

### CHAPTER III

#### POWERS AND DUTIES OF OFFICERS AND EMPLOYEES

The duties and functions of the officers in respect of Law Department are provided in the **Law Manuals** as adopted from **the Assam Law Manuals** by the Government of Meghalaya since state hood. Some of these main duties and functions are as follows: -

1. The officers act as the adviser and give legal expert opinions to the Government, hence they are known as Law Officers;
2. To undertake drafting and vetting of bills, rules, sub-delegation of rules, regulation, office memorandum, and many other types of offices orders;
3. To examine, give views and frame comments and views in legal matters that are sought by different departments;
4. To aid and assist in preparing and vetting parawise comments and other courts documents relating to courts case concerning the state;
5. To appoint judges and magistrates to subordinate judicial courts as recommended by High Court and to invest powers to them; and

To put into technical shape the project and scheme of legislation.

<b>Designation</b>	<b>Secretary Law &amp; Legal Remembrancer</b>	
Powers	Administrative	1. Overall supervision
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

Designation	Additional Secretary & Senior Additional Legal Remembrancer	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Allotment of fund/Re-appropriation of fund/Surrender of Saving/Advance from CF etc.</li> <li>2. Constitution of Judicial Academy and other Misc. matters</li> <li>3. Appointment of PPs, APPs, Addl. PPs, Spl. PPs, Panel Advocate</li> <li>4. Reconciliation of Accounts</li> <li>5. Budget</li> <li>6. Committee formed under the direction of Hon'ble High Court for WP (C) 322 of 2014. Registrar General Vrs State Govt.</li> <li>7. ACPS</li> <li>8. Elitigation</li> <li>9. Advocates in High Court &amp; Supreme Court</li> <li>10. All matters relating to Officers of Law Deptt.</li> <li>11. Supreme Court cases</li> <li>12. Creation of post for the office of (staffs) High Court of Meghalaya/District Courts/ Advocate General/Additional Advocate General/Senior Advocate General/Sub-Divisions/Chief Judicial Magistrates/Deputy Commissioner (Judicial)</li> <li>13. Retention of posts of the office of High Court of Meghalaya/District Courts Advocate General/Additional Advocate General/Senior Advocate General/Sub-Divisions/Chief Judicial Magistrates/D.C (Judicial)</li> <li>14. Opening of Sub head receipts &amp; expenditure</li> </ol>

		<p>15. Computerization in Law (A) Department</p> <p>16. Matter relating to Construction of District Court in all Districts</p> <p>17. All matters relating to the Judicial Officers</p> <p>18. Separation of Judiciary in all Districts</p> <p>19. Chief Justices, Chief Minister's Conference</p> <p>20. All matters relating to the Chief Justice &amp; Judges of High Court including constructions in High Court</p> <p>21. Purchase, repair, condemnation of the vehicles for the officers of Law Department, Chief Justice, Judges of High Court and District Court.</p> <p>22. Training on Office Management &amp; office Procedure. Meghalaya Admv. Training Institute.</p> <p>23. GPF.</p> <p>22. Furnishing and sanction approval of High Court/ District Courts/ DC (Judl.)/ Advocate General Office/ Sub-Division</p> <p>25. Leave, posting and transfer of the staff of Law (A) Department.</p> <p>26. Matters relating to office of Legal Remembrancer</p> <p>27. Bills of MSLSA.</p> <p>28. 14<sup>th</sup> &amp; 15<sup>th</sup> Finance Commission</p> <p>29. Centrally Sponsored Schemes</p>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

Designation	Joint Secretary cum Additional Legal Remembrancer and Draftsman(I)	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Appointment of AG, AAG &amp; other matters (example TEs).</li> <li>2. Constitution of special Courts</li> <li>3. PIL No. 3 of 2017</li> <li>4. Furnishing and sanction approval of High Court/ District Courts/ D.C.(Judl.)/ Advocate General Office</li> <li>5. Approval of Travel allowances of staff of District Courts/ DC (Judl.)/ Sub Divisions/ Chief Judicial Magistrate.</li> <li>6. Service Book of staffs of District Courts</li> <li>7. GPF</li> <li>8. ACPS</li> <li>9. Appointment of PPs, APPs/Addl. PPs/Sp. PPs/Panel Advocates</li> <li>9. Constitution of Judicial Academy and other misc. matters.</li> <li>10. 14<sup>th</sup> &amp; 15<sup>th</sup> Finance Commission</li> <li>11. Centrally Sponsored Schemes</li> <li>12. E-samiksha</li> <li>13. Chief Minister petition.</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

<b>Designation</b>	<b>Joint Secretary cum Additional Legal Remembrancer and Draftsman (II)</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Medical treatment/reimbursement of the Officers &amp; staff of District &amp; Sessions Judge/Chief Judicial Magistrate</li> <li>2. Earle Holiday Home</li> <li>3. Service Book of staff of Subordinate Offices</li> <li>4. Creation of Data Entry Operators</li> <li>5. Pension matters of the staff of Subordinate Office</li> <li>6. 5<sup>th</sup> Pay Commission</li> <li>7. The Meghalaya State Litigation Policy</li> <li>8. Policy/Draft Speech for Republic Day</li> <li>9. Elitigation</li> <li>10. Furnishings of residential Quarter of Judicial Magistrates</li> <li>11. Matters relating to the office of State Law Commission</li> <li>12. LS, RS Question</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

