



COLLECTION

of

MEGHALAYA (Autonomous State)

ACTS AND

ORDINANCES

and

THE ADAPTATION ORDERS

For the
YEARS 1970, 1971 and 1972
(Covering the period from 2nd April 1970 to 20th January 1972)

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MEGHALAYA ACT 1 OF 1970**THE PREVENTION OF DISQUALIFICATION (MEMBERS OF THE LEGISLATIVE ASSEMBLY OF MEGHALAYA) ACT, 1970****(As passed by the Assembly)**

[Received the assent of the Governor on the Sixth May 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)**An****Act****to declare certain offices of profit not to disqualify their holders for being chosen as, and for being, members of the Legislative Assembly of Meghalaya.**

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

- | | |
|---|--|
| Short title. | 1. This Act may be called the Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1970. |
| Removal of disqualification in certain cases. | 2. A person shall not be disqualified or shall not be deemed ever to have been disqualified for being chosen as, or for being, a member of the Legislative Assembly of Meghalaya by reason of the fact that he holds any of the offices specified in the Schedule. |
| Repeal of Ordinance I of 1970. | 3. The Meghalaya Legislative Assembly Members (Removal of Disqualifications) Ordinance, 1970 is hereby repealed. |

SCHEDULE

(See Section 2)

1. The offices of the Parliamentary Secretary to the Government of Meghalaya.
2. The office of Government Pleader or Public Prosecutor.
3. The office of the part-time Professor, Lecturer, Instructor or Teacher in Government Educational Institutions.
4. Medical practitioner rendering part-time service to Government.

5. The offices of Deputy Minister to the Government of Meghalaya.
6. The office of Chairman, Vice-Chairman, or member of any Committee, Board or authority appointed by the Government of India or the Government of any State specified in the First Schedule to the Constitution of India or by the Government of Meghalaya.
7. Any office under the Government which is not a whole time office remunerated either by salary or fees.
8. The office of Chairman, Chief Executive Member, or other Executive Member or ordinary member of a District Council in an autonomous District or any member nominated to such a District Council by the Governor.
9. Any office held in the Territorial Army or National Cadet Corps.

MEGHALAYA ACT 2 OF 1970**THE CONTINGENCY FUND OF MEGHALAYA ACT, 1970****(As passed by the Assembly)**

[Received the assent of the Governor on the Sixth May 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)**An****Act****to provide for the establishment and maintenance of a Contingency Fund**

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

- | | |
|--|--|
| Short title. | 1. This Act may be called the Contingency Fund of Meghalaya Act, 1970. |
| Establishment of the Contingency Fund of Meghalaya. | 2. There shall be established a Contingency Fund in the nature of an imprest to be entitled the "Contingency Fund of Meghalaya" into which shall be paid from and out of the Consolidated Fund of the State a sum of rupees fifty lakhs. |
| Custody of the Contingency Fund and withdrawals therefrom. | 3. The Contingency Fund of Meghalaya shall be held on behalf of the Governor by the Secretary to the Government of Meghalaya in the Finance Department and no advance shall be made out of such Fund except for the purpose of meeting unforeseen expenditure pending authorisation of such expenditure by the Legislature of Meghalaya under appropriation made by law. |
| Power to make rules. | 4. For the purpose of carrying out the objects of this Act, the Government of Meghalaya may make rules regulating all matters connected with or ancillary to the custody of, the payment of moneys into and the withdrawal of moneys from, the Contingency Fund of Meghalaya. |

MEGHALAYA ACT 3 OF 1970**THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (SPEAKER AND DEPUTY
SPEAKER SALARIES AND ALLOWANCES) ACT, 1970****(As passed by the Assembly)**

[Received the assent of the Governor on the Sixth May 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)**An****Act****to fix the salaries and allowances of the Speaker and Deputy Speaker of the Legislative
Assembly of Meghalaya.**Be it enacted by the Legislature of Meghalaya in the Twenty-first Year of the Republic of
India as follows:-Short title and
commencement.

1. (1) This Act may be called the Legislative Assembly of Meghalaya (Speaker and Deputy Speaker Salaries and Allowances) Act, 1970.
- (2) It shall be deemed to have come into force on the second day of April, 1970.

Salary of Speaker and
Deputy Speaker.

2. There shall be paid to the Speaker of the Legislative Assembly of Meghalaya a salary of rupees one thousand two hundred and fifty per mensem and the Deputy Speaker a salary of rupees eight hundred and fifty per mensem throughout their term of office.

Residential
accommodation for
Speaker and Deputy
Speaker.

3. (1) The Speaker and the Deputy Speaker shall each be entitled without payment of rent to the use of a free furnished residence in Shillong, and also at any other place which the Government of Meghalaya may for the purpose of this Act declare to be the Headquarters of Government for the time being, for so long as such declaration remains in force.

(2) Such residence shall be maintained at the public expense which shall not exceed the amount prescribed by rules.

Explanation.- For the purpose of this section, "maintenance" in relation to a residence shall include the payment of rates and taxes and the provision of electricity and water.

Allowance in lieu of residence in certain cases.

4. Where the Speaker or the Deputy Speaker, as the case may be, does not occupy any such residence provided by the Government as is referred to in section 3, a house rent allowance at the rate of rupees two hundred and fifty per mensem in the case of the Speaker and at the rate of rupees two hundred per mensem in the case of the Deputy Speaker and such services allowances as may be prescribed by rules shall be paid in lieu of such residence.

Conveyance for the Speaker and Deputy Speaker

5. The Government of Meghalaya may provide for the use of the Speaker and the Deputy Speaker respectively a suitable conveyance:

Provided that if the Speaker or Deputy Speaker maintains his own car such Speaker or Deputy Speaker shall be entitled to a conveyance allowance of rupees three hundred per mensem.

Prohibition against practising any profession or drawing salary as member during tenure of office as Speaker or Deputy Speaker.

6. Neither the Speaker nor the Deputy Speaker shall during his term of office as such-
- (i) Practice any profession or engage himself in any trade or undertake for remuneration any employment other than his duties as Speaker or Deputy Speaker, or
 - (ii) Be entitled to any salary or allowance as a member of the Legislative Assembly of Meghalaya.

Use of residence and conveyance on relinquishing office.

7. The Speaker and the Deputy Speaker shall continue to be entitled to the privilege of the use of the free furnished residence and Government conveyance on either of them ceasing to hold office as such for a period not exceeding one month subject to conditions prescribed by rules.

Travelling and Daily Allowance.

8. The Speaker and the Deputy Speaker shall be entitled, while touring on public business, to travelling and daily allowance at such rates and subject to such conditions as may be prescribed by rules.

Power to make rules.

9. (1) The Government of Meghalaya may, by notification in the Official Gazette, make rules to carry out the purposes of the Act and, in particular, such rules may prescribe-
- (a) the conditions subject to which the Speaker or the Deputy Speaker, as the case may be, on ceasing to hold office as such shall be entitled to the use of the free furnished residence and the Government conveyance;
 - (b) the period during which, and the conditions subject to which, daily allowances may be drawn, and the circumstances under which such allowances may be withheld;
 - (c) the conditions under which and the journeys for which travelling allowance shall be admissible.

- (d) the facilities for medical attendance and treatment which may be provided for the Speaker and the Deputy Speaker and members of their families.

(2) Every rule made under this Act shall be laid as soon as may be, after it is made before the laid as soon as may be, after it is made before the Legislature of Meghalaya while it is in session for a total period of ten days which may be comprised in one session or in two successive sessions and, if before the expiry of the session in which it is so laid or the session immediately following, the legislature makes any modification in the rule or resolves that the rule should not be made, the rule shall thereafter 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 under that rule.

MEGHALAYA ACT 4 OF 1970

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MINISTERS' SALARIES AND ALLOWANCES) ACT, 1970

(As passed by the Assembly)

[Received the assent of the Governor on the Sixth May 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)

An

Act

to determine the salaries and allowances of the Chief Minister and other Ministers of Meghalaya.

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

Short title and commencement.

1. (1) This Act may be called the Legislative Assembly of Meghalaya (Ministers' Salaries and Allowances) Act, 1970.
- (2) It shall be deemed to have come into force on the 2nd day of April, 1970.

Salaries of the Chief Minister and other Ministers.

2. There shall be paid-
 - (a) to the Chief Minister a salary of rupees one thousand five hundred and fifty per mensem, and
 - (b) to every other Minister a salary of rupees one thousand two hundred and fifty per mensem.

Residential accommodation of the Chief Minister and other Ministers.

3. (1) The Chief Minister and other Ministers shall be entitled without payment of rent to the use of a free-furnished residence in Shillong and also at any other place which the Government of Meghalaya may for the purpose of this Act declare to be the headquarters of Government for the time being, for so long as such declaration remains in force.
- (2) The residence shall be maintained at the public expense which shall not exceed the amount prescribed by rules.

Explanation.-For the purpose of this section "maintenance" in relation to a residence shall include the payment of local rates, taxes and the provisions of electricity and water.

Allowance in lieu of residential accommodation in certain cases.

4. Where the Chief Minister and other Ministers, as the case may be, do not occupy any such residence provided by the Government as is referred to in section 3, a house rent allowance at the rate of rupees two hundred and fifty per mensem and such services allowances as may be prescribed by rules shall be paid in lieu of such residence.

Conveyance for the Chief Minister and other Ministers.

5. The Government of Meghalaya may provide for the use of the Chief Minister or other Ministers a suitable conveyance and may by rule provide for their maintenance and repair.

Provided that if a Minister chooses to maintain his own car, such Minister shall be entitled to a conveyance allowance of rupees three hundred per mensem.

Prohibition against practising any profession or drawing salary as Member during tenure of office as Minister.

6. The Chief Minister or any other Minister shall not during the tenure of his office-
- (i) practice any profession or engage himself in any trade or undertake for remuneration any employment other than his duties as Chief Minister or other Ministers;
 - (ii) be entitled to any salary or allowance as a member of the Legislative Assembly of Meghalaya.

Use of residence and conveyance after relinquishing office.

7. The Chief Minister or other Ministers shall continue to be entitled to the privilege of the use of the free-furnished residence and Government conveyance on his ceasing to hold office as such for a period not exceeding one month subject to condition prescribed by rules.

Travelling and Daily Allowance.

8. The Chief Minister and every other Minister shall be entitled, while touring on public business, to travelling and daily allowance at such rates and subject to such conditions as may be prescribed by rules.

Power to make rules

9. (1) The Government of Meghalaya may, by notification make rules to carry out the purposes of this Act and, in particular, such rules may be prescribed-
- (a) the conditions under which the Chief Minister and other Ministers on ceasing to hold office as such shall be entitled to the user of the free-furnished residence and the Government conveyance;
 - (b) the period during which and the conditions under which daily allowance may be drawn, and the circumstances under which such allowance may be withheld;
 - (c) the conditions under which and the journeys for which travelling allowance shall be admissible;
 - (d) the facilities for medical attendance and treatment which may be provided for the Chief Minister and other Minister and member of their families.
- (2) Every rule made under this Act shall be laid as soon as may be, after it is made before the Legislature of Meghalaya while it is in session for a total period of ten days which may be comprised in one session or in two successive session, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislature makes any modification in the rule or resolves that the rule should not be made, the rule shall thereafter 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 without the validity of anything previously done under that rule.

MEGHALAYA ACT 5 OF 1970**THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBERS' SALARIES AND ALLOWANCES) ACT, 1970****(As passed by the Assembly)**

[Received the assent of the Governor on the Sixth May 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)**An****Act***to determine the salaries and allowances of the Members of the Legislative Assembly of Meghalaya.*

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

- | | |
|-------------------------------|--|
| Short title and commencement. | 1. (1) This Act may be called the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1970.

(2) It shall be deemed to have come into force on the Second day of April, 1970. |
| Definition. | 2. In this Act, "member" means a member of the Legislative Assembly of Meghalaya other than the Speaker and Deputy Speaker of the Legislative Assembly, or a Minister. |
| Salaries. | 3. There shall be paid to each member during the whole of his term of office, a salary at the rate of rupees three hundred and fifty per mensem. |
| Allowances. | 4. There shall be paid to each member-

(a) a fixed travelling allowance of rupees one hundred and fifty per mensem;

(b) for the number of days attended, a daily allowance at the rate of rupees twenty if the member's attendance is required in connection with his duties as such member;

(c) travelling allowance at the rate applicable to a Government Servant of the first grade under the Subsidiary Rules for journeys performed in connection with his duties as such member. |

Conveyance
Allowance.

5. There shall be paid to each member for the number of days attended a conveyance allowance at the rate of rupees two and fifty paise per day during the period the Legislative Assembly is in session and during the period any of its committees hold its meetings.

Power to make rules.

6. (1) The Government of Meghalaya may by notification in the official gazette, make rules to carry out the purposes of this Act and , in particular, may prescribe:

- (a) the period during which and the conditions subject to which daily allowance may be drawn and the circumstances in which such allowances may be withheld;
- (b) the conditions under which and the journeys for which travelling allowance shall be admissible;
- (c) the facilities for medical attendance and treatment.

(2) Every rule made under this Act shall be laid as soon as may be, after it is made before the Legislature of Meghalaya while it is in session for a total period of ten days which may be comprised in one session or in two successive sessions and, it before the expiry of the session in which it is so laid or the session immediately following , the Legislature makes any modification in the rule or resolves that the rule should not be made, the rules shall, thereafter, 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 under the rule.

MEGHALAYA ACT 6 OF 1970**THE MEGHALAYA APPROPRIATION (No. I) ACT, 1970****(As passed by the Assembly)**

[Received the assent of the Governor on the Thirtieth September 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)**An****Act**

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year ending on the thirty-first day of March, 1971.

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

Short title and commencement.

1. (1) This Act may be called the Legislative Assembly of Meghalaya Appropriation (No. I) Act, 1970.

(2) It shall be deemed to have come into force on the 2nd day of April, 1970.

Withdrawal of Rs.16, 81, 84,500 from and out of the Consolidated Fund of Meghalaya for the financial year 1970-71.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the amounts expended from and out of the authorisations made under the orders issued by the Governor under section 57 of the Assam Reorganisation (Meghalaya) Act, 1969] (Central At 55 of 1969) to the sum of sixteen crores, eighty-one lakhs, eighty-four thousand and five hundred rupees towards defraying the several charges which will come in course of payment during the financial year ending on the thirty-first day of March, 1971 in respect of the services specified in column 2 of the Schedule.

Appropriation.

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

SCHEDULE

(See sections 2 and 3)

(1) Grant No	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Taxes on Income other than Corporation tax	22,400	...	22,400
2	Land Revenue	1,99,700	...	1,99,700
3	State Excise Duties	2,42,500	...	2,42,500
4	Taxes on Vehicles	3,35,600	...	3,35,600
5	Sale Tax and other Taxes and Duties	2,70,300	...	2,70,300
6	Stamp	7,300	...	7,300
7	Registration Fees	22,800	...	22,800
	Interest on Debt and Obligations ... ..	...	10,000	10,000
	Appropriation for Reduction or Avoidance of Debt.	...	...	...
8	Parliament State/Union Territory Legislature-B-State Legislature.	7,35,200	55,500	7,90,700
9	-Do-C-Election Legislature	2,11,100	...	2,11,000
10	General Administration-I-Heads of States and Ministers.	8,68,000	3,000	8,71,000
11	-Do-II-Secretariat and attached Offices.	28,02,900	...	28,02,900
12	-Do-III-Commissioners and District Administration.	10,83,000	...	10,83,000
13	-Do-IV-Director of Land Records	1,05,200	...	1,05,200
14	-Do-V-Local fund, Audit Establishment and Account Officer.	...	...	...
15	21.-Administration of Justice	2,74,000	...	2,74,000
16	Jails	1,94,200	...	1,94,200

SCHEDULE- *contd.*

(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.
16	Police	12,77,200	...	12,77,200
18	Miscellaneous Departments-L-National Savings Organisation.	...	...	...
19	II.-Trade Commissioners	15,000	...	15,000
20	III.-Weights and Measures	1,65,800	...	1,65,800
21	Municipal Administration ... ..	...	...	...
22	Civil Supplies Department	4,38,800	...	4,38,800
23	Scientific and Mines Departments	7,01,000	...	7,01,000
24	Education (General)	1,77,47,300	...	1,77,47,300
25	Education (Technical)	10,05,300	...	10,05,300
26	Medical	77,96,700	...	77,96,700
27	Public Health-I-Public Health	39,28,200	...	39,28,200
28	Public Health-II-Public Health Engineering	49,85,300	...	49,85,300
29	Agriculture	94,75,300	...	94,75,300
30	Fisheries	6,43,900	...	6,43,900
31	Rural Development	7,44,900	...	7,44,900
32	Animal Husbandry	38,55,700	...	38,55,700
33	Co-operation	17,79,900	...	17,79,900
34	Industries-I-Sericulture and Weaving	16,09,400	...	16,09,400
35	Do-II-Cottage Industries	20,91,500	...	20,91,500
36	Do-III.-Major Industries	1,70,100	...	1,70,100
37	Community Development Projects	86,33,200	...	86,33,200
38	Local Development Works ... ..	...	...	...

SCHEDULE- *contd.*

(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.
39	Labour and Employment-I.- Labour	...	...	...
40	Do-II. Factories ... ..	...	...	...
41	Do-III.-Inspector of Steam Boilers ...	...	...	...
42	Do-IV.-Employment and Training ...	...	...	...
	Miscellaneous, Social and Developmental Organisation-			
43	I.-Directorate of Statistics	2,89,800	...	2,89,800
44	II.-Vital Statistics, Rain gauge, etc.	500	...	500
45	II.-Planning Organisation	97,600	...	97,600
46	IV.-Directorate of Advertising and Visual Publicity.	7,25,900	...	7,25,900
47	V.-Directorate of Housing	80,400	...	80,400
48	VI.-Directorate of Social Welfare	36,36,200	...	36,36,200
49	VII.-Soldier's, Sailors' and Airmen's Board.	39,400	...	39,400
50	VIII-Town and Country Planning Organisation	10,29,700	...	10,29,700
51	IX-Tourist Organisation	3,78,000	...	3,78,000
52	X-Preservation and Translation of Ancient Manuscripts.	...	...	...
53	XI-Pooled Transport	2,43,700	...	2,43,700
54	XII-Dairy Development	14,58,300	...	14,58,300
55	Irrigation N.E.D. Works, etc.	1,000	...	1,000
55A	Electricity Schemes	38,00,000	...	38,00,000
56	Public Works (excluding Establishment and Tools and Plant, etc).	2,58,31,400	...	2,58,31,400
57	Public Works, Establishment and Tools and Plant.	1,00,35,200	...	1,00,35,200

SCHEDULE- *contd.*

(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.
57A	Road and Water Transport Schemes-a-Road Transport.	50,000	...	50,000
58	Famine Relief	8,80,000	...	8,80,000
59	Pensions and other Retirement Benefits	1,01,800	...	1,01,800
	Superannuation Allowances and Pensions	...	...	...
60	Stationery and Printing	19,67,700	...	19,67,700
61	Forest	64,88,400	...	64,88,400
62	Forest-II-Soil Conservation	25,68,700	...	25,68,700
63	Miscellaneous-I-Expenditure on account of State Prisoners and Detenus , etc.	11,300	...	11,300
64	II-Donation of charitable purposes, etc.	10,51,500	...	10,51,500
65	III-Grants-in-aid-Contributions, etc.	5,000	...	5,000
66	IV-Expenditure on Issue of Free Ration and Rice Concession.	6,00,000	...	6,00,000
67	V-Expenditure on Displaced Persons.	1,500	...	1,500
68	VI-Advanced Technical Training and Scholarships.	...	...	...
69	VII-Miscellaneous and Unforeseen Charges.	...	...	...
70	IX-Civil Defence	2,22,400	...	2,22,400
71	Other Miscellaneous Compensation and Assignments.	...	...	...

SCHEDULE- *contd.*

(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.
72	Extraordinary Charges	100	...	100
73	Preparation Payments ... ..	...	...	...
74	Payment of Compensation to Land-holders.etc. Capital outlay on Industrial and Economic Development-	...	...	...
75	-D-I-Investment in order Commercial and Industrial Undertakings.	9,08,000	...	9,08,000
76	-Do-II-Investment in Co-operative Societies.	8,23,000	...	8,23,000
77	-Do-III-Other Miscellaneous Undertakings.	5,14,900	...	5,14,900
78	Capital Outlay on Public Works outside the Revenue Account.	2,16,29,500	...	2,16,29,500
79	Capital Outlay on other Works	1,000	...	1,000
79A	Capital Outlay on Road and Water Transport Schemes-A- Road Transport.	4,50,000	...	4,50,000
80	Capital Outlay on Schemes of Government Trading.	13,08,600	...	13,08,600
81	Appropriation to Contingency Fund	50,00,000	...	50,00,000
	Repayment Debt ... ..	...	2,00,000	2,00,00
82	I-Loans to Municipal Corporation and Municipalities	...	...	...
83	II-Agriculture Loans, etc.	1,44,000	...	1,44,000
84	III-Loans to Autonomous District Council's	...	...	...
85	IV-Loans under Community Projects. ... ..	...	...	...
86	V-Loans to Co-operative Societies	1,33,000	...	1,33,000

SCHEDULE- *contd.*

(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.
87	VI-Industrial Loans	2,05,000	...	2,05,000
88	VII-Loans Displaced Persons	1,500	...	1,500
89	VIII-Educational Loans ... ..	...	...	...
90	IX-Tea Garden Land Utilisation Loans, etc.	...	...	...
91	X-Housing Loans	3,20,000	...	3,20,000
92	XI-Loans to Major Industries ... ..	...	...	...
93	XII-Loans to Electricity Board ... ..	...	...	...
94	XIII- Advance to Government Servants, etc.	5,60,000	...	5,60,000
94	XIV-Loans to Panchayat Raj Institutions	...	...	...
96	XV-Loans for Development of Live stock Industries.	...	...	...
97	XVI-Miscellaneous Loans and Advances..	...	...	...
	Total	16,79,16,000	2,68,500	16,81,84,500

MEGHALAYA ACT 7 OF 1970

THE MEGHALAYA INTERPRETATION AND GENERAL CLAUSES ACT, 1970

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-fifth October, 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th May, 1970)

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THE MEGHALAYA INTERPRETATION AND GENERAL CLAUSES ACT, 1970

An

Act

to provide for the interpretation of Meghalaya enactments and for shortening the language thereof.

