



# The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 133

Shillong, Wednesday, September 30, 2015,

8th Asvina-1937 (S. E.)

## PART-IV

### GOVERNMENT OF MEGHALAYA LAW (B) DEPARTMENT ORDERS BY THE GOVERNOR

#### NOTIFICATION

The 30th September, 2015.

**No.LL(B).36/2014/43.**—The Meghalaya Special Courts (Amendment) Act, 2015 (Act No. 10 of 2015) is hereby published for general information.

#### MEGHALAYA ACT NO. 10 OF 2015.

*(As passed by the Meghalaya Legislative Assembly)*

*Received the assent of the Governor on 30th September, 2015.*

*Published in the Gazette of Meghalaya Extra-Ordinary issue dated 30th September, 2015.*

**THE MEGHALAYA SPECIAL COURTS (AMENDMENT) ACT, 2015**

**An**

**Act,**

to amend the Meghalaya Special Courts Act, 2014 (Act No. 7 of 2014) hereinafter referred to as the principal Act.

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

**Short title and commencement.**

1. (1) This Act may be called the Meghalaya Special Courts (Amendment) Act, 2015.

(2) It shall come into force with immediate effect.

**Amendment to the preamble of the principal Act.**

2. The existing preamble in the principal Act shall be omitted and the following new preamble shall be substituted, namely,-

“to provide for establishment of Special Courts for expeditious trial of any offence against the State or any individual and for matters connected therewith or incidental thereto.”

**Amendment of Section 2 of the principal Act.**

3. (1) The existing sub-section (f) of section 2 shall be omitted and a new sub-section (f) shall be substituted, as follows,-

“(f) “offence” means violation of law or an act of omission or commission made punishable under any law for the time being in force;”

(2) In sub-section (h) of section 2 after the words and figure “section 3” the words “of this Act” shall be inserted.

(3) After sub-section (h) of section 2, a new sub-section (i) shall be inserted as follows,-

“(i) “Public Prosecutor” means any person appointed under section 24 of the Code, and includes a Special Public Prosecutor”.

**Amendment of Section 5 of the principal Act.**

4. In sub-section (1) of section 5 the following amendment shall be made, namely,-

(1) In between the words “If” and “the” appearing in first line the words “in the opinion of” shall be inserted;

(2) The words “is of the opinion that” appearing in the first line between the words “Government” and “there” shall be omitted;

(3) In between the words "person" and "that" appearing in the third line the words "or persons, individually or collectively, shall be inserted; and

(4) In between the words "by" and "Special" appearing in third line the word "a" shall be inserted.

***Amendment of Section 7 of the principal Act.***

5. In section 7 the following amendment shall be made, namely,-

(1) In between the words "person" and "alleged" appearing in first line the words "or persons, individually or collectively, charged with" shall be inserted;

(2) The words "alleged to have committed" appearing in first and second line shall be omitted; and

(3) In between the words "principal" and "conspirator" appearing in third line the word "accused" shall be inserted.

***Amendment of Section 8 of the principal Act.***

6. In sub-section (1) and sub-section(2) of section 8 the following amendment, shall be made, namely,-

(1) In sub-section (1) in between the words "of" and "cases" appearing in second line the word "such" shall be inserted;

(2) In sub-section (1) the words "before a Magistrate" appearing after the word "cases" shall be omitted;

(3) In sub-section (2) the words "persons conducting a" appearing in fourth line shall be omitted;

(4) In sub-section (2) in between the words "be" and "deemed" appearing in fifth line the words "conducted by" shall be inserted;

(5) In sub-section (2) the words "deemed to be" appearing in fifth line shall be omitted; and

(6) In sub-section (2) after the word "Prosecutor" appearing in last line the words "as defined in this Act" shall be inserted.

***Amendment of Section 13 of the principal Act.***

7. In section 13, between the words "sixty" and "to" appearing in last line the words "days which may be extended" shall be inserted.

***Amendment of Section 16 of the principal Act.***

8. In section 16, between the words "anything" and "in good faith" appearing in second line, the word "done" shall be inserted.

**L. M. SANGMA,**

Special Secretary to the Govt. of Meghalaya,  
Law Department.