total	Revenue	14,91,30,000	...	14,91,30,000
	6801-Loans for Power Projects	Capital	55,00,00,000	...	55,00,00,000
	Total	Capital	55,00,00,000	...	55,00,00,000

70

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding				
		Voted by the Assembly	Charged on the Consolidated Fund	Total		
		Rs.	Rs.	Rs.		
12.	2047-Other Fiscal Services	Revenue	9,70,000	...	9,70,000	
		Total	Revenue	9,70,000	...	9,70,000
	2048-Appropriation for Reduction or Avoidance of Debt	Revenue	...	4,64,09,000	4,64,09,000	
		Total	Revenue	...	4,64,09,000	4,64,09,000
	2049-Interest Payment	Revenue	...	162,32,35,425	162,32,35,425	
		Total	Revenue	...	162,32,35,425	162,32,35,425
	2051-Public Services Commission	Revenue	...	1,11,99,000	1,11,99,000	
		Total	Revenue	...	1,11,99,000	1,11,99,000
	13.	2052-Secretariat General Services	Revenue	29,35,00,000	...	29,35,00,000
		2251-Secretariat Social Services		3,10,00,000	...	3,10,00,000
3451-Secretariat Economic Services			4,85,00,000	...	4,85,00,000	
		Total	Revenue	37,30,00,000	...	37,30,00,000
5275-Capital Outlay on other Communication		Capital	...	...	...
		Total	Capital	...	...	...

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
14.	2053-District Administration	Revenue	8,63,53,000	...	8,63,53,000
	Total	Revenue	8,63,53,000	...	8,63,53,000
15.	2054-Treasury and Accounts Administration	Revenue	7,50,72,000	...	7,50,72,000
	Total	Revenue	7,50,72,000	...	7,50,72,000
16.	2055-Police	Revenue	108,29,16,000	1,75,000	108,30,91,000
	2070-Other Administrative Services etc		9,10,00,000	...	9,10,00,000
	2216-Housing		1,00,00,000	...	1,00,00,000
	Total	Revenue	118,39,16,000	1,75,000	118,40,91,000
	4055-Capital Outlay on Police	Capital	1,57,00,000	...	1,57,00,000
17.	4059-Capital Outlay on Public Works		...	...	...
	4216-Capital Outlay on Housing		...	...	...
	Total	Capital	1,57,00,000	...	1,57,00,000
17.	2056-Jails	Revenue	3,67,68,000	...	3,67,68,000
	Total	Revenue	3,67,68,000	...	3,67,68,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
18.	2058-Stationery and Printing	Revenue	7,45,00,000	...	7,45,00,000
	Total	Revenue	7,45,00,000	...	7,45,00,000
	4058-Capital Outlay on Stationery and Printing	Capital	26,00,000	...	26,00,000
	4216-Capital Outlay on Housing		...	...	...
	Total	Capital	26,00,000	...	26,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
19	2052-Secretariat General Services	Revenue	1,85,00,000	... 1,85,00,000	
	2059-Public Works		63,49,63,100	... 63,49,63,100	
	2203-Technical Education		...	...
	2204-Sports and Youth Services		...	...
	2205-Art and Culture		...	...
	2216-Housing		3,95,10,000	... 3,95,10,000	
		Total	Revenue	69,29,73,100	... 69,29,73,100
	4059-Capital Outlay on Public Works		8,04,30,000	... 8,04,30,000	
	4202-Capital Outlay on Education		2,24,00,000	... 2,24,00,000	
	4210-Capital Outlay on Medical and Public Health		30,00,000	... 30,00,000	
	4216-Capital Outlay on Housing		85,50,000	... 85,50,000	
	4403-Capital Outlay on Animal Husbandry		...	...
	4404-Capital Outlay on Dairy Development		...	...
		Total	Capital	11,61,80,000	... 11,61,80,000

73

SCHEDULE-contd.
(See Section 2 & 3)

(1)	(2)	(3)			
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
20.	2070-Other Administrative Services etc	Revenue	12,95,77,000	...	12,95,77,000
	Total	Revenue	12,95,77,000	...	12,95,77,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
	Total	Capital	...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
21.	2075-Miscellaneous General Services	Revenue	60,000	...	69,000
	2202-General Education		261,05,38,000	...	261,05,38,000
	2203-Technical Education		6,58,00,000	...	6,58,00,000
	2204-Sports and Youth Services		10,08,29,000	...	10,08,29,000
	2205-Art and Culture		5,77,00,000	...	5,77,00,000
	2236-Nutrition		...	...	...
	3425-Other Scientific Research		27,00,000	...	27,00,000
	3454-Census, Survey and Statistic		26,00,000	...	26,00,000
	Total	Revenue	284,02,27,000	...	284,02,27,000
	4202-Capital Outlay on Education	Capital	...	...	...
6202-Loans for Education, Sports, Art and Culture		...	...	...
Total	Capital	...	...	...
22.	2070-Other Administrative Services etc	Revenue	3,70,00,000	...	3,70,00,000
	2216-Housing		1,88,00,000	...	1,88,00,000
	Total	Revenue	5,58,00,000	...	5,58,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
23.	2070-Other Administrative Services etc	Revenue	1,11,20,000	... 1,11,20,000
	Total	Revenue	1,11,20,000	... 1,11,20,000
24.	2871-Pensions and Other Retirement Benefits	Revenue	76,97,00,000	... 76,97,00,000
	Total	Revenue	76,97,00,000	... 76,97,00,000
25.	2075-Miscellaneous General Services	Revenue	32,00,000	... 32,00,000
	Total	Revenue	32,00,000	... 32,00,000
26.	2210-Medical and Public Health	Revenue	80,87,94,000	... 80,87,94,000
	2211-Family Welfare		12,20,70,000	... 12,20,70,000
	Total	Revenue	93,08,64,000	... 93,08,64,000
	4210-Capital Outlay on Medical and Public Health	Capital	10,03,30,000	... 10,03,30,000
	4211-Capital Outlay on Family Welfare		80,00,000	... 80,00,000
Total	Capital	10,83,30,000	... 10,83,30,000	

76

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
27.	2215-Water Supply and Sanitation	Revenue	52,82,00,000	... 52,82,00,000
	2216-Housing		14,00,000	... 14,00,000
	Total	Revenue	52,96,00,000	... 52,96,00,000
	4215-Capital Outlay on Water Supply and Sanitation	Capital	86,52,00,000	... 86,52,00,000
	4216-Capital Outlay on Housing		30,00,000	... 30,00,000
	Total	Capital	86,82,00,000	... 86,82,00,000
28.	2216-Housing	Revenue	13,83,10,000	... 13,83,10,000
	Total	Revenue	13,83,10,000	... 13,83,10,000
	4216-Capital Outlay on Housing	Capital	73,90,000	... 73,90,000
	6216-Loans for Housing		11,00,000	... 11,00,000
Total	Capital	84,90,000	... 84,90,000	

