

CITIZEN'S CHARTER
LAW DEPARTMENT: GOVERNMENT OF MEGHALAYA

Aim/Purpose:

Law Department is committed to deliver standard and quality legal framework in the state for effective implementation of Government policies by conforming to the provisions of the Constitution of India and other laws in force in the country. It is also committed to promote administration of justice in Meghalaya. This Charter is a step in this direction.

Mission:

The Mission of the Department is to function as a vibrant institution of the State to render high quality legal services (legislative as well as advisory) to our clients particularly to the Secretariat Departments for their proper and effective functioning and ensure effective services to the public through its line agencies. Hence, it is the endeavor of the Department to provide a just, transparent, accountable and humane system of governance.

Introduction:

Law Department basically deals with all legal matters concerning the State Government. It is entrusted with drafting, legislation, advice on legal matters to Government Departments and publication of Bills and Acts, and vetting of statutory notifications, rules, bye-laws of the various administrative Departments of the Government of Meghalaya. The Officers of the Law Department are borne from the Meghalaya Legal Service and the ministerial staff belongs to the Meghalaya Secretariat Service.

The business of the Government of Meghalaya is transacted in accordance with the Rules of Executive Business of the Government of the State of Meghalaya. These rules have been framed under clause (2) and (3) of Article 166 of the Constitution of India.

Functioning of the Department:

Law Department consists of two branches and they are, namely:-

- (1) Law (A) Department
- (2) Law (B) Department

The basic function and duties of Law (A) Department are as follows:-

1. Establishment, Constitution and reorganization of Courts, including Special Courts.
2. Appointment of Judicial officials and Government Advocates.
3. Control over the budget head "2014"- Administration of Justice.
4. Preparation of annual budget.
5. Matters concerning construction and maintenance of Court buildings (in consultation with PWD Buildings)

6. Budget and Financial Administration – Payment of fees and other expenses of State Counsels in Supreme Court of India/High Court Advocates/ Government Lawyers in the District Courts.
7. Conferring of judicial powers to Executive Magistrates on the recommendations of the District Magistrates.
8. Conferring of Magisterial & Judicial powers on all Meghalaya Civil Services Officers and other officers of Government during election;

The basic function and duties of Law (B) Department are as follows:-

1. Legislation and Subordinate Legislation –
 - (1) Drafting and vetting of Bills, Ordinances, Statutory Rules, Orders and Notifications and giving advice on legislation measures;
 - (2) Promulgation of Ordinance by the Governor;
 - (3) Obtaining assent of the Governor and the President to Bills passed by the State Legislature and publishing them;
 - (4) Compilations of State Acts;
 - (5) Vetting of Bills, Rules, and Regulations of District Councils requiring assent or approval of the Governor;
 - (6) Translation of Acts into Garo and Khasi Language; and
 - (7) Revision of Acts and amendments thereof.
2. Legal Opinion and Advice -
 - (1) Examine various issues received from various Departments and to tender legal opinion and advice to concerned Departments of the Government of Meghalaya.
 - (2) Drafting and vetting of oaths, deeds, agreements and other instruments to be executed by the Government.
3. Judicial Administration –
 - (1) To make necessary arrangements for conduct of State cases, appeals etc. in all Courts including High Court and Supreme Court in which the State or any of its Departments/Functionaries is a Party;
 - (2) Matters relating to implementation of Judgment and Orders including Supreme Court Judgment/Orders passed by High Court of other State Government;
 - (3) Mercy petitions, pardon and commutation of sentences of convicts;
 - (4) Matters relating to Tribunals.

Other Establishments under Law Department

The Department has offices of the following nature under it –

- (1) Meghalaya State Legal Services Authority.
- (2) Law Commission.
- (3) Office of Advocate General, Additional Advocate General and Senior Government Advocate/GA.

