

The 6th July, 2015.

NO.SUP. 24/2014/7- In exercise of the powers conferred by Sub Section (I) of Section 16 of the National Food Security Act, 2013 (NO.20 of 2013), the Govt. of Meghalaya hereby makes the following rules, namely,-

"The Meghalaya State Food Commission Rules, 2014".

1. Short title , extent and commencement (1) These rules may be called the Meghalaya State Food Commission Rules, 2014.

1) They shall extend to the whole State of Meghalaya.

2) It shall come into force from the date of publication in the Meghalaya Gazette.

2. Definitions :- In these rules unless there is anything repugnant in the subject or context :-

(a) "Act" means the National Food Security Act, 2013.

(b) State Government - means the Government of the State of Meghalaya.

(c) State Commission - means the State Food Commission Constituted under Section 16 of the Act.

(d) All words and expression used and not defined shall have the meaning respectively assigned to them in the Act,

3. Location of the Commission - The State Commission shall be located at the Headquarter of the State at Shillong.

4. Constitution of the Commission - The State Commission shall consist of :-

a. Chairperson.

b. five other Members and

c. a Member Secretary who shall be an officer of the State Govt. not below the rank of Joint Secretary:

Provided that there shall be at least two women whether Chairperson, Member or Member Secretary.

5. Condition for appointment of Chairpersons & Members of the State Commission :- The Chairperson and other Members shall be appointed from amongst persons -

- a. who are or have been Member of the All India Services or any other Civil Services of the Union or State or holding a Civil Post under the Union or State having knowledge and experience in matters relating to food security, policy making and administration in the field of agriculture, civil supplies, nutrition, health or any allied field; or
- b. of eminence in public life with wide knowledge and experience in agriculture, law, human rights, social service, management, nutrition, health, food policy or public administration; or
- c. who have a proven record of work relating to the improvement of the food and nutrition rights of the poor.

6. Tenure of the Chairperson and Members - The Chairperson and Members shall hold office for a term not exceeding 3 (three) years from the date on which he enters upon his office and shall be eligible for reappointment:

Provided that no person shall hold office as the Chairperson or other Member after he/she has attained the age of sixty five years.

7. Functions of the State Commission :-- The State Commission shall undertake the following functions namely :-

- a. monitor and evaluate the implementation of this Act, in relation to the State;
- b. either suo motu or on receipt of complaint inquire into violations of entitlements provided under Chapter II of the Act,
- c. give advice to the State Government on effective implementation of this Act;
- d. give advice to the State Government, their agencies, autonomous bodies as well as non-governmental; organizations involved in delivery of relevant services, for the effective implementation of food and nutrition related schemes, to enable individuals to fully access their entitlements specified in this Act.

- e. hear appeals against order of the District Grievances Redressal Officer; and
 - f. prepare annual reports which shall be laid before the State Legislature by the State Government.
8. Removal of Chairman and Members of the State Commission :- The State Government may remove from office the Chairperson or Members who -
- a. is or at any time has been adjudged as an insolvent; or
 - b. has become physically or mentally incapable of acting as a member; or
 - c. has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
 - d. has so abused his position as to render his continuation in office detrimental to the public interest.
9. No such Chairperson or Member shall be removed under clause (c) or clause (d) of sub-rule 8 unless he has been given a reasonable opportunity of being heard in the matter.
10. Salaries Honorarium & other allowances of the Chairperson and Members of the State Commission -
- (1) The State Government shall provide for honorarium/salary and allowances of Chairperson and other Members, Member Secretary, support staff and other administrative expenses required for proper functioning of the State Commission as fixed from time to time
 - (2) The Chairperson and Members shall be entitled to Travelling and other allowances on official tour at the same rate as admissible to Group -I officers of the State Government.
 - (3) The salary or Honorarium as the case may be and other allowances shall be defrayed out of the consolidated Fund of the State by way of appropriation law.

11. Appointment of officer and staff of the State Commission – The State Government shall appoint such officers and staff as may be necessary to assist the State Commission in the day to day work and their salary shall be defrayed out of the Consolidated Fund of the State.
12. Powers relating to inquiries – (1) The State Commission shall, while inquiring into any matter referred to in clause (b) and (e) of sub-section (6) of section 16, have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908, and, in particular, in respect of the following matters, namely –
 - a. summoning and enforcing the attendance of any person and examining him on oath;
 - b. discovery and production of any document;
 - c. receiving evidence on affidavits;
 - d. requisitioning any public record or copy thereof from any court or office; and
 - e. issuing commissions for the examination of witnesses or documents.
13. No act or proceeding of the State Commission shall be invalid merely by reason of –
 - a. any vacancy in, or any defect in the constitution of, the State Commission; or
 - b. any defect in the appointment of a person as the Chairperson or a Member of the State Commission; or
 - c. any irregularity in the procedure of the State Commission not affecting the merits of the case.

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