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

CHAPTER I

Preliminary

Short title and commencement.

1. (1) This Act may be called the Meghalaya Interpretation and General Clauses Act, 1970.

(2) It shall come into force in such date as the Government of Meghalaya may by notification appoint.

Application of Act.

2. Save as otherwise expressly provided herein the provisions of this Act shall apply, unless the context otherwise requires, to this Act and to all other enactments, whether passed before or after the commencement of this Act.

CHAPTER

Definitions

Definitions.

3. In all enactments, unless the context otherwise requires-

(1) "abet", with its grammatical variations and cognate expressions, has the same meaning as in the Indian Penal Code;

Central Act
45 of 1860.

(2) "act" used with reference to an offence or a civil wrong denotes a series of acts as well as a single act, and words which refer to acts done extend also to illegal omissions.

(3) "affidavit" means a statement in writing, signed by the person making it and confirmed by oath.

(4) "Assam Act" means an Act made by the Chief Commissioner of Assam in Council under the Indian Councils Acts, 1861 to 1909 or any of those Acts, 1861 to 1909 or any of those Acts, or under the Government of India Act, 1915 or by the Local Legislature of Assam under the Government of India Act, or by the Provincial Legislature or the Governor of Assam under the Government of India Act, 1935, or by the Legislature of the State of Assam under the Constitution;

(5) “attested” in relation to a document means attested by a witness who has seen the executed sign the document, or has received from the executants a personal acknowledgement of his signature, and who has signed the document in the presence of the executants, but no particular form of attestation shall be necessary;

(6) “autonomous State” means the autonomous State of Meghalaya formed under Section 3 of the Assam Reorganisation (Meghalaya) Act, 1969;

(7) “Bengal Act” means an Act made by the Lieutenant Governor of Bengal in Council under the India Councils Act, 1961, or the Indian Councils Acts, 1861 and 1892 or the Indian Councils Acts, 1961, or the Indian Councils Acts, 1861, 1892 and 1909 or made by the Governor in Council of Fort William in Bengal under the Indian Councils Acts, 1861 1892 and 1909, or by the Local Legislature of Bengal under the Government of India Act;

Central Act
55 of 1969

(8) “Central Act” means an Act of Parliament, and includes an Act passed or made before the commencement of the Constitution;-

- (a) by the Dominion Legislature or the Indian Legislature, or,
- (b) by the Governor-General in Council or the Governor-General acting in a legislative capacity;

(9) “Central Government” in relation to anything done or to be done after the commencement of the Constitution, means the President, and includes in relation to functions entrusted under clause (1) of article 258 of the Constitution to the Government of Meghalaya the Government of Meghalaya acting within the scope of the authority given to it under that clause;

(10) “Chapter” means a Chapter of the enactment in which the word occurs;

(11) “Child”, in the case of any one whose personal law permits adoption, includes an adopted child;

(12) “clause” occurring in a section which has no sub-section, means a sub-division of that section, and occurring in a sub-section means a subdivision of that sub-section;

(13) “collector” means the chief officer in-charge of the revenue administration of district;

(14) “commencement” used with reference to an enactment, means the day on which the enactment comes into force;

(15) “commissioning” means the chief officer in-charge of the revenue administration of a division;

- (16) “Constitutes” means the Constitution of India;
- (17) “consular officer” includes consul-general, consul, vice-consul, consular agent pro-consul and any other person for the time being authorised to perform the duties of a consul-general, consul, vice-consul or consular agent;
- (18) “daughter” in the case of any one whose personal law permits adoption, includes an adopted daughter;
- (19) “day” means a period of twenty-four hours beginning at midnight ;
- (20) “deputy-commissioner” means the chief officer in-charge of the general administration of a district;
- (21) “district court” means the principal civil court of original jurisdiction but does not include the High Court in the exercise of its ordinary or extraordinary original civil jurisdiction;
- (22) “district judge” means the judge of a district court, and includes an additional district judge;
- (23) “document” includes any matter written, expressed inscribed or described upon any substance by means of letters, figures or marks or by more than one of those means, intended to be used or which may be used as evidence of that matter;
- (24) “Eastern Bengal and Assam” means the territories which were under the administration of the Lieutenant Governor of Eastern Bengal and Assam immediately prior to the constitution of the Chief Commissionership of Assam in 1912;
- (25) “Eastern Bengal and Assam Act” means an Act made by the Lieutenant Governor of Eastern Bengal and Assam in Council under the Indian Council Acts, 1861 to 1909;
- (26) “enactment” means an Act of the Meghalaya Legislature, and includes an Ordinance and any provision contained in any Act or Ordinance as aforesaid;
- (27) “father”, in the case of any one whose personal law permits adoption, includes an adoptive father;
- (28) “financial year” means the year commencing on the first day of April;
- (29) “good faith”- a thing, shall be deemed to be done in good faith, where it is in fact done honestly, whether it is done negligently or not ;
- (30) “Government” or “the Government” includes the Government of Meghalaya, the Central Government and the Government of any State;

(31) “Governor” means the Governor of Assam exercising his functions as Governor in relation to Meghalaya by virtue of the Assam Reorganisation (Meghalaya) Act, 1969. Central Act 55 of 1969.

(32) “Government securities” mean securities of the Government of Meghalaya, the Central Government or of any other Government;

(33) “High Court” means the High Court of Assam;

(34) “immovable property” includes land, benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth.

(35) “imprisonment” means imprisonment of either description as defined in the Indian Penal Code; Central Act 45 of 1860.

(36) “judicial proceeding” means any proceeding in the course of which evidence is, or may be, legally taken;

(37) “local authority” means a municipal corporation, a municipality, a municipal committee, a local or district board or any other authority legally entitled to, or entrusted by the Government with, the control or management of, a municipal or local fund;

(38) “local law” means a law applicable to a part only of Meghalaya;

(39) “magistrate” includes every person exercising all or any of the powers of a magistrate under the Code of Criminal Procedure, 1898, or under any other law for the time being in force relating to criminal procedure; Central Act 5 of 1898.

(40) “master” used with reference to a ship, includes every person (except a pilot or harbour-master) having for the time being command or charge of the ship;

Central Act 5 of 1969.

(41) “Meghalaya” means the autonomous State of Meghalaya formed under section 3 of the Assam Reorganisation (Meghalaya) Act, 1969, and comprising the areas specified therein;

(42) “Meghalaya Act” means an Act passed by the Legislative of Meghalaya;

(43) “month” means a month reckoned according to the Gregorian Calendar;

(44) “movable property” means property of every description except immovable property;

(45) “notification” means notification in the official Gazette;

(46) “oath” includes an affirmation and a declaration in the case of persons by law allowed to affirm or declare instead of swearing;

(47) “offence” means any act or omission made punishable by any law for the time being in force;

(48) “official” means the official Gazette of Meghalaya;

(49) “Ordinance” means an Ordinance promulgated by the Governor under section 50 of the Assam Reorganisation (Meghalaya) Act, 1969. Central Act
55 1969.

(50) “Part” means a part of the enactment in which the word occurs;

(51) “person” includes any company or association or body of individuals, whether incorporated or not;

(52) “prescribed” means prescribed by rules made under an enactment in which the word occurs;

(53) “public” includes any class or section of the public;

(54) “public nuisance” means a public nuisance as defined in the Indian Penal Code; Central Act
45 of 1860.

(55) “registered” used with reference to a document, means registered in India under the law for the time being in force for the registration of documents;

(56) “rule” means rule made in exercise of a power conferred by any enactment, and includes a regulation made as a rule under any enactment;

(57) “schedule” means a schedule to the enactment in which the word occurs;

(58) “section” means a section of the enactment in which the word occurs;

(59) “Shillong” means so much of the area comprised within the municipality of Shillong as, immediately before the commencement of the Constitution, formed part of the Khasi State of Myllem;

(60) “ship” includes every description of vessel used in navigation not exclusively propelled by oars;

(61) “sign” with its grammatical variations and cognate expression, used with reference to a person who is unable to write his name, includes “mark” with its grammatical variations and cognate expressions;

(62) “son”, in the case of any one whose personal law permits adoption, includes an adopted son;

(63) “special law” means a law applicable to a particular subject;

(64) “State” means a State specified in the First Schedule to the Constitution, and includes a Union territory;

(65) “sub-section” means a sub-section of the section in which the word occurs;

(66) “swear” with its grammatical variations and cognate expressions, includes affirming and declaring in the case of persons by law allowed to affirm or declare instead of swearing;

(67) “vessel” with its grammatical variations and cognate expressions, includes affirming and declaring in the case of persons by law allowed to affirm or declare instead of swearing;

(68) “will” and “codicil” have the meanings respectively assigned to them in the Indian Succession Act, 1925; Central Act
30 of 1926.

(69) “writing” – expressions referring to writing shall be construed as including reference to printing, typewriting, photography and other modes of representing reproducing words in a visible form;

(70) “year” means a year reckoned according to the Gregorian Calendar.

Definition in enactments to apply unless the context otherwise requires.

4. In enactment, where a word is defined-
- (a) the definition shall apply unless the context of the enactment otherwise requires;
 - (b) grammatical variations of that word and cognate expression shall have corresponding meanings.

CHAPTER III

General Rules of Construction

Territorial extent of Meghalaya Acts.

5. Subject to the provisions of the Assam Re-organisation (Meghalaya) Act, 1969, every enactment shall, unless the contrary is expressly provided therein, apply to the whole of Meghalaya, excluding Shillong.

Central Act
55 of 1969

Coming into force of enactments.

6. (1) Where a Meghalaya Act is not expressed to come into force on a particular day, then, it shall come into force on the day on which the assent of the Governor is first published in the official Gazette.
- (2) Unless the contrary intention is expressed, an Ordinance shall come into force on the day on which it is promulgated by the Governor;

(3) Unless the contrary intention is expressed, every enactment shall be construed as coming into force immediately on the expiration of the day preceding the day on which it comes into force.

Expiry of temporary enactments.

7. Where an enactment is expressed to expire, lapse or otherwise cease to have effect on a particular day, it shall unless the contrary intention is expressed, be construed as ceasing to have effect immediately on the commencement of the following day.

Marginal notes not part of enactments.

8. The marginal notes appearing against any provision of any enactment, and the reference to this number and date of any former law in the margin against any such provision, shall form no part of the said enactment and shall be deemed to have been inserted for the sake of convenience only.

Government to be bound by enactments.

9. In the absence of an express provision to the contrary, every enactment shall be binding on the Government.

Effect of incorporation.

10. Where any enactment constitutes a body corporate by any form of words, that body corporate shall have perpetual succession and a common seal and may enter into contracts by its corporate name, acquire, hold and dispose of property, whether movable or immovable, and sue or be sued by its corporate name.

Offences by companies.

11. (1) If a person committing an offence under any enactment is a company, the company as well as every person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly;

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Where an offence under any enactment has been committed by a company, any director, manager, secretary or order officer or the company, not being a person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence, shall, if it is his consent or convenience or that the commission of the offence is attributable to any neglect on his part, also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: For the purpose of this section-

- (a) “company” means anybody corporate and includes firm or other association of person, and
- (b) “director”, in relation to a firm, means a partner in the firm.

Gender and number.

12. In all enactments unless a different intention appears-

- (a) words importing the masculine gender shall be taken to include females.
- (b) words in the singular shall be taken to include the plural and vice-versa.

Commencement and termination of time in any enactment.

13. In any enactment, it shall be sufficient-

- (a) to use the word “from” or the word “after” for the purpose of excluding the first in a series of days;
- (b) to use the word “to” for the purpose of including the last in a series of days;
- (c) to use the word “on” or the word “with” for the purpose of including the day on which the period is expressed to being or to end; and
- (d) in relation to the interval between two events, to use the words “clear days” or “at least” or “not less than” a number of days for the purpose of excluding the days on which the events happen and merely to specify the number of days for the purpose of excluding the day on which the first event happens and including the day on which the second event happens.

Computation of time.

14. Where by any enactment any act or proceeding is directed or allowed to be done or taken in any court or office on a certain day or within a specified period, then, if the court or office is closed on that day or the last day of the specified period the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the court or office is open;

Provided that nothing in this section shall apply to any act or proceeding to which the Limitation Act, 1963 applies.

Central act
36 of 1963

Expression of time.

15. Where, in any enactment, any reference to a specified time of the day occurs, such time shall, unless it is otherwise specially stated, be deemed to mean the Indian Standard Time which is five and half hours ahead of the Greenwich Mean Time.

Duty to be taken *prorata*.

16. Where, by any enactment, and duty of customs or excise or in the nature thereof, is leviable on any given quantity by weight, measures or value of any goods and merchandise, then, a like duty is leviable according to the same rate on any greater or less quantity.

- | | |
|--|---|
| Measurement of distances. | 17. In the measurement of any distance for the purpose of and enactment, that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plane. |
| Penalties provided to be maximum penalties. | 18. Whenever in any enactment a punishment is provided for an offence, such punishment shall, unless a different intention appears, be deemed to be the maximum punishment for that offence. |
| Deviation from forms. | 19. Save as otherwise expressly provided by any enactment, whenever a form is prescribed by any enactment, slight deviations therefrom, not affecting the substance or calculated to mislead, shall not invalidate it. |
| Acts done on holidays. | 20. Save as otherwise expressly provided by any enactment, no act done by any authority is judicial or executive, shall be invalid by reason only of its having been done on a public holiday. |
| Provisions as to offences punishable under two or more enactments. | 21. Where an act or omission constitutes an offence under two or more enactments, the offender shall be liable to be prosecuted or punished under either or any of them, but shall not be liable to be punished twice for the same offence. |

CHAPTER IV

Repeal and expiry of enactments

22. Where a Meghalaya Act repeals any enactment, then, unless a different intention appears, the repeals shall not-
- (a) revive anything not in force or existing at the time at which the repeal takes effect; or
 - (b) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder or,
 - (c) affect any right, privilege, obligation or liability, acquired, accrued, accrued or incurred under any enactment so repealed; or
 - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed; or
 - (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishable as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the repealing Act had not been passed.

Repeal of law making textual amendment in other laws.

23. Where a Meghalaya Act (not being an Act which is to cease to have effect or to cease to operate on the expiry of a particular period or on the happening of a particular contingency) amends the text of any enactment by the express omission, insertion or substitution of any matter, and any such amending Act is subsequently repealed, then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the amending act, if such amendment was in force at the time of the repeal.

Construction of reference to repealed enactments.

24. Where a Meghalaya Act repeals and re-enacts, with or without modification, and provision of a former enactment, then references in any other enactment to the provision so repealed, shall, unless a different intention appears, be construed as references to the provision so re-enacted.

Revival of repealed enactment.

25. In any enactment, for the purpose of reviving either wholly or partially, any enactment wholly or partially repealed, it shall be necessary expressly to state that purpose.

Effect of expiration of enactment.

26. Where a Meghalaya Act ceases to have effect or ceases to operate on the expiration of a particular period or on the happening of a particular contingency, then, unless a different intention appears, the expiry shall not affect-

- (a) the previous operation of , or anything duly done or suffered under the enactment; or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under that Act; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against that Act; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the Act had not expired.

CHAPTER V

Power and Functionaries

Exercise of powers and performance of duties.

27. Where, by any enactment, any power is conferred or any duty is imposed, then, unless a different intention appears, that power may be exercised and that duty shall be performed from time to time as occasion requires.

Powers incidental for effective exercise of powers granted.

28. Where, by any enactment, any power is conferred on any person or functionary to do or enforce the doing of any act or thing, all such powers shall be deemed to be also conferred as are necessary to enable such person or functionary to do or enforce the doing of such act or thing.

Power to appoint to include power to appoint *ex-officio*.

29. Where, by any enactment, a power to appoint any person to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, any such appointment may be made either by name or by virtue of office.

Power to appoint to include power to suspend or dismiss.

30. Where, by any enactment, a power to make any appointment is conferred, then, unless a different intension appears, the authority having for the time being power to make the appointment shall also have power to suspend or dismiss any person appointed whether by itself or by any other authority in exercise of that power.

Substitution of functionaries.

31. In any enactment, it shall be sufficient for the purpose of indicating the application of the law to every person or number of persons for the time being executing the functions of an office, to mention the official title of the officer who is, at the time of the passing of the enactment, exercising the functions, or that of the officer by whom the functions are commonly exercised.

Successors.

32. In any enactment it shall be sufficient for the purpose of indicating the relation of a law to the successors of any functionaries or of corporations having perpetual succession, to express its relation to the functionaries or corporations.

Official Chief and subordinates.

33. In any enactment, it shall be sufficient, for the purpose of expressing that a law relating to the chief or superior of an office shall apply to the deputies or subordinates lawfully performing the duties of the office in the place of their superior to specify the duties of the superior.

CHAPTER VI

Subordinate Legislation

Making of rules or bye-laws and issuing of orders between passing and commencement of enactment.

34. Where, by any enactment which is not to come into force immediately on the passing thereof a power is conferred to make rules or bye-laws or to issue orders with respect to the application of the enactment or with respect to the establishment of any court or office or the appointment of any judge or officer thereunder or with respect to the person by whom, or the time when or the place where, or the manner in which, or the face for which, anything is to be done under the enactment, then, unless a different intention appears, that power may be exercised at any time after the passing of the enactment, but rules, bye-laws or orders so made or issued shall not take effect till the commencement of the enactment..

Power to make rules, etc., includes power to add, amend, vary or rescind rules, etc.

35. Where, by any enactment, a power to issue rules, notifications, orders, schemes, forms or bye laws is conferred, then, unless a different intention appears that power includes a power to add, to amend, vary or rescind any rules, notification, orders, schemes, forms or bye-laws so issued in the same manner and subject to the same sanction and condition (if any) as the power to issue the rules, notifications, orders, schemes, forms or bye-laws.

Provisions applicable to making of rules or bye-laws after previous publication.

36. Where, by any enactment, a power to make rules or bye-laws, is expressed to be given subject to the condition of the rules or bye-laws being made after previous publication, then, the following provisions shall apply; namely:-

(a) the authority having power to make the rules or bye-laws shall, before making them, publish a draft of the proposed rules or bye-laws for the information of persons likely to be affected thereby;

(b) the publication shall be made in such manner as that authority deems to be sufficient, or if the condition with respect to previous publication so requires, in such manner as the Government may prescribe;

(c) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration;

(d) the authority having power to make the rules or bye-laws, and, where the rules or bye-laws are to be made with the sanction, approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which may be received by the authority having power to make the rules or bye-laws from any person with respect to the draft before the date so specified;

(e) the publication in the official Gazette of a rule or bye-law purporting to have been made in exercise of a power to make rules or bye-laws after previous publication shall be conclusive proof that the rules or bye-laws has been duly made.

Continuation of appointments, rules, etc., issued under enactment repealed and re-enacted.

37. Where any enactment is repealed and re-enacted with or without modification, then, unless it is otherwise expressly provided, any appointment, rule, notification, order, scheme, form or bye-law made or issued under the repealed enactment, shall so far as it is not inconsistent with the provisions re-enacted, continue in force and be deemed to have been made or issue under the provisions so re-enacted, unless and until it is superseded by any appointment, rule, notification, order, scheme, form or bye-law made or issued under the provisions so re-enacted.

Construction of rules, notifications, etc., issue under enactments.

38. Where, by any enactment, a power to issue any, rule notification, order, scheme, form or bye law is conferred, then, expressions used in the rule, notification, order, scheme, form or bye-law shall unless a different intention appears, have the same respective meanings as in the enactment conferring the power.

Publication and commencement rules.

39. Every rule made under any enactment shall be published in the Official Gazette and shall, in the absence of an express provision to the contrary either in the rule or in the enactment under which it is made, come into force on the day on which is publish in the official Gazette.

Laying rules before Legislative Assembly.

40. (1) Every rule made by the Government of Meghalaya under any enactment shall be laid as soon as may be after it is made before the Legislative Assembly of Meghalaya while it is in session for a total period of ten days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any notification in the rule or resolves that the rule should not be made, the rule shall thereafter have effect only in such modified form or be or 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 under that rule.

(2) If any rule is not laid before the Legislative Assembly in accordance with the provisions of sub-section (1), it shall, not on the expiry of two successive sessions immediately following the publication of the rule, cease to have effect, without prejudice to the validity of anything previously done under that rule.

CHAPTER VII

Miscellaneous

Citation of enactments.

41. (1) any enactment may be cited by reference to the short title conferred thereon or by reference to the number and year thereof.