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding				
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.		
29.	2216-Housing	Revenue	...	...	...
	2217-Urban Development		12,84,00,000	...	12,84,00,000	
		Total	Revenue	12,84,00,000	...	12,84,00,000
	4216-Capital Outlay on Housing	Capital	7,00,000	...	7,00,000	
	4217-Capital Outlay on Urban Development		14,05,00,000	...	14,05,00,000	
		Total	Capital	14,12,00,000	...	14,12,00,000
30.	2220-Information and Publicity	Revenue	4,32,34,000	...	4,32,34,000	
		Total	Revenue	4,32,34,000	...	4,32,34,000
31.	2230-Labour and Employment	Revenue	10,40,04,000	...	10,40,04,000	
		Total	Revenue	10,40,04,000	...	10,40,04,000
32.	3456-Civil Supplies	Revenue	3,56,78,000	...	3,56,78,000	
		Total	Revenue	3,56,78,000	...	3,56,78,000
	4408-Capital Outlay on Food Storage and Warehousing	Capital	...	...	...
		Total	Capital

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
33.	2235-Social Security and Welfare	Revenue	...	...	...
	Total	Revenue	...	...	...
	6235-Loans for Social Security and Welfare	Capital	10,00,000	...	10,00,000
	Total	Capital	10,00,000	...	10,00,000
34.	2225-Welfare of S.CS, S.TS and Other B.CS	Revenue	6,02,00,000	...	6,02,00,000
	2235-Social Security and Welfare		17,27,35,000	...	17,27,35,000
	2236-Nutrition		8,95,85,000	...	8,95,85,000
	Total	Revenue	32,25,20,000	...	32,25,20,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
	4235-Capital Outlay on Social Security and Welfare		16,00,000	...	16,00,000
	6225-Loans for Welfare of S.CS, S.TS and other B.CS		...	...	...
	Total	Capital	16,00,000	...	16,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
35.	2235-Social Security and Welfare	Revenue	22,69,000	...	22,69,000
	Total	Revenue	22,69,000	...	22,69,000
36.	2075-Miscellaneous General Services	Revenue	1,54,000	...	1,54,000
	2235-Social Security and Welfare	Revenue	1,10,50,000	5,00,000	1,15,50,000
37.	Total	Revenue	1,12,04,000	5,00,000	1,17,04,000
	2250-Other Social Services	Revenue	50,000	...	50,000
38.	Total	Revenue	50,000	...	50,000
	3451-Secretariat Economic Services	Revenue	4,32,00,000	...	4,32,00,000
39.	Total	Revenue	4,32,00,000	...	4,32,00,000
	2425-Co-operation	Revenue	7,05,28,000	...	7,05,28,000
40.	Total	Revenue	7,15,28,000	...	7,15,28,000
	4425-Capital Outlay on Co-operation	Capital	7,89,97,200	...	7,89,97,200
41.	4435-Capital Outlay on Other Agriculture Programmes	Capital	30,00,000	...	30,00,000
	6425-Loans for Co-operation	Capital	2,98,88,800	...	2,98,88,800
40.	Total	Capital	11,13,86,000	...	11,13,86,000
	2552-North Eastern Areas (Special Areas Programme)	Revenue	10,43,00,000	...	10,43,00,000
40.	Total	Revenue	10,43,00,000	...	10,43,00,000
	4552-Capital Outlay on North Eastern Areas	Capital	18,00,00,000	...	18,00,00,000
41.	Total	Capital	18,00,00,000	...	18,00,00,000
	3454-Census, Surveys and Statistics	Revenue	4,30,01,000	...	4,30,01,000
41.	Total	Revenue	4,30,01,000	...	4,30,01,000

SCHEDULE-contd.

(See Section 2 & 3)

(1)	(2)	(3)		
Grant No.	Services and Purposes (Major Heads)	Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
42.	2216-Housing	1,00,000	...	1,00,000
	3475-Other General Economic	1,31,15,000	...	1,31,15,000
	Services			
	Total	Revenue 1,32,15,000	...	1,32,15,000
43.	2216-Housing	74,00,000	...	74,00,000
	2401-Crop Husbandry	49,68,53,000	...	49,68,53,000
	2408-Food Storage and Warehousing	1,50,00,000	...	1,50,00,000
	2415-Agricultural Research and Education	Revenue 2,52,89,000	...	2,52,89,000
	2435-Other Agricultural Programmes	2,14,08,000	...	2,14,08,000
	2702-Minor Irrigation	10,68,00,000	...	10,68,00,000
	Total	Revenue 67,27,50,000	...	67,27,50,000
	4216-Capital Outlay on Housing	Capital 20,00,000	...	20,00,000
4401-Capital Outlay on Crop Husbandry	22,00,000	...	22,00,000	

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.
44.	4416-Investment in Agricultural Financial Institution	5,00,000	...	5,00,000
	4702-Capital Outlay on Minor Irrigation	7,80,00,000	...	7,80,00,000
	6401-Loans for Crop Husbandry	...	...	...
	Total } Capital	8,27,00,000	...	8,27,00,000
	2701-Medium Irrigation-II works under E. And D. Wing P.W.D medium	Revenue 33,00,100	...	33,00,100
	2711-Flood Control	52,00,000	...	52,00,000
	Total } Revenue	85,00,100	...	85,00,100
	4701-Capital Outlay on Medium Irrigation	Capital 4,61,99,900	...	4,61,99,900
	4711-Capital Outlay on Flood Control Projects	2,20,00,000	...	2,20,00,000
	Total } Capital	6,81,99,900	...	6,81,99,900

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
45.	2216-Housing	Revenue	32,51,000	...	32,51,000
	2402-Soil and Water Conservation		23,36,12,000	...	23,36,12,000
	2415-Agricultural Research and Education		15,84,000	...	15,84,000
	Total	Revenue	23,84,47,000	...	23,84,47,000
46.	2501-Special Programmes for Rural Development	Revenue	9,99,68,000	...	9,99,68,000
	Total	Revenue	9,99,68,000	...	9,99,68,000
47.	2216-Housing	Revenue	70,98,867	...	70,98,867
	2235-Social Security and Welfare		...	...	...
	2403-Animal Husbandry		24,61,11,133	...	24,61,11,133
	2415-Agricultural Research and Education		1,50,95,000	...	1,50,95,000
	Total	Revenue	26,86,05,000	...	26,86,05,000
	4059-Capital Outlay on Public Works	Capital	...	...	...
4403-Capital Outlay on Animal Husbandry		...	...	...

