



सत्यमेव जयते

THE

COLLECTION

OF

MEGHALAYA ACT

AND

ORDINANCES

FOR THE YEAR 1976

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ORDINANCE 1976

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MEGHALAYA ACT 1 OF 1976

THE MEGHALAYA APPROPRIATION (NO. III) ACT, 1976

(As passed by the Assembly)

[Received the assent of Governor on the 8th January, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th January, 1976)

An

Act

to provide for the authorisation of appropriation of money out of the Consolidated Fund of Meghalaya to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1971, in excess of the amounts authorised or granted for those services and for that year.

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

Short title

1. This Act may be called the Meghalaya Appropriation (No.III) Act, 1975.

Issue of Rs.5, 24, 045 from and out of the Consolidated Fund of Meghalaya to meet certain excess expenditure for the year ended on the 31st day of March, 1971.

2. From and out of the Consolidated Fund of Meghalaya, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of five lakhs, twenty-four thousand and forty-five rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1971, in excess of the amounts authorised or granted for those services and for that year.

Appropriation.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of Meghalaya under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1971.

SCHEDULE

(See Sections 2 and 3)

(1)			(2)	(3)		(4)
Grant No.			Services and purposes (Major heads)	Sums not exceeding		Total
				Voted by the Assembly	Charged on the Consolidated Fund	
				Rs.	Rs.	Rs.
28	30	-	Public Health-II- Public Health Engineering.	5,17,932	...	5,17,932
79	109	-	Capital Outlay on other works outside the Revenue Account.	4,742	...	4,742
88	Q	-	Loans and Advances, etc.[VII – Loans to Displaced persons.]	1,371	...	1,371
			Total	...	5,24,045	...
				5,24,045	...	5,24,045

MEGHALAYA ACT 2 OF 1976

THE MEGHALAYA APPROPRIATION (No. IV) ACT, 1976

(As passed by the Assembly)

[Received the assent of Governor on the 8th January, 1976](Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th January, 1976)**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 1975-76.

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

Short title

1. This Act may be called the Meghalaya Appropriation (No. IV) Act, 1975.

Withdrawal of Rs.1, 57, 94,338 from and out of the Consolidated Fund of Meghalaya for the financial year 1975-76.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sum not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of one crore, fifty-seven lakhs, ninety-four thousand, three hundred and thirty-eight rupees towards defraying the several charges which will come in course of payment during the financial year 1975-76 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 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)		(2)		(3)		(4)
Grant No.		Services and purposes (Major heads)		Sums not exceeding		Total
				Voted by the Assembly	Charged on the Consolidated Fund	
				Rs.	Rs.	Rs.
3	213	-	Council of Ministers	62,446	...	32,446
20	259	-	Public Works ...	1,08,919	...	1,08,919
24	265	-	Other Administrative Services-IV- Census, Vital Statistics Guest Houses, etc.	78,700	...	78,700
25	255	-	Other Administrative Service-V- Miscellaneous Administrative Services.	1,20,000	...	1,20,000
31	277	-	Education	63,000	213	63,213
33	278	-	Art and Culture	25,000	...	25,000
40	283	-	Housing-II-C- Government Residential Buildings.	29,238	...	29,238
41	284	-	Urban Development A-General –I- Municipal Administration.	15,000	...	15,000
53	295	-	Other Social and Community Services.	39,585	...	39,585

(1) Grant No.	(2) Services and purposes (Major heads)	(3) Sums not exceeding Voted by the Assembly Charged on the Consolidated Fund Rs. Rs.		(4) Total Rs.
56A	299 - Special and Backward Areas-C- North Eastern Areas.	67,47,000	...	67,47,000
66	313 - Forests 	1,74,617	...	1,74,617
68	314 - Community Development-and 283- Housing-C-Government Residential Buildings, etc.	11,50,000	...	11,50,000
70	321 - Village and Small Industries –I- Handloom and Sericulture and 288- Housing-C- Government Residential Buildings.	...	52,606	52,606
72	328 - Mines and Minerals B-Regulation and Development of Mines.	3,55,978	...	3,55,978
79	459 - Capital Outlay on Public Works.	4,42,400	...	4,42,400
84A	499 - Capital Outlay on Special and Backward Areas-C- North Eastern Areas.	36,80,000	...	36,80,000
86A	509 - Capital Outlay on Food and Nutrition.	...	3,238	3,238
101	688 - Loan for Social Security and Welfare – I- Relief Measures and Rehabilitation Schemes.	1,71,400	...	1,71,400
106	7 5 - Loans for Agriculture	25,00,000	...	25,00,000
Total ...		1,57,38,281	56,057	1,57,94,338

MEGHALAYA ACT 3 OF 1976**THE MEGHALAYA SALES TAX (AMENDMENT) ACT, 1976**

(As passed by the Assembly)

[Received the assent of Governor on the 8th January, 1976](Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th January, 1976)**An****Act****further to amend the Meghalaya Sales Tax Act (Assam Act XVII of 1947 as adapted by Meghalaya) (hereinafter referred to as the principal Act)**

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

Short title, extent and commencement.

1. (1) This Act may be called the Meghalaya Sales Tax (Amendment) Act, 1975.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force on the 1st day of December, 1975.

Amendment of Schedule II to the Meghalaya Sales Tax Act.

2. For item 1 of Schedule II to the principal Act for the words and figure "3 paise in the rupee" the words and figure "4 paise in the rupee" shall be substituted.

MEGHALAYA ACT 4 OF 1976**THE MEGHALAYA FINANCE (SALES TAX) (AMENDMENT) ACT, 1975.**

(As passed by the Assembly)

[Received the assent of Governor on the 10th January, 1976](Published in the *Gazette of Meghalaya*, Extraordinary, dated 17th January, 1976)**An****Act****further to amend the Meghalaya Finance (Sales Tax) Act (Assam Act XI of 1956 as adapted by Meghalaya) (hereinafter referred to as the principal Act)**

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

Short title, extent and commencement.

1. (1) This Act may be called the Meghalaya Finance (Sales Tax) (Amendment) Act, 1975.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force on the 1st day of December, 1975.

Amendment of
Schedule to the
Meghalaya Finance
(Sales Tax) Act.

2. In items Nos. 40 and 46 of the Schedule to principal Act for the words and figure “3 paise in the rupee”, the words and figure “4 paise in the rupee” shall be substituted.

MEGHALAYA ACT 5 OF 1976

THE MEGHALAY RURAL INDEBTEDNESS RELIEF ACT, 1975.

(As passed by the Assembly)

[Received the assent of President on the 18th March, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 23rd March, 1976)

An

Act

to provide for relief of rural indebtedness in Meghalaya.

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

Short title, extent and commencement.

- (i) (1) This Act may be called the Meghalaya Rural Indebtedness Relief Act, 1975.

(2) It shall extend to the whole of Meghalaya.

(3) It shall come into force at once.

Definitions.

- (ii) In this Act, unless there is anything repugnant in the subject or context –

- (a) “agriculture” includes horticulture, dairy farming, pisciculture, forestry, sericulture, bee-keeping, piggery, poultry farming and growing of fruits, vegetables and the like;

(b) “agriculture labourer” means a person who follows any one or more of the following agricultural occupations in the capacity of a labourer on hire or exchange, whether paid in cash, in kind or partly in cash and partly in kind:-

- i. Farming including cultivation and tillage of soil, etc.;
- ii. Dairy farming;
- iii. Productions, cultivation, growing and harvesting of any horticultural commodity;
- iv. Raising of livestock, bees or poultry; and
- v. Any practice performed on a farm as incidental to or in conjunction with farm operations (including any forestry or timbering operations) and preparation for market and delivery to storage or to market or to carriage for transportation of farm products.

