

**GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT**

NO.LJ(B) 30/2008/Pt/208

Dated Shillong the 10th January, 2018

OFFICE ORDER

Whereas, a number of verbal complaints have been received against Shri Gulam Mustafa while functioning as a Notary in South West Garo Hills District, Ampati;

And whereas, as provided under sub-rule (1) of Rule 13 of the Notaries Rules, 1956, an enquiry into the misconduct of the Notary was felt necessary to be initiated suo moto on such verbal complaints and as such, the Department vide letter No. LJ(B) 30/2008/Pt/154 dated 7th July 2017 had written to the Deputy Commissioner, South West Garo Hills District, Ampati to depute one Executive Magistrate to conduct an enquiry into the matter relating to the functioning of the aforesaid person as a Notary and to furnish the report to the Government;

And whereas, the Deputy Commissioner, South West Garo Hills District, Ampati has deputed a Magistrate to conduct an enquiry and after the detailed enquiry, the Magistrate concerned submitted the enquiry report before the Deputy Commissioner who forwarded the same to the State Government vide letter No. SWGHA/MEST/Legal. 5/2017/27 dated Ampati the 12 September, 2017;

And whereas, the Department had considered and examined the enquiry report thoroughly and in detail and the findings of the Enquiring Magistrate are as follows:-

1. The fact that the Notary shows too much favouritism towards his son may have ignited the reason for the complaint against his Notary ship.
2. The fact that the Notary uses the office resources in his own whims and fancies may have angered the staffs thus the complaint.
3. As per the statements of the Complainant, the Notary is popularly known as the "NOTARY MAGISTRATE" in the area of Mahendraganj for his power to sign affidavits and is evident that the Notary is using his position to the fullest advantage for his personal gain in terms of monetary benefit and social standing.
4. The Certified copy of the FIR and the Chargesheet reveals the severity of the case which otherwise would not have come up had the Notary not misbehaved with the Complainant.
5. That the concerned Notary is charging exorbitant rates from the Public for the purpose of attestation and signing of affidavits.

And whereas, the Department is of the view that, though Gulam Mustafa, Notary, South West Garo Hills District, Ampati has been given a chance of being heard by the Enquiry Magistrate while conducting the enquiry and he has replied to the show cause notice issued by the Executive Magistrate, South West Garo

Hills District, Ampati, ample opportunity is to be given to him before taking further steps;

And whereas, the Department vide letter No. LJ(B) 30/2008/Pt/186 dated 23rd October, 2017, in accordance with sub-rule (5) of Rule 13 of the Notaries Rules, 1956, has directed Shri Gulam Mustafa, Notary, South West Garo Hills District, Ampati to submit a written statement to Law Department within 14 days from the date of receipt of the notice.

And whereas, after the expiry of such period, the Department has not received any written statement from him.

And whereas, a reminder was issued vide letter No LJ(B) 30/2008/Pt/ 204 dated 16th November, 2017 by Registered Post and another reminder was issued again vide letter No. LJ(B) 30/2008/Pt/205 dated 13th December, 2017 by Registered Post giving him last chance to file a written statement which he has failed to submit the same.

And whereas, after thorough examination of the matter in hand, the Government felt that necessary action as provided under sub-rule (12)(b) of Rule 13 of the Notaries Rules, 1956 is to be taken against him; and

Now therefore, in exercise of the power conferred under sub-rule (12)(b) (ii) of Rule 13 of the Notaries Rules, 1956, Shri Gulam Mustafa is hereby suspended as a Notary with effect from 10th January, 2018 for a period of 3 years.


(W.Khyllap)

Secretary to the Government of Meghalaya
Law Department.

Memo NO.LJ(B) 30/2008/Pt/208-A

Dated Shillong the 10th January, 2018

Copy to:-

1. P.S to the Chief Minister for information of the Chief Minister.
2. P.S to the Minister Law for information of the Minister.
3. P.S to the Chief Secretary for information of the Chief Secretary.
4. The Deputy Commissioner, South West Garo Hills District, Ampati.
5. The Superintendent of Police, South West Garo Hills District, Ampati.
6. The District & Sessions Judge, South West Garo Hills District, Ampati.
7. The Chief Judicial Magistrate, South West Garo Hills District, Ampati.
8. The Government Pleader, South West Garo Hills District, Ampati.
9. Shri Gulam Mustafa, Jungrurchar, P.O & P.S Mahendraganj, South West Garo Hills District, Ampati. He shall cease to function as Notary for a period of 3 years with effect from 10th January 2018.
10. The DEO Law (A) Department for uploading the Order in the website of Law Department.


By order etc.

Secretary to the Government of Meghalaya
Law Department.