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly	Charged on the Consolidated Fund	Total	
		Rs.	Rs.	Rs.	
	6225-Loans for Welfare of S.CS, S.TS, and other B.CS	...	...	...
	6403-Loans for Animal Husbandry	...	...	...
	Total Capital	...	...	...
48.	2216-Housing	Revenue	16,00,000	...	16,00,000
	2404-Dairy Development		7,10,26,000	...	7,10,26,000
	2415-Agricultural Research and Education		...	...	...
	Total Revenue	Revenue	7,26,26,000	...	7,26,26,000
49.	2216-Housing	Revenue	4,00,000	...	4,00,000
	2405-Fisheries		5,47,75,000	...	5,47,75,000
	2415-Agricultural Research and Education		18,75,000	...	18,75,000
	Total Revenue	Revenue	5,70,50,000	...	5,70,50,000
	4216-Capital Outlay on Housing	Capital	3,00,000	...	3,00,000
	4405-Capital Outlay on Fisheries		6,50,000	...	6,50,000
	Total Capital	Capital	9,50,000	...	9,50,000
50.	2406-Forestry and Wild Life	Revenue	35,64,00,000	10,000	35,64,00,000
	2415-Agricultural Research and Education				
	Total Revenue	Revenue	80,00,000	...	80,00,000
	4406-Capital Outlay on Forestry and Wild Life	Total Capital	10,00,000	...	10,00,000
	Total Capital	Capital	10,00,000	...	10,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
51	2216-Housing	Revenue	34,00,000	...	34,00,000
	2236-Nutrition		...	...	...
	2401-Crop Husbandry		1,00,00,000	...	1,00,00,000
	2501-Special Programmes for Rural Development		5,36,00,000	...	5,36,00,000
	2505-Rural Employment		9,25,00,000	...	9,25,00,000
	2515-Other Rural Development Programmes		30,05,50,000	...	30,05,50,000
	Total	Revenue	46,00,50,000	...	46,00,50,000
	4216-Capital Outlay on Housing	Capital	2,04,50,000	...	2,04,50,000
	4515-Capital Outlay on Rural Development		2,04,50,000	...	2,04,50,000
	6515-Loans for other Rural Development Programmes		...	...	...
	Total	Capital	4,09,00,000	...	4,09,00,000

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
52.	2852-Industries	Revenue	3,12,93,000	...	3,12,93,000
	Total	Revenue	3,12,93,000	...	3,12,93,000
		4854-Capital Outlay on Cement and non-Metallic Mineral			
	4885-Capital Outlay on Industries and Minerals		8,00,00,000	...	8,00,00,000
	6885-Loans for other Industries and Minerals		...	...	...
	Total	Capital	8,00,00,000	...	8,00,00,000
53.	2216-Housing	Revenue	...	...	...
	2851-Village and Small Industries		10,95,32,500	...	10,95,32,500
	Total	Revenue	10,95,32,500	...	10,95,32,500
	4851-Capital Outlay on Village and Small Scale Industries	Capital	...	...	...
	6851-Loans for Village and Small Industries	Capital	...	...	...
	Total	Capital	50,00,000	...	50,00,000

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
54.	2216-Housing	Revenue	...	...
	2851-Village and Small Industries	Revenue	11,61,47,000	...
	Total	Revenue	11,61,47,000	...
	4216-Capital Outlay on Housing	Capital	...	...
	4851-Capital Outlay on Village and Small Scale Industries	Capital	4,23,00,000	...
	6851-Loans for Village and Small Industries	Capital	...	...
	Total	Capital	4,23,00,000	...
55.	2853-Non-Ferrous Mining and Metallurgical Industries	Revenue	20,15,00,000	...
	Total	Revenue	20,15,00,000	...
	4216-Capital Outlay on Housing	Capital	4,00,000	...
	4853-Capital Outlay on Mining and Metallurgical Industries	Capital	15,00,000	...
	Total	Capital	19,00,000	...
56.	3054-Roads and Bridges	Revenue	42,96,42,000	...
	Total	Revenue	42,96,42,000	...
	5054-Capital Outlay on Roads and Bridges	Capital	85,23,06,200	...
	Total	Capital	85,23,06,204	...

SCHEDULE-contd.

(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding			
		Voted by the Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.	
57.	3452-Tourism	Revenue	12,17,10,000	...	12,17,10,000
	Total	Revenue	12,17,10,000	...	12,17,10,000
		Capital	...	...	...
	4059-Capital Outlay on Public Works	Capital	...	...	...
	5275-Capital Outlay on other Communication Services	Capital	...	...	...
	5452-Capital Outlay on Tourism	Capital	55,00,000	...	55,00,000
7452-Loans for Tourism	Capital	30,00,000	...	30,00,000	
	Total	Capital	35,00,000	...	35,00,000
58.	3606-Aid Materials and Equipment	Revenue	...	...	...
	Total	Revenue	...	...	...
59.	5465-Investment in General Financial and Training Institutions	Capital	...	61,14,50,300	1,14,50,300
		Total	Capital	...	61,14,50,300
	6003-Internal Debt of the State Government	Capital	...	...	...
	Total	Capital	...	...	...
60.	6004-Loans and Advances from the Central Government	Capital	...	21,79,47,200	21,79,47,200
		Total	Capital	...	21,79,47,200	21,79,47,300
	7610-Loans to Government Servants etc	Capital	20,00,00,000	...	20,00,00,000
	Total	Capital	20,00,00,000	...	20,00,00,000
61.	7615-Miscellaneous Loans	Capital	...	...	...
	Total	Capital	...	...	...
62.	7810-Inter-State Settlement	Capital	...	...	...
	Total	Capital	...	...	...

SCHEDULE-contd.
(See Section 2 & 3)

(1) Grant No.	(2) Services and Purposes (Major Heads)	(3) Sums not exceeding				
		Voted by The Assembly Rs.	Charged on the Consolidated Fund Rs.	Total Rs.		
63.	7999-Appropriation to Contingency Fund	Capital	...	...	...
		Total Capital	...	...	...
Total		1624,79,12,164	254,84,13,565	1879,63,25,729

L.M.SANGMA,
Under Secretary to the Govt. of Meghalaya,
Law Department

The 8th August, 2002

No. LL(B) 148/85/70- The Legislative Assembly of Meghalaya (Member's Pension) Amendment Act, 2002 (Act No. 7 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 7 OF 2002

(As passed by the Meghalaya Legislative Assembly)

(Received the assent of the Governor on the 7th August, 2002

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 8th August, 2002)

**THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBER'S PENSION)
AMENDMENT ACT, 2002**

AN

ACT

Further to amend the Legislative Assembly (Member's Pension) Act 1977.

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

- | | |
|--|--|
| Short title and Commencement. | 1 (1) This Act may be called the Legislative Assembly of Meghalaya (Member's Pension) Amendment Act, 2002
(2) It shall be deemed to have come into force on and from the 1 st April, 2001 |
| Amendment of Section 3 of Articles 6 of 1977 | 2 For Section 3 of the Legislative Assembly of Meghalaya (Member's Pension) Act, 1977, as amended, the following new Section 3 and 3A shall be substituted, namely. |
| "Pension payable to Members" | "3 (1) With effect from the commencement of this Act, there shall be paid a pension of five thousand rupees per mensem to every person who served for a period of five years whether continuous or not, as a member of the Legislative Assembly:
"Provided that in the event of early holding of elections where any person has served as such member for a period falling short of five years he shall always be deemed to have served for a complete period of five years if such person has completed two years and six months".
Provided, further, that when any person has served as member of the legislative Assembly for a period exceeding five years there shall be paid to him an additional pension of rupees two hundred per mensem for every year in excess of the five years, however that in no case shall the total pension payable exceed twelve thousand five hundred per mensem. |

(2) In computing the number of years for the purpose of sub-section (1), the period during which a person has served as Leader of Opposition, Parliament Secretary, Minister or Speaker of the Legislative Assembly shall also be taken into account.