(c) “bank” means a banking company as defined in clause (c) of section 5 of the Banking Regulation Act, 1949 (Act 10 of 1949) and includes the State Bank of India Act, 1955 (Act 23 of 1955), a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959 (Act 38 of 1959), a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Act 5 of 1970) and includes any other financial institution which may be notified in this behalf by the State Government;

(d) “debt” includes all liabilities owing to a creditor in cash or in kind, secured or unsecured, payable under a decree or order of a civil court or otherwise and subsisting on the date of commencement of this Act, whether due or not due, but does not include the following, namely:-

- (i) any debt or sum due to the Central Government or any State Government ;
- (ii) any debt or sum due to a bank, a co-operative society including a co-operative bank ;

- (iii) any debt or sum due to an Agricultural Refineries Corporation, a Corporation constituted under the Agricultural Refinance Corporation Act , 1963 (Act 10 of 1963);
- (iv) any debt or sum recoverable as a public demand under the Meghalaya Public Demands Recovery act (Bengal Act 3 of 1913 as adapted by Meghalaya);
- (v) any debt or sum due to a Municipality, a Town Committee constituted or established under any law or a statutory authority including a District Council ;
- (vi) any debt which represents the price of goods purchased by a debtor ;
- (vii) any liability arising out of breach of trust or tortious liability ;
- (viii) any liability in respect of maintenance whether under a decree of a court or otherwise ;
- (ix) any liability in respect to wages or remuneration due as salary or otherwise of service rendered ;
- (x) any rent due in respect of any property let out to a debtor.

Explanation.- Any liability incurred by a debtor on or after the commencement of this Act, which is in fact , a substitution of a liability previously incurred by him shall be deemed to be debt within the meaning of this Act.

(e) “debtor” means a person who is resident outside an area included in a municipality or a cantonment and who belongs to any of the following categories, namely:-

- (i) agriculture labourer,
- (ii) Marginal farmer,
- (iii) Rural artisan,
- (iv) Small farmer,

(f) “farmer” means a person who is engaged in agriculture ;

(g) “loan” means an advance, whether of money or in kind, made on condition of repayment with interest and includes any transaction which is in substitute a loan;

(h) “marginal farmer” means a farmer who owns land measuring not more than half hectare of irrigated or one hectare of unirrigated land and who cultivates personally such land and shall also include a farmer who cultivates as a tenant or share cropper of land measuring not more than half hectare of irrigated land or one hectare of unirrigated land ;

(i) “rural artisan” means a person who does not hold any agricultural land and whose principal means of livelihood is production or repair of traditional tools, implements and other articles or things used for agriculture or purposes ancillary thereto and also a person who normally earns his livelihood by practising a craft either by his own labour or by the labour of the members of his family in the rural area ;

(j) “small farmer” means a farmer who owns land measuring more than half hectare of irrigated or one hectare of unirrigated land but less than one hectare of irrigated or two hectares of unirrigated land and shall also include a farmer who cultivates as a tenant or a share cropper of land measuring more than half hectare of irrigated or one hectare of unirrigated land but less than one hectare of irrigated or two hectare of unirrigated land ;

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

Explanation:- In case where a farmer is a member of Scheduled Tribe, the words “half -hectare”, “one hectare” and “two hectares” wherever occurring in clauses (h) and (j) of this section shall be read as “one hectare”, “two hectares” and “four hectares” respectively, for the purposes of the said clauses.

Moratorium on the recovery of debt and stay of suits.

3. (1) Notwithstanding anything contained in any other law for the time being in force or in any contract, customs or usage to the contrary, the recovery of debt advanced before the commencement of this Act to a debtor shall stand suspended for a period of one year from the date of commencement of this Act and –

- (i) no civil court shall entertain any suit, application or proceeding against a debtor in respect of any debt incurred by him or for the recovery of the debt suspended during the period of such suspension ;
- (ii) any suit, application or application or execution proceeding in relation to recovery of a debt pending before a civil court shall be stayed during the said period;
- (iii) no decree or a civil court in relation to the recovery of a debt which was passed before the commencement of this Act shall be executed during the aforesaid period ;

(2) The State Government may, by notification in the official Gazette, extend the period referred to in sub-section (1) from time to time but such extension shall not exceed a period of one year at a time.

Extension of period of Limitation.

4. Notwithstanding anything contained in any other law for the time being in force when the period of limitation is calculated for any suit, proceeding or application, or for execution of a decree, the period during which any person was debarred from institution such suit or proceeding or making such application or executing such decree shall be excluded.

Remission of interest.

5. A debtor shall not be liable to pay interest upon any loan during the period for which no suit or proceeding could be instituted or application made for recovery of the loan or for execution of a decree in relation thereto or for which a suit, application or proceeding for recovery of the loan was stayed.

Explanation: - For the purposes of sections 3 and 4 and this section, “Suit” includes appeal.

MEGHALAYA ACT 6 OF 1976

THE MEGHALAYA APPROPRIATION (No. I) ACT, 1976.

(As passed by the Assembly)

[Received the assent of the Governor on the 24th March, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 24th March, 1976)

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 1975-76.

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

- | | |
|---|--|
| Short title. | 1. This Act may be called the Meghalaya Appropriation (No. I) Act, 1975. |
| Withdrawal of Rs.1, 29, 35,126 from and out of the Consolidated Fund of Meghalaya for the financial year 1975-76. | 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 one crore, twenty-nine lakhs, thirty-five thousand, one hundred and twenty-six rupees towards defraying the several charges which will come in course of payment during the financial year 1975-76 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 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)		(2)				(3)		(4)
Grant No.	Services and purposes (Major heads)					Sums not exceeding		Total
						Voted by the Assembly	Charged on the Consolidated Fund	
						Rs.	Rs.	
2	212	-	Governor	...	...	...	83,950	83,950
3	213	-	Council of Ministers			55,053	...	55,053
8	239	-	State Excise	...		18,255	...	18,255
9	240	-	Sales Tax and 245-I-Other Taxes and Duties on Commodities and Services.			50,000	...	50,000
10	241	-	Taxes on Vehicles	...		11,25,711	...	11,25,711
13	252	-	Secretariat-General-Services-I-Civil Departments.			4,77,900	...	4,77,900
15	253	-	District Administration			29,000	...	29,000
18	256	-	Jails	...	...	8,19,995	...	8,19,995
19	258	-	Stationery and Printing			1,81,160	...	1,81,160
20	259	-	Public Works	...		1,05,881	...	1,05,881
25	265	-	Other Administrative Services – V-Miscellaneous Administrative Services.			12,100	...	12,100
29	276	-	Secretariat-Social and Community Services – I- Civil Departments.			41,200	...	41,200
31	277	-	Education	...	...	35,000	...	35,000
35	280	-	Medical	...	...	4,50,592	...	4,50,592
37	282	-	Public Health, Sanitation and Water Supply-A-Public Health and Sanitation.			74,000	...	74,000
40	283	-	Housing-II-C-Government Residential Buildings (in-charge of P.W.D.).			24,150	...	24,150