(2) Any provision in an enactment may be cited by reference to the section of the enactment in which the provision is contained.

42. Section 63 to 70 of the Indian Penal Code and the provisions of the Code of Criminal Procedure, 1898, in relation to the issue and execution of warrants for the levy of fines, shall apply to all fines imposed under any enactment, or under any rule or bye-law made thereunder, unless the enactment, rule or bye-law contains and express provision to the contrary.

Meaning of service by post.

43. Where, any enactment authorises or requires any document to be served post, whether the expression "serve" or either of the expressions "give" or "send" or any other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, prepaying and posting by registered post, a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

MEGHALAYA ACT 8 OF 1970**THE MEGHALAYA PREVENTION OF GAMBLING ACT, 1970**

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-fifth October, 1970]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 27th October, 1970)

Arrangement of Sections**SECTIONS:**

1. Short title and commencement.
2. Definitions.
3. Penalty for owning, keeping or having charge of a common gaming house.
4. Penalty for assisting gambling.
5. Penalty for being found in common gaming house.
6. Power of Police Officer to enter and search.
7. Finding instruments of gaming in suspected houses to be evidence that they are common gaming houses.
8. Penalty for giving for stakes unnecessary.
9. Destruction of instruments of gaming and payment of reward to informers.
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11. Gaming in public places.
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15. Penalty for subsequent offence.
16. Searches how to be made.
17. Protection of action taken.
18. Recovery of fines.
19. Power to make rules.
20. Repeal of the Public Gambling Act, 1967 (Central Act 3 of 1867).
21. Amendment of Assam Amusements and Betting Tax Act, 1980 (Assam Act 6 of 1939).

**THE MEGHALAYA PREVENTION OF
GAMBLING ACT, 1970**

An

Act

**to provide for the prevention of gambling and
for matters connected therewith**

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

Short title and commencement.

1. (1) This Act may be called the Meghalaya Prevention of Gambling Act, 1970.

(2) It shall come into force on such date as the Government of Meghalaya may, by notification, appoint.

Definitions.

2. In this Act,-

(a) "common gaming house" means any house in which any instrument of gaming is kept or used for the profit or gain of the person owning, occupying, using or keeping the house, whether by way of charge for the use of the house or instrument of gaming or otherwise howsoever.

(b) "gambling" or "gaming" means a play or game for money, including betting and wagering, by which a person intentionally exposes money to the risk or hazard of loss by chance; but does not include-

(i) a lottery ; or

(ii) wagering or betting upon a horse race, when such wagering or betting takes place-

(a) on the date on which the race is to be run;

(b) in an enclosure which the stewards controlling the race have, with the permission of the Government, set apart for the purpose, and

(c) with a licensed book maker or by means of a totalisator as defined in the Assam Amusements and Betting Tax, 1939.

Assam Act
6 of 1939.

(c) "house" includes any room, tent, walled enclosure, space, vehicle, vessel or any place whatsoever;

(d) "instrument of gaming" includes cards, dice, darts, arrows, table, board or any other article used or intended to be used as a means or appurtenance of, or for the purpose of carrying on or facilitation or in connection with, gambling, and any book, licence, ticket, form or other document use or intended to be used as a register or record or evidence thereof ;

(e) "magistrate" means any person exercising the powers of a magistrate of the first class under the Code of Criminal Procedure, 1893 or under any other valuable security or thing.

Central Act
5 of 1898.

(f) "money" includes a cheque or any other negotiable instrument, a postal or money order or any other valuable security or thing;

(g) "police officer" means any such member of the police force as the Government of Meghalaya may, by general or special order, notify as a police officer for the purposes of this Act;

(h) "printing" includes writing or other modes of representing or reproducing words, letters or figures in a visible form.

Penalty for owning, keeping or having charge of a common gaming house.

3. Whoever, being the owner or occupier or having the use of any house, opens, keeps or uses the same as a common gaming house, or knowingly or wilfully permits the same to be opened, occupied, used or kept by any other person as a common gaming house, shall be punishable with imprisonment which may extend to six months or with fine which may extend to six months or with fine which may extend to one thousand rupees or with both.

Penalty for assisting gambling.

4. Whoever has the care or management of, or in any manner assists in conducting the business of, any house as a common gaming house or advances or furnishes money for the purpose of gaming with persons frequenting such common gaming house, shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Penalty for being found in common gaming house.

5. (1) Whoever is found in any house playing or gaming with any instruments of gaming or is found there present for the purpose of gaming, whether playing for any money, wager, stake or otherwise shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(2) Any person found in a common gaming house during any gaming or playing therein shall be presumed until the contrary is proved, to have been there for the purpose of gaming.

Power of police officer to enter and search.

6. If a magistrate of the first class or a Superintendent of Police, upon credible information and after such inquiry as he may consider necessary, has reason to believe that any house is being used as a common gaming house, he may either himself or by his warrant authorise an officer of police not below the rank of Sub-Inspector of Police to enter and to-
 - (a) take into custody all persons whom he finds therein, whether or not such persons may be then actually gaming;
 - (b) seize all instruments of gaming and all money reasonably suspected to have been used or intended to be used for the purposes of gaming which are found therein.
 - (c) search all parts of the house which he shall have so entered when he has reason to believe that nay instruments of gaming are concealed therein and also the persons of those whom he so takes into custody; and
 - (d) seize and take possession of all instruments of gaming found upon such search.

Finding instruments of gaming in suspected houses to be evidence that they are common gaming houses.

7. When any instruments of gaming are found in any house entered or searched under section 6 or about the persons of any of those who are found therein, it shall be evidence, until the contrary is proved, that such house is used as a common gaming house and that the persons found therein were present there for the purpose of gaming although no gaming or playing was actually seen by the police officer.

Penalty for giving false name and address.

8. If any person found in any common gaming house entered by any police officer under section 6, upon being arrested by such police officer or upon being brought before any magistrate refuses or neglects to give his name and address or gives any false name or address on being so required by any such magistrate or police officer, he shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

Destruction of instruments of gaming and payment of reward to informers.

9. (1) On the conviction of any person for keeping or using any common gaming house, or being present there for her purpose of gaming, the convicting magistrate may order all the instruments of gaming found therein to be destroyed, and may also order all or any of the securities for money and other articles seized, not being instruments of gaming to be sold and converted into money, and the proceeds thereof with all monies seized therein to be forfeited; or, in his discretion, may order any part thereof to be returned to the persons appearing to have been severally entitled thereto.

(2) The magistrate may also order that a portion not exceeding one-fourth of any fine levied under section 3 or section 4 or section 5 or any portion of the monies or proceeds of articles seized and ordered to be forfeited under this section shall be paid as a reward to any person whose information and assistance have contributed to the detection of the offence and seizure of the monies and articles aforesaid.

Proof for playing for stakes unnecessary.

10. It shall not be necessary, in order to convict any person of keeping a common gaming house, or of being concerned in the managements of any common gaming house, to prove that any person found playing therein at any game was playing for any money, wager and stake.

Gaming in Public places.

11. (1) A police officer may arrest without warrant any person-

(a) found gaming in any public market, fair, street or thoroughfare or any place to which the public have or are permitted to have access;

(b) arranging for the purpose of gaming, the game of teer (thoh team) in any public market, fair, street or thoroughfare or in any place to which the public have or are permitted to have access;

(c) setting, for the purpose of gaming, any birds or animals to fight in any public market, fair, street or thoroughfare or in any place to which the public have or are permitted to have access;

(d) present at any such place as is mentioned above aiding and abetting any such game as is referred to in clause (b) or clause (c).

(2) Any person arrested under sub-section (1), shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

(3) Any such police officer may also seize all instruments of gaming, birds or animals found in such public market, fair street or thoroughfare or place or from the persons of those arrested and the magistrate may, on conviction of the offender, order such instruments to be forthwith destroyed and such birds and animals to be sold and the proceeds thereof to be forfeited.

Power of police officer to enter premises an arrest persons printing, etc., matters relating to gambling.

12. (1) A police officer may arrest without warrant any person who prints, publishes, sells, distributes or in any manner circulates any newspaper, new-sheet or other document or any news or information with the intention of aiding or facilitating gaming and any police officer may enter and search any place for the purpose of seizing, and may seize all things reasonably suspected to be used or intended to be used for the purpose aforesaid.

(2) Any person arrested under sub-section (1) shall be punishable with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

Exemptions.

13. (1) Nothing in this Act shall apply to any game of mere skill wherever played:

(2) Without prejudice to the provisions contained in sub-section (1), the Government of Meghalaya may, by notification, exempt any game or sport from the operation of this Act in respect of which it is satisfied that, having regard to its nature, the skill involved and the customs connected therewith in vogue in the community, nothing connected with such game or sport is likely to encourage gambling or otherwise defeat the objects of this Act; and any such notification may be issued either in relation to the whole of the territories to which this Act extends or to any part thereof, and may also specify the circumstances in which and the conditions subject to which such game or sport may be played or undertaken.

(3) If any person contravenes the circumstances in which and conditions subject to which any game or sport is exempted under the provisions of sub-section (2), he shall be punishable with fine which may extend to two hundred rupees.

Indemnity of witnesses.

14. Any person who shall have been concerned in gaming leading to, and who shall be examined as a witness before a magistrate in respect of, the trial of any person for a breach of any of the provisions of this Act and who upon such examination shall make a true and faithful discovery to the best of his knowledge of all things as to which he shall be so examined, and who shall thereupon receive from the said magistrate a certificate to that effect, shall be freed from all prosecution, under the provisions of this Act for anything done before that time in respect of such gaming.

Penalty for subsequent offences.

15. Whoever having been convicted of an offence punishable under this Act shall again be guilty of any such offence, shall be subject for every such subsequent offence to double the amount of punishable with which he would otherwise have been punishable for the same:

Provided that he shall not be punishable in any case with imprisonment for a term exceeding one year or with fine exceeding two thousand rupees or with both.

- Searches how to be made. 16. All searches under this act shall be conducted as far as may be, in accordance with the provisions of the Code of Criminal Procedure, 1898. Central Act 5 of 1898.
- Protection of action taken. 17. No suit, prosecution or other legal proceeding shall lie against any officer of the Government for anything which is in good faith done or intended to be done under this Act.
- Recovery of fines. 18. Any fine imposed under this act shall be recovered in the manner provided in the Code of Criminal Procedure, 1898, for the recovery of fines or in such other manner as the Government of Meghalaya, may specify. Central Act 5 of 1898.
- Power to make rules. 19. (1) The Government of Meghalaya may, by, notification, make rules to carry out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for –
- (a) the police officers of and above such rank as may be specified who alone may perform the functions of police officers under this Act;
- (b) the precautions to be observed by a police officer before entering any premises or making any searches or taking any other action under this Act;
- (c) the manner in which fines under this manner provided in the Code of Criminal Procedure, 1898 Central Act 5 of 1898.
- Repeal of Central Act 3 of 1867. 20. The Public Gambling Act, 1867, is hereby repealed.
- Amendment of Assam Act 6 of 1939. 21. The Assam Amusements and Betting Tax Act, 1939, shall stand amended as follows:-
- 1) For the word ‘Assam’ wherever it occurs, the word “Meghalaya” shall be substituted; and for the words “State Government”, “Government of Assam”, and “State Government of Assam” wherever they occur, the words “Government of Meghalaya” shall be substituted
- 2) For sub-sections (2) and (3) of section 1, the following sub-section shall be substituted, namely:-
“(2) It extends to the whole of Meghalaya except Shillong.”
- 3) In section 14, clauses (3A) and (7) shall be omitted.
- 4) In section 18, sub-sections (3), (4) and (5) shall be omitted.

MEGHALAYA ACT OF 1971

THE MEGHALAYA APPROPRIATION (No.1) 1971

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-sixth March, 1971]

(Published in the Gazette of Meghalaya, Extraordinary, dated the 27th March, 1971)

An

Act

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of Meghalaya for the Services of the financial year 1970-71.

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

Short title and commencement.

1. This Act may be called the Legislative Assembly of Meghalaya Appropriation (No. 1) Act, 1971.

Withdrawal of Rs.2, 56, 80,330 from and out of the Consolidated Fund of Meghalaya for the financial year 1970-71.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of two crores, fifty-six lakhs, eighty thousand and three hundred and thirty rupees towards defraying the several charges which will come in course of payment during the financial year 1970-1971 in respect of the services specified in column 2 of the Schedule.

Appropriation.

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

SCHEDULE

(See sections 2 and 3)

(1) Grant No	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
24	- Education (General)	6,91,800	...	6,91,800
48	- VI.-Directorate of Social Welfare.	3,00,000	...	3,00,000
61	- Forest	5,21,000	...	5,21,000
63	- Miscellaneous-I-Expenditure on account of State Prisoners.	17,530	...	17,530
75	- Capital Outlay-I. Investment in other Commercial and Industrial Undertakings.	2,50,000	...	2,50,000
78	- Capital Outlay on Public Works outside the Revenue Account.	1,13,50,040	...	1,13,50,040
79.A	Capital Outlay on Road and Water Transport Schemes-A.- Road Transport.	4,50,000	...	4,50,000
93.	- XII-Loan to Electricity Board.	23,00,000	...	23,00,000
	O.-Public Debt ... ..	...	98,00,000	98,00,000
	Total	1,58,80,330	98,00,000	2,56,80,330

MEGHALAYA ACT 2 OF 1971

THE MEGHALAYA APPROPRIATION (VOTE-ON-ACCOUNT) ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-first March, 1971]

(Published in the Gazette of Meghalaya, Extraordinary, dated the 31st March, 1971)

An

Act

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of Meghalaya for the services of a part of financial year 1971-72.

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

Short title and commencement.

1. (1) This Act may be called the Legislative Assembly of Meghalaya Appropriation (Vote-on-Account) Act, 1971.
- (2) It shall come into force on the first day of April, 1971.

Withdrawal of Rs.3,92,88,500 from and out of the Consolidated Fund of Meghalaya for the financial year 1971-72.

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 sum of three crores, ninety-two lakhs, eighty –eight thousand and five hundred rupees towards defraying the several charges which will come in course of payment during the period of three months beginning on the first day of April, 1971 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 to Meghalaya by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the 1971-72.

SCHEDULE

(See Sections 2 and 3)

(1) Grant No	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Taxes on Income other than Corporation tax	...	...	...
2	Land Revenue	50,500	...	50,500
3	State Excise Duties	52,300	...	52,300
4	Taxes on Vehicles	28,500	...	28,500
5	{ Sale Tax	36,900	...	36,900
	{ Other Taxes and Duties	12,300	...	12,300
6	Stamp	1,700	...	1,700
7	Registration Fees	3,500	...	3,500
	Interest on Debt and obligations	...	73,800	73,800
	Appropriation for Reduction or Avoidance of Debt.	...	...	...

SCHEDULE- *contd.*

(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.
8	Parliament State/Union Territory Legislature.				1,56,500	14,300	1,70,800
9	-Do-C-Election Legislature	...	...	...	97,700	...	97,700
10	General Administration-I-Heads of States Ministers.				1,73,900	700	1,74,600
11	General Administration-II-Secretariat and attached Offices.				6,31,000	5,700	6,36,700
12	General Administrative-III-Commissioners and District Administration.				2,42,700	...	2,42,700
13	General Administrative-IV-Director of Land Records.				8,800	...	8,800
14	General Administrative-V-Local funds, Audit Establishment and Account Offices.				12,800	...	12,800
	Administration of Justice	...	...	...	51,300	...	51,300
16	Jails	...	...	...	51,900	...	51,900
17	Police	...	...	...	3,19,300	...	3,19,300
18	Miscellaneous Departments-I-National Savings Organisation.				500	...	500
19	II-Trade Commissioners	...	...	...	3,800	...	3,800
20	III-Weights and Measures	...	...	...	55,600	...	55,600
21	Municipal Administration				...	....	...
22	Civil Supplies Departments				1,12,100	...	1,12,100
23	Scientific and Mine Departments				75,000	...	75,000
24	Education (General)				43,89,400	...	43,89,400
25	Education (Technical)				2,10,500	...	2,10,500
26	Medical	...	...	...	16,08,300	...	16,08,300

SCHEDULE- *contd.*

(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.
27	Public Health-I-Public Health	10,28,800	...	10,28,800
28	Public Health-II-Public Health Engineering	12,85,000	...	12,85,000
29	Agriculture	21,13,000	...	21,13,000
30	Fisheries	1,28,700	...	1,28,700
31	Rural Development	1,35,800	...	1,35,800
32	Animal Husbandry	7,96,800	...	7,96,800
33	Co-operation	4,24,600	...	4,24,600
34	Industries-I-Sericulture and Weaving	4,16,500	...	4,16,500
35	Do-II-Cottage Industries	5,60,500	...	5,60,500
36	Do-III- Major Industries.	42,700	...	42,700
37	Community Development Project	19,38,000	...	19,38,000
38	Local Development Works ... ..	...	...	...
39	Labour and Employment-I-Labour ... ..	...	...	...
40	D-II-Factories ... ..	...	...	...
41	Do-III-Inspector of Steam Boilers ... ..	...	...	...
42	Do-Iv-Employment and Training ... ..	...	...	...
	Miscellaneous Social and Developmental Organisation-	...	...	...
43	I-Directorate of Statistics	1,37,500	...	1,37,500
44	II-Vital Statistics, Raingauge, etc.	500	...	500
45	III-Planning Organisation	35,900	...	35,900
46	IV-Directorate of Advertising and Visual Publicity.	1,45,000	...	1,45,000
47	V-Directorate of Housing	1,700	...	1,700

SCHEDULE- *contd.*

(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.
48	VI-Directorate of Social Welfare	7,25,300	...	7,25,300
49	VII-Soldiers', Sailors and Airmen's Board.	9,800	...	9,800
50	VIII- Town and Country Planning Organisation.	2,70,100	...	2,70,100
51	IX-Tourist Organisation	1,90,900	...	1,90,900
52	X-Preservation and Translation of Ancient Manuscripts.	2,000	...	2,000
53	XI-Pooled Transport	62,600	...	62,600
54	XII-Dairy Development	2,35,100	...	2,35,100
55	Irrigation N.E.D.. Works, etc.	1,25,000	...	1,25,000
55A.	Electricity Schemes. ... ..	...	...	...
56	Public Works (excluding Establishment and Tools and Plants, etc.)	47,66,700	...	47,66,700
57	Public Works, Establishment and Tools and Plants.	16,39,400	...	16,39,400
57A.	Road and Water Transport Schemes-A-Road Transport.	12,500	...	12,500
58	Famine Relief	2,25,000	...	2,25,000
	Pension and other Retirement Benefits	1,80,900	...	1,80,900
59	Territorial and Political Pensions	1,000	...	1,000
	Payment of Commuted Value of Pensions ... ..	...	...	...
	Payment to retrenched Personnel ... ..	...	...	...
60	Stationery and Printing	2,73,000	...	2,73,000
61	Forest	15,25,200	...	15,25,200
62	Forest-I-Soil Conservation	6,02,600	...	6,02,600
63	Miscellaneous-I-Expenditure on account of State Prisoners and Detenus, etc.	48,900	...	48,900
64	II-Donations for charitable purposes, etc.	30,800	...	30,800

SCHEDULE- contd.

(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.
65	III-Grant-in-aid, Contributes, etc. ...	1,200	...	1,200
66	IV-Expenditure on Issue of Free Ration and Rice Concession	1,02,500	...	1,02,500
67	V-Expenditure on Displaced Persons ...	400	...	400
68	VI-Advanced Technical/Training and Scholarships.	...	...	...
69	VII-Miscellaneous and Unforeseen Charges.	...	...	...
73	VIII- Civil Defence	55,500	...	55,500
71	Other Miscellaneous Compensations and Assignments.	...	...	...
72	Extraordinary Charges	100	...	100
73	Prepartition Payments ... ..	...	...	...
74	Payment of Compensation to Land holders	...	...	...
	Capital Outlay on Industrial and Economic Development-			
75	-Do-I-Investment in other Commercial and Industrial Undertakings.	2,87,500	...	2,87,500
76	-Do-II-Investment in Co-operative Societies.	1,73,200	...	1,73,200
77	-Do-III-Other Miscellaneous Undertakings.	47,100	...	47,100
78	Capital Outlay on Public Works outside the Revenue Account.	83,97,800	...	83,97,800
79	Capital Outlay on other Works.	300	...	300
79A	Capital Outlay on road and Water Transport Schemes-a-Road Transport.	1,12,500	...	1,12,500
80	Capital Outlay on Schemes of Government Trading.	4,83,500	...	4,83,500
81	Appropriation to Contingency Fund ... ..	...	...	...
	O-Public Debt ... ..	...	...	...

SCHEDULE- contd.

(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.
82	I-Loans to Municipal Corporation and Municipalities.	...	...	...
83	II-Agricultural Loans, etc.	75,000	...	75,000
84	III-Loans to Autonomous District Councils	...	...	...
85	IV-Loans under Community Projects ...	...	...	...
86	V-Loans to Co-operative Societies ...	26,200	...	26,200
87	VI-Industrial Loan	1,00,000	...	1,00,000
88	VII-Loans to Displaced Persons	400	...	400
89	VIII-Educational Loans ... ..	...	...	...
90	IX-Tea Garden Land Utilisation Loans, etc.	...	...	...
91	X-Housing Loans	50,000	...	50,000
92	XI-Loans to Major Industries ... ..	...	...	...
93	XII-Loans to Electricity Board	4,50,000	...	4,50,000
94	XIII-Advances to Government Servants, etc.	2,01,200	...	2,01,200
95	XIV-Loans to Panchayati Raj Institutions	...	...	...
96	XV-Loans for Development of Livestock Industries.	...	...	...
97	XIV-Miscellaneous Loans and Advances ...	...	...	...
	Total ...	3,90,69,000	2,19,500	3,92,88,500

MEGHALAYA ACT 3 OF 1971
THE MEGHALAYA AMENDING ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-ninth April, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 1st May, 1971)

An

Act

to amend certain enactments

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

Short title and commencement.