“Explanation:- The term ‘Minister’ includes the Chief Minister, Deputy Chief Minister, Minister of State and a Deputy Minister and the term ‘Speaker’ includes the Deputy Speaker.

“Medical Allowance
for Ex-Member”

“3A. There shall be paid a medical allowance of rupees seven hundred fifty per mensem to a person who had served as Member for a period of five years, whether continuous or not;

Provided that-

“(a) in the event of early holding of elections, any person who had served as member for a period falling short of five years shall always be deemed to have served for a complete period of five years if such person has completed two years and six months.

“(b) in computing the number of years the period during which the person had served as a Leader of the Opposition, Parliamentary Secretary, Minister or Speaker of the Legislative Assembly shall also be taken into account.

“Explanation- For the purpose of the section ‘Minister’ includes the Chief Minister, Deputy Chief Minister, a Minister of State and Deputy Minister and ‘Speaker’ includes the Deputy Speaker”.

L.M.SANGMA,
Under Secretary to the Govt. of Meghalaya,
Law (B) Department

No. LL(B) 148/45/71- The Legislative Assembly of Meghalaya (Member's Salaries and Allowances Act, 2002) (Act No. 8 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 8 OF 2002

(As passed by the Meghalaya Legislative Assembly)

(Received the assent of the Governor on the 7th August, 2002)

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 8th August, 2002)

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBER'S SALARIES AND ALLOWANCES) (AMENDMENT) ACT, 2002

AN

ACT

Further to amend the Legislative Assembly (Member's Salaries and Allowances) Act 1972.

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

- | | |
|---|---|
| Short title and Commencement. | 1 (1) This Act may be called the Legislative Assembly of Meghalaya (Member's Salaries and Allowances) (Amendment) Act, 2002
(2) It shall be deemed to have come into force on and from the 1 st April, 2001 |
| Commission of Section 6D from Act 8 of 1972 | 2 In the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972 section 6D shall be omitted. |

L.M.SANGMA,
Deputy Secretary to the Govt. of Meghalaya,
Law (B) Department

No. LL(B) 148/85/72- The Legislative Assembly of Meghalaya (Member's Family and Pension Act, 2002) (Act No. 9 of 2002) is hereby published for general information.

MEGHALAYA ACT NO. 9 OF 2002

(As passed by the Meghalaya Legislative Assembly)

(Received the assent of the Governor on the 7th August, 2002)

(Published in the Gazette of Meghalaya, Extra-ordinary issue, dated 8th August, 2002)

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBER'S FAMILY AND PENSION) (AMENDMENT) ACT, 2002

An

Act

To provide payment of family pension to the family of member who had served as member of the Meghalaya Legislative Assembly.

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

- | | | |
|-------------------------------|---|--|
| Short title and Commencement. | 1 | (1) This Act may be called the Legislative Assembly of Meghalaya (Member's Family Pension) Act, 2002
(2) It shall come into force at once. |
| Definition | 2 | In this Act, unless the context otherwise requires:-
(a) "Act" means the Legislative Assembly of Meghalaya (Members Family Pension) Act, 2002;
(b) "Family means"
i) Wife in the case of a male member.
ii) Husband in the case of a Female member.
iii) Minor sons including Steps sons and adopted sons of the member.
iv) Unmarried minor daughters including Step daughters and adopted daughters of the member.
(c) "Family Pension" means family pension admissible under section 3;
(d) "Member" means a member of the Legislative Assembly who is in receipt of or entitled to pension under the Legislative Assembly of Meghalaya (Member's Pension) Act, 1977; |

Family Pension

- 3 A member who is in receipt of or entitled to pension under the Legislative Assembly of Meghalaya (Members' Pension) Act, 1977 shall after his/her death a family pension at the rate of 50% of such pension received by such member before his/her death shall be paid to the members of the family of such member.

Explanation: - "Pension" does not include Medical Allowance of member for the purpose of this Act.

L.M.SANGMA,
Deputy Secretary to the Govt. of Meghalaya,
Law (B) Department

No. LL(B) 200/84/131- The Contingency Fund of Meghalaya (Amendment) Ordinance, 2002) (No. 1 of 2002) promulgated by the Governor on 17th January, 2002 is hereby published for general information.

MEGHALAYA ORDINANCE NO. 1 OF 2002

Promulgated by the Governor on 17th January, 2002

Published in the Extra-ordinary Gazette of Meghalaya, dated 17th January, 2002)

THE CONTINGENCY FUND OF MEGHALAYA (AMENDMENT) ORDINANCE, 2002

An

Ordinance

To amend temporarily the Contingency Fund of Meghalaya Act, 1972.

Whereas the Legislative Assembly 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 of Meghalaya is pleased to promulgate in Fifty-Second Year of the Republic of India following Ordinance, namely:-

- | | | |
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| Short title and commencement. | 1 | (1) This Ordinance may be called the Contingency Fund of Meghalaya (Amendment) Ordinance, 2002
(2) It shall be deemed to come into force on and from 17 th October, 2001 |
| Amendment of section 2 of Meghalaya Act 5 of 1972 | 2 | To section 2 of the Contingency Fund of Meghalaya Act, following proviso shall be added, namely;

“Provided that during the period beginning on the date of commencement of the Contingency Fund of Meghalaya (Amendment) Ordinance, 2002 and ending the 31 st March, 2002, this section shall have effect subject to modification that for the words ‘rupees six crores’ the words ‘sixteen crores’ shall be substituted”. |
| Repeal and Savings | 3 | (1) The Contingency Fund of Meghalaya (Amendment) Ordinance 2001 (No. 3 of 2001) is hereby replaced |

- (2) Notwithstanding such repeal anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the provision of this Ordinance.

Raj Bhavan

Shillong the 17th January, 2002

Dated. Shillong,

The 17th January, 2002

M. M. JACOB

Governor of Meghalaya

L. M. SANGMA,

Deputy Secretary to the Govt. of

Meghalaya

Law (B) Department

The 18th January, 2003

No. LL(B) 33/91/248- The Meghalaya Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Ordinance, 2002) (No. 2 of 2002) promulgated by the Governor on 16th January, 2002 is hereby published for general information.