(1)		(2)			(3)		(4)		
Grant No.	Services and purposes (Major heads)					Sums not exceeding		Total	
						Voted by the Assembly	Charged on the Consolidated Fund		
					Rs.	Rs.	Rs.		
48	288	-	Social Security and Welfare-B-II-Relief and Rehabilitation of Displaced Persons.			15,00,000	...	15,00,000	
54	296	-	Secretariat-Economic Services-I-Civil Departments.			99,800	...	99,800	
55	296	-	Secretariat-Economic Services-II-Planning Board,etc.			12,900	...	12,900	
63	310	-	Animal Husbandry and 283-Housing –C-Government Residential Buildings.			6,74,313	...	6,74,313	
65	312	-	Fisheries	...	...	50,000	...	50,000
77	339	-	Tourism	...	...	83,000	...	83,000
79	459	-	Capital Outlay on Public Works.			21,07,236	...	21,07,236	
79A	477	-	Capital Outlay on Education, Art and Culture, 480-Capital Outlay on Medical,etc.			13,85,000	...	13,85,000	
84	498	-	Capital Outlay on Co-operation			69,100	...	69,100	
94	537	-	Capital Outlay on Roads and Bridges.			20,00,000	...	20,00,000	
	604	-	Loans and Advances from the Central Government.			...	11,69,830	11,69,830	
113	766	-	Loans to Government servants.			2,00,000	...	2,00,000	
			Total			...	1,16,81,346	12,53,780	1,29,35,126

MEGHALAYA ACT 7 OF 1976
THE MEGHALAYA APPROPRIATION (NO. II) ACT, 1976

(As passed by the Assembly)

[Received the assent of Governor on the 31st March, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 31st March, 1976)

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 ending on the thirty-first day of March, 1977.

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

Short title

1. (1) This Act may be called the Meghalaya Appropriation (No. II) Act, 1976.

(2) It shall be deemed to have come into force on the first day of April, 1976.

Withdrawal of
Rs.43,65,76,700
from and out of the
Consolidated Fund of
Meghalaya for the
financial year 1976-77.

2. From and out of the Consolidated Fund of Meghalaya there may be paid and applied sums not exceeding those may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of forty-three crores, sixty-five lakhs, seventy-six thousand and seven 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, 1977 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 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)	(2)	(3)		(4)
Grant No.	Services and purposes (Major heads)	Sums not exceeding		Total
		Voted by the Assembly	Charged on the Consolidated Fund	
		Rs.	Rs.	
1	211 -Parliament/State/Union Territory Legislature-B-State Territory.	19,42,000	96,000	20,38,000
2	212 -Governor	10,000	8,09,000	8,19,000
3	213 -Council of Ministers ...	8,77,500	...	8,77,500
4	214 -Administration of Judges ...	7,57,000	3,80,000	11,37,000
5	215 -Elections	11,34,000	...	11,34,000
6	229 -Land Revenue	12,07,000	...	12,07,000
7	230 -Stamps Registration ...	60,000	...	60,000
8	239 -State Excise	4,84,000	...	4,84,000
9	240 -Sales Tax and 245-I-Other Taxes and Duties on Commodities and Services.	5,24,000	...	5,24,000
10	241 -Taxes on Vehicles	9,68,000	...	9,68,000
11	245 -Other Taxes and Duties on Commodities and Services-II- Inspectorate of Electricity.	1,03,000	...	1,03,000
12	247 -Other fiscal Services-Promotion of Small Savings.	51,000	...	51,000
	248 -Appropriation for Reduction or Avoidance of Debt.	...	...	...
	249 -Internet Payment ...	...	1,62,92,800	1,62,92,800
	251 -Public Service Commission	...	3,15,000	3,15,000
13	252 -Secretariat General Services –I-Civil Departments.	50,35,000	...	50,35,000

(1)	(2)	(3)	(4)	
Grant No.	Services and purposes (Major heads)	Sums not exceeding		Total
		Voted by the Assembly	Charged on the Consolidated Fund	
		Rs.	Rs.	
14	252 - Secretariat General Services –II-Public Works Departments.	6,78,000	...	6,78,000
15	253 -District Administration ...	22,17,000	...	22,17,000
16	254 -Treasury and Accounts Administration.	11,91,500	...	11,91,500
17	255 -Police and 260-Fire Protection and Control.	2,84,90,000	...	2,84,90,000
18	256 -Jails	19,31,000	...	19,31,000
19	258 -Stationery and Printing ...	35,81,000	...	35,81,000
20	259 -Public Works	1,92,33,000	...	1,92,33,000
21	265 -Other Administrative Services-I-Civil Defence and Home Guards.	13,40,000	...	13,40,000
22	-Do -II-Motor Garages, etc.	3,15,000	...	3,15,000
23	-Do -III-Gazetteer and Statistical Memoirs.	72,000	...	72,000
24	-Do -IV-Census, Vital Statistics, Guest Houses, etc.	7,15,000	...	7,15,000
25	-Do -V-Miscellaneous Administrative Services.	4,24,200	...	4,24,200
26	266 -Pension and other Retirement Benefits.	14,87,000	8,000	14,95,000
27	267 -Aid Materials and Equipments.	8,43,000	...	8,43,000
28	268 -Miscellaneous General Services, Pre-partition Payments, State Lotteries, Pension for Distinguished Services.	3,000	..	3,000
29	276 -Secretariat –Social and Community Services –I-Civil Departments.	5,20,000	...	5,20,000

(1)		(2)			(3)		(4)
Grant No.	Services and purposes (Major heads)			Sums not exceeding		Total	
				Voted by the Assembly	Charged on the Consolidated Fund		
				Rs.	Rs.		
30	276	-Secretariat-Social and Community Services-II-Public Health Engineering Secretariat.			40,000	...	40,000
31	277	-Education	...	...	5,18,99,000	...	5,18,99,000
32	277	-Education, 280-Medical, etc.			1,50,000	...	1,50,000
33	278	-Art and Culture	...	...	6,35,500	...	6,35,500
34	279	-Scientific Services and Research.			2,24,000	...	2,24,000
35	280	-Medical	...	...	1,25,75,000	...	1,25,75,000
36	280	-Family Planning	...	...	20,79,200	...	20,79,200
37	282	-Public Health, Sanitation and Water Supply-A-Public Health and Sanitation.			61,44,000	...	61,44,000
38	282	-Public Health, Sanitation and Water Supply-B-Sewerage and Water Supply and 283-Housing-C-Government Residential Buildings.			80,67,000	...	80,67,000
39	283	-Housing-I-A-General and B-Housing Schemes.			10,90,000	...	10,90,000
40	283	-Housing-II-C-Government Residential Buildings (in-charge of P.W.D.).			21,29,000	...	21,29,000
41	284	-Urban Development-A- General –I- Municipal Administration.			2,40,000	...	2,40,000
42	284	-Urban Development-A-General-II- Town and Regional Planning.			11,30,000	...	11,30,000