Designation	Deputy Secretary cum Joint Legal Remembrancer(I)	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Appointment of Counsels in Supreme Court.</li> <li>2. Supreme Court cases.</li> <li>3. Budget/Renovation and Surrender of Savings</li> <li>4. Other matters relating to Subordinate office in the Districts</li> <li>5. Training of Judicial Officer</li> <li>6. RTI Law (A)</li> <li>7. Computerization in Law (A) Department</li> <li>7. 14<sup>th</sup> &amp; 15<sup>th</sup> Finance Commission</li> <li>8. All matters relating to Judges of High Court including construction of High Court</li> <li>9. The Meghalaya State Litigation Policy</li> <li>10. Geo-Tagging of Judicial Building – Schemes</li> <li>11. ACPS</li> <li>Video Conferencing between District and District Jails/Case Informative system.</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

Designation	Deputy SecretarycumJoint Legal Remembrancer (II)	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. All matters relating to the Judicial Officers</li> <li>2. All matters relating to Officer of Law Department</li> <li>3. Chief Justices, Chief Minister's Conference</li> <li>4. Centrally Sponsored Schemes</li> <li>5. Pension matters of the staff of Subordinate Office</li> <li>6. Creation of Contingency staff in Judges Bungalow</li> <li>7. Fifth pay Commission</li> <li>8. Judicial Academy</li> <li>9. Matters relating to construction of all District Courts</li> <li>10. Separation of Judiciary Grant-in-aid for Law Colleges and Bar Associations</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

Designation	Deputy SecretarycumJoint Legal Remembrancer (III)	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Appointment of AG, AAG &amp; other matters (example TEs)</li> <li>2. Constitution of Special Courts</li> <li>3. All matters relating to Remembrancer Office</li> <li>4. Leave, posting and transfer of the staff of Law (A)</li> <li>5. Appointment of PPs/Addl. PPs/APPs /Panel Advocate &amp; Special PPs</li> <li>6. Bills of office of Meghalaya State Legal Services Authority</li> <li>7. Elitigation</li> <li>8. Chief Minister petition</li> <li>9. Furnishing and sanction approval of High Court/District Court/DC (Judl.)/Advocate General office</li> <li>10. Approval of Travel Allowances of staff of District Courts/D.C.(Judl.)/Sub Divisions/Chief Judicial Magistrate</li> <li>11. Matters relating to Subordinate office in the Districts (quarterly allotment of funds to all the Divisions)</li> </ol> <p>Any other matter which has not been allotted to any officers.</p>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	



<b>Designation</b>	<b>Under Secretary cum Deputy Legal Remembrancer(I)</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Visit of VIP &amp; Bills of VIP</li> <li>2. Fifth Pay Commission</li> <li>3. Earle Holiday Home</li> <li>4. Dedicated Cell</li> <li>5. 14<sup>th</sup> &amp; 15<sup>th</sup> Finance Commission</li> <li>6. All matters relating to Judges of High Court including construction in High Court</li> <li>7. Matters relating to construction of all District Courts / High Court and separation of Judiciary.</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

<b>Designation</b>	<b>Under Secretary cum Deputy Legal Remembrancer (II)</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Training of Judicial Officers &amp; Officers of Law Department</li> <li>2. Purchase, repair, Condemnation of the vehicles for the officers of Law Department, Chief Justice, Judges of High Court and District Court</li> <li>3. Training on office Management &amp; office Procedure, Meghalaya Admv. Training Institute</li> <li>4. Creation of post for the office of High Court/District Courts/Advocate General/ Sub-Division</li> </ol>

		5. Retention of posts in the office of High Court/District Courts/Advocate General/ Sub-Divisions/D.C. (Judicial), PP Offices 6. E-samiksha
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

<b>Designation</b>	<b>Law Officer (I)</b>	
Powers	Administrative	1. Computerization of Law(A) Department. 2. GPF 3. Furnishing of Residential Quarters of Judicial Magistrates. 4. Chief Justice & Chief Minister's Conference 5. Matters relating to the office of Law Commission 6. Visit of VIPs 7. For Dedicated Cell regarding issues concerning Khasi Hills, Jaintia Hills and Ri-Bhoi Districts including Sub-Divisions
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

<b>Designation</b>	<b>Law Officer (II)</b>	
Powers	Administrative	1. Training of Judicial Officer 2. E-Samiksha. 3. Chief Minister Petition. 4. Lok Sabha Questions 5. Rajya Sabha Questions 6. All Matters relating to Judicial Officers.