1. This Act may be called the Meghalaya Amending Act, 1971.

Amendment of certain enactments.

2. The enactments specified in the Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

SCHEDULE

(See Section 2)

Amendments

Year	No.	Short Title	Amendments
(1)	(2)	(3)	(4)
1970	1	The Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1970.	(1) In enacting formula for the words "Legislative Assembly" the word "Legislature" shall be substituted. (2) In item (1) of the Schedule for the word "offices" the word "office" shall be substituted.
1970	2	The Contingency Fund of Meghalaya Act, 1970.	In section 2, for the words "the State" the word "Meghalaya" shall be substituted.
1970	3	The Legislative Assembly of Meghalaya (Speaker and Deputy Speaker's Salaries and Allowance) Act, 1970.	(1) In section 9, in sub-section (1), the words "in the official Gazette shall be omitted.
1970	4	The Legislative Assembly of Meghalaya (Ministers' Salaries and Allowances) Act, 1970.	(2) Sub-section (2) shall be omitted. (1) In sub-section (1) of section 1, the words "Legislative Assembly" of "shall be omitted." (2) Sub-section (2) of section 9 shall be omitted.
1970	7	The Meghalaya Interpretation and General Clauses Act, 1970.	In section 3, after item (30), the following shall be inserted, namely, namely, "30 (A) "Government of Meghalaya" means the "Governor".

MEGHALAYA ACT 4 OF 1971

THE LEGISLATIVE ASSEMBLY OF MEGHALAYA (MEMBERS' SALARIES AND ALLOWANCES) (AMENDMENT) ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-ninth April, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 1st May, 1971)

An

Act

to amend the Legislative Assembly of Meghalaya (Member's Salaries and Allowances) Act, 1970.

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

- | | |
|--|--|
| Short title and commencement. | 1. This Act may be called the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Amendment) Act, 1971. |
| Amendment of section 3 of Meghalaya Act 5 of 1970. | 2. In section 3 of the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1970 hereinafter referred to as the principal Act, for the words "three hundred fifty", the words "three hundred and fifty" shall be substituted. |
| Amendment of section 4 of Meghalaya Act 5 of 1970. | 3. In section 4 of the principal Act, in clause (e), for the words "first grade" , the words "senior grade" shall be substituted and shall be deemed always to have been substituted. |
| Amendment of section 6 of Meghalaya Act 6 of 1970. | 4. (a) Section 6 of the principal Act shall be renumbered as section 7 and in sub-section (1) of section 7 as so renumbered the words "in the official Gazette" shall be omitted.

(b) Sub-section (2) shall be omitted. |

Insertion of a new section 6 of Meghalaya Act 5 of 1970.

5. After section 5 of the principal Act, the following new section shall be inserted and shall be deemed always to have been inserted, namely:-

“6. A Member and the member of his family shall be entitled to such medical treatment and benefits as may be laid down by rules to be made, by the Government of Meghalaya.

Explanation:-1. For the purpose of this section the expression ‘the members of his family’ shall mean and include such members as may be prescribed by rules.

2. Those who are entitled to free medical attendance and treatment may take the same from any registered physician of their choice- Allopathic, Ayurvedic, Unani or Homeopathic and medical bills on prescription of such physicians are re-imbursable.

MEGHALAYA ACT 5 OF 1971**THE MEGHALAYA APPROPRIATION (No. II) ACT, 1971****(As passed by the Assembly)**

[Received the assent of the Governor on the Twenty-eight June, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 29th June, 1971)**An****Act**

to authorize payment and appropriation of certain sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year ending on the thirty-first day of March, 1972.

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

Short title and commencement.

1. (1) This Act may be called Meghalaya Appropriation (No. II) Act, 1971.
- (2) It shall be deemed to have come into force with effect from 1st April, 1971.

Withdrawal of Rs.30, 99, 24,700 from and out of the Consolidated Fund of Meghalaya for the financial year 1971-72.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate [inclusive of the sum specified in column (3) of the Schedule to the Meghalaya Appropriation (Vote on Account Act, 1971)] to the sum of rupees thirty crores ninety-nine lakhs, twenty-four thousand and seven hundred towards defraying the several charges which will come in course of payment during the financial year ending on the thirty-first day of March, 1972 in respect of the services specified in column (2) to the Schedule.

Appropriation.

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

SCHEDULE

(See Sections 2 and 3)

(1) Grant No	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Taxes on Income other than Corporation tax	...	...	...
2	Land Revenue	2,01,900	...	2,01,900
3	State Excise Duties	2,09,300	...	2,09,300
4	Taxes on Vehicles	1,14,100	...	1,14,100
5	Sale Tax and other Taxes and Duties	1,96,600	...	1,96,600
6	Stamp	6,800	...	6,800
7	Registration Fees	3,900	...	3,900
	Interest on Debt and obligations ... ..	...	49,50,600	49,50,600
	Appropriation for Reduction or Avoidance of Debt.	...	...	...
8	Parliament State/Union Territory Legislature-B-State Legislature.	6,26,100	57,200	6,83,300
9	-Do-C-Election	3,90,700	...	3,90,700
10	General Administration-I-Heads of State and Ministers.	7,13,500	3,000	7,16,500
11	-Do-II-Secretariat and attached Offices	26,35,500	23,000	26,58,500
12	-Do-III-Commissioners and District Administration.	14,60,000	...	14,60,000
13	-Do-IV-Director of Land Record	35,200	...	35,200
14	-Do-V-Local funds Audits Establishment Account Offices.	51,200	...	51,200
15	Administrative of Justice	2,05,000	...	2,05,000
16	Jails	2,07,600	...	2,07,600
17	Police	12,77,200	...	12,77,200
18	Miscellaneous Departments-I-National Savings Organisation.	2,000	...	2,000
19	II - Trade Commissioners	15,300	...	15,300
20	III – Weights and Measures	2,22,600	...	2,22,600
21	Civil Supplies Departments.	4,75,700	...	4,75,700

SCHEDULE- *contd.*

(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.
23	Scientific Departments	...	...	...	3,00,000	...	3,00,000
24	Education (General)	...	...	...	1,75,57,900	...	1,75,57,900
25	Education (Technical)	...	...	...	8,28,200	...	8,28,200
26	Medical	...	...	...	89,23,200	...	89,23,200
27	Public Health-I Public Health	...	...	...	41,15,300	...	41,15,300
28	Public Health-II-Public Health Engineering	...	...	...	59,40,100	...	59,40,100
29	Agriculture	...	...	...	84,52,200	...	84,52,200
30	Fisheries	...	...	...	5,14,800	...	5,14,800
31	Rural Development	...	...	...	5,43,300	...	5,43,300
32	Animal Husbandry	...	...	...	34,53,700	...	34,53,700
33	Co-operation	...	...	...	17,31,400	...	17,31,400
34	Industries-I-Sericulture and Weaving	...	...	...	16,38,100	...	16,38,100
35	-Do-II- Cottage Industries	...	...	...	22,42,180	...	22,42,180
36	-Do-III-Major Industries	...	...	...	3,20,800	...	3,20,800
37	Community Development Projects	...	...	...	1,07,63,100	...	1,07,63,100
38	Local Development Works	...	...	...	...	...	...
39	Local and Employment-I-Labour	...	...	...	...	...	...
40	-Do-II-Factories	...	...	...	...	...	...
41	-Do- III- Inspector of Steam Boilers	...	...	...	...	...	...
42	-Do-IV- Employment and Training	...	...	...	...	...	...
	Miscellaneous Social and Developmental Organisation.	...	...	...	...	...	...
43	I-Directorate of Statistics	...	...	...	5,65,200	...	5,65,200
44	II-Vital Statistics, Rain gauge, etc.	...	...	...	500	...	500
45	III-Planning Organisation	...	...	...	1,43,400	...	1,43,400
46	IV-Directorate of Advertising and Visual Publicity.	...	...	...	5,79,900	...	5,79,900
47	Directorate of Housing	...	...	...	6,700	...	6,700
48	VI-Directorate of Social Welfare	...	...	...	29,01,000	...	29,01,000
49	VII-Soldiers', Sailors' and Airmen's Board	...	...	...	39,400	...	39,400
50	VIII-Town and Country Planning Organisation.	...	...	...	10,80,300	...	10,80,300

SCHEDULE- *contd.*

(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.
51	IX-Tourist Organisation	7,63,700	...	7,63,700
52	X-Preservation and Translate of Ancient Manuscripts.	8,200	...	8,200
53	XI-Pooled Transport	2,50,500	...	2,50,500
54	XII-Dairy Development	11,40,100	...	11,40,100
55	Irrigation N.E.D. Works, etc.	5,00,000	...	5,00,000
55A.	Electricity Schemes ... ..	...	...	...
56	Public Works (excluding Establishment and Tools and Plant, etc.)	1,90,76,900	...	1,90,76,900
57	Public Works, Establishment and Tools and Plants.	65,57,500	...	65,57,500
57A.	Road and Water Transport Schemes-A-Road Transport.	50,000	...	50,000
58	Famine Relief	9,00,000	...	9,00,000
	Superannuation Allowances and Pensions. ... ..	...	...	...
59	Pension and other Retirement Benefits	7,27,700	...	7,27,700
60	Stationery and Printing	10,91,700	...	10,91,700
61	Forest	61,00,700	...	61,00,700
62	Forest-II-Soil Conservation	24,10,600	...	24,10,600
63	Miscellaneous-I-Expenditure on account of State Prisoners and Detenus, etc.	1,95,800	...	1,95,800
64	II-Donations or Charitable purposes, etc.	1,34,800	...	1,34,800
65	III-Grant-in-aid, Contribution, etc.	5,000	...	5,000
66	IV-Expenditure on Issue of Free Ration and Rice Concession.	4,10,000	...	4,10,000

SCHEDULE- *contd.*

(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.
67	V-Expenditure on Displace Persons ...	9,67,01,000	...	9,67,01,000
68	VI- Advanced Technical Training and Scholarships.	...	...	...
69	VII-Miscellaneous and Unforeseen Charges	...	...	...
70	VIII-Civil Defence	2,22,000	...	2,22,000
71	Other Miscellaneous Compensations and Assignments.	...	...	...
72	Extraordinary Charges	100	...	100
73	Prepartition Payment ... ..	...	...	...
74	Payment of Compensation to Land holding, etc.	...	...	...
	Capital Outlay on Industrial and Economic Development-	...	...	...
75	-Do-I-Investment in other Commercial and Industrial Undertakings.	10,00,000	...	10,00,000
76	-Co-II-Investment in Co-operative Societies.	6,93,000	...	6,93,000
77	-Do-III-Other Miscellaneous Undertakings.	2,16,500	...	2,16,300
78	Capital Outlay on Public Works outside the Revenue Account.	3,44,91,000	...	3,44,91,000
79	Capital Outlay on other Works	1,000	...	1,000
79A.	Capital Outlay on Road and Water Transport Schemes-A-Road Transport.	4,50,000	...	4,50,000
80	Capital Outlay on Schemes of Government Trading.	19,33,800	...	19,33,800
81	Appropriation of Contingency Fund	22,00,00,000	...	22,00,00,000
	Repayment of Debt ... ..	...	2,35,46,800	2,35,46,800

SCHEDULE- *contd.*

(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.
82	I-Loans to Municipal Corporation and Municipalities.	...	...	...
83	II-Agricultural Loans, etc.	3,00,000	...	3,00,000
84	III-Loans to Autonomous District Councils	...	...	...
85	IV-Loans under Community Projects ... ..	...	...	...
86	V-Loans to Co-operative Societies	1,05,000	...	1,05,000
87	VI-Industrial Loan	4,00,000	...	4,00,000
88	VII-Loans to Displaced Persons	1,500	...	1,500
89	VIII-Education Loans ... ..	...	...	...
90	IX-Tea Garden Land Utilisation Loans, etc.	...	...	...
91	X-Housing Loans	2,00,000	...	2,00,000
93	XII-Loans to Electricity Board	18,00,000	...	18,00,000
94	XIII- Advances to Government Servants etc.	8,05,000	...	8,05,000
95	XIV- Loans to Panchayati Raj Institutions	...	...	...
96	XV- Loans for Development of Livestock Industries.	...	...	...
97	XVI-Miscellaneous Loans and Advances ... ..	...	...	...
	Total	8,13,44,100	2,85,80,600	30,99,24,700

(MEGHALAYA ACT 6 OF 1971)**THE PREVENTION OF DISQUALIFICATION (MEMBERS OF THE LEGISLATIVE ASSEMBLY OF MEGHALAYA) (AMENDMENT) ACT, 1971****(As passed by the Assembly)**

[Received the assent of the Governor on the Third July, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 6th July, 1971)**An****Act****to amend the Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1970.**

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

Short title and commencement.

1. (1) This Act may be called Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1971.

(2) It shall be deemed to have come into force on the 1st day of May, 1971.

Amendment of the Schedule to Meghalaya Act I of 1970.

2. In the Schedule to the Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1970 in item 5, between the words "the" and "Deputy Minister" the words "Minister of State or the" shall be inserted.

Repeal of Meghalaya Ordinance I of 1971.

3. The Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) (Amendment) Ordinance, 1971 is hereby repealed.

MEGHALAYA ACT 7 OF 1971

**THE MEGHALAYA (MINISTERS' SALARIES AND ALLOWANCES) (AMENDMENT)
ACT, 1971**

(As passed by the Assembly)

[Received the assent of the Governor on the Third July, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 6th July, 1971)

An

Act

to amend further the Meghalaya (Ministers' Salaries and Allowances) Act, 1970

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

Short title and commencement.

1. (1) This Act may be called Meghalaya (Ministers' Salaries and Allowances) (Amendment) Act, 1971.
- (2) It shall be deemed to have come into force on the 1st day of May, 1971.

Insertion of the expression "Minister of State" in Meghalaya Act 4 of 1970.

2. In the Meghalaya (Ministers' Salaries and Allowances, Act, 1970 hereinafter called the principal Act,-
 - 1) In the first line of sub-section (1) of section 3 for the word "and" a comma "(,)" shall be substituted and between the words "other Ministers" and "shall" the words "and Minister of State" shall be inserted;
 - 2) in the second line of section 5 for the word "or" a comma "(,)" shall be substituted and between the word "other Minister" and "a suitable" the words "or Minister of State" shall be inserted;
 - 3) in the first line of section 6 for the word "or" a comma "(,)" shall be substituted and between the words "other Minister" and "shall" the words "other Minister" and "shall" the words "or Minister of State" shall be inserted;
 - 4) in the last line of clause (i) of section 6 for the word "or" a comma "(,)" shall be substituted and after the word "other Minister" the words "or Minister of State" shall be inserted.

- 5) in the first line of section 7 for the word “or” a comma “(,)” shall be substituted and between the words “other Minister” and “shall” the words for Minister of State” shall be inserted.
- 6) In the first line of section 8 for the word “and” a comma “(,)” shall be substituted and between the words “other Minister” and “shall” be inserted;
- 7) In the second line of clause (a) of sub-section (1) of section 9 for the word “and” a comma “(,)” shall be substituted and between the words “other” Ministers” and “on” the words “and Minister of State” shall be inserted;
- 8) In the third line of clause (d) of sub-section (1) of section 9 for the word “and” a comma “,” shall be substituted and between the words “and Ministers of State” shall be inserted.

Amendment of Section 2 of the principal Act.

3. In section 2 of the principal Act,-

(1) in clause (a) the word “and” occurring at the end of the clause shall be deleted;

(2) in clause (b) for the full-stop “(.)” occurring at the end of the clause a comma “(,)” shall substituted and the word “and” shall thereafter be added.

(3) after clause (b) the following new clause shall be inserted, namely:-

“(c) to every Minister of State a salary of rupees eight hundred and fifty per mensem”.

Amendment of Section 4 of the principal Act.

4. In section 4 of the principal Act,-

(1) in the first line for the word “and” a comma “(,)” shall be substituted and between the words “other Minister” and “as” the words “and Ministers of State” shall be inserted;

(2) in the fifth line between the word “mensem” and the word “and” the words “in the case of the Chief Minister and other Ministers and at the rate of rupees two hundred per mensem in the case of Ministers of State” shall be inserted.

Insertion of the expression “Minister of State” in the marginal notes of the principal Act.

5. In the marginal notes against sections 2, 3 and 5 of the principal Act, for the word “and” a comma “(,)” shall be substituted and after the word “Ministers’ the words “and Ministers of State” shall be inserted.

MEGHALAYA ACT 8 OF 1971

THE MEGHALAYA SUBSIDIARY FORCE ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the Third July, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 6th July, 1971)

An

Act

**to provide for the constitution of a force in Meghalaya to be known as the Meghalaya
Subsidiary Force.**

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

Short title and commencement.

1. (1) This Act may be called Meghalaya Subsidiary Force Act, 1971.
(2) It shall be deemed to have come into force on the 4th day of June, 1971.

Definitions.

2. In the Act, unless there is anything repugnant in the subject or context:-
 - (a) "Force" means the Meghalaya Subsidiary Force constituted under this Act;
 - (b) "Government" means "the Government of Meghalaya";
 - (c) "Prescribed" means prescribed by rules made under this Act;
 - (d) "Relief Camp" includes any place, locality or area as may be declared as Relief Camp by Government for the purpose of this Act.

Constitution of
Meghalaya Subsidiary
Force.

3. (1) In Meghalaya or part thereof, the Government may raise and maintain a Force to be called Meghalaya Subsidiary Force which shall consist of such number of persons and shall be constituted in such manner as the Governments may, by order, direct.

(2) The Force in Meghalaya shall for the purpose of this Act, be deemed to be a single force and the members thereof shall be formally appointed.

(3) There shall be paid to each officer and member of the Force such monthly salary, remuneration or honorarium as may be determined by the Government from time to time.

General
superintendence.

4. (1) The general superintendence of the Force throughout Meghalaya shall vest in and shall be exercised by the Government through an Officer to be styled as the Director of the Subsidiary Force in such manner and to such extent as the Government of Meghalaya may deem fit.

(2) Subject to sub-section (2) of section 3, there shall be a Commandant of the Force for every district, or part thereof and such other officers subordinate to him as may be necessary.

Appointment of
officers and members.

5. (1) The Director of the Subsidiary Force and the Commandant shall be appointed by the Government in such manner as may be determined by the Government.

(2) The appointment of other officers and members shall be made in such manner and by such authority as may be determined by the Government.

Duties and functions of
the Force.

6. (1) The following shall be the duties and functions of the Force, namely:-

(a) to assist aid the police in the maintenance of law and order in Meghalaya;

(b) to report to the Deputy Commissioner, in such a manner as the latter may direct, all crimes, unnatural deaths or serious accidents;

(c) to prevent commission of any cognizable offence;

(d) to apprehend and deliver to the competent authority vagrant or bad and suspicious character, found within their jurisdiction;

- (e) to collect and communicate to the Deputy Commissioner intelligence affecting law and order and any matter relating to any village or town administration.
- (f) to protect Government and other public properties;
- (g) to obey and execute promptly all orders and warrants lawfully issue by any court;
- (h) to act under the orders of the Deputy Commissioner and to furnish such returns and information as may be called by the Deputy Commissioner and his subordinate officers;
- (i) to assist the Deputy Commissioner and the subordinate officers in maintaining order and discipline in Relief Camp;
- (j) to do other social work as my be entrusted by competent authority; and
- (k) to perform such other duties as are specified under other provisions of this Act and as the Government may, from time to time, by general or special order specify in this behalf.

(2) Every officer or member shall have the power to arrest any proclaimed offender or any person who in his view commits a non-bailable and cognizable offence. Any person so arrested shall without unnecessary delay be taken or caused to be taken in custody to the nearest Police Station or Magistrate. The arrested person shall be produced before the nearest Magistrate within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate.

Duty , Training of officer and member.

7. (1) Subject to any rules made in this behalf, it shall be the duty of every officer and member of the Force promptly to obey and execute all orders issued to him by any competent authority.

(2) Subject to any rules made in this behalf the officers and members of the Force may be required to undergo such training as may be prescribed.

Uniform.

8. The officers and members of the Force shall wear such uniform and shall use such equipments as may be prescribed by the Government from time to time.

Bar to prosecution.

9. No prosecution shall be instituted against any officer or member of the Force in respect of anything done or purported to be done by him in the discharge of his duties, except with the previous sanction of the Government or some officer empowered by the Government in this behalf.

Penalty.

10. (1) Every officer or member of the Force who is guilty of any violation of duty or wilful breach or neglect of any provision of this Act or any rule or lawful order made by competent authority, of withdrawal from the duties of his office without permission or who being required to undergo training without sufficient cause neglects or refuses to obey the requirements for training, shall be punishable with imprisonment of either description for a term which may extend to three months or with fine which may extend to rupees two hundred and fifty or with both.

(2) The offence punishable under sub-section (1) shall be cognizable.