(1)		(2)	(3)		(4)
Grant No.	Services and purposes (Major heads)		Sums not exceeding		Total
			Voted by the Assembly	Charged on the Consolidated Fund	
			Rs.	Rs.	
43	285	-Information and Publicity	9,50,000	...	9,50,000
44	287	- Labour and Employment –I-A-Labour.	21,79,000	...	21,79,000
45	287	- Labour and Employment –II-A- Labour-Inspectorate of Factories and Steam Boilers.	80,000	...	80,000
46	287	-Labour and Employment-III-B- Employment and Training.	11,70,000	...	11,70,000
47	288	-Social Security and Welfare-A-I-Civil Supplies.	12,13,000	...	12,13,000
48	Do	-B-II-Relief and Rehabilitation of Displaced Persons.	8,20,000	...	8,20,000
49	D0	-C-III-Welfare of Scheduled Castes, Tribes and Other Backward Classes-D- Social Welfare.	46,40,000	...	46,40,000
50	288	-Social Security and Welfare-E-Other Social Security and Welfare Programmes-IV-Soldiers’, Sailors’ and Airmen’s Board.	87,000	...	87,000
51	-Do	-Other Social Security and Welfare Programmes-V-Other Programmes.	10,000	...	10,000
52	289	-Relief on account of Natural Calamities.	20,89,000	...	20,89,000
53	295	-Other Social and Community Services.	2,38,000	...	2,38,000
54	296	-Secretariat-Economic Services-I-Civil Departments.	8,05,000	...	8,05,000

(1)		(2)		(3)		(4)
Grant No.	Services and purposes (Major heads)			Sums not exceeding		Total
				Voted by the Assembly	Charged on the Consolidated Fund	
				Rs.	Rs.	
55	296	-Secretariat-Economic Services-II- Planning Board, etc.		9,75,000	...	9,75,000
56	298	-Co-operation	... ...	42,70,000	...	42,70,000
56A	299	-Special and Backward Areas-C-North Eastern Areas.		93,26,000	...	93,26,000
57	301	-Other General Economic Services-I- Economic Advice and Statistics.		10,91,000	...	10,91,000
58	304	-Other General Economic Services-II- Regulation of Weights and Measurement.		3,70,000	...	3,70,000
58A	304	-Other General Economic Services-III- Land ceilings.		4,55,000	...	4,55,000
59	305	-Agriculture/306-Minor Irrigation/295- Other Social and Community Services/283-Housing –C-Government Residential Buildings.		2,15,18,000	...	2,15,18,000
60	306	-Minor Irrigation-II-Works under Embankment and Drainage Wing, Public Works Department-Minor Irrigation Projects.		20,000	...	20,000
61	307	-Soil and Water Conservation and 283- Housing-C-Government Residential Buildings.		1,39,08,000	...	1,39,08,000
62	308	-Area Development	... ...	1,00,00,000	...	1,00,00,000
63	310	- Animal Husbandry and 283-Housing- C-Government Residential Buildings.		1,07,13,200	...	1,07,13,200

(1)		(2)				(3)		(4)
Grant No.	Services and purposes (Major heads)				Sums not exceeding		Total	
					Voted by the Assembly	Charged on the Consolidated Fund		
								Rs.
64	311	-Dairy Development and 283-Housing-C-Government Residential Buildings.				29,85,000	...	29,85,000
65	312	-Fisheries	...	...		15,95,000	...	15,95,000
66	313	-Forests	...	...		77,37,000	...	77,37,000
67	314	-Community Development and 283-Housing-C-Government Residential Buildings and 288- Social Security and Welfare.				95,77,000	...	95,77,000
68	314	-Community Development-II-C-Rural Works Programme.				8,00,000	...	8,00,000
69	320	-Industries	...	...	...	14,07,200	...	14,07,200
70	321	-Village and Small Industries-I-Handloom and Sericulture and 284-Housing-C-Government Residential Buildings.				38,55,000	...	38,55,000
71	321	-Village and Small Industries –II-Small Industries.				74,58,300	...	74,58,300
72	328	-Mines and Minerals-B-Regulation and Development of Mines.				22,55,000	...	22,55,000
73	331	-Water and Power Development Services-B-Power Development.				...	...	...
74	333	-Irrigation, Navigation, Drainage and Flood Control Projects.				6,42,000	...	6,42,000
75	337	-Roads and Bridges	...	...		2,28,39,000	...	2,28,39,000
76	338	-Road and Water Transport Services.				93,59,000	...	93,59,000
77	339	-Tourism	...	...	...	14,70,000	...	14,70,000
78	363	-Compensation and Assignments to Local Bodies and Panchayati Raj Institutions.				...	...	...

(1)		(2)	(3)		(4)
Grant No.	Services and purposes (Major heads)		Sums not exceeding		Total
			Voted by the Assembly	Charged on the Consolidated Fund	
			Rs.	Rs.	
79	459	-Capital Outlay on Public Works.	34,43,000	...	34,43,000
79A	477	-Capital Outlay on Education, Art and Culture, 480-Capital Outlay on Medical, etc.	33,90,000	...	33,90,000
80	482	-Capital Outlay on Public Health, Sanitation and Water Supply.	90,33,000	...	90,33,000
81	483	-Capital Outlay on Housing-A-Government Residential Building (In-charge of P.W.D.).	24,55,000	...	24,55,000
82	484	-Capital Outlay on Urban Development.	...	...	...
83	488	-Capital Outlay on Social Security and Welfare-E-Other Social Security and Welfare Programmes-I-Civil Supplies Schemes.	...	...	...
84	498	-Capital Outlay on Co-operation.	29,25,000	...	29,25,000
84A	499	-Capital Outlay on Special and Backward Areas-C-North Eastern Areas.	60,30,000	...	60,30,000
85	500	-Investment in General Financial and Trading Institutions.	...	...	...
86A	509	-Capital Outlay on Minor Irrigation, Soil Conservation and Area Development.	1,80,000	...	1,80,000
87	513	-Capital Outlay on Forests.	30,00,000	...	30,00,000
88	520	-Capital Outlay on Industries Research and Development.	52,00,000	...	52,00,000
89	521	-Capital Outlay on Village and Small Industries.	80,000	...	80,000
90	522	-Capital Outlay on Machinery and Engineering Industries.	...	...	...

(1)		(2)	(3)		(4)
Grant No.	Services and purposes (Major heads)		Sums not exceeding		Total
			Voted by the Assembly	Charged on the Consolidated Fund	
			Rs.	Rs.	
91	526	-Capital Outlay on Consumer Industries.	...	...	...
92	528	-Capital Outlay on Mining and Metallurgical Industries.	2,00,000	...	2,00,000
92A	530	-Investment in Industrial Financial Institutions.	1,00,000	...	1,00,000
93	533	-Capital Outlay on Irrigation, Navigation, Drainage and Flood Control Projects.	14,00,000	...	14,00,000
94	537	-Capital Outlay on Roads and Bridges.	2,78,66,000	...	2,78,66,000
95	538	-Capital Outlay on Roads and Water Transport Services.	15,00,000	...	15,00,000
96	544	-Capital Outlay on Other Transport and Communication Services.	...	...	...
	603	-Internal Debt of the State Government.	...	96,77,700	96,77,700
	604	-Loans and Advances from the Central Government.	...	43,67,300	42,67,300
97	677	-Loans for Education, Arts and Culture.	20,000	...	20,000
98	682	-Loans for Public Health Sanitation and Water Supply.	...	...	...
99	683	-Loans for Housing	10,00,000	...	10,00,000
100	684	-Loans for Urban Development.	...	...	...
101	688	-Loans for Social Security and Welfare- I-Relief and Rehabilitation Schemes.	...	...	...
102	688	Loans for Social Security and Welfare- II-Loans to <i>Ex-Service</i> Personnel.	5,000	...	50,000