		7. For Dedicated Cell regarding issues concerning Garo Hills District including Sub-Divisions
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	1. Overall supervision	

<b>Designation</b>	<b>Law Officer (III) – Vacant</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

<b>Designation</b>	<b>Law Officer (IV) – Vacant</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

<b>Designation</b>	<b>Law Officer (V) - Vacant</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

<b>Designation</b>	<b>Superintendent</b>	
Powers	Administrative	1. Overall Supervision of the Department for smooth functioning of the Department. 2. Recording of Annual Confidential Report of the Staff of Law(A) Department 3. Maintaining the Leave Record of the Officers as well as the staff of the Law(A) Department.

	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties	To supervise and coordinate works in the department for the smooth functioning	

## 2. Duties and function of Staff in Law (A) Department

Designation	<b>Assistant Superintendent</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Allotment of fund to High Court and all Subordinate offices.</li> <li>2. Re-appropriation of fund/Surrender of Saving/Advance from CF/Supplementary Demand.</li> <li>3. Matters relating to Judicial Academy.</li> <li>4. 14<sup>th</sup> Finance Commission</li> <li>5. Misc. matters not allotted to others.</li> <li>6. 15<sup>th</sup> Finance Commission</li> <li>7. Any other subjects not allotted to other staff.</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties		

Designation	<b>Upper Divisional Assistant (I)</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Medical Treatment/Reimbursement of the staff of the District &amp; Sessions Judge, Shillong/Chief Judicial Magistrate, Shillong/Advocate General's Office/High Court of Meghalaya and all District Court.</li> <li>2. Matters relating to infrastructure of Judiciary in Garo Hills</li> <li>3. Opening of a Sub-Head receipts &amp; expenditures</li> <li>4. Reconciliation of Accounts.</li> <li>5. Budget</li> <li>6. Earle Holiday Home</li> </ol>

		7. Children Education to Subordinate office. 8. Construction works/Infrastructure East/West Khasi Hills & High Court of Meghalaya. 9. Any other subjects not allotted to other staff.
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties		1. Overall supervision

Designation	<b>Upper Divisional Assistant (II)</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Matters relating to infrastructure of Judiciary in Jaintia Hills &amp; Ribhoi</li> <li>2. All matters relating to the Judicial Officers</li> <li>3. Separation of Judiciary.</li> <li>4. Chief Justices, Chief Minister's Conference</li> <li>5. Appointment of Counsels in Supreme Court and PPs/ APPs/ Addl. PPs/ Spl. PPs/ Panel Advocate in High Court and Subordinate Courts.</li> <li>6. All matters relating to the Officers of Law Department</li> <li>7. LS, RS Questions</li> <li>8. All matters relating to the Chief Justice &amp; Judges of High Court including Retd. Chief Justice/Judges</li> <li>9. Supreme Court Cases</li> <li>10. Training of Judicial Officers &amp; Officers of Law Department</li> <li>11. Appointment of AG, AAG and other matters</li> <li>12. Purchase, repair, condemnation of the vehicles</li> </ol>

		for the Officers of Law Department, Chief Justice, Judges of High Court and District Court. 13. Investment of Power 14. Petrol bills of Judicial Officer 15. PIL matters 16. Judicial Pay Commission
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties		

Designation	<b>Lower Divisional Assistant (I)</b>	
Powers	Administrative	1. Pensions matters of the staff of Subordinate Offices. 2. ACPS of the staff of Subordinate Offices 3. 5 <sup>th</sup> Pay Commission 4. New Shillong Township 5. NITI Aayog 6. Dedicated Cell 7. TEAC/Bldg. Committee 8. Annual Plan Expenditure Budget. 9. Centrally Sponsored Scheme/Geotoging/Nyaya Vikas
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties		

Designation	<b>Lower Divisional Assistant (II)</b>	
Powers	Administrative	<ol style="list-style-type: none"> <li>1. Creation and retention of Non Gazetted post in the Office of District Courts/Residential Quarters.</li> <li>2. Matters relating to sanction and furnishing of the Office of District Courts.</li> <li>3. Video Conferencing between District Courts and District Jails/Case Informative System.</li> <li>4. Supply of Computer, Laptop, Printer to High Court/District Court/Advocate General/Addl. Advocate General/Senior Govt. Advocate.</li> <li>5. RTI</li> <li>6. Visit of VIPs &amp; Bills of VIPs</li> <li>7. Governors Address.</li> <li>8. Matters relating to Republic Day/Independence Day</li> <li>9. Meghalaya State Litigation Policy.</li> </ol>
	Financial	1. Overall supervision
	Others	1. Overall supervision
Duties		



Designation	<b>Lower Divisional Assistant (III) - Vacant</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

Designation	<b>Lower Divisional Assistant (IV) - Vacant</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

Designation	<b>Lower Divisional Assistant (V) - Vacant</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

Designation	<b>Grade IV - Duftry</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

Designation	<b>Grade IV – Peon (I)</b>	
Powers	Administrative	

	Financial	
	Others	
Duties		

Designation	<b>Grade IV – Peon (II)</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		

Designation	<b>Grade IV – Peon (III)</b>	
Powers	Administrative	
	Financial	
	Others	
Duties		