MEGHALAYA ORDINANCE NO. 2 OF 2002

Promulgated by the Governor on 16th January, 2002

Published in the Extra-ordinary Gazette of Meghalaya, dated 18th January, 2002)

**THE MEGHALAYA TAX ON LUXURIES (HOTELS AND LODGING HOUSES)
(AMENDMENT) ORDINANCE, 2002**

An

Ordinance

Further to amend the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) Act, 1991.

Whereas the Legislative Assembly 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 of Meghalaya is pleased to promulgated in the Fifty-Second Year of the Republic of India following Ordinance, namely:-

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| Short title and commencement. | 1 (1) This Ordinance may be called the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Ordinance, 2002)
(2) It shall come into force at once. |
| Amendment of Section 3 of Act 8 of 1991 | 2 In the Meghalaya Tax on Luxuries (hotels and Lodging Houses) Act, 1991, in sub-section (1) of Section 3, against:-
i) Item (b), for figure and words "5 percent", the figure and word "10 percent";
ii) Item (c), for the figure and words "6 ½ percent", the figure and words "11 ½ percent".
iii) Item (d), for the figure and words "7 ½ percent", the figure and words "12 ½ percent";
iv) Item (e), for the figure and words "9 percent", the figure and words "14 percent"; and |

- (v) Item (f), for the figure and words “10 percent”, the figure “15 percent”, shall be substituted.

Raj Bhavan

Shillong the 16th January, 2002

Dated. Shillong,

The 18th January, 2002

M. M. JACOB

Governor of Meghalaya

L. M. SANGMA,

Deputy Secretary to the Govt. of

Meghalaya

Law (B) Department

The 18th January, 2003

No. LL(B) 5/20002/4- The Meghalaya (Mobile Phone Connection) Cess Ordinances, 2002) (No. 3 of 2002) promulgated by the Governor on 17th January, 2002 is hereby published for general information.

MEGHALAYA ORDINANCE NO. 3 OF 2002

Promulgated by the Governor on 17th January, 2002

Published in the Extra-ordinary Gazette of Meghalaya, dated 18th January, 2002)

THE MEGHALAYA (MOBILE PHONE CENNECTION) CESS ORDINANCE, 2002

An

Ordinance

To provide for levy of Cess on Mobile Phone connection

Whereas the Legislative Assembly 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 of Meghalaya hereby promulgates in the Fifty-Second Year of the Republic of India following Ordinance, namely:-

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| Short title extent and commencement. | 1 | (1) This Ordinance may be called the Meghalaya (Mobile Phone Connection) Cess Ordinances, 2002)
(2) It extends to the whole of the State of Meghalaya.
(3) It shall come into force at once. |
| Definition | 2 | In this Ordinance, unless the context otherwise required-
(a) "Authorised Officer" means the officer competent to collect the Cess and exercise the powers and functions as refer to in Section 5 of this Ordinance;
(b) "Business" include the activity of providing mobile phones connection and any other service in connection, incidental or ancillary to activity for monetary consideration;
(c) "Cess" means onetime payment of tax for mobile phone connection provided to customer;
(d) "Migrate" means Magistrate of the First Class as defined under the Cr. P.C;
(e) "Ordinance" means the Meghalaya (Mobile Phone Connection) Cess Ordinance, 2002; |

- (f) "Operator" includes firm/company issuing mobile phone connection including a firm or company of society or association who owns the operation and also a person who for the time being is in charge of the management of the operation and registered under Section 6 of this Ordinance;
- (g) "Place of business" includes an office, or any other place which a company uses for the purposes of his business or where he kept his books of accounts;
- (h) "prescribed" means rules made under this Ordinance;
- (i) "section" means section of this Ordinance; and
- (j) "State Government" means the Government of the State of Meghalaya;

Levy and collection of cess	3	Subjects to the provisions of this Ordinance there shall be levied and collected a one time Cess at the rate of rupees five hundred per mobile phone connection including existing connection at the commencement of this Ordinance.
Liability of operator to pay the tax	4	<ul style="list-style-type: none"> (1) The Cess leviable under this Ordinance shall be paid to Government by an operator (2) If a person other than the operator shall be for the time being in charge of the operation then such person shall jointly and severally be liable to pay the Cess.
Exercise of powers and authorities	5	The authorities competent to recover and enforce payment of Cess, hear appeals and exercise powers and functions incidental thereto under the Meghalaya Sales Tax Assam Sale Tax Act, 1947 as adapted by Meghalaya and rules framed there under shall, within the local limits of their jurisdiction, be the authorities competent to exercise the corresponding powers and function under the Ordinance and the rules so prescribed.
Registration	6	<ul style="list-style-type: none"> (1) No operator who is liable to pay Cess under Section 3 shall run the business unless he presses a valid certificate to registration as provided under this Ordinance; Provided that such operator who, at the commencement of this Ordinance is running the business may continue to do so but shall apply to the Authorised Officer for registration within thirty days there from (2) Every operator who is required to possess a certificate of registration shall apply in the prescribed form to the Authorised Officer within thirty days from the date on which he first becomes liable to pay the Cess. (3) If the Authorised Officer after such enquiry as he deems fit is satisfied that an application for registration is in order he shall register the applicant and issue him a certificate of registration in the prescribed form.

- (4) The Authorised Officer may, after considering the information furnished or received under any provisions of this Ordinance amend, from time to time, the certificate of registration.
- (5) Where a registered operator discontinues, transfers or otherwise disposes of the business applies in the prescribed form to the assessing officer for cancellation of the registration, the latter shall, after such enquiry as may deem necessary, cancel the certificate of registration with effect from such date as he may fix in accordance with the rules.
- (6) Where the Authorised Officer is satisfied that any registered operator has discontinued, transferred or otherwise disposed of the business and has failed to apply under sub-section (5) for cancellation of the registration the Authorised Officer may, after giving the operator a reasonable opportunity of being heard cancel the certificate of registration with effect from such date as he may fix and the said activity be discontinued transferred or otherwise disposed of from that date;

Provided that the cancellation of a certificate of registration shall not affect the liability of the operator to pay the Cess, including any penalty, due for any period up to the date of cancellation whether such Cess including any penalty is recovered before or after the date of cancellation.