(1) Grant No.	(2) Services and purposes (Major heads)	(3) Sums not exceeding Voted by the Assembly Charged on the Consolidated Fund Rs. Rs.		(4) Total Rs.
102A 688	-Loans for Social Security and Welfare- III-Welfare of Backward Areas.	...	...	...
103 695	-Loans for other Social and Community Services.	5,000	...	5,000
104 698	-Loans for Co-operative Societies.	6,80,000	...	6,80,000
105 699	-Loans for Special and Backward Areas.	...	...	...
106 705	-Loans for Agriculture 	2,00,000	...	2,00,000
107 706	-Loans for Minor Irrigation, Soil Conservation and Area Development.	...	...	...
108 710	-Loans for Animal Husbandry.	...	...	...
109 714	-Loans for Community Development.	...	...	...
110 720	-Loans for Industrial Research and Development.	...	...	...
111 721	-Loans for Village and Small Industries.	3,00,000	...	3,00,000
112 734	-Loans for Power Projects.	...	...	...
113 766	-Loans to Government Servants.	33,50,000	...	33,50,000
114 768	-Inter-State Settlement.	66,60,000	...	66,60,000
115 769	-Appropriation to Contingency Fund.	...	...	...
Total ...		4,47,30,900	3,18,45,800	43,65,76,700

MEGHALAYA ACT 8 OF 1976

THE MEGHALAYA PREVENTION OF GAMBLING (AMENDMENT) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 8th April, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 10th April, 1976)

An

Act

further to amend the Meghalaya Prevention of Gambling Act, 1970 (Meghalaya Act 8 of 1970)

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

Short title,
extent and
commencement.

1. (1) This Act may be called the Meghalaya Prevention of Gambling (Amendment) Act, 1976.
- (2) It shall extend to the whole of the State of Meghalaya.
- (3) It shall come into force at once.

Amendment of
section 15 of
Act 8 of 1970.

2. In the Meghalaya Prevention of Gambling Act, 1970 in section 15-
 - (i) The following new proviso shall be inserted as a first proviso below section 15,namely:-

“Provided that the minimum amount of punishment under this section 3 or 4 shall not be less than one month’s imprisonment with or without fine :”
 - (ii) In the existing proviso below section 15 between the words “Provided” and “that” the word “further” shall be inserted.

Insertion of new
section 15 in Act 8 of
1970.

3. In the Meghalaya Prevention of Gambling Act, 1970, the following new section as section 15A be inserted, namely:-

15A. All offences under sections 3 and 4 of this Act shall be non-bailable, and no person accused of an offence under any of the aforesaid sections shall be released on bail by any Court without hearing the prosecution of which due notice shall be given and every order granting bail shall give reasons thereof.”

MEGHALAYA ACT 9 OF 1976

THE MEGHALAYA FINANCE ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 8th April, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 10th April, 1976)

An

Act

to fix the rates at which the Meghalaya Purchase Tax shall be levied and charged for the financial year 1976-77.

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

Short title,
extent and
commencement.

1. (1) This Act may be called the Meghalaya Finance Act, 1976.

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

(3) It shall be deemed to have come into force on the 1st day of April, 1976.

Rates of
Meghalaya
Purchase Tax.

2. The rates at which the tax shall be levied and collected on the purchase of the items of the Schedule under the Meghalaya Purchase Tax Act (Assam Act 19 of 1967 as modified by Meghalaya) for the year beginning on the first day of April, 1976, shall be as follows:-

In respect of items 1,2 and 3	Four paise per rupee value of the price at which taxable goods are purchased.
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In respect of item 4	Two paise per rupee value of the price at which the taxable goods are purchased.
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(MEGHALAYA ACT 10 OF 1976)**THE MEGHALAYA CREDIT OPERATION AND MISCELLANEOUS PROVISIONS ACT, 1976***Arrangement of Sections**Sections:-*

1. Short title, extent and commencement.
2. Definitions.
3. Removal of restrictions on alienation.
4. Charge on crops and other movable property created in favour of a bank.
5. Creation of charges on land in favour of a bank by declaration.
6. Priority of mortgages and charges.
7. Registration of charge and mortgage in favour of banks.
8. Noting of charge or mortgage created in favour of a bank in the Record of Rights.
9. Restrictions on creation tenancy by an agriculturist borrower.
10. Recovery of dues of a bank through a prescribed Authority.
11. Rights of a bank to acquire and dispose of immovable property.
12. Exemption to banks from restrictions on acquisition of land in excess of ceiling.
13. Bank eligible to become member of a Co-operative Society.
14. Power of Co-operative Societies to borrow from banks.
15. Inspection of books of a Co-operative Society by a Bank.
16. Disputes between a bank and a Co-operative Society.
17. Settlement of dispute.
18. Procedure for hearing of disputes.
19. Decision of Registrar or his nominee or Board of nominees.
20. Recovery of money awarded.
21. Power of a bank to proceed against defaulting members of a Co-operative Society.
22. Audit, inspection and inquiry reports of Societies to be available to banks.
23. Exemption from legislation relating to money lending and agriculturists' debt relief.
24. Extension to other developmental purposes.
25. Power of State Government to make rules.

MEGHALAYA ACT 10 OF 1976

MEGHALAYA CREDIT OPERATION AND MISCELLANEOUS PROVISIONS ACT, 1976.

(As passed by the Assembly)

[Received the assent of the President on the 17th July, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 2nd August, 1976)

An

Act

to make provisions to facilitate adequate flow of credit for agricultural production and development through Banks and other institutional credit agencies and for matters connected therewith and incidental thereto.

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

Short title,
extent and
commencement.

1. (1) This Act may be called the Meghalaya Credit Operation and Miscellaneous Provisions Act, 1976.
- (2) It extends to the whole of the State of Meghalaya.
- (3) It shall come into force on such date as the State Government may, by notification in the Gazette appoint in this behalf and different dates may be appointed for different areas of the State.

Definitions

2. In this Act, unless the context otherwise requires:-
 - (a) “agriculture” and “agricultural purposes” shall include making land fit for cultivation, cultivation of land, improvement of land including development of sources of irrigation, raising and harvesting of crops, horticulture, forestry, planting and farming, and cattle breeding, animal husbandry, dairy farming, seed farming, pisciculture, apiculture, sericulture, piggery, poultry farming and such other activities as are generally carried on by agriculturists, dairy farmers, cattle breeders, poultry farmers and other categories of persons engaged in similar activities including marketing of agricultural products, their storage and transport and the acquisition of implements and machinery in connection with such activity;
 - (b) “agriculturist” means a person who is engaged in agriculture ;

- (c) “Agro-Industries Corporation” means a company or other body corporate, one of the principal objectives of which is to undertake activities connected with or intended for the development of agriculture and not less than fifty-one percent of the paid-up share capital of which is held by the Central Government or by any State Government or State Governments or partly by the Central Government and partly by one or more State Governments ;
- (d) “bank” means,-
- (i) the Meghalaya Co-operative Apex Bank Ltd.;
 - (ii) a banking company as defined in the Banking Regulation Act, 1949 ;
 - (iii) the State Bank of India constituted under the State Bank of India Act,1955;
 - (iv) a Subsidiary Bank of India constituted under the State Bank of India (Subsidiary Banks) Act, 1959 ;
 - (v) a corresponding new bank constituted under section 3 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970;
 - (vi) any banking institution notified by the Central Government under section 51 of the Banking Regulation Act, 1949 ;
 - (vii) the Agriculture Refinance Corporation constituted under the Agricultural Refinance Corporation Act,1963.
 - (viii) the Agro-Industries Corporation as defined in clause (c);
 - (ix) the Agricultural Finance Corporation Limited a company incorporated under the Indian Companies Act, 1956 ; and
 - (x) any other financial institution notified by the State Government in the Official Gazette as a bank for the purpose of this Act.