Suits, etc., against officers and members acting in good faith.

11. No suit, prosecution or legal proceeding shall lie against any officer or member of the Force for anything done in good faith under this Act.

Power to make rules.

12. (1) The Government may make rules for carrying out the purposes of this Act.

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

(a) all matters which are required by this Act to be prescribed;

(b) the organisation, appointment, conditions of service, functions, discipline, equipments, or uniform of the Force and the manner in which they may be called out for service or required to undergo training, and

(c) any other matter.

Repeal of Meghalaya Ordinance 4 of 1971.

13. The Meghalaya Subsidiary Force Ordinance, 1971, is hereby repealed.

MEGHALAYA ACT 9 OF 1971

THE MEGHALAYA WILD ANIMALS AND BIRDS PROTECTION ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the Twenty-seventh July, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 5th August, 1971).

Arrangement of Sections

Sections:

1. Short title and commencement.
2. Definitions.
3. Application of Act.
4. Domesticated and other animals and birds in captivity exempted.
5. Close time.
6. Power of entry, search, arrest and detention.
7. Production of persons arrested and things seized.
8. Report of arrest and seizure.
9. Arrest how to be made.
10. Searches and seizures how to be made.
11. Refusal to produce things or furnish information to be unlawful.
12. Penalties.
13. Procedure as to disposal of perishable property seized.
14. Penalty for subsequent offences.
15. Power to compound offence.
16. When Court to take cognizance of offence.
17. Issue of license of special purpose.
18. Operation of other laws not barred.
19. Defence of life and property.
20. Protection to person acting in good faith.
21. Power to make rules.
22. Removal of difficulties.

THE SCHEDULE.

THE MEGHALAYA WILD ANIMALS AND BIRDS PROTECTION ACT, 1971

An

Act

**to provide for the better protection and preservation of certain
wild animals and birds.**

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

Short title and commencement.

1. (1) This Act may be called Meghalaya Wild Animals and Birds Protection Act, 1971.

(2) It shall come into force immediately.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context:-

(a) "animal or bird" includes the young one of the animal or bird, as the case may be;

(b) "Forest Officer" means any person appointed by name or holding an office by or under the orders of the Government to be the Conservator, Deputy Conservator, Assistant Conservator, Extra Assistant Conservator, Deputy Forest Ranger, Forest Ranger, Forester or Forest Guard, or to discharge any function of a Forest Officer;

(c) "Government" means Government of Meghalaya;

(d) "Game" means any animal or bird to which this Act applies;

(e) "Hunt" means any animal or bird to which this Act applies;

(f) "Meat" includes fat, blood, flesh and bones;

(g) "Trophy" means the durable part of an animal or bird specified in the Schedule which has been preserved by any means, whether natural or artificial, and includes the head or horn, tooth, tusk, bone, claw, hoof, skin, hair, feather, eggs or nest of any bird, but does not include any article manufactured from any such part of the animal or bird as aforesaid.

Application of Act.

3. (1) This Act applies, in the first instance, to the animals and birds specified in the Schedule, when in their wild state.

(2) The Government may, by notification, apply the provisions of this act to any kind of wild animal or bird; other than those specified in the Schedule, which in its opinion it is desirable to protect or preserve.

Domesticated and other animals and birds in captivity exempted.

4. Nothing in this Act shall apply to domesticated or other animals or birds which are lawfully captured and kept in captivity.

Close time.

5. The Government may, by notification, declare the whole year or any part thereof to be a close time throughout the whole or any part of Meghalaya for any kind of wild animal or bird to which this Act applies, or for female or immature wild animals or birds of such kind and subject to the provision hereinafter contained, during such close time, and within the area specified in such notification, it shall be unlawful:-

(a) to capture any such animal or bird, or to kill or injure any such animal or bird which has not been captured before the commencement of such close time;

(b) to hunt for any game during such close time;

(c) to sell or buy, or offer to sell or buy, or to possess any such animal or bird which has not been captured or killed before the commencement of such close time, or the meat thereof;

(d) to sell or buy, or to offer to sell or to buy or the possess any trophy of such animal or bird captured or killed during such close time.

Power of entry, search,
arrest and detention.

6. (1) Any Forest Officer or Police Officer, who from his personal Knowledge or from information received and after such inquiry as he may consider necessary, has reason to believe that any person has committed an offence against this Act, may:-

(a) require any such person to produce for his inspection any animal, bird, meat or trophy in his possession or any license issued to him under the provisions of this Act and to furnish true and correct information as may be required of him;

(b) enter an search, at any time, by day or by night any premises, land, vehicle or vessel in the occupation of such person and open and search any baggage or other things in this possession;

(c) seize any animal, bird, meat or trophy together with any vehicle, weapon, trap or tools reasonably suspected to have been used for committing an offence against this Act and unless he is satisfied that such person will appear and answer any charge which may be preferred against him, without warrant arrest and detain him;

(d) any officer, of a rank not inferior to that of an Assistant Conservator of Forests, who, or whose subordinate has seized any vehicle, weapon, trap or tools, under clause (c) of subsection (1), may release the same on the execution by the owner thereof of a bond for the production of the property so released, if and when so required, before the Magistrate having jurisdiction to try the offence on account of which the seizures has been made.

(2) It shall be lawful for any of the offices referred to in subsection (1) to stop and detain any person whom he sees committing or attempting to commit an offence against this Act and such officer may arrest without warrant such person and he may seize any weapon, trap or contrivance used for the purpose and also may seize such wild animal or bird or any part thereof killed in contravention of this Act;

Provided that the officer making such arrest may release such person arrested on his furnishing his name and address and otherwise satisfies such officer that he will duly answer any summon or other proceedings which may be taken against him.

- | | | |
|--|---|---------------------------|
| Production of persons arrested and things seized. | 7. Every person detained or arrested or thing seized under any of the provision of this Act, shall be taken or produced before the Magistrate having jurisdiction with a report containing full particulars of the person arrested or things seized and the circumstances under which the arrest or seizure was affected, within twenty-four hours of such arrest or seizure, exclusive of the time necessary for the actual journey or transit from the place of arrest or seizure to the court of the Magistrate, to be dealt with according to law. | |
| Report of arrest and seizure. | 8. Any Forest or Police Officer making an arrest or seizure under this Act shall, forthwith, make a full report of all the particulars of such arrest or seizure to his immediate superior officer. | |
| Arrest how to be made. | 9. All arrests under this Act shall be made, as far as may be, in accordance with the procedure laid down in the Code of Criminal Procedure, 1898. | Central Act
5 of 1898 |
| Searches and seizures how to be made. | 10. All searches under this Act shall be conducted as far as may be, in accordance with the procedure laid down in the Code of Criminal Procedure, 1898 as applicable to any search or seizure made under the authority of a warrant under the said Code. | Central Act
5 of 1898. |
| Refusal to produce things or furnish information to be unlawful. | 11. Whoever- <ol style="list-style-type: none"> 1) wilfully refuses or is unable to produce and show such things or licence or wilfully refuses or fails to give such information which under the provisions of this Act he is required to produce or to give, or otherwise furnishes information which he knows or believes to be false or does not believe to be true, or 2) forcibly resists arrest or attempts to evade arrest or obstructs any Forest or Police Officer to enter or search or to effect seizure under the powers conferred by this Act, shall be guilty of an offence against this Act. | |
| Penalties. | 12. (1) Any person who contravenes any of the provisions of this Act, shall, on conviction, be punished with imprisonment which may extend to six months or with fine which may extend to rupees five hundred or with both. <p style="margin-left: 40px;">(2) When any person is convicted of an offence against this Act, the court trying the offence may order that any animal, bird or meat in respect of which the offence has been committed and any weapon or trap with which the offence has been committed shall be at the disposal of the Government and that any license held by such person under the provisions of this Act, be cancelled.</p> | |

Procedure as to disposal of perishable property seized.

13. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under this Act which is subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Penalty for subsequent offences.

14. Whoever having been convicted of an offence punishable under this Act shall again be guilty of any such offence, shall be subject for every such subsequent offence to double the amount of punishment with which he would otherwise have been punishable for the same;

Provided that he shall not be punishable in any case with imprisonment for a term exceeding one year or with fine exceeding rupees one thousand or with both.

Power to compound offence.

15. (1) Any officer not below the rank of Deputy Conservator of Forests, may:-

(a) accept from any person against whom a reasonable suspicion exists that he has committed an offence under this Act, by way of composition of the offence, payment of a sum of money, not exceeding five hundred rupees or at the discretion of such officer, an undertaking in writing from such person to pay lime sum within a specified period;

(b) release any property seized under the powers conferred by this Act on payment of the value thereof as estimated by such officer, or at the discretion of such officer on accepting an undertaking in writing from the person concerned to pay the estimated value within a specified period.

(2) On payment of such sum of money or such value or both to such officer, or on acceptance of such sum of money or such officer, or on acceptance of such undertaking or undertakings by such officer, as the case may be, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceedings in respect of the offence shall be taken against such person:

Provided that, any sum payable under any such undertaking if not paid when due, shall be recoverable as an arrear of land revenue.

When Court to take cognizance of offence.

16. No Court shall take cognizance of any offence against this Act,-

1) except on the complaint or report of a Forest or Police Officer or of any other officer authorised by the Government in this behalf; and

2) unless the prosecution is instituted within three months from the date on which the offence is alleged to have been committed.

Issue of license for special purpose.

17. Where the Government is of opinion that in the interest of scientific research, such a course is desirable, it may grant to any person a license, subject to such restrictions and conditions as it may impose, entitling the holder thereof to do any act which is by section 5 declared to be unlawful

- Operation of other laws not barred.
18. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under this Act or from being liable under such other law to any higher punishment or penalty than that provided by this Act;
- Provided that no person shall be punished twice for the same offence.
- Defence of life and property.
19. Nothing in this Act shall be deemed to apply to the capture or killing of a wild animal by any person in defence of himself or any other person, or to the capture or killing of any wild animal or bird in *bonafide* defence of property;
- Provided that nothing in this section shall exonerate any person who, when such defence becomes necessary, was committing any contravention of this Act.
- Protection to persons acting on good faith.
20. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act.
- Power to make rules.
21. The Government of Meghalaya may make rules to carry out the purposes of this Act.
- Removal of difficulties.
22. (1) If any difficulties arise in giving effect to the provisions of this Act, the Government may by order published in the official Gazette do anything which appears to it to be necessary for the purpose of removing the difficulties.
- (2) No order made under sub-section (1) shall be questioned in any Court of Law on the ground that no difficulty as is referred to in the said sub-section existed or was required to be removed.
- (3) Everything order published under this Section shall as soon as may be after its publication be laid before the legislative Assembly.

SCHEDULE

(See Section 3)

I. ANIMALS

1. Rhinoceros Unicornis.
2. Tiger.
3. Leopard.
4. Panther.
5. Deer (All types of Deer)
6. Sambhar or Sambar.
7. Hares.
8. Wild Buffaloes.
9. Gaur or Indian Bison.
10. Elephant.
11. Gibon or Hollock.
12. Golder Langur.
13. Pygmy hog.
14. Pangolin.
15. Hispid hart.
16. Golden Cat.
17. Marbled Cat.
18. Spotted linsang.
19. Flying Squirrel.
20. Porcupine.
21. Wild Bear.
22. Bear.

II. BIRDS

1. Pigeons and doves.
2. Black Swamp.
3. Bamboo and Hills Partridge.
4. Jungle Fowl.
5. Pheasant.
6. Quail.
7. Cock-florican.
8. Spot Bill.
9. Whistling teal.
10. Cotton teal.
11. Geese.
12. Brahmini Duck.
13. Wood Cock.
14. Plover.

SCHEDULE - contd.

15. Snipe.
16. Wood Duck.
17. Horn Bill.
18. Peafowl.
19. Peacock.
20. Duck.
21. Crane.
22. Bustard.
23. And all other birds except Vermins like crow, hawks, sparrow magpie, parakeets and bulbuls.

III. REPTILES

1. Monitor lizard.
2. Crocodile.

MEGHALAYA ACT 8 OF 1971

THE MEGHALAYA APPROPRIATION (No. III) ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the 3rd December, 1971](Published in the *Gazette of Meghalaya*, Extraordinary, dated the 3rd December, 1971)**An****Act****to authorize payment and appropriation of certain sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year 1971-72.**

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

- | | |
|--|---|
| Short title. | 1. This Act may be called Meghalaya Appropriation (No. III) Act, 1971. |
| Withdrawal of Rs.20, 75, 81,592 from and out of the Consolidated Fund of Meghalaya for the financial year 1971-72. | 2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of rupees twenty crores seventy-five lakhs, eighty-one thousand five hundred and ninety-two towards defraying the several charges which will come in course of payment during the financial year 1971-72 in respect of the services specified in column (2) to the Schedule. |
| Appropriation. | 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of Meghalaya by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. |

SCHEDULE

(See sections 2 and 3)

(1) Grant No	(2) Services and purposes (Major Heads)	(3) Sums not exceeding		
		Voted by the Assembly	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
22	Miscellaneous Department-V-Civil Supplies price Department.	1,72,638	...	1,72,638
24	Education (General)	24,97,480	...	24,97,480
28	Public Health-II-Public Health Engineering.	24,35,397	...	24,35,397
64	Miscellaneous-II-Donation for Charitable purposes, etc.	33,000	...	33,000
66	Miscellaneous-IV- Expenditure on issue of Free Ration Concession	22,53,608	...	22,53,608
67	Miscellaneous-V- Expenditure on Displaced persons.	18,20,00,000	...	18,20,00,000
78	Capital Outlay on Public Works outside the Revenue Account.	3,19,600	3,69,869	6,89,469
8	Capital Outlay on Schemes of Government Trading.	1,75,00,000	...	1,75,00,000
	Total	20,72,11,723	3,69,869	20,75,81,592

MEGHALAYA ACT II OF 1971

THE MEGHALAYA ADAPTATION AND APPLICATION OF LAWS ACT, 1971

(As passed by the Assembly)

[Received the assent of the Governor on the 7th December, 1971]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated the 8th December, 1971)

An

Act

to provide for the extension of certain laws to areas in Meghalaya which they are now not in force, for the removal of doubts as to application of laws in certain other cases, for the adaptation or modification of such of the laws in force in Meghalaya as are within the Legislative competence of the Meghalaya Legislature, for determining the local extent of all such laws and for matters connected therewith or incidental thereto.

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

Short title, extent and commencement.

1. (1) This Act may be called Meghalaya Adaptation and Application of Laws Act, 1971.
(2) It extends to the whole of Meghalaya.
(3) It shall be deemed to have had effect and come into force on the 2nd day of April, 1970.

Definitions.

2. In this Act-

(a) "appointed day" means the second day of April, 1970.

(b) "existing law" means any law relating to a matter specified in Second Schedule to the Assam Re-organisation (Meghalaya) Act, 1969 made before the appointed day which continues to be in force in Meghalaya or any part thereof after the appointed day and includes any order, bye-law, rule, scheme, notification or other instrument so in force which was made under any such law.

Central Act
55 of 1969.Application and
extent of certain
Acts.

3. The Central Acts mentioned in the First Schedule, with the amendments to which they have been subjected before the appointed day, shall be deemed to have come into force on the appointed day in those areas of Meghalaya in which they were not in force before the said day, and accordingly, unless otherwise provided.

(a) the Central Acts mentioned in Part I of the said Schedule shall extend to, and shall be in force in , the whole of Meghalaya including Shillong;

(b) the Central Acts mentioned in Part II of the said Schedule shall extend to, and shall be in force in, the whole on Meghalaya except Shillong; and

(c) reference in any of the Act mentioned in the First Schedule to the expression "State Government" or "Government" shall be construed as reference to the "Government of Meghalaya" and reference to the expression "State" shall reference to the expression "State" shall be construed as reference to "Meghalaya".

Application and
extent of certain
Regulations,
Assam Acts, etc.

4. (1) As from the appointed day, the laws mentioned in the Second Scheduled, with the amendments to which they have been subjected before the appointed day and which are for the time being applicable to Meghalaya or any part thereof, shall have effect, subject to the adaptations or modifications directed by that Schedule, or, if it is so directed shall stand repealed; and

(2) As from the appointed day, every such law as is referred to in sub-section (1) shall, unless otherwise provided, extend to the whole of Meghalaya, except Shillong.

General
adaptations

5. Whenever an expression mentioned in column (1) of the Table hereunder printed occurs in any existing law mentioned in the Second Schedule, then unless that expression is by this Act expressly directed to be otherwise adapted or modified or to stand unmodified or the be omitted, there shall be substituted therefor the expression set opposite to it in column (2) of the Table, and these shall also be made in any sentence in which the expression occurs such consequential amendments as the rules of grammar may require.

Table

1	2
1. Assam	Meghalaya
2. Governor, Governor of Assam	Governor of Assam exercising his functions as Governor in relation to Meghalaya.
3. Official Gazette.	Official Gazette, which expression shall stand unmodified and shall mean the Gazette of Meghalaya but wherever the words "Notification in the" preceded it the expression "in the Official Gazette" shall be omitted.
4. State, the State, the State of Assam and the Assam State (except where it is occurs in the expressions State Government or Inter State or Inter State Government).	Meghalaya.
5. Government, State Government, State Government of Assam Government, Assam Government or Government of Assam.	Government of Meghalaya.
Amendment of short titles of Acts containing the word "Assam", etc.	<p>6. (1) Where in the short title of any of the existing laws mentioned in the Schedule to this Act, the expression "Assam", "Bengal" or "Eastern Bengal and Assam" occurs, there shall be substituted therefore the word "Meghalaya", and the year of the Act occurring at the end of the short title shall be omitted.</p> <p>(2) References by its short title to any such law as is referred to in sub-section (1) in any other law shall be construed as references to such law as amended by that sub-section.</p>
References to laws not in force in Meghalaya to be construed as references to corresponding laws.	7. Any reference in any existing law specified in the Schedule to a law which is not in force in Meghalaya or any part thereof shall be construed as a reference to the corresponding law, if any, in force in Meghalaya or part thereof as the case may be.

Alteration of
functionaries not to
affect action taken,
etc.

8. The provisions of this Act which have the effect of modifying any existing law so as to alter the manner in which, the authority, by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issue, or anything duly done before the appointed day and any such notification, order, commitment, attachment, bye-laws, rule, regulation or thing may be revoked, varies or undone in the like manner to the extent and in the circumstances as if it had been made, issued or done after the commencement of this Act by the corresponding authority and under and in accordance with the provisions then applicable to such a case.

Saving of previous
operation of
existing laws.

9. Nothing in this Act shall affect the previous operation of, or anything duly done or suffered under, any existing law, or any right, privilege, obligation, or liability already acquired, accrued or incurred under any such law or any penalty, forfeiture or punishment incurred in respect of any offence already committed against any such law.

Power of Courts to
construe laws to
facilitate
application.

10. Any court, tribunal or authority required or empowered to enforce any law in force in Meghalaya or part thereof immediately before the appointed day shall, notwithstanding that this Act makes no provision or insufficient provision for the adaptation of the law, construe the law with all such adaptations as are necessary for the purpose of facilitating its application.

Power to remove
difficulties.

11. (1) If any difficulty arises in giving effect to the provisions of any existing law now extended to the whole or any part of Meghalaya, the Government of Meghalaya may, by order notified in the official Gazette, make such provisions or give such direction as appear to it to be necessary for the removal of the difficulty.

(2) In particular, and without prejudice to the generality of the foregoing power, any such notified order may-

- (a) specify the corresponding authorities within the meaning of section 8.
- (b) provide for the transfer of any matter pending before any court, tribunal or other authority immediately before the appointed day to any corresponding court, tribunal or other authority for disposal;
- (c) specify the circumstances in which or the extent to which or the conditions subject to which or the conditions subject to which anything done before the appointment day (including any of the matters specified in section 8) shall be recognized or given effect to after the appointed day.

CENTRAL ACTS

Schedule I

(Part I)

(See Section 3 (a))

1. The Interest Act, 1839 (32 of 1839)
2. The Judicial Officers' Protection Act, 1850 (18 of 1850)
3. The Case Disabilities Removal Act, 1850, (21 of 1850)
4. The Public Servant's Inquiries Act, 1850 (37 of 1850)
5. The Hindu Widows' Remarriage Act, 1856 (15 of 1856)
6. The Converts' Marriage Dissolution Act, 1866 (21 of 1866)
7. The Pensions Act, 1871 (23 of 1871)
8. The Married Women's Property act, 1874 (3 of 1874)
9. The Anand Marriage Act, 1909 (7 of 1909)
10. The Destructive Insects and Pests Act, 1914 (2 of 1914)
11. The Provident Funds Act, 1925 (19 of 1925)
12. The Hindu Inheritance Removal of Disabilities Act, 1928 (12 of 1928)
13. The Child Marriage Restraint Act, 1929 (19 of 1929)
14. The Parai Marriage and Divorce Act, 1936 (2 of 1936)
15. The Dissolution of Muslim Marriage Act, 1939 (8 of 1939)

CENTRAL ACTS**Schedule I****(Part I)**

(See Section 3 (b))

1. The Indian Tolls Act, 1851 (8 of 1851)
2. The Court Fees Act, 1870 (7 of 1870)

After section 1 A, insert-

Power to modify
Act.

“1B It extends to Meghalaya with such exceptions or modifications as are in force:

Provided that the Government of Meghalaya, may by notification, direct that this Act shall apply to or in relation to any court in Meghalaya or any part thereof with such exceptions or modifications, as may be specified in the notification.”