Details of services available in Law Department under various Statutes/Rules/Executive Orders

| Sl. No. | Central acts/ State Acts/ Executive orders | Administered/ Dealt with | Services available |
|----------------|--|---------------------------------|--|
| 1 | The Notaries Act, 1952 | Law (A) Deptt. | Appointment of Notaries |
| 2 | The Legal Services Authorities Act, 1987 | Law (A) Deptt. | Appointment of Members |
| 3 | The Official Trustees Act, 1913 | Law (A) Deptt. | Appointment of members of Earle holiday Home Trust |
| 4 | Under Rules of Administration of Justice and Police, and Meghalaya Autonomous Districts Administration of Justice Act. | Law (A) Deptt. | Appointment of Judges/Judicial Magistrates in Districts Courts and Executive Magistrates (Judicial) in Districts where judiciary is not separated. |
| 5 | Notification under Section 24 of the Code of Criminal Procedure. | Law (A) Deptt. | Appointment of PPs/APPs/AGPs |
| 6 | Fast Track Courts in 3 districts in Shillong, Tura and Jowai | Law (A) Deptt. | Appointment of Judges |
| 7 | Special Court for rape cases in Nongstoin under CrPC. | Law (A) Deptt. | Appointment of Judicial Magistrate, First Class or Second Class. |
| 8 | Under Motor Vehicles Act, 1988. | Law (A) Deptt. | Appointment of Tribunal |
| 9 | Under Narcotics Drugs Pscycotropic Substances Act, 1985. | Law (A) Deptt. | Appointment of Special Judge |
| 10 | Under Prevention of Corruption Act, 1988. | Law (A) Deptt. | Appointment of Special Judge |
| 11 | Under Land Acquisition Act, 1894 | Law (A) Deptt. | Appointment of Reference Court |
| 12 | Under Industrial Tribunal Act, 1947 | Law (A) Deptt. | Appointment of Tribunal |
| 13 | Under Electricity Act, 2003 | Law (A) Deptt. | Appointment of Special Judge |
| 14 | Under WAKF Act, 1995. | Law (A) Deptt. | WAKF Tribunal |

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| 15 | Under Protection of Children from Sexual Offences Act, 2012. | Law (A) Deptt. | Special Court |
| 16 | Indian Penal Code, Criminal Procedure Code, Evidence Act. | Law (A) Deptt. | Administration of the Acts. |

Organisational Setup

Office of the Law Minister, Government of Meghalaya

| Name | Address | Phone Number |
|--|---|----------------------|
| Smti. Dr. Mazel Ampareen Lyngdoh Hon'ble Law Minister | Room Number 524 Yojana Bhawan Shillong - 793001 | 2224828 PABX-2664 |
| P.S. to Minister for Law Minister | Yojana Bhawan Shillong - 793001 | 2224828 |

Office of the Secretary

| Name | Address | Phone Number |
|--|---|--------------------------------|
| Shri C.V. Diengdoh, IAS Secretary | Room Number 314 Secretariat Additional Building Shillong - 793001 | 2210132 PABX - 2695 |
| Shri A.K.Sangma Additional Secretary | Room Number 222 Rilang Building Main Secretariat Shillong - 793001 | Phone - 2210361 PABX - 2691 |
| Smti. L.L.Shangpliang Joint Secretary | Room Number 502 Rilang Building Main Secretariat Shillong - 793001 | 2212501 PABX - 2501 |
| Smti. M.M. Sangma Joint Secretary | Room Number 502 Rilang Building Main Secretariat Shillong - 793001 | 2212604 PABX - 2604 |
| Shri. D.Lyngdoh Joint Secretary | Room No.110 Rilang Building Main Secretariat Shillong - 793001 | 2212598 PABX - 2598 |

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| Smti. S.K.Sangma Deputy Secretary | Room Number 221-A Rilang Building Main Secretariat Shillong - 793001 | 2227341 PABX –2742 |
| Smti. L.A.Lyndem Deputy Secretary | Room Number 221 Rilang Building Main Secretariat Shillong - 793001 | 2212688 PABX –2688 |
| Shri L.K.Swett Under Secretary | Room Number 222 Rilang Building Main Secretariat Shillong - 793001 | 2212614 PABX –2614 |
| Smti. S.N.Sangma Under Secretary | Room Number 211 Rilang Building Main Secretariat Shillong - 793001 | PABX –2266 |
| Shri.S.Latam Law Officer | Room Number 239 (A) Yojana Building Main Secretariat Shillong - 793001 | 2500021 |
| Smti. M.K. Marak Law Officer | Room Number 239 (A) Yojana Building Main Secretariat Shillong - 793001 | 2500021 |

Grievance Redressal:

Any person can approach the officers of the Department for redressal of their grievances, if any, in the Law Department during office hours.

In case of grievance, the following officers can be contacted:

1. Smti. L.A.Lyndem ,Deputy Secretary (Law A)
Phone: 2212688:PABX –2688(ext.)
2. Smti. S.K.Sangma, Deputy Secretary (Law B)
Phone: 2212472, PABX –2472 (ext.)