- (e) “Co-operative Society” means a Co-operative Society registered or deemed to be registered or deemed to be registered under the Meghalaya Co-operative Societies Act (Assam Act I of 1950 as adapted by Meghalaya) the object of which is to provide financial assistance as defined in clause (g) to its members and includes a Co-operative Land Mortgage or Development Bank ;
- (f) “Crop loan” means a loan advanced to an agriculturist for the purpose of seasonal agricultural operations or the marketing of crops and is recoverable within fifteen months from the date of advancement of such loan ;
- (g) “financial assistance” for the purposes of this Act means assistance granted by way of loan, advance, guarantee or otherwise for agricultural purpose ;
- (h) “Land” includes crops, trees, houses, and/or other structures standing thereon.
- (i) “Term loan” means a loan advanced to any agriculturist for meeting outlay relating to the replacement or maintenance of wasting assets including machineries or for capital investment designed to increase the crop output and is repayable within any period exceeding fifteen months but not exceeding twenty years.

Removal of restrictions on alienation.

3. Notwithstanding anything contained in any other law for the time being in force or in any custom or usage having the force of law, it shall be lawful for an agriculturist to alienate his land or any of his interest therein and execute a charge or mortgage on such land or interest in favour of a bank as security, for the purpose of obtaining financial assistance from that bank.

Charge on crops and other moveable property created in favour of a bank.

4. (1) It shall be lawful for an agriculturist to create a charge on any movable property owned by him or on the crops raised by him, standing or otherwise or other produce from land cultivated by him, to the extent of his interest therein, in favour of a bank, notwithstanding that he may not be owner of the land on and from which the crop is raised.
- (2) A bank may distrain and sell through such officer of the State Government as may be specified by the State Government in this behalf the crop of other produce or other movable charged to that bank to the extent of the agriculturists’ interest therein and appropriate the proceeds of such sale towards all moneys due to the bank from that agriculturist.

Creation
of charges
on land in
favour of a
bank by
declaration.

5. (1) Where an agriculturist creates a charge on land, or any other immovable property which he owns or in which he has an interest in respect of any financial assistance given to him by bank, he may make a declaration on the lines of the form set out in the Schedule to this Act or as near thereto as circumstances permit, declaring that thereby he creates, in favour of the bank, a charge on such land or his interest therein, or other immovable property as the case may be, to secure the financial assistance given to him by the bank.

(2) A declaration made under sub-section(1) may be varied from time to time by the Agriculturist with the consent of the bank in whose favour the declaration has been made and such variation shall take effect from such date on which the variation if it had been an original declaration, would have effect under section 7.

Priority of mortgages
and charges.

6. (1) Notwithstanding anything contained in any other law for the time being in force where different mortgages or charges have been executed by an agriculturist in respect of the same land both in favour of a bank and in favour of any person, then the mortgage or charge executed in favour of a bank shall have priority over the mortgage or charge in favour of such person irrespective of the fact whether the mortgage or charge in favour of the bank was executed before or after the date of the mortgage or charge in favour of such person.

(Explanation. - In this sub-section the word "person" shall not include the State Government or any Co-operative Society.)

(2) Where in respect of the same land different mortgages or charges have been executed by any agriculturist in favour of:-

- (i) the State Government.
- (ii) a Co-operative Society, and
- (iii) one or more banks,

such mortgages or charges shall rank for priority in accordance with the respective dates of their execution.

(3) Notwithstanding anything contained in any other law for the time being in force, where different mortgages or charges have been executed by any agriculturist in respect of the same land for obtaining crop loan from one bank and a huge subsequent term loan from another bank, then the mortgage or charge in relation to the subsequent term loan shall have priority over the mortgage or charge in relation to the crop loan provided, the mortgage or charge in relation to such term loan was executed with the knowledge and consent of the bank providing the crop loan.

Registration of charge and mortgage in favour of banks.

7.(1) Notwithstanding anything contained in the Indian Registration Act, 1908, a charge in respect of which a declaration has been made under sub-section (1) of section 5, or in respect of which a variation has been made under sub-section (2) of that section, or a mortgage executed by an agriculturist in favour of a bank in respect of financial assistance given by that bank shall be deemed to have been duly registered with effect from the date of such charge, variation or mortgage as the case may be, provided that the bank sends to the Deputy Commissioner or the Sub-Registrar within the local limits of whose jurisdiction, the whole or any part of the property charged or mortgaged is situated, within the time stipulated by the State Government for this purpose, by registered post acknowledgement due, a copy of the document creating such charge, variation or mortgage duly certified to be a true copy by an employee of the bank authorised to sign on its behalf.

(2) The Deputy Commissioner or the Sub-Registrar receiving the declaration in respect of a charge or variation or a mortgage referred to in sub-section (1) shall as soon as practicable on receipt thereof, record in a register to be maintained in this behalf, the fact of the receipt of such declaration variation or mortgage for registration.

Noting of charge or mortgage created in favour of a bank in the Record of Rights.

8. (1) Whenever a charge or a mortgage on land or interest therein is created in favour of a bank by an agriculturist, the bank may give intimation to the District Council or such Revenue Official as may be designated in this behalf by the State Government of the particulars of the charge or mortgage in its favour.

(2) The District Council or the Revenue Official, as the case may be, shall make note of the particulars of charge or mortgage in the record of rights as may be available relating to the land over which the charge or mortgage has been created.

Restrictions on creation of tenancy by an agriculturist borrower.

9. (1) Notwithstanding anything contained in any law for the time being in force, an agriculturist who has availed himself of financial assistance from a bank by creating a charge or mortgage on land or interest therein shall not, so long as the financial assistance continues to be outstanding, lease or create any interest therein without prior permission in writing of the bank, if he had not already leased or created tenancy rights thereon at the time of availing of the financial assistance from the bank.

(2) Any lease granted or interest created in contravention of this section shall be void.

Recovery of dues of a bank through a prescribed Authority.

10.(1) An official of the State Government notified in the Official Gazette by the State Government as the prescribed authority for the purpose of this section may, on the application of a Bank, make an order on any agriculturist or his heir or legal representative, directing the payment of any sum due to the bank on account of financial assistance availed of by the agriculturist, by the sale of any land or interest therein upon which the payment of such money is charged or mortgaged;

Provided that no order shall be made by the prescribed authority under this section for the sale of land or any interest therein or any other immovable property upon which the payment of money is charged or mortgaged unless the agriculturist or the heir or legal representative of the agriculturist, as the case may be, has been served with a notice by the prescribed authority calling upon him to pay the amount's due.

(2) Every order passed by the prescribed authority in terms of sub-section (1) shall be deemed to be a decree of a Civil Court and shall be executed in the same manner as the decree of such court.