3. The Cattle Trespass Act, 1871 (1 of 1871).
4. The Indian Treasure-Trove Act, 1878 (6 of 1878).
5. The Hackney Carriage Act, 1879 (14 of 1879).
6. The Elephants’ Preservation Act, 1879 (6 of 1879).
7. The Vaccination Act, 1880 (13 of 1880).
8. The Municipal Taxation Act, 1881 (11 of 1881).
9. The Revenue Recovery Act, 1890 (1 of 1890).
10. The Partition Act, 1893 (4 of 1893).
11. The Prisons Act, 1894 (9 of 1894).
12. The Indian Fisheries Act, 1897 (4 of 1897).
13. The Lepers Act, 1898 (3 of 1898).
14. The Stamp Act, 1899 (2 of 1899).

After section 1, *insert-*

Power to modify
Act.

“1A. It extends to Meghalaya with such exceptions or modifications as are in force.”

“Provided that the Government of Meghalaya may, by notification, direct that the Act shall apply in Meghalaya or any part thereof with such exceptions, restrictions and modifications, as may be specified in the notification.”

15. The Government Buildings Act, 1899 (4 of 1899).

16. The Prisoners act, 1900 (3 of 1900).

17. The Indian Registration Act, 1908 (16 of 1908).

After section 1, *insert-*

Power to modify
Acts.

“1A. It extends to Meghalaya with such exceptions or modifications as are in force.”

“Provided that the Government of Meghalaya may, by notification, direct that this Act shall apply in Meghalaya or any part thereof with such exceptions, restrictions and modifications, as may be specified in the notification.”

18. The Local Authorities Loans Act, 1914 (9 of 1914).

19. The Hindu Disposition of Property act, 1916 (15 of 1916).

20. The Destruction of Records Act, 1917 (5 of 1917).

21. The Local Authorities Pensions and Gratuities Act, 1919 (1 of 1919).

22. The Identification of Prisoners Act, 1920 (33 of 1920).

23. The Indian Succession Act, 1925 (39 of 1925).

SCHEDULE II

(See section 4)

Bengal Regulations

1. THE BENGAL ALLUVION AND DILUVION REGULATION 1825 (BENGAL REGULATION 2 OF 1825).

Section 4- First proviso – For “under the provisions of Regulation 2, 1819 or of any other Regulation in force” *substitute* “under any law for the time being in force”.

Regulations under the Government of India Acts of 1870 and 1915

2. ASSAM LOCAL RATES REGULATION, 1879 (REGULATION 3 OF 1879).

Section 1- For section 1, *substitute*-

“1. (1) This Regulation may be called the Meghalaya Local Rates Regulation.

(2) It extends to the whole of Meghalaya, but shall come into force in the United Khasi-Jaintia Hills District only on such date as the Government of Meghalaya may, by notification, appoint.”

Section 2- Omit clause (4).

In clause (5) , in sub-clause (b), Omit “is situate in any place other than the permanently settled portions of Cachar and Goalpara and the same”, Omit sub-clause (d) and in the proviso, omit or sub-clause (d)”.

Section 8- For section 8, *substitute*

“8. An appeal from the order of any officer appointed under section 6 to assess or collect a rate shall lie to the Board of Revenue and the order passed on such appeal by the Board shall be final.”

The words “any Government”, wherever they occur, shall stand unmodified.

3. THE ASSAM LAND AND REVENUE REGULATION, 1886 (REGULATION 1 OF 1886).

1. Section 1. – for sub-sections (2) and (3) *substitute*-

“(2) Section 12 (2), 12(3), 69, 94, 144A, 147(a), 147(b) with proviso (iii), Sections 148,149,150,151, Section 154 as substituted and new section 154A as inserted, hereunder, Section 155 with the exception of clauses (d) and (f), Sections 156 and 157, shall alone apply to Meghalaya.”

“(3) Sections 147 (a), 147 (b) with the proviso (iii), 148,149,150,151,154,154A,155, with the exception of clauses (d) and (f), 156 and 157 of the Regulation shall come into force at once.

2. (a) Section 154.- For section 154 *substitute*-

“154.-Except when otherwise expressly provided in this Regulation, or in rules issued under Matters exempted from cognizance of Civil Court. this Regulation, no Civil Court shall exercise jurisdiction in any matter regarding ejection of any person from land over which no person has accrued the right of a proprietor, land holder or settlement-holder and the disposal of any crop raised, or any building or other construction erected without authority on such land”

(b). After section 154 as so substituted insert-

“154-A. (1) Notwithstanding anything contained in any judgment, decree or order of any court, any notice served or any action taken or any penalty or any ejection done under sub-rules (1) (2), (3a) and (3b), (4), (5) and (5a) of Rule 18 of the Settlement Rules made under the principal Act shall be and always be deemed to have been validly done.

(2) No suit or other proceeding shall be maintained or continued in any court against the Government or any person or authority for any act done or purported to have been done under sub-rules (1),(2),(3a) and (3b), (4), (5) and (5a) of Rule 18 of the Settlement Rules made under the principal Act.

(3) No court shall enforce any decree or order against the Government or any other person for any action taken or purported to have been taken under sub-rules (1), (2), (3a) and (3b) (4), (5) and (5a) of Rate 18 of the Settlement Rules made under the principal Act.”

4. THE ASSAM FOREST REGULATION, 1891 (REGULATION 7 OF 1891).

1. Section 1.-For sub-sections (2), (3) and (4) substitute-

“(2) It extends to the whole of Meghalaya:

Provided that the Government of Meghalaya may, by notification, exempt any place from the operation of the whole or any part thereof and withdraw such exemption.”

“(3) Clause (c) of section 72 of the Regulation shall come into force at once.”

(2) Section 72. – For clause (c) *substitute* –

“(c) to provide for ejection of any person who has entered into unauthorized occupation in a Forest Reserve and for the disposal of any crops raised, or any building or other construction erected without authority in Forest Reserve;

No Civil Court shall exercise jurisdiction in any matter provided for by the rules made under the clause.”

5. THE CHIN HILLS REGULATION, 1896 (REGULATION 5 ON 1896).

Section 1.- For “specified in the Schedule” *substitute-*

“ in Meghalaya”.

Omit the Schedule.

Acts of the Lieutenant-Governor of Bengal in Council

6. THE BENGAL PREVENTION OF INOCULATION ACT, 1865 (BENGAL ACT 4 OF 1865).

Long Title-*Omit* “in the town and suburbs of Calcutta and in towns to which Act 3 of 1864, passed by the Lieutenant-Governor of Bengal in Council, has been or shall hereafter be extended”.

Preamble- *Omit* the second paragraph.

Section 2 – For “enter the town of Calcutta or any other town” *substitute* “enter any town”.

Section 3- For section 3, *substitute-*

“3. It shall be lawful for the Government of Meghalaya, by notification, to extend this Act to any town or place in Meghalaya in which it shall appear to the Government of Meghalaya in which it shall appear to the Government of Meghalaya that at the time of such notification there exists proper and sufficient arrangements for the inoculation of the inhabitants thereof with the cow-pox”.

7. THE BENGAL VACCINATION ACT, 1880 (BENGAL ACT 5 OF 1880).

Preamble- *Omit* “in the town, port and suburbs of Calcutta and in other towns and selected local areas in the territories administered by Lieutenant-Governor of Bengal to which this Act may be hereafter extended”.

Section 1-For paragraphs (1) and (2), *substitute-*

“(1) This Act may be called the Vaccination Act”.

“(2) It shall not come into force in any town or area of its own force but the Government of Meghalaya may, by notification, declare its intention to extend this Act or any of its provisions to any town or selected local area in Meghalaya”.

In the last paragraph, *omit* “This Act shall come into force from the day on which it may be published in the Official Gazette with the assent of the Governor General; but”

Section 9 – For section 9, *substitute-*

Appropriation of the fees. “9. All such fees shall be appropriated in such manner as the Government of Meghalaya may direct”.

Omit section 14 to 17 and the heading above the said sections.

Section 18-For “under the provisions of Chapter X of the Calcutta Municipal Consolidation Act, 1876 or of any other law” *substitute* “under any law”.

Section 19-*Omit* “or if the child was born out of the Town of Calcutta or his birth has not been registered in the said town”.

Section 21 – for “under the provisions of the Calcutta Municipal Consolidation Act, 1876 or of any other law”, substitute “under any law”.

Section 25- *Omit* the words commencing with “In any Municipality” and ending with the words “made to the Commissioner and”.

Section 32-*Omit* “or the Corporation”

Section 33- In clause (b), *omit* “outside the town of Calcutta”.

For the expression in the Schedule “Bengal Vaccination Act, 1880”, wherever it occurs, *substitute* “Vaccination Act”.

8. THE PRIVATE FISHERIES PROTECTION ACT, 1889 (BENGAL ACT 2 OF 1889)

Acts of the Lieutenant-Governor of Eastern Bengal and Assam in Council

9. The Assam Excise Act, 1910 (Eastern Bengal Act I of 1910).

Long title and preamble-*Omit* “in Eastern Bengal and Assam”.

Section 1- *Omit* sub-sections (2), (3) and (4).

Omit section 2 and the First Schedule.

Section 7- *Omit* “Save as is provided in section 2 and in the First Schedule”.

Omit Section 24.

Acts of the Governor of Bengal in Council

10. THE BENGAL PUBLIC DEMANDS RECOVERY ACT, 1913 (BENGAL ACT 3 OF 1913).

Long title and preamble – *Omit* “In Bengal”.

Section 1 – For section 1, *substitute* –

“1. This Act may be called the Public Demands Recovery Act”.

Omit section 2.

Section 20 – *Omit* sub-section (3) and (4).

Section 35 – *Omit* sub-section (3).

SCHEDULE I

In item 1, for “the Bengal land Revenue Sales Act, 1859 or the Bengal Land Revenue Sales Act, 1868 or any other law” substitute “any law”.

Omit item 2.

In item 4, *omit* “or (iii) to be recovered under the Bengal Land Revenue Sales Act, 1868”.

Omit item 10, 11,12.

SCHEDULE II

In item 46, *omit* sub-items (3), (4) and (5).

In item 47, *omit* sub-item (3).

In item 48, *omit* the proviso.

Omit items 62, 64 and 67.

11. THE ASSAM WATER HYACINTH ACT, 1926 (ASSAM ACT 3 OF 1926).

Section 1 – *Omit* sub-section (2).

Section 2 – In clause (2), *omit* “constituted under section 329 of the Assam Municipal Act, 1923”.

12. THE ASSAM TEMPERANCE ACT, 1926 (ASSAM ACT 4 OF 1926).

Omit in section 2.

Section 3 – For section 3, *substitute* –

“3. This Act shall come into force in any locality on such date as the Government of Meghalaya may, by notification, appoint and different dates may be appointed for different localities”.

13. The Assam Opium Smoking Act, 1927 (Assam Act 3 of 1927)

14. THE ASSAM HIGHWAYS ACT, 1928 (ASSAM ACT 2 OF 1928).

Section 1 – *Omit* sub-section (2) and (3).

15. THE ASSAM PRIVATE FISHEREIES PROTECTION ACT, 1935 (ASSAM ACT 1 OF 1935).

Section 1 – For sub-section (2), *substitute*-

Central Act 4 of 1897. “(2) The Indian Fisheries act, 1897, is to be read as supplemental to this Act”.

16. THE GOOD CONDUCT PRISONERS’ PROBATIONAL RELEASE ACT, 1938 (ASSAM ACT 2 OF 1938).

17. The Assam Agricultural Income-tax Act, 1939 (Assam Act 9 of 1939).

Preamble-For “the Province of Assam” , *substitute* “Meghalaya”.

Sections 3 and 6 shall stand unmodified.

Omit section 11.

Section 24 – In sub-section (1) for “Assistant Commissioner of Taxes”. Substitute “Commissioner of Taxes”.

MEGHALAYA ACT I OF 1972**THE MEGHALAYA TRANSFER OF LAND REGULATION ACT, 1971**

(As passed by the Assembly)

[Received the assent of the President on the 28th December, 1971](Published in the Gazette of Meghalaya Extraordinary, dated the 5th January, 1972)**An****Act****to regulate transfer of land in Meghalaya for the protection of the interest of the Scheduled Tribes therein**

Be it enacted by the Legislature of Meghalaya in the Twenty-second Year of the Republic of India as follow:-

Short title and commencement.

1. (1) This Act may be called Meghalaya Transfer of Land (Regulation) Act, 1971.
- (2) It shall come into force on such day as the Government of Meghalaya may, by notification, appoint.

Definitions.

2. In this Act, unless the context otherwise requires:-
 - (a) “competent authority” means such authority as the Government of Meghalaya may, by notification, appoint for the purpose of exercising all or any of the functions of a competent authority under this Act for the whole of Meghalaya or any part thereof;
 - (b) “land” includes immovable property of every description and any rights in or over such property.
 - (c) “non-tribal” means a person who is not a tribal and excludes Rabhas and Kacharis resident in Meghalaya;
 - (d) “transfer” means the conveyance of land of one person to another and includes gift, sale, exchange, mortgage, lease, surrender or any other mode of transfer;
 - (e) “transfer” means a conveyance of land of one person to another and includes gift, sale, exchange, mortgage, lease, surrender or any other mode of transfer;

- (f) “tribal” means a person belonging to any of the Schedule Tribes pertaining to Meghalaya and as specified in the Constitution (Scheduled Tribes) Order, 1950, as amended from time to time.

Transfer of land.

3. (1) No land in Meghalaya shall be transferred by a tribal to a non-tribal or by a non-tribal to another non-tribal except with the previous sanction of the competent authority.

(2) Any transfer of land made in contravention of the provisions of this section shall be void and shall not be enforceable in any court.

Disposal of application.

4. (1) In granting or refusing sanction under section 3 the competent authority shall take into account the following matters according to the circumstances of each case:-

(a) whether the non-tribal holds any other land in Meghalaya;

(b) whether there is any other tribal willing to take the land on transfer at the market value;

(c) whether the non-tribal seeking to take the land on transfer is carrying on any business, profession or vocation in or near the area and whether for the purposes of such business, profession or vocation, it is necessary for him to reside in the area;

(d) whether the proposed transfer is likely to promote the economic interests of the Scheduled Tribes in the area.

(2) Every order granting or refusing sanction shall be in writing and in the case of refusal shall contain reasons for such a refusal.

(3) Every application for sanction under this section shall be disposed of by the competent authority as early as possible and not later than six months.

(4) If no order is passed by the competent authority on such application within six months, it shall be deemed that sanction has been accorded.

Appeal.

5. Any person aggrieved by an order passed by the competent authority refusing him sanction under this Act, may, within a period of sixty days from the date the order is communicated, prefer an appeal to the Board of Revenue and its order shall be final.

Restrictions on registration, etc.

6. No officer required under any law for the time being in force relating to the registration of documents or the recording of any rights in or over land shall register any documents or record any right relating to any transfer of land which is contrary to the provisions of this Act.

Registrations of certain transfers made before commencement of the Act.

7. Every transfer of land made after the commencement of the Constitution and before the commencement of this Act by a tribal to a non-tribal or by a non-tribal to another non-tribal shall, within a period of two years from the commencement of this Act, be registered by the transferor or any person claiming title through him before such authority as the Government of Meghalaya may specify in this behalf.

Provided that the Government of Meghalaya may direct the authority to register any such transfer beyond the period of two years.

Eviction of persons in unauthorised possession.

8. (1) If any person is found in possession of any land otherwise than in accordance with the provisions of this Act, the competent authority may serve a notice upon such person requiring him to show cause why he should not be evicted from the land, and, after giving him an opportunity of being heard, require him to vacate the land and to remove any buildings or fences which may have been erected thereon within such time as may be fixed in this behalf;

Provided that crops actually growing on the land, if any, shall be allowed to remain till they are harvested.

(2) Any person aggrieved by an order passed by the competent authority under sub-section (1) may, within a period of thirty days from the date the order is communicated, prefer an appeal to the Board of Revenue and its order shall be final.

Penalties.

9. If any person fails-

(a) to comply with the provisions contained in Section 7; or

(b) to carry out any order passed under sub-section (1) of section 8;

he shall, on conviction before a Magistrate, be punishable with fine which may extend to five hundred rupees or in default to imprisonment which may extend to one month.

Cognizance of offences.

10. All offences punishable under this Act shall be cognizable and bailable.

Exemptions.

11. Nothing contained in this Act shall apply to-

(a) any transfer of land as security for any loan granted by any banking company, co-operative society or other credit institution which the Government of Meghalaya may, by notification, specify in this behalf;

Provided that a banking, company, co-operative society or other credit institution as notified above by the Government of Meghalaya shall not transfer any land to a non-tribal except with the previous sanction of the competent authority as provided in section 3;

(b) the letting out on rent of any building standing on land;

(c) any transfer of land to, or in favour of, Government or District Council.

Bar of suits in civil courts.

12. No suit shall be brought in any civil court to set aside or modify any order made under this Act.

Suits, etc., against
authority and officers
acting on good faith.

13. No suit prosecuting or legal proceeding shall lie against any authority or officer for anything done in faith under this Act.

Power to make rules.

14. (i) The Government of Meghalaya may, by notification, make rules to carry out the purposes of this Act.

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

- (a) the form and manner in which application for sanction of the competent authority may be made under this Act and the fee payable therefore;
- (b) the procedure to be followed by the competent authority in the disposal of application under this Act;
- (c) the particulars to be furnished in respect of registrations under Section 7;
- (d) any other matter which may be prescribed.

Meghalaya Ordinance 1 of 1970**THE MEGHALAYA LEGISLATIVE ASSEMBLY MEMBERS (REMOVAL OF
DISQUALIFICATIONS) ORDINANCE, 1970**

[Promulgated by the Governor on the 6th April, 1970]

(Published in the Gazette of Meghalaya, Extraordinary dated the 7th April, 1970)

An

Ordinance

**to provide for the removal of certain disqualification for being chosen as and for being a
Member of the Meghalaya Legislative Assembly.**

Whereas it is expedient to provide by law for the removal of certain disqualifications for being chosen as and for being a member of the Meghalaya Legislative Assembly and matters connected therewith;

And whereas the Legislature of Meghalaya is not in Session and the Government of Assam exercising his functions as Governor in relation to Meghalaya is satisfied that circumstances exist which render it necessary for him to take immediate act on;

Now, therefore, in exercise of the powers conferred by Section 50 of the Assam Re-organisation (Meghalaya) act, 1969, the Governor of Assam exercising his functions as Governor in relation to Meghalaya is pleased to promulgate in the twenty-first Year of the Republic of India the following Ordinance, namely:-

1. Short title, extent and commencement-

1. This Ordinance may be called the Meghalaya Legislative Members (Removal of Disqualifications) Ordinance, 1970.
2. It extends to the whole of Meghalaya.
3. It shall come into force, with effect from the 2nd April 1970.

2. Removal of certain disqualification-

A person shall not be disqualified for being chosen as, or for being, a member of the Meghalaya Legislative Assembly by reason of the fact that he holds any of the offices specified in the Schedule appended hereto.

SCHEDULE

1. The officers of the Parliamentary Secretary to the Government of Meghalaya.
2. The office of Government Pleader or Public Prosecutor.
3. The office of part-time Professor, Lecturer, Instructor or Teacher in Government educational institutions.
4. Medical practitioner rendering part-time service to Government.
5. Gaonbura, Chowkidar whether called by this or any other title.
6. The office of the Deputy Minister to the Government of Meghalaya.
7. The office of Chairman, Vice-Chairman, or member of any Committee, Board or authority appointed by the Government of any State specified in the First Schedule to the Constitution of India or by the Government of Meghalaya.
8. Any office under the Government which is not a whole time office remunerated either by salary or fees.
9. The office of the Chairman, the Chief Executive Members, other Executive Members and ordinary members of a District Council in an Autonomous District and members nominated to such a District Council by the Governor.
10. Any office held in the Territorial Army or National Cadet Corps.

Meghalaya Ordinance 1 of 1971

THE PREVENTION OF DISQUALIFICATION (MEMBERS OF THE LEGISLATIVE
ASSEMBLY OF MEGHALAYA) (AMENDMENT) ORDINANCE, 1971

[Promulgated by the Governor on the 1st May, 1971]

(Published in the Gazette of Meghalaya, Extraordinary dated the 1st May, 1971)

An

Ordinance

**further to amend the Prevention of Disqualification (Members of the Legislative Assembly of
Meghalaya) Act. 1970**

Preamble.

Wherever it is expedient further to amend the Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) Act, 1970, hereinafter called the principal act, in the manner hereinafter appearing;

Meghalaya Act 1 of 1970.

Any whereas the Legislative Assembly of Meghalaya is not in session;

Any whereas 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 sub-section (1) of section 50 of the Assam Reorganisation (Meghalaya) Act, 1969, the Governor of Assam exercising his functions as Governor in relation to Meghalaya is pleased to promulgate in the Twenty-second Year of the Republic of India the following Ordinance, namely:-

Central Act 55 of 1969.

Short title.

1. This Ordinance may be called the Prevention of Disqualification (Members of the Legislative Assembly of Meghalaya) (Amendment) Ordinance, 1971.

Amendment of the Schedule to the principal Act.

2. In the Schedule to the principal Act, in item 5; between the words "the" and "Deputy Minister" the words "Minister of State or the" shall be inserted.