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| Registration certificate not transferable | 7 | Save otherwise provided in section 9, a certificate of registration shall be personal to the operator to whom it is granted and shall not be transferrable |
| Information to be furnished regarding changes in the business etc. | 8 | <ul style="list-style-type: none"> (1) If an operator liable to pay Cess under the Act:- <ul style="list-style-type: none"> (a) Sells or otherwise disposes of his business or any part thereof or makes any other changes in the ownership of the business or (b) Discontinues his business or changes the name, nature or place thereof or opens a new place of business, or (c) Enters into a partnership of association in regard to his business he shall within the prescribed time to inform the Authorised Officer of the change. (2) Where an operator dies, his executor, administration or other legal representative or where any such operator is a firm and there is a change in the constitution of the firm or the firm is dissolved every person who was a partner thereof shall, in like manner, inform the Authorised Officer of such death or, as the case may be, change or dissolution of the firm. |

- Certificate of registration to continue in certain circumstances
- 9 Where a registered operator-
- (a) Effect any change in the name of his business; or
 - (b) Is a firm, and there is a change in the constitution of the firm without dissolving it; or
 - (c) Is a trustee of a trust and there is a change in the trustees thereof, it shall not be necessary for the operator or the firm with the changed constitution or the new trustees to apply for a fresh certificate of registration and on information being furnish in the manner required by section 8, the certificate of registration shall be amended accordingly.
- Furnishing of returns
- 10 (1) Every registered operator shall furnish returns showing total mobile phone connection for such periods on such dates and to such authority as may be prescribed.
- (2) If operator discovers may omission or incorrect statement in the returns furnish under sub-section (1) shall furnish returns before the expiry of three months next following the last prescribed for furnishing the original returns.
- Prohibition against collection of tax in certain cases and impositions of penalty
- 11 (1) No operator-
- (a) Who is not required to pay the Cess, shall collect it from any person; and
 - (b) Who is required to pay the Cess, shall collect from any person any amount on that account in excess of that due under this Ordinance.
- (2) Whoever contravenes the provision of sub-section (1) shall be punishable with fine of rupees two thousand or twice the amount collected or as the case may be, collected in excess of the Cess due whichever is higher and the amount so collected shall be forfeited to the State Government and the person from whom the operator had recovered it may claim for the refund from the Government within one year from the date he became aware of its forfeiture
- Bill or cash memorandum to be issued to a customer
- 12 A registered operator shall issue to a customer a bill or cash memorandum serially numbered signed by him or his employee, manager or agent showing therein such particulars as may be prescribed and shall retain the counterfoil or duplicate copy of such bill or cash memorandum and preserve it for a period of not less than eight years.
- Accounts
- 13 (1) Every operator liable to pay Cess under this Ordinance and every Operator who is required to do so by the Authorised Officer shall keeps an account of the connection by him in such form as may be prescribed

- (2) The Commissioner of Taxes by notice in writing or by notification in the Official Gazette, direct an operator or many class of operator maintain accounts and records showing such particulars regarding the business in such form and in such manner as may be prescribed by him.
- (3) A registered operator shall keep all books of accounts, registers and documents relating to his business at the place of business specified in the certificate of registration with his previous approval, at such other place rise Officer may allow.

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| Declaration in respect of an operator which is a firm, company etc. | 14 | Where the operator is a firm, company society association or trust the person who is in charge of and is responsible to the firm, company society, association or trust as the case may be, shall furnish a declaration stating the names of the persons who are members of the Board of Directors or Governing Body thereof and such other particulars may be prescribed. |
| Offence and imposition of penalty | 15 | <ul style="list-style-type: none"> (1) Any registered operator who under Section 10 knowingly furnished false returns shall on conviction be punished- <ul style="list-style-type: none"> (a) Where the Cess attempted to be evaded by submission of the false returns exceeds ten thousand, with simple imprisonment for a term which shall not be less than six months and with fine which may extend to rupees two thousand; and (b) In any other case, with rigorous imprisonment for a term which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand (2) Any operator who knowingly keeps false copies of bills or cash memorandum as required in Section 12 or accounts or other books as required under Section 13 shall on conviction before a magistrate be punished with rigorous imprisonment for a term which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand. (3) Any operator who attempts in any manner to evade payment of the Cess shall on conviction be punished- <ul style="list-style-type: none"> (a) Where the amount involved exceeds rupees fifty thousand, with rigorous imprisonment for a term which shall not be less than six months but which may extend to three years and with fine which may extend to rupees two thousand; and (b) In any other case, with rigorous imprisonment for a term which may extend to one year and than three fine which may extend to rupees one thousand. |

- (4) Whoever contravenes the provisions of Section 6 or fails to comply with those of Section 8 or Section 10 or issue a bill or cash memorandum to any customer as required under Section 12, or whoever obstructs an officer from discharging his duties under Ordinance shall, on conviction be punished with imprisonment for a term which may extend to one year or with fine or with both.
- (5) Whoever aids or abets any person in the commission of any under this Ordinance or rules framed there under shall, on conviction, be punished with rigorous imprisonment which shall not be less than three months but which may extend to one year and with fine which may extend to rupees one thousand.

Cognizance of Offence 16 No court shall take cognizance of any offence under this ordinance, or under the rules made there under except with the previous sanction of the Commissioner, and no court inferior to that of a Magistrate of the first class shall try any such offence.

Power to make Rules 17 (1) The State Government may, by notification in the Official Gazette, made rules to carry out the purposes of this Ordinance.

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

- (a) The manner of payment or refund of Cess;
- (b) The form in which accounts and registers shall be maintained by an operator;
- (c) The manner in which registration under Section 6 to be made and the form of the licence to be granted;
- (d) The form of returns to be submitted;
- (e) The manner of and period for payment of the Cess; and
- (f) Any other matter which is required to be prescribed for the purpose of this Ordinance

(3) Rules, except rules made for the first time, shall be subject to the condition of previous publication for a period of not less than three weeks.

Power to remove
difficulties

- 18 If any difficulty arises in fixing effect to any provision of this Ordinances the state Government may, by general or special order, do anything not inconsistent with such provision for the purpose of removing the difficulty.

Dated Raj Bhavan

Shillong the 17th January, 2002

M. M. JACOB

GOVERNOR OF MEGHALAYA

Dated. Shillong,

The 18th January, 2002

L. M. SANGMA,

Deputy Secretary

Government of Meghalaya

Law Department Shillong

The 8th March, 2002

No. LL(B) 200/84/134- The Contingency Fund of Meghalaya (Amendment) Ordinance, 2002) (No. 4 of 2002) promulgated by the Governor on 6th March, 2002 is hereby published for general information.

MEGHALAYA ORDINANCE NO. 4 OF 2002

Promulgated by the Governor on 6th March, 2002

Published in the Extra-ordinary Gazette of Meghalaya, dated 8th March, 2002)

THE CONTINGENCY FUND OF MEGHALAYA (AMEDMENT) ORDINANCE, 2002

An

Ordinance

To amend temporarily the Contingency Fund of Meghalaya Act, 1972

Whereas the Legislative Assembly 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 of Meghalaya hereby promulgates in the Fifty-Second Year of the Republic of India following Ordinance, namely:-

Short title and commencement	1	(1) This Ordinance may be called the Contingency Fund of Meghalaya (Amendment) Ordinance, 2002 (2) It shall be deemed to come into force at once.
Amendment of section 2 of Meghalaya Act 5 of 1972	2	To section 2 of the Contingency Fund of Meghalaya Act, following proviso shall be added, namely:- “Provided that during the period beginning on the date of commencement of the Contingency Fund of Meghalaya (Amendment) ordinance, 2002 and ending 31 st March 2002 this section shall have effect subject to modification that for the words ‘rupees sixteen crores, the words twenty six crores’ shall be substituted.
Repeal and Saving	3	(1) The Contingency Fund of Meghalaya (Amendment) Ordinance 2002 (No. 1 of 2002) is hereby repealed.