(3) Nothing in this section shall debar a bank from seeking to enforce its rights in any other manner open to it under any other law for the time being in force.

Rights of a bank to acquire and dispose of immovable property.

11.(1) Notwithstanding anything contained in any law of the time being in force, a bank shall have power to itself acquire agricultural land or interest therein or any other immovable property which has been charged or mortgaged to it by an agriculturist in respect of any financial assistance availed of by him, provided the said land or interest therein or any other immovable property has been sought to be sold by public auction and no person has offered to purchase it for a price which is sufficient to pay to the bank the money due to it.

(2) A bank which acquires land or interest therein or any other immovable property in exercise of the power vested in it under sub-section (1) shall dispose it of by sale within a period to be specified by the State Government in this behalf.

(3) If the bank has to lease out any land acquired by it under sub-section (1), pending sale thereof as provided for in sub-section (2), the period of lease shall not exceed one year at a time and the lease shall not acquire any interest in that property notwithstanding any provision to the contrary in any law for the time being in force.

(4) A sale by a bank of land or interest therein in term of this section shall be subject to any provision of any law in force which may place restrictions on purchase of land by non-agriculturists or ceiling for acquisition of land or by a person not belonging to a particular tribe or Scheduled Caste or fragmentation of land.

Exemption banks from restrictions on acquisition of land in excess of ceiling.

12. Nothing in any law for the time being in force imposing a ceiling or limit on the holding of land shall apply to a bank acquiring land in terms of section 11 and holding such land till such time, the bank is in a position to sell the land in the manner provided in section 11 or otherwise, at a price which is adequate to cover its dues.

Bank eligible to become member of a Co-operative Society.

13. Notwithstanding anything contained in the Meghalaya Co-operative Societies Act (Assam Act I of 1950 as adapted by Meghalaya) or any law for the time being in force, it shall be lawful for a bank to become a member of a Co-operative Society.

Power of Co-operative Societies to borrow from banks.

14. Notwithstanding anything contained in the Meghalaya Co-operative Societies' Act (Assam Act I of 1950 as adapted by Meghalaya), it shall be lawful for any Co-operative Society to borrow from a bank.

Inspection of books of a Co-operative Society by a Bank.

15. (1) A bank shall have the right to inspect the books of any Co-operative Society which has either applied to the Bank for financial assistance or is indebted to the bank on account of financial assistance granted earlier.

(2) The Inspection may be carried out by an officer or any other member of the paid staff of the bank with previous sanction in writing of the Registrar of Co-operative Societies.

(3) The officer or any other member of the paid staff of the bank, undertaking such inspection, shall, at all reasonable time, have access to the books of accounts, documents, securities, cash and other properties belonging to or in the custody of the Co-operative Society inspected by him, and shall also be supplied by such societies such information, statements and returns as may be required by him to assess the financial conditions of the Society and the safety of financial assistance to be made to the Society or already made to it.

Disputes between a bank
and a Co-operative
Society.

16. (1) Notwithstanding anything contained in any other law for the time being in force, any dispute touching the constitution, management or the business of a Co-operative Society, between a bank financing a Co-operative Society and the Co-operative Society so financed, other than disputes regarding the disciplinary action taken by the Society or its committee against a paid employee of the Society, shall be referred by either of the parties to the dispute to the Registrar of Co-operative Societies for decision.

(2) Where any question arises whether, for the purposes of the foregoing sub-section, a matter referred to for decision is a dispute or not, the question shall be decided by the Registrar of Co-operative Societies whose decision shall be final.

Settlement of dispute.

17. (1) If the Registrar is satisfied that any matter referred to him or brought to his notice is a dispute within the meaning of section 16, the Registrar shall decide the dispute himself or refer it for disposal to a nominee or a Board of nominees appointed by him.

(2) Where any dispute is referred under the foregoing sub-section for decision to the Registrar's nominee or Board of nominees, the Registrar may at any time, for reasons to be recorded in writing, withdraw such dispute from his nominee or Board of nominees and may decide the dispute himself or refer it again for decision to any other nominee or Board of nominees appointed by him.

(3) Notwithstanding anything contained in section 16, the Registrar, may if he thinks fit, suspend proceedings in regard to any dispute, if the question at issue between a Co-operative Society and a bank is one involving complicated questions of law and fact, until the question has been tried by a regular suit instituted by one of the parties to the dispute. If any such suit is not instituted within two months from the Registrar's order suspending proceedings, the Registrar shall take action as is provided in subsection (1).

Procedure
for hearing of
disputes.

18. The Registrar or his nominees or Board of nominees hearing a dispute under the last preceding section shall hear the dispute in the manner that may be prescribed by the Registrar in this behalf.

Decision of
Registrar or his
nominees
or Board of
nominees.

19. When the dispute is referred for decision, the Registrar or his nominee or she Board of nominees may, after giving a reasonable opportunity to the parties to the dispute to be heard, make an award on the dispute, on the expenses incurred by the parties to the dispute in connection with the proceedings and fees, expenses payable to the Registrar or his nominee or, as the case may be, to the Board of nominees. Such an award shall not be invalid merely on the ground that it was made after the expiry of the period fixed for deciding the dispute by the Registrar and shall be binding on the parties to the dispute.

Recovery of money
awarded.

20. Every award given by the Registrar or the Registrar's nominee or the Board of nominees under section 19 shall, if not carried out, on a certificate signed by the Registrar, be deemed to be a decree of a Civil Court and shall be executed in the same manner as a decree of such court.

Power of a bank to
proceed against
defaulting member of a
co-operative society.

21. (1) If a Co-operative Society is unable to pay its debt to a bank from which it has borrowed, by reasons of its members defaulting in the payment of the moneys due by them, the bank may direct the Committee of such Society to proceed against such members by taking action under the Meghalaya Co-operative Societies' Act (Act I of 1950 as adapted by Meghalaya).

(2) If the Committee of a Co-operative Society fails to proceed against its defaulting members within a period of sixty days from the date of receipt of such direction from the bank, the bank itself may proceed against such defaulting members, in which event, the provisions of the Meghalaya Co-operative Societies' Act (Assam Act I of 1950 as adapted by Meghalaya) the rules and the bye-laws made thereunder shall apply as if all references to the Society or its Committee in the said provision, rules and bye laws were references to the bank.

(3) Where a bank has obtained a decree or award against a Co-operative Society indebted to it, the bank may proceed to recover such moneys firstly from the assets of the Co-operative Society and secondly from the members of the Co-operative Society to the extent of their debts due to the Society.

Audit, inspection and inquiry reports of Societies to be available to banks.

22. The Registrar of Co-operative Societies shall draw the attention of the bank financing a Co-operative Society to the defects noticed in every audit or inquiry or inspection of such Society conducted as per provisions of the Meghalaya Co-operative Societies' Act (Assam Act I of 1950 as adapted by Meghalaya) and shall also supply a copy each of such audit, inquiry or inspection report, if demanded, in writing, by the bank.

Exemption from legislation relating to money lending and agriculturists debt relief.

23. Nothing in any law for the time being in force dealing with money-lending or agriculturists' debt relief shall apply to a financial assistance availed of by an agriculturist from a bank.

Extension to other developmental purposes.

24. The State Government may by notification, extend from time to time the provisions of this Act to facilitate adequate flow of credit to agriculturists and non-agriculturists for housing, industrial, trade or any other developmental purposes through banks.