Meghalaya Ordinance 2 of 1971**THE MEGHALAYA CONTINGENCY FUND (AUGMENTATION OF CORPUS) ORDINANCE,
1971**

[Promulgated by the Governor on the 20th May, 1970]

(Published in the Gazette of Meghalaya, Extraordinary dated the 20th May, 1971)

An

Ordinance

to augment temporarily the Corpus of the Contingency Fund of Meghalaya.

WHEREAS the legislative Assembly of Meghalaya in not in Session;

AND WHEREAS the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action to augment temporarily the Contingency Fund of Meghalaya;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 50 of the Assam Re-organisation (Meghalaya) act, 1969, the Governor of Assam exercising his function as Governor in relation to Meghalaya is pleased to promulgate in the Twenty-second Year of the Republic of India the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Meghalaya Contingency Fund (Augmentation of Corpus) Ordinance, 1971.

(2) It shall come into force at once.

Further payment the Contingency Fund.

2. There shall be paid by the Government of Meghalaya into the Contingency Fund of Meghalaya further sum of Rupees two crores out of the revenue of the Autonomous State of Meghalaya for the financial year 1971-72.

Re-transfer Rupees two crores from Contingency Fund to Consolidated Fund.

3. A sum of Rupees two crores shall be re-transferred from the Contingency Fund to the Consolidated Fund of Meghalaya on or after the 1st July, 1971.

MEGHALAYA ORDINANCE 3 OF 1971

THE MEGHALAYA APPROPRIATION ORDINANCE, 1971

[Promulgated by the Governor on the 20th May, 1970]

(Published in the Gazette of Meghalaya, Extraordinary dated the 20th May, 1971)

An

Ordinance

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of Meghalaya for the services of the financial year 1971-72.

WHEREAS the legislative Assembly of Meghalaya in not in Session;

AND WHEREAS the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of Meghalaya;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 50 of the Assam Re-organisation (Meghalaya) act, 1969, the Governor of Assam exercising his function as Governor in relation to Meghalaya is pleased to promulgate in the Twenty-second Year of the Republic of India the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Meghalaya Appropriation Ordinance, 1971.

(2) It shall come into force at once.

Withdrawal of Rupees two crores from and out of the Consolidated Fund of Meghalaya for the financial year 1971-72.

2. From and out of the Consolidated Fund of Meghalaya there shall be paid and applied sums not exceeding those specified in column (2) of the Schedule amounting in the aggregate to the sum of Rupees two crores towards defraying the several charges which will come in course of payment during financial year 1971-72 in respect of the services specified in column (1) of the Schedule.

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

SCHEDULE

**Services and purpose by
Major heads.**

Sums is not exceeding

Rs.

125 - Appropriation to the Contingency Fund.

2,00,00,000

MEGHALAYA ORDINANCE 4 OF 1971

THE MEGHALAYA SUBSIDIARY FORCE ORDINANCE, 1971

[Promulgated by the Governor on the 4th June, 1970]

(Published in the Gazette of Meghalaya, Extraordinary dated the 4th June, 1971)

An

Ordinance

to provide for constitution of a force to be known as Meghalaya Subsidiary Force

WHEREAS it is expedience to provide for the constitution of a force in Meghalaya to be known as the "Meghalaya Subsidiary Forces".

AND 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 sub-section (1) of Section 50 of the Assam Re-organisation (Meghalaya) act, 1969, the Governor of Assam exercising his function as Governor in relation to Meghalaya is pleased to promulgate in the Twenty-second Year of the Republic of India the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Meghalaya Subsidiary Force Ordinance, 1971.
 - (2) It shall come into force at once.
2. In the Ordinance, unless there is anything repugnant in the subject or context:-
 - (a) "Force" means the Meghalaya Subsidiary Force constituted under this Ordinance;
 - (b) "Government" means "Government of Meghalaya";
 - (c) "Prescribed" means prescribed by rules made under this Ordinance;

- (d) "Relief Camp" includes any place, locality or area as may be declared as Relief Camp by Government for the purpose of this Ordinance.

Constitution of
Meghalaya Subsidiary
Force.

3. (1) In Meghalaya or part thereof, the Government may raise and maintain a Force to be called Meghalaya Subsidiary Force which shall consist of such number of persons and shall be constituted in such manner as the Government may, by order, direct.

(2) The Force in Meghalaya shall for the purpose of this Ordinance be deemed to be a single, force and the members thereof be formally appointed.

(3) There shall be paid to each officer and member of the Force such monthly salary, remuneration or honorarium as may be determined by the Government from time to time.

General
Superintendence.

4. (1) The general superintendence of the Force throughout Meghalaya shall vest in and shall be exercised by the Government through an Officer to be styled as the Director of the Subsidiary Force in such manner and to such extent as the Government of Meghalaya may deem fit.

(2) Subject to sub-section (2) of section 3, there shall be a Commandant of the Force for every district, or part thereof and such other officers subordinate to him as may be necessary.

Appointment of
officers and members.

5. (1) The Director of Subsidiary Force and the Commandant shall be appointed by the Government in such manner as may be determined by the Government.

(2) The appointment of other officers and members shall be made in such manner and by such authority as may be determined by the Government.

Duties and function of
the Force.

6. (1) The following shall be the duties and functions of the Force, namely:-

(a) to assist and aid the police in the maintenance of law and order in Meghalaya;

(b) to report to the Deputy Commissioner in such a manner as the latter may direct, all crimes, unnatural deaths or serious accidents,

(c) to prevent commission of any cognizable offence;

(d) to apprehend and deliver to the competent authority vagrant or bad and suspicious character, found within their jurisdiction;

(e) to collect and communicate to the Deputy Commissioner intelligence affecting law and order and any matter relating to any village or town and administration;

- (f) to protect Government and other public properties;
- (g) to obey and execute promptly or orders and warrants lawfully issued by any court;
- (h) to act under the orders of the Deputy Commissioner and to furnish such returns and information as may be called by the Deputy Commissioner and his subordinate officers;
- (i) to assist the Deputy Commissioner, and the subordinate officers in maintaining order discipline in Relief Camp;
- (j) to do other social work as may be entrusted by competent authority; and
- (k) to perform such other duties as are specified under other provisions of this Ordinance and as the Government may, from time to time, by general or special order specify in this behalf.

(2) Every officer or member shall have the power to arrest any proclaimed offender or any person who in his views commits a non-bailable and cognizable offence. Any person so arrested shall be produced before the nearest Magistrate within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the Magistrate.

Duty, Training of officer and member.

- 7. (1) Subject to any rules made in this behalf, it shall be the duty of every officer and member of the Force promptly to obey and execute all orders issued to him by any competent authority.
- (2) Subject to any rules made in this behalf the officers and the members of the Force may be required to undergo such training as may be prescribed.

Uniform.

- 8. The officers and members of the Force shall wear such uniform and shall use such equipments as may be prescribed by the Government from time to time.

Bar to prosecution.

- 9. No prosecution shall be instituted against any officer or member of the Force in respect of anything done or purported to be done by him in discharge of his duties, except with the previous sanction of the Government of some officer empowered by the Government in this behalf.

Penalty

- 10. (1) Every officer or member of the Force who is guilty of any violation of duty or wilful breach or neglect of any provisions of this Ordinance or any rule or lawful order made by competent authority, or withdrawal from the duties of his office without permission or who being required to undergo training without sufficient cause neglect or refuses to obey the requirements for training, shall be punishable with imprisonment of either description for a term which may extend to three months or with fine which may extend to rupees two hundred and fifty or with both.

(2) The offence punishable under sub-section (1) shall be cognizable.

Suits, etc, against
officers and members
acting on good faith,

11. No suit, prosecution or legal proceeding shall lie-against any officer or member of the Force for anything done in good faith under this Ordinance.

Power to make rules.

12. (1) The Government may make rules for carrying out the purpose of this Ordinance.

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

(a) all matters which are required by this Ordinance to be prescribed ;

(b) the organisation, appointment, conditions of serviced, functions, discipline, equipments, or uniform of the Force and the manner in which they may be called out for service or required to undergo training, and

(c) any other matter.

THE MEGHALAYA ADAPTATION OF LAWS ORDERS (No. I) 1970

Published in the Gazette of Meghalaya, Extraordinary, dated the 10th June, 1970 *vide* Notification
No. LAW/LEG.29/70/1, dated the 5th June, 1970

In exercise of the powers conferred by sub-section (2) of Section 66 of the Assam Re-organisation (Meghalaya) Act, 1969 (Central act 55 of 1969), the Government of Meghalaya hereby makes the following Order:-

1. (1) This order may be called the Meghalaya Adaptation of Laws Order No.1), 1970.

(2) It shall be deemed to have come into force on the 2nd day of April, 1970.

2. In their application to Meghalaya or any part thereof, the following Laws, namely:-

- (i) The Rules for the administration of Justice and Police, in the Khasi and Jaintia Hills District, dated 29th March, 1937;
- (ii) The Rules for the Administration of Justice and Police in the Garo Hills District, dated 29th March, 1937;
- (iii) The Khasi Syiemsships (Administration of Justice) Order, 1950, dated 25th January, 1950.
- (iv) The United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953, dated 18th December, 1953;
- (v) The Garo Hills Autonomous District (Administration of Justice) Rules, 1953, dated 24th March, 1953;
- (vi) The Assam High Court (Jurisdiction over District Council Course) Order, 1954, dated 16th January, 1954, shall, unless the context, otherwise requires, have effect and be deemed to have had effect as if references therein to the authorities or Gazette mentioned in the first column of the Table hereunder set out were references to the authorities or Gazette mentioned opposite to that in the second column of the Table.

TABLE

<i>Column 1</i>	<i>Column 2</i>
1. Governor or Governor of Assam.	1. Governor of Assam exercising his functions as Governor in relation to Meghalaya.
2. Deputy Commissioner, Additional Deputy Commissioner, Assistant to Deputy Commissioner.	2. Deputy Commissioner, Additional Deputy Commissioner, Assistant appointed by the Government of Meghalaya.
3. Advocate General of Assam.	3. Advocate General of Meghalaya.
4. Government Advocate appointed by the Government of Assam.	4. Government Advocate appointed by the Government of Meghalaya.
5. Assam Government 	5. Gazette of Meghalaya.

**THE ASSAM TAXATION LAWS (MEGHALAYA) MODIFICATION
ORDER, 1970.**

Published in the *Gazette of Meghalaya* Extraordinary, dated the 8th March,
1970 *vide* Notification No.LJ.52/71/2,dated the 6th March, 1971).

ORDER

G.S.R. 1988, dated New Delhi, the 5th December 1970.- Whereas sub-section (1) of Section 55 of the Assam Re-organisation (Meghalaya) Act, 1969 (55 of 1969), provides that any tax on the consumption or sale of electricity relatable to entry 53 in the State List in the Seventh Schedule to the Constitution, and any tax on the sale or purchase of goods relatable to entry 54 in the said List levied by the Government of Assam shall be collected within Meghalaya, but not including any area comprising within the municipality of Shillong by the Government of Meghalaya and the proceeds in any financial year of any such tax leviable within Meghalaya shall not form part of the consolidated fund of Assam, but shall form part of the consolidated fund of Meghalaya;

And whereas the laws with respect to the taxes, referred to above shall have effect subject to such exceptions and modifications as the Central Government may, by order, specify for the purpose of giving effect to the provisions of the said sub-section (1) of Section 55;

Now , therefore, in exercise of the powers conferred by sub-section (3) of the said Section 55 the Central Government hereby makes the following Order, 1970.

1. (1) It shall be deemed to have come into force on the 2nd day of April, 1970.

2. The Assam Laws mentioned in the Scheduled appended to this Order as in force in the whole or any part of the autonomous State of Meghalaya shall for the purpose of giving effect to sub-section (1) of Section 55 of the Assam Re-organisation (Meghalaya) Act, 1969 (55 of 1969), have effect subject to the exceptions and modifications directed by the said Schedule.

3. The provisions of this Order which have the effect of modifying the aforesaid Assam laws so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 2nd April, 1970 and any such notification, order, commitment, attachment, bye-law, rule, regulation or thing may be revoked , varied or undone in the like manner, to the extent and in the circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and under and in accordance with the provision then applicable to such a case.

4. Nothing in this Order shall affect the previous operation of or anything duly done or suffered under the aforesaid Assam laws or any right, privilege, obligation or liability, already acquired, accrued or incurred under such laws or any penalty, forfeiture or punishment incurred in respect of any offence already committed against such laws.

THE SCHEDULE

(See paragraph 2)
Modifications

A-GENERAL

Whenever an expression mentioned in column 1 of the Table below occurs (otherwise than in a title or preamble or in a citation or description in the Assam Sales Tax At, 1947 (Assam) Act 17 of 1947, the Assam (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation Act, 1955 (Assam Act 9 of 1956), the Assam Finance (Sale Tax) Act, 1956 (Assam Act 11 of 1956), the Assam Electricity Duty Act, 1964 (Assam Act 30 of 1964) and the Assam Purchase Tax Act, 1967 (Assam Act 19 of 1967), or in the rules, orders and notifications made thereunder as in force in the whole or any part of the autonomous State of Meghalaya, then, unless that expression is by this Order expressly directed to be otherwise modified, or to stand unmodified, or to be omitted or unless the context otherwise requires, it shall be construed as a reference to the expression set opposite to it column 2 of the said Table.

TABLE

(1)	(2)
Assam (except where it occurs in the expressions "Government of Assam", "Governor of Assam", "Assam Finance Act" and "State of Assam").	Meghalaya
Government of Assam	Government of Meghalaya.
Governor of Assam.	Governor of Assam, exercising his functions as Governor in relation to Meghalaya.
State of Assam.	Autonomous State of Meghalaya.
State Government.	Government of Meghalaya.
State (except where it occurs in the expressions "State Government", "Inter-State and "State of Assam").	Autonomous State of Meghalaya.

B – SPECIAL**The Assam Sales Tax Act, 1947 (Assam Act 17 of 1947)**

1. Section 2. – (1) For clause (IA), the following clause shall substituted, namely:-

“(IA) ‘Board’ means the Board of Sales Tax as constituted by the Government of Meghalaya”.

(2) In clause (6). The words “State Government” shall stand unmodified.

2. Section 3. - (1) Sub-section (1), (2), (5) and (6), the words “wholly in Assam or both in and outside Assam” shall stand unmodified.

3. Section 4. – In sub-section (2), the words “State Government” shall stand unmodified.

4. Section 7. - In sub-section (2), the words “State Government” shall stand unmodified.

5. Section 15. – In item (i) (a) of sub-clause (b) of clause (1) , the references to “State” shall stand unmodified.

6. Section 27. – The word “State” shall stand unmodified.

7. Section 30. - For sub-section (1), the following sub-section shall substituted, namely:-

“(1) Any dealer objective to an order passed under this Act by any person appointed under Section 8 to assist the Commissioner, other than an order passed under this Section, may, within thirty days from the date of service of such order, appeal to the Commissioner, against such order;

Provided that no appeal against an order of assessment or penalty shall be entertained by the Commissioner unless he is satisfied that the amount of tax assessed or penalty levied, if not otherwise directed by him, has been paid:

Provided further that the Commissioner before whom the applied is filed may admit it after the expiration of thirty days, if he is satisfied that for reasons beyond the control of the appellant or for any other sufficient cause it could not be filed within time.”

8. Section 31. – For Section 31, the following section shall be substituted, namely:-

Revision by the Board – (31). The Board may call be and examine the record of any proceeding under this Act, and it is considers that any order passed therein by any person appointed under Section 8, is erroneous in so far as it is prejudicial to the interests of the revenue, it may, after giving the dealer an opportunity of being heard and after making or causing to be made such enquiry as it deems necessary, pass such orders there on as the circumstances of the case justify, including an order enhancing or modifying the assessment , or cancelling the assessment and directing a fresh assessment”.

9. Section 31 A.- In sub-section (1), the words, brackets and figures “or passed in revision under sub-section (1) of Section 31” shall be omitted.

10. Section 42. – In clause (c) of sub-section (3), the words “this or any other State Government” shall stand unmodified.

11. Section 44-B.- In sun-section (1), the references to “State Government” shall stand unmodified.

12. Section 52. – The references to “State Government” shall stand unmodified.

**The Assam (Sales of Petroleum and Petroleum Products, including
Motor Spirit and Lubricants) Taxation Act, 1956
(Assam Act 9 of 1956).**

1. Section 2. - (1) For clause (1), the following clause shall be substituted, namely:-

“(1) ‘Board’ means the Board of Sales Tax as constituted by the Government of Meghalaya;”

(2) For clause (5), the following clause shall be substituted, namely:-

“(5) ‘Government’ means the Government of Meghalaya;”

2. Section 18.- for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) Any dealer objecting to an order passed under this act by any person appointed under section 5 to assist the Commissioner, other than an order passed under this Section, may, within thirty days from the date of service of such order, appeal to the Commissioner, against such order;

Provided that no appeal against an order of assessment or penalty shall be entertained by the Commissioner unless he is satisfied that the amount of tax assessed or penalty levied, if not otherwise directed by him, has been paid.

Provided further that the Commissioner before whom the appeal is filed may admit it after the expiration of thirty days, if he is satisfied that for reasons beyond the control of the appellant or for any other sufficient cause it could not be files within time.”

3. Section 19. – For Section19, the following Section shall be substituted, namely:-

“19. Revision by the Board.- The Board may call for and examine the record of any proceeding under this Act, and if it consider that any order passed therein by any person appointed under Section 5, is erroneous in so far as it is prejudicial to the interest of the revenue , it may, after giving the dealer an opportunity of being heard and after making or causing to be made such enquiry as it deems necessary, pass such orders thereon as the circumstances of the case justify, including an order enhancing or modifying the assessment, or cancelling the assessment and directing a fresh assessment”.

4. Section 19.A- - In sub-section (1), the words “or passed in revision under sub-section (1) of Section 19” shall be appointed.

5. Section 44. – for the word “Government” wherever it occurs, the words “State Government of Assam” shall be substituted.

The Assam Finance (Sales Tax) Act, 1956 (Assam Act 11 of 1956)

1. Section 1.- For clause (1A), the following clause shall be substituted, namely:-

“(1A) ‘Board’ means the Board of Sales Tax as constituted by the Government of Meghalaya”.

2. Section 19. – for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) Any dealer objecting to an order passed under this Act by any person appointed under Section 4 to assist the Commissioner, other than an order passed under the Section, may, within thirty days from the date of service of such order, appeal to the Commissioner , against such order;

Provided that no appeal against an order of assessment or penalty shall be entertained by the Commissioner unless he is satisfied that the amount of tax assessment or penalty levied, if not otherwise directed by him, has been paid.

Provided further that the Commissioner before whom the appeal is filed may admit it after the expiration of thirty days, if he is satisfied that for reasons beyond the control of the appellant or for any other sufficient cause it could not be filed within time”.

3. Section 20. – For Section 20, the following Section shall be substituted, namely:-

“20. Revision by the Board.- The Board may call for and examine the record of any proceeding under this Act, and if it considers that any order passed therein by any person appointed under Section 4, is erroneous in so far as it is prejudicial to the interests of the revenue, it may , after giving the dealer an opportunity of being heard and after making or causing to be made such enquiry as it deems necessary, pass such orders thereon as the circumstances of the case justify, including an order enhancing or modifying the assessment, or cancelling the assessment and directing a fresh assessment”.

4. Section 20.A. – In sub-section (1), the words “or passed in revision under sub-section (1) of Section 20” shall be omitted.

5. Section 29. – In clause (c) of sub-section (3), for the words “this State or any other State Government”, the words “the Government of Meghalaya or the State Government of Assam or any other State Government” shall be substituted.

6. Section 39 (1).- The words “State Government” shall stand unmodified.

The Assam Purchase Tax, 1967 (Assam Act 19 of 1967)

1. Section 2. – For clause (1) the following clause shall be substituted, namely:-

“(1) ‘Board’ means the Board of Sales-tax as constituted by the Government of Meghalaya”.

2. Section 37. – In sub-section (1), the reference to “State Government” shall stand unmodified.

3. Section 40. – For sub-section (1), the following sub-section shall be substituted, namely:-

“(1) any dealer objecting to an order passed under this Act by any person appointed under Section 4 to assist the Commissioner, other than an order passed under this Section, may, within thirty days from the date of service of such order, appeal to the Commissioner, against such order:

Provided that no appeal against an order of assessment or penalty shall be entertained by the Commissioner unless he is satisfied that the amount of tax assessed or penalty levied, if not otherwise directed by him, , has been paid;

Provided further that the Commissioner before whom the appeal is filed may admit it after the expiration of thirty days if he is satisfied that for reasons beyond the control of the appellant or for any other sufficient cause it could not be filed within time.”

4. Section 41. – For Section 41, the following section shall be substituted, namely:-

Revision by the Board, '41. The Board may call for and examine the record of any proceeding under this Act, and if it considers that any order passed therein by any person appointed under Section 4, in erroneous in so far as it is prejudicial to the interests of the revenue, it may, after giving the dealer an opportunity of being heard and after making or causing to be made such enquiry as it deems necessary, pass such orders thereon as the circumstances of the case justify, including an order enhancing or modifying the assessment, or cancelling the assessment and directing a fresh assessment.”

5. Section 42. – In sub-section (1), the words, brackets and figures “or passed in revision under sub-section (1) of Section 41” shall be omitted.

6. Section 43. – The reference to “State Government” shall stand modified.

[No.F.1/20/70-SR.]