- (2) Notwithstanding such repeal anything done or any action taken under the Ordinance so repealed shall be deemed to have been done or taken under the provision of this ordinance.

Dated Raj Bhavan

Shillong the 6th March, 2002

M. M. JACOB

Governor of Meghalaya,

L. M. SANGMA,

Deputy Secretary to the Govt. of Meghalaya

Law (B) Department

The 28th September, 2002

No. LL(B) 200/84/138- The Contingency Fund of Meghalaya (Amendment) Ordinance, 2002) (No. 5 of 2002) promulgated by the Governor on 27th September, 2002 is hereby published for general information.

MEGHALAYA ORDINANCE NO. 5 OF 2002

Promulgated by the Governor on 27th September, 2002

Published in the Extra-ordinary Gazette of Meghalaya, dated 28th September, 2002)

THE CONTINGENCY FUND OF MEGHALAYA (AMEDMENT) ORDINANCE, 2002

An

Ordinance

To amend temporarily the Contingency Fund of Meghalaya Act, 1972

Whereas the Legislative Assembly 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 of Meghalaya hereby promulgates in the Fifty-third Year of the Republic of India following Ordinance, namely:-

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| Short title and commencement | 1 | (1) This Ordinance may be called the Contingency Fund of Meghalaya (Amendment) Ordinance, 2002
(2) It shall come into force at once. |
| Amendment of section 2 of Meghalaya Act 5 of 1972 | 2 | To section 2 of the Contingency Fund of Meghalaya Act, following proviso shall be added, namely:-

“Provided that during the period beginning on the date of commencement of this Ordinance and ending the 31 st march, 2003 this section have effect subject to modification that for the words ‘rupees six crores, the words sixty crores’ shall be substituted. |

Dated Raj Bhavan

M. M. JACOB

Shillong the 27th September, 2002

GOVERNOR OF MEGHALAYA,

Dated Shillong,

S. DYKES,

The 28th September, 2002

Joint Secretary to the Govt. of Meghalaya

Law Department, Shillong

The 5th December, 2002

No. LL(B) 45/2001/8- The Meghalaya Tax On Luxuries Ordinance, 2002) (No. 6 of 2002) promulgated by the Governor on 4th December, 2002 is hereby published for general information.

MEGHALAYA ORDINANCE NO. 6 OF 2002

Promulgated by the Governor on 4th December, 2002

Published in the Extra-ordinary Gazette of Meghalaya, dated 5th December, 2002)

THE MEGHALAYA TAX (ON LUXURIES) ORDINANCE, 2002

An

Ordinance

To provide for imposition of tax on luxuries

Whereas it is expedient to provide for the imposition of tax on luxuries and for matters connected therewith.

And, whereas, the Legislative Assembly of Meghalaya is not in session and the Governor of Meghalaya is satisfied that circumstance exist which render it necessary for him to take immediate action.

Short title, extent and commencement	1	(1) This Ordinance may be called the Meghalaya Tax (On Luxuries) Ordinance, 2002 (2) It extends to the whole of Meghalaya. (3) It shall come into force at once.
Definition	2	In this Ordinance, unless there is anything repugnant in the subject or context:- (a) “licensed stockist” means a stockist to whom has been granted under sub-section (4) of Section 6; (b) “Luxuries” means the commodities, specified in the Schedule, for enjoyment over and above the necessary of life; (c) “notification” means notification published in the official Gazette; (d) “Ordinance” means the Meghalaya Taxation (on luxuries) Ordinance, 2002; (e) “prescribed” means prescribed by rules made under this Ordinance;

- (f) “Prescribed Authority” means the Commissioner of Taxes appointed under sub-section (1) of Section 8 of the Meghalaya Sale tax Act (Assam Act XVII of 1947 as adapted by Meghalaya);
- (g) “Schedule” means the Schedule appended to this Ordinance;
- (h) “State Government” means the Government of the State of Meghalaya;
- (i) “Stock of luxuries” means the quantity of luxuries that stock received or kept by stockist;
- (j) “Stockist” means a persons who has in customary course of business, in his possession of, or control over, a stock of luxuries, whether manufactured, made or processed by him in Meghalaya or brought by him into Meghalaya, either on his own account or on account of others, from any place outside Meghalaya;
- (k) “tax” means the tax payable under this Ordinance;
- (l) “turnover of stock of luxuries” in relation to take stockist in respect of any period as prescribed or part thereof , means the value of stock of luxuries;
- (m) “value of stock of luxuries” means-
 - i) In respect of any Stockist a manufacturer of any of the luxuries, the value of such luxuries, calculated at the ex-factory price at the time of receipt of entry thereof in his stock and the amount of excise duty and of transport and insurance charges if any paid or payable by him.
 - ii) In respect of any stockist being an improper of any of the luxuries the value of such luxuries calculated at the price thereof as per cosignor’s bill invoice or consignment note or other document of like nature and shall include-
 - (ia) excise duty and central sales tax, if any, paid or payable on such luxuries by the manufacture or improper thereof as the case may be; and
 - (ib) transport charges and insurance charges if any for carrying such luxuries to any premises, godown, warehouse or any other place for delivery to a wholesaler, dealer retailer, distributor or any other person; and
- (n) “Year” means the year commencing on the first day of April and ending on the 31st day of March.

Taxing Authority	3	<p>(1) The State Government shall appoint the prescribed authority and such other person as appointed under sub-section (1) of Section 8 of Meghalaya Sales Tax Act, (Assam Act XVII of 1947 as adapted by the Meghalaya) to assist the prescribed authority for carrying out the purpose of this Ordinance with area or areas as specified under the said Act over which such persons have been exercising jurisdiction.</p> <p>(2) Persons appointed under sub-section (1) shall exercise such powers as may be conferred and such duties as may be required by or under this Ordinance.</p> <p>(3) The Prescribed Authority and the persons appointed under sub-section (1) shall be deemed to be public servants within the meaning of Section 21 of India penal Code.</p> <p>(4) Subject to such conditions and restrictions as may be prescribed, the prescribed authority may, by order in writing delegate any of its powers and duties under this Ordinance.</p> <p>(5) No suit, prosecution or other legal proceedings shall lie against the prescribed authority or the persons appointed under sub-section (1) for anything which is in good faith done or intended to be done under this Ordinance or the rules made there under.</p>
Incidence of Tax	4	<p>Every stockist shall be liable to pay on his turnover of stock of luxuries at such rate, not exceeding twenty percentum, as the State Government may, by notification fix in this behalf and different rates may be fixed for different class of luxuries.</p>
Levy for Tax	5	<p>The tax payable by a stockist under this Ordinance shall be levied on his turnover of stock of luxuries during any period as prescribed</p>
Licence	6	<p>(1) No Stockist shall, while being liable to pay luxury tax under Section 4 hold any stock of luxuries in any premises, godown, warehouse or any other place in Meghalaya unless he obtains, on application, a licence in the prescribed Form</p>

(2) If a stockist fails to obtain a licence under sub-section (1) within a period of one month of the commencement of this Ordinance, or within a period of seven days from the date of his liability under Section 4, whichever is latter, the prescribed Authority may, after giving him reasonable opportunity of being heard, impose, by way of penalty a sum being not less than five thousand rupees and not more than ten thousand rupees for each month of delay in obtaining the licence and direct the stockist by a notice to pay the amount of such penalty into a Government Treasury within the date specified in the notice;

Provided that no penalty under this sub-section shall be imposed in respect of the same fact for which a prosecution has been instituted and no prosecution would lie vice versa.