THE MEGHALAYA ADAPTATION OF LAWS ORDER (No.1), 1971

(Published in the Gazette of Meghalaya, Extraordinary, dated the 13th February, 1971 vide Notification No.LL.1/71/Pt., dated the 10th February 1971).

Whereas, for the purpose of facilitating the application in relation to Meghalaya of any law made before the appointed day relating to a matter specified in the Second Schedule to the Assam Re-organisation (Meghalaya), Act 1969 (Central Act 55 of 1969), which continues to be in force in the autonomous State after the said day, the Government of Meghalaya is empowered by sub-section (2) of Section 66 of the said Act to make such adaptations of modifications of the law, whether by way of repeal of amendment, as may be necessary or expedient;

Now, therefore, in exercise of the powers aforesaid, the Government of Meghalaya makes the following Order:-

1. This Order may be called the Meghalaya Adaptation of Laws Order (No.1), 1971.

2. As from the Second day of April, 1970 the Assam Co-operative Societies Act, 1949 (Assam Act I of 1950), with the amendments to which it has been subjected before the aforesaid day shall have effect subject to the following adaptations and modifications, namely:-

For the words "Assam". "the Province of Assam,", "the State", "the State of Assam" wherever they occur *substitute* "Meghalaya" and for the words "State Government", "Provisional Government" *substitute* "Government of Meghalaya".

The expressions "Official Gazette", "Government", "the Government" shall stand unmodified and shall mean the Gazette of Meghalaya and the Government of Meghalaya respectively.

Section 1- For Section – 1, substitute,-

"1. Short title and extent.- (1) This Act may be called the Meghalaya Co-operative Societies Act".

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

THE MEGHALAYA ADAPTATION OF LAWS ORDER (No.2), 1971

(Published in the Gazette of Meghalaya, Extraordinary, dated the 27th March, 1971 *vide* Notification NO.L.L.44/71/6. Dated the 26th March, 1971).

Whereas, for the purpose of facilitating the application in relation to Meghalaya of any law made before the appointed day relation to a matter specified in the Second Schedule to the Assam Re-organisation (Meghalaya) Act, 1969 (central Act 55 of 1969) which continue to be in force in the autonomous State after the said day, the Government of Meghalaya is empowered by sub-section (2) of Section 66 of the said Act to make such adaptations or modifications of the law whether by way of repeal or amendment, as may be necessary or expedient;

Now, therefore, in exercise of the powers aforesaid, the Government of Meghalaya makes the following order-

1. This Order may be called the Meghalaya Adaptation of Laws Order (No.2), 1971.

2. Assam Act 2 of 1956.- As from the Second day of April, 1970 the Assam Aid to Industries (Small and Cottage Industries) Act, 1955 with the amendments to which it has been subjected shall have effect subject to the following adaptations and modifications, namely:-

For the Words "Assam", "the State of Assam" whenever they occur *substitute* "Meghalaya" and for the words "State Government" *substitute* "Government of Meghalaya", unless otherwise directed.

Section I. For section I, *substitute* the following:-

"1. (1) This Act may be called the Meghalaya Aid to Small and Cottage Industries Act".

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

Section 2. – For clause (c), *substitute* "(c) 'Government' means Government of Meghalaya".

Section 2. – For the words "Assam Co-operative Societies Act" 1949" *substitute* "Meghalaya Co-operative Societies Act".

Section 10. – For the word "State" *substitute* "Government".

Section 12. – For the word "State" *substitute* "Government".

THE MEGHALAYA ADAPTATION OF LAWS ORDER (No.3) 1971

(Published in the Gazette of Meghalaya, Extraordinary, dated the 27th March, 1971 *vide* Notification No.L.L.1/71/20, dated the 26th March, 1971).

Whereas for the purposes of facilitating the application in relation to Meghalaya of any law made before the appointed day relating to a matter specified in the Second Schedule to the Assam Re-organisation (Meghalaya) act, 1969 (Central Act 55 of 1969) which continues to be in force in the autonomous State after the said day, the Government of Meghalaya is empowered by sub-section (2) of Section 66 of the said Act to make such adaptations or modifications of the law whether by way of repeal or amendment, as may be necessary or expedient;

Now, therefore, in exercise of the powers aforesaid, the Government of Meghalaya makes the following Order-

1. This Order may be called the Meghalaya Adaptation of Laws Order (No.3), 1971.

2. Central Act 21 of 1860 - As from the second day of April, 1970 the Societies Registration Act, 1860 with the amendments to which it has been subjected before the appointed day shall extend to , and shall be in force in, the whole of Meghalaya subject to the following adaptations and modifications, namely:-

The word "State Government" and "Government of a State" wherever they occur shall mean the Government of Meghalaya".

THE MEGHALAYA ADAPTATION OF LAWS ORDERS (No.4) 1941

Published in the Gazette of Meghalaya, Extraordinary, dated the 30th November, 1971 *vide*
Notification No L.L.1/71/199, dated the 30th November, 197)

Whereas, for the purpose of facilitating the application in relation to Meghalaya of any law made before the appointed day relating to a matter specified in the Second Schedule to the Assam Re-organisation (Meghalaya) Act, 1969 (Central Act 55 of 1969) which continues to be in force in the Autonomous State After the said day, the Government of Meghalaya is empowered by sub-section (2) of Section 66 of the said Act to make such adaptations or modifications of the law, whether by way of repeal or amendment, as may be necessary of expedient;

Now, therefore, in exercise of the powers aforesaid, the Government of Meghalaya makes the following Order-

1. This Order may be called the Meghalaya Adaptation of Laws Order (No. 4), 1971.

2. In this Order.-

(a) "appointed day" means the 2nd day of April, 1970;

(b) "existing law" means any law relating to a matter specified in the Second Schedule to the Assam Re-organisation (Meghalaya) Act, 1969 (Central Act 55 of 1969) made before the appointed day which continues to be in force in the Autonomous State after the appointed day, and includes any rule, order, bye-laws, notification or other instruments so in force which was made under any such law.

3. As from the appointed day, the existing laws mentioned in the Schedule to this order, with the amendments to which they have been subjected before the appointed day and which are for the time being applicable to Meghalaya or any part thereof, shall have effect, subject to the adaptations or modifications directed by that Schedule, or if it is so directed shall stand repealed.

4. Whenever an expression mentioned in column (1) of the Table hereunder printed occurs in any existing law mentioned in the Schedule then unless that expression is by this order expressly directed to be otherwise adapted or modified or to stand unmodified or to be omitted, there shall be substituted therefore the expression set opposite to it in column (2) of the Table, and there shall also be made in any sentence in which the expressions occurs such consequential amendments as the rules of grammar may require.

TABLE

	(1)	(2)
1.	Assam	Meghalaya.
2.	Governor, Governor of Assam	Governor of Assam exercising his functions as Governor in relation to Meghalaya.
3.	Official Gazette	Official Gazette, which expression shall stand unmodified and shall mean the Gazette of Meghalaya but wherever the words "Notification in the" preceded it, the expression "in the Official Gazette" shall be omitted.

(1)	(2)
4. State, the State, the State of Assam and the Assam State (except where it occurs in the expressions. State Government or Inter-State or State Government.)	... Meghalaya.
5. Government, State Government, State Government of Assam, Assam Government or Government of Assam.	... Government of Meghalaya.

5. (1) Where in the short title of any of the existing laws mentioned in the Schedule to this Order, the expression “Assam”, “Bengal” or “Eastern Bengal and Assam” occurs, there shall be substituted therefore the word “Meghalaya”, and the year of the Act occurring at the end of the short title shall be omitted.

(2) Reference by its short title to any such law as is referred to in sub-paragraph (1) in any other law shall be construed as reference to such law as amended by that sub-paragraph.

6. Any reference in any existing law specified in the Schedule to a law which is not in force in Meghalaya or any part thereof shall be construed as a reference to the corresponding law, if any, in force in Meghalaya or part thereof as the case may be.

7. The provisions of this Order which have the effect of modifying any existing law so as to alter the manner in which, the authority, by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the appointed day and any such notification, order, commitment, attachment, bye-law, rule, regulation or thing may be revoked, varied or undone in the like manner to the like extent as in the like circumstances as if it had been made, issued or done after the commencement of this order by the competent authority and under and in accordance with the provisions then applicable to such a case.

8. Save as is otherwise provided by this Order, all powers which under any law in force in Meghalaya or any part thereof were, immediately before the appointed day, vested in or exercisable by any person or authority shall continue to be so vested or exercisable until other provision is made by legislature or Authority empowered to regulate the matter in question.

9. Nothing in this Order shall effect the previous operation of, or anything duly done or suffered under, any existing law, or any right, privilege, obligation, or liability already acquired, accrued or incurred under any such law or any penalty, forfeiture or punishment incurred in respect of any offence already committed against any such law.

10 Any court, tribunal or authority required or empowered to enforce any law in force in Meghalaya or part thereof immediately before the appointed day shall, notwithstanding that this Order makes no provision or insufficient provision for the adaptation of the law, construe the law with all such adaptations as are necessary for the purpose of facilitating its application.

THE SCHEDULE

(a) Central Acts

1. The Indian Divorce Act, 1869 (Act 4 of 1869)

Section 2. – for “This Act extends to the whole of India except the State of Jammu and Kashmir” *substitute*, “This Act extends to the whole of Meghalaya including Shillong”

Section 3. – In clause (c) of sub-section (1), for “Manipur and Tripura” *substitute* “Meghalaya, Manipur and Tripura”.

2. The Indian Christian Marriage Act, 1872 (Act 15 of 1872)

Section 1. – For the second paragraph, *substitute* “It extends to the whole of Meghalaya including Shillong”

3. The Opium Act, 1878 (Act 1 of 1878).

Section 1. – For the words “Whole of India except the State of Jammu and Kashmir”, *substitute* “Whole of Meghalaya”.

4. The Religious Societies Act, 1880 (Act 1 of 1880).

Section 1. – For the second paragraph, *substitute* “It extends to the whole of Meghalaya”.

5. The Garo Hills Regulation, 1882 (Regulation 1 of 1882).

Omit the preambles.

Section 1. – *Omit* “and shall come into operation on being published in the official Gazette”.

6. The Land Improvement Loans Act, 1883 (19 of 1883).

Section 1. – For the sub-section (2), *substitute* “This Act extends to the whole of Meghalaya”.

7. The Agriculturists’ Loans Act, 1884 (12 of 1884)

Section 1. – For section 2, *substitute* –

“2 This Act extends to the whole of Meghalaya”.

(b) Assam Acts

1. The Assam Students and Juvenile Smoking Act, 1923

(Assam Act 2 of 1923)

Section 1. – For sub-section (2) and (3) *substitute* –

“(2) The Government of Meghalaya may, by notification exempt any locality from the operation of this Act”.

Section 4. – For “Assam or a member of a Municipal or Local Board or a member of a Village Authority constituted” under section 20 of the Assam Local Self-Government Act, 1915, or of a Town Committee constituted under section 329, sub-section (1) and (2), of the Assam Municipal Act, 1913” *substitute* “Meghalaya”.

2. The Goalpara Tenancy Act, 1929

(Assam Act 1 of 1929)

Long title – *Omit* “in the district of Goalpara.”*Omit* the preambles.*Section 1* - For section 1, *substitutes*-

Short title, extent and commencement—“1. (1) This Act may be called the Garo Hills Tenancy Act.

It extends to the permanently settled areas of the Garo Hills District, but the Government of Meghalaya may, by notification, extend the whole or any part of this Act to other areas in the Garo Hills or any part thereof.”

Omit sections 2 and 3.*Section 4.* – *Omit* clause (3).

In Clause (4), *Omit* “means the Deputy Commissioner in-charge” of Goalpara District and”.

Omit Schedules I and II.**3. The Assam Money Lenders’ Act, 1934**

(Assam Act 4 of 1934)

Section 1. – For sub-section (2) and (3) *substitute* –

“(2) It extends to the whole of Meghalaya”.

4. The Assam Disorderly Houses Act, 1936

(Assam Act 4 of 1936)

Section 1 – For sub-section (2) and (3), substitute –

“(2) It extends only to such areas in Meghalaya as the Government of Meghalaya may, by notification, specify in this behalf.”

Omit section 2

5. The Assam Motor Vehicles Taxation Act, 1936.

(Assam Act 9 of 1936)

Long title and preamble – *Omit* “ in the Province of Assam” and in the “Assam Province” respectively.

Section 1. - *Omit* sub-section (2) and (3).

Section 4. – *Omit* the two proviso to sub-section (1).

In sub-section (3). *Omit* all the words commencing with “and the owner of such vehicle” and ending with “Producer Gas Plant”.

Section 17. – For “the Assam Board of Revenue constituted under section 3 of the Assam Board of Revenue Act, 1962” *substitute* “Board of Revenue”.

Exemption of certain vehicles registered in Assam or Meghalaya. – After section 20, *insert* –

“*Section 21,* - Notwithstanding anything contained in this Act, any vehicle registered at any place in the State of Assam, not being a place in Meghalaya and transiting through Meghalaya shall not be liable to any tax under any law so long as any vehicle registered at any place in Meghalaya and transiting through the territory of Assam (not comprised in Meghalaya) is exempted from payment of any tax under any law enacted by the Legislature of the State of Assam”.

6. The Assam Profession, Trades, Colleges and Employments Taxation Act, 1947

(Assam Act 6 of 1947)

Section 1. - For sub-sections (2) and (3), substitute –

“(2) It extends to the whole of Meghalaya”.

Section 10 – For “Assistant Commissioner” *substitute* “Commissioner” wherever it occurs.

7. The Assam Opium Prohibition Act, 1947

(Assam Act 23 of 1947)

Long title and preamble.- For “in province of Assam”, substitute “in Meghalaya.”

Section 1. – Omit sub-sections (2) and (3).

Section 2.- For clause (i) *substitute* “(i) State” means the autonomous State of Meghalaya”.

8. The Assam Home Guards Act, 1947

(Assam Act 24 of 1947)

Section 1.- Omit sub-sections (2) and (3).

9. The Assam Management of Estates Act, 1949

(Assam Act 17 of 1949)

Long title.- For “districts of Goalpara, Garo Hills, Kamrup, Nowgong, Darrang, Sibsagar, Lakhimpur and Cachar in the Province of Assam” “*substitute* Garo Hills District”.

Section 1. – For sub-section (2), *substitute* –

“(2) It extends to the permanently settled areas of the Garo Hills District”.

Section 2.- In clause (g) for “districts of Cachar, Goalpara and Garo Hills” *substitute* “Garo Hills District”.

10. The Assam Prohibition of Smoking in Show House Act, 1951

(Assam Act 9 of 1951)

Section 1. Omit sub-sections (2) and (3).

11. The Assam State Acquisition of Zamindaries Act, 1951

(Assam Act 18 of 1951)

Long title and preamble.- For “in the districts of Goalpara, Garo Hills and Cachar” *substitute* “in the Garo Hills District”.

Section 2. – Omit clause (n).

Clause (r) – For “in the districts of Cachar, Garo Hills and Goalpara” *substitute* “in the Garo Hills District”.

19. The Assam Embankment and Drainage Act, 1953

(Assam Act 1 of 1954)

Section 1 – For sub-section (2), substitute –

“(2) It shall also extend to Shillong to the extent to which the provisions of this Act relate to any of the matters specified in paragraph 3 of the Sixth Schedule to the Constitution”.

Section 2 - in clause (vii) (e) *add* –

“or District Council” at the end.

Section 8 – After “Town Committee” *insert* “District Council”.

Omit section 22.

13. The Assam Cinemas (Regulation) Act, 1953.

(Assam Act 14 of 1953)

Section 1 – *Omit* sub-sections (2) and (3).

14. The Assam Prohibition of Smoking in Passengers’ Vehicles Act, 1954

(Assam 17 of 1954)

Section 1 – *Omit* sub-section (2).

15. The Assam Rhinoceros Preservation Act, 1954

(Assam Act 20 of 1954)

Section 1 – *Omit* sub-section (2).

16. The Assam State Road Transport Act, 1954

(Assam Act 33 of 1954)

Section 1 – *Omit* sub-section (2).

Omit section 13 and the Schedule.

17. The Assam Non-Agricultural Urban Areas Tenancy Act, 1955

(Assam Act 12 of 1955)

18. The Assam Khadi and Village Industries Board Act, 1955

(Assam Act 16 of 1955)

Section 1 – *Omit* sub-section (2).

Omit section 17.

19. The Assam Municipal Act, 1956.

(Assam Act 15 of 1957)

Section 1 – Omit sub-section (3).

20. The Assam Weights and Measures (Enforcement) Act, 1958.

(Assam Act 19 of 1959)

Section 1 – Omit sub-section (2).

Omit section 43

21. The Assam Ganja and Bhang Prohibition Act, 1958

(Assam Act 21 of 1959)

22. The Assam Ancient Monument and Records Act, 1959

(Assam Act 25 of 1959)

Section 1 – Omit sub-section (2).

23. The Assam Town and Country Planning Act, 1959

(Assam Act 2 of 1960)

Section 1 – For sub-section 2, *substitute –*

“(2) It shall not come into force in any area unless the Government of Meghalaya, by notification, otherwise directs, and any such notification may specify the exception, restrictions and modifications subject to which this Act shall apply in any such area.”

24. The Assam Autonomous Districts Administration of Justice Act, 1960

(Assam Act 14 of 1960)

Section 1 – Omit sub-sections (2) and (3).

25. The Regulated and Licensed Warehouses Act, 1959

(Assam Act 15 of 1960)

Section 1 – Omit sub-section (2)

26. The Assam Shramik Bahini Act, 1960

(Assam Act 24 of 1960)

Section 1 – Omit sub-section (2) , substitute –

“(2) It extends to the whole of Meghalaya”

Section 30 - Omit sub-section (2).

27. The Assam Official Language Act, 1960

(Assam Act 33 of 1960)

This Act shall stand repealed.

28. The Assam Co-operative Land Mortgage Bank Act, 1960

(Assam Act 1 of 1961)

Section 1 – For sub-section 2, substitute –

“(2) It extends to the whole of Meghalaya except Shillong”.

section 20 - Omit sub-section (2).

29. The Assam State Acquisition of Land belonging to Religious or Charitable Institution of Public Nature Act, 1959

(Assam Act 9 of 1961)

Section 30 - Omit sub-section (2).

30. The Assam Slum Areas (Improvement and Clearance) Act, 1959

(Assam Act 12 of 1961)

Section 1 – For sub-section (2) and (3) substitute –

“(2) It shall come into force in any area only on such date as the Government of Meghalaya may, by notification, specify and any such notification may specify the exceptions, restrictions, or modifications subject to which the Act shall apply in any such area”.

31. The Assam Secondary Education Act, 1960

(Assam Act 25 of 1961)

Section 1 – Omit sub-section (2) and (3)

Omit section 2

Section 5 – Omit –

“Additional Director of Public Instruction”.

“Directors of Education of the Territories of other States and Administrations admitted to the privileges of the Board”;

“Deans of the Faculties of Arts and Science, Gauhati University”;

“as recommended by the Executive Committee of the all Assam Aided High Schools Teachers Association “.

“Two nominees of the Gauhati University”.

32. The Assam Passengers and Goods Taxation Act, 1962

(Assam Act 16 of 1962)

Section 1 – Omit sub-section (2) .

33. The Assam Board of Revenue Act, 1962

(Assam Act 21 of 1962)

Section 1 – For sub-section (2) , *Substitute –*

“(2) It extends to the whole of Meghalaya”.

Omit section 11.

34. The Assam Land (Requisition and Acquisition) Act, 1964

(Assam Act 15 of 1964)

Section 1 – For sub-section (2) , *Substitute –*

“(2) It shall also extend to Shillong to the extent to which the provisions of this Act relate to any of the matters specified in paragraph 3 of the Sixth Schedule to the Constitution.

Section 1 – For clause (2) , *substitute –*

“(b) ‘Court’ means the principal civil of original jurisdiction and includes any other civil court which the Government of Meghalaya may, by notification, appoint to perform all or any of the functions of a court under this Act”.

Omit sections 21 and 22.

35. The Assam Prevention of Begging Act, 1964

(Assam Act 18 of 1964)

Section 1 – Omit sub-section (2)

36. The Assam Development Authorities Act, 1964

(Assam Act 31 of 1964)

Section 1 – Omit sub-section (2)

37. The Assam Village Defence Organisation Act, 1966

(Assam Act 22 of 1966)

Section 1 – Omit sub-section (2).

38. The Assam Urban Areas Rent Control Act, 1966

(Assam Act 2 of 1967)

Section 1 – 1. Omit clause (a) sub-section (2).

“(b) It shall not come into force in any are unless the Government by notification otherwise directs and any such notification may specify the exceptions, restrictions and modifications, subject to which this act shall apply in any such area.”

39. The Assam Borstal Institution Act, 1969

(Assam Act 1 of 1969)

Section 1 – Omit sub-section (2).

40. The Assam Requisition and Control of Vehicles Act, 1968

(Assam Act 5 of 1969)

Section 1 – Omit sub-section (2) and (3).

Section 2 – For clause (a) *substitute-*

“(a) ‘Court’, means the principal civil court of original jurisdiction includes any other court which the Government of Meghalaya may, by notification, appoint to perform all or any of the functions of a court under this Act”.

Omit clause (d).

Omit section 18.

41. The Assam National Parks Act, 1968

(Assam Act 9 of 1969)

Section 1 – Omit sub-sections (2) and (3).