(3) Every stockist required to obtain a licence under sub-section (1) shall make an application in this behalf in the prescribed manner to the prescribed Authority.

(4) If the prescribed Authority is satisfied that the application for licence is in order, it shall subject to such conditions and restriction and in such manner as may be prescribe, grant the applicant a licence in the prescribed form.

(5) Where a stockist makes an application for licence under sub-section (3) within the period referred to in sub-section (2) such stockist shall be deemed to have complied with the provisions of sub-section (1) of this application.

(6) Where a licence has been granted to a stockist under sub-section (4) the prescribed authority may, if in its opinion that it is necessary or expedient so to do for the proper realisation of recovery of the tax under this Ordinance, at any time while such license is in force, by an order in writing and for reasons to be recorded therein, require the stockist to furnish within such period and in such manner as may be prescribed, a security for the proper payment of the tax payable by him under this Ordinance;

Provided that no order shall be passed under this sub-section without giving one stockist an opportunity of being heard.

(7) The prescribed authority may, on application or otherwise from time to time, amend the licence or a stockist.

(8) Where the liability of stockist to whom a licence has been granted under sub-section (4) to pay the tax under this Ordinance has ceased, such licence may, on application by him, be cancelled by the Prescribed Authority in the manner as may be prescribed.

- (9) A licence granted to a stockist under sub-section (4) may be cancelled by the Prescribed Authority after due notice to such stockist if it is satisfied that he has failed to pay the tax, penalty, or interest payable under this Ordinance or to furnish the security under sub-section (6);

Provided that the licence so cancelled may be restored if the stockist to whom the licence was granted pays the arrears tax, penalty and interest and furnished a receipt challan therefore.

Returns and payment of Tax 7

- (1) Every licensed stockist shall furnish returns of turnover of stock of luxuries to the prescribed authority, in such manner, for such period or periods, and by such or date dates as may prescribed.
- (2) Before any licensed stockist furnishes the return under sub-section (1) he shall in the prescribed manner, pay into a Government Treasury the full amount of tax due from him under this Ordinance according to such returns and shall furnish along, with each such returns a receipt from such Treasury showing the payment of such amount.

Interest 8

- (1) If the amount of tax payable under Section 5 in respect of any periods not paid by the Stockist referred to in Section 7 by the date prescribed under that section, such stockist shall pay a simple interest at the rate of two percentum for each English Calendar month of default from the first day of such month next following the date as prescribed to the last day of the month prior to the month in which such tax is fully paid or into the month prior to the month of assessment under Section 9 in respect of such period, whichever is earlier, upon so much of the amount of tax payable by him according to return where return is furnished, or according to such assessment where return is not furnished as remain in paid the end of each such month of default.

- (2) Where a stockist fails to make payment of any tax payable after assessment made under sub-section (1) of this section by the date specified in the notice issued under Section 9 for payment thereof he shall pay a simple interest at the rate of two per centum for each English calendar month of default from the first day of such month next following the date specified in such notice to the last day of the month prior to the month of full payment of such tax, or up to the month prior to month of commencement of proceeding under sub-section (1) of Section 9, whichever is earlier upon so much of the amount of tax due from him according to such notice as remain unpaid at the end of each such month of default.
- (3) Where as a result of an order under Section 4, the amount of tax on which interest was payable under this section is modified, the interest shall be payable on the modified amount.
- (4) A stockist liable to pay interest under sub-section (1) or sub-section (2) shall pay into a Government Treasury the amount of such interest in such manner and by such date or dates as may be prescribed.
- (5) Notwithstanding anything contained in sub-section (1) or sub-section (2) no interest shall be payable in such case or under such circumstances, and subject to such conditions if any, as may be prescribed.
- (6) The State Government shall in the prescribed manner pay a simple interest at the rate of two per centum for each English calendar month of delay in making refund of luxury tax paid in excess which arises out of an order passed under Section 4, from the first day of such month next following the expiry of three months from the date of passing of such order to the last day of the month prior to the month in which the refund is made upon the amount of six refundable to him according to such order.
- (7) In calculating the interest payable under this section the amount of tax in respect of which such interest is to be calculated shall be rounded off to the nearest multiple of one hundred rupees and for this purpose, where such amount contains as part of one hundred rupees, if such part is fifty rupees or more, it shall be increased to one hundred rupees and, if such part is less than fifty rupees, it shall be ignored.

Assessment tax imposition of penalty and determination of interest	9	<p>If no return is furnished by a licensed stockist in respect of any period by the prescribed date, if the Prescribed Authority is not satisfied that the return furnished is correct and complete the Prescribed Authority shall proceed in such manner as may be prescribed to assess to the best of its judgement the amount of tax from the licensed stockist and-</p> <ul style="list-style-type: none"> (a) No proceedings shall be commenced against the person as aforesaid. (b) If any proceedings have already been commenced against such person, such proceedings shall be proceeded with, or. (c) If such person undertakes to comply with the requirements of the provisions to contain in sub-section (i) of Section 6, within such period as the Prescribed Authority may direct.
Power to make rules	10	<ul style="list-style-type: none"> (1) The State Government may, by notification, make rules for carrying of the provisions of this Ordinance. (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- <ul style="list-style-type: none"> (a) The procedure for, and other matters (including provisions of payment of fees) incidental to, the disposal of appeal, revision and review (b) Any other matter which may be, or is required to be prescribed under this Ordinance. (3) In making any rule, the State Government may direct that a breach thereof shall be punishable with fine not exceeding five hundred rupees and when the offence is a continuing, one with a daily fine not exceeding twenty five rupees during the continuance of the offence.
Power to remove difficulties	11	<p>If any difficulty arises in giving effect to any provision of this Ordinance, the State Government may, by order do anything which appears to it to be necessary or expedient of the purposes of removing the difficulty</p>

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

SCHEDULE

[see clauses (b) and (g) of Section 2]

1. Cigarettes and cigars

Dated Raj Bhavan

Shillong the 4th December, 2002

M. M. JACOB

GOVERNOR OF MEGHALAYA,

Dated Shillong,

The 5th December, 2002

L. M. SANGMA

Joint Secretary to the Govt. of Meghalaya

Law (B) Department,