Power of State Government to make rules.

25. The State Government may make rules to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act and all such rules shall be published in the official Gazette.

SCHEDULE

[(See Section 5 (1))] FORM

Declaration under sub-section (1) of section 5 of the Meghalaya Credit Operation and Miscellaneous Provisions Act, 1976.

I.....son/daughter of Shri / Shrimati.....aged.....years,
Residing at.....P.O.....P.S.....District.....,being desirous
of availing of financial assistance in the form offrom the.....
(details of financial assistance to be stated) (name and particulars of the
Bank to be stated)

make this declaration, as required by section 5 (1) of the Meghalaya Credit Operation and Miscellaneous Provisions Act, 1976, that I own / have interest

as..... the/on the land /immovable property specified below.
(details of interest to be stated and
strike out what is not applicable)

and that I hereby do create a charge on the said land/immovable property in favour of the said
(her name of the Bank to be stated)

as security for the payment of the aforesaid financial assistance and for all future financial assistance, if any, which the Bank may make to me together
with interest, costs and expenses thereon.

Particulars of the land/immovable property.

Name of village, where the land immovable property situates.	Name of Laskarship/Nokmaship/Mouza/ Syiemship/Wahadarship/Dolloiship/ Sirdarship,etc.,where the land/ immovable property situates	Name of Blocks where the land/immovable property situates.	Name of Subdivision/District where the land/immovable property situates	Name of P.O. and Police Station where the land/ Immovable property situates
1	2	3	4	5

Description of land/immo- vable property including the name of loca-lity where situates	Name of Owners/with Full address	Nature, extent and value of Interest of the agriculturist	Type of land/ Immovable Property (in Case of land whether wet or dry cultivation)	Dag No. In case of Plain Mouza of Garo Hills	Town/Dag No. and Patta No. where Applicable	Area in Acres	Approximate value	Encum- brance If any, with Nature of en- cumbrances	Remarks, if Any
6	7	8	9	10	11	12	13	14	15

In witness whereof, I hereunder set my hand this.....
..... day of in the year one thousand nine hundred and

Witness:-

Signed and delivered to the above named in the presence of:-

Attested by: -

Signature of Declarant.

Forwarded with compliments to thewith a request to include the particulars of the Charge..... created under the declaration in the Record of Rights and returned to the Bank for its records.

Manager/Agent,

..... BANK.

Place.....

Returned with compliments to the Manager/Agent..... Bank. The Charge created under the declaration is duly included in the Record of Rights on the day of.....19 ..

Revenue Officer/District Council.....

Forwarded with compliment to the Sub-Registrar with a request to record the particulars of the Charge created under the declaration in his office.

Manager/Agent,

..... BANK.

Place.....

Returned with compliments to the Manager/Agent..... Bank, the Charge created under the declaration is duly recorded.

Sub-Registrar.

MEGHALAYA ACT 11 OF 1976

THE MEGHALAYA APPROPRIATION (No. III) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 5th October, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th October, 1976)

An

Act

to provide for the authorisation of appropriation of money out of the Consolidated Fund of Meghalaya to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1971, in excess of the amounts authorised or granted for those services and for that year.

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

- | | |
|---|---|
| Short title, | 1. (1) This Act may be called the Meghalaya Appropriation (No. III) Act, 1976. |
| Issued of Rs.1,19,57,111 from and out of the Consolidated Fund of Meghalaya to meet certain excess expenditure for the year ended on the 31 st day of March, 1971. | 2. From and out of the consolidated Fund of Meghalaya, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of one crore, nineteen lakhs, fifty-seven thousand, one hundred and eleven rupees shall be deemed to have been authorised to be paid and applied to meet the amount spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31 st day of March, 1971, in excess of the amounts authorised or granted for those services and for that year. |
| Appropriation. | 3. The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of Meghalaya under this Act Shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31 st day of March, 1971. |

SCHEDULE

(See Section 2 and 3)

(1)		(2)			(3)		(4)
Grant No.		Services and purposes (Major heads)			Sums not exceeding		Total
					Voted by the Assembly	Charged on the Consolidated Fund	
					Rs.	Rs.	Rs.
78	103	-Capital Outlay on Public Works			4,59,256	...	4,59,256
	16	-Interest on Debt and other Obligations.			...	268	268
	O	-Public Debt	...	...	...	14,59,256	14,59,256
	R	-Inter-State Settlement			...	99,98,587	99,98,587
					<hr/>		
		Total	...	...	4,59,256	1,14,97,855	1,19,57,111

MEGHALAYA ACT 12 OF 1976**THE MEGHALAYA APPROPRIATION (No. IV) ACT, 1976**

(As passed by the Assembly)

[Received the assent of the Governor on the 5th October, 1976](Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th October, 1976)**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 1976-77**

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

Short title,

Withdrawal of
Rs.2,65,43,978 from
and out of the
Consolidated Fund of
Meghalaya to meet
certain excess
expenditure for the
year ended on the 31st
day of March, 1971

- 1) This Act may be called the Meghalaya Appropriation (No. IV) Act, 1976.
- 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, sixty-five lakhs, forty-three thousand, nine hundred and seventy-eight rupees towards defraying the several charges which will come in course of payment during the financial year 1976-77 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 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 Section 2 and 3)*

(1)		(2)			(3)		(4)
Grant No.	Services and purposes (Major heads)				Sums not exceeding		Total
					Voted by the Assembly	Charged on the Consolidated Fund	
					Rs.	Rs.	Rs.
15	253	-District Administration ...			89,755	...	89,755
20	259	-Public Works ...			1,21,050	4,527	1,25,577
24	265	-Other Administrative Services-IV-Census, Vital Statistics, Guest Houses. etc.			11,000	...	11,000
48	288	-Social Security and Welfare-B-II-Relief and Rehabilitation of Displaced Persons.			7,49,987	...	7,49,987
84A	499	-Capital Outlay on Special and Backward Areas-C-North Eastern Areas.			3,48,159	...	3,48,159
85A	505	-Capital Outlay on Agriculture.			2,00,000	...	2,00,000
101	688	-Loans for Social Security, and Welfare-I-Relief Measures and Rehabilitation Schemes.			19,500	...	19,500
112	734	-Loans for Power Projects.			2,40,00,000	...	2,40,00,000
113	768	-Loans to Government Servants.			10,00,000	...	10,00,000
		Total ...			2,65,39,451	4,527	2,65,43,978

MEGHALAYA ACT 13 OF 1976

THE MEGHALAYA TREE (PRESERVATION) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 5th October, 1976](Published in the Gazette of Meghalaya, Extra-ordinary, dated 9th October, 1976)

An

Act

**to make provisions for regulating the felling of trees for purpose
of protection of catchment areas and soil from erosion and
to preserve the special characteristics of the
hilly areas as regards landscape, vegetal
cover and climate and to provide
for matters connected therewith
and incidental thereto.**

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

Short title, extent and commencement.

1. (1) This Act may be called the Meghalaya Tree (Preservation) Act, 1976.

(2) It shall extend to the Municipality and Cantonment areas of Shillong;

Provided that the State Government may, by notification, extend the Act to other areas of Meghalaya.

- (3) It shall be deemed to have come into force on the 18th May, 1976.

Definitions.

2. In this Act, unless the context otherwise requires :-

- (a) “Government” means the Government of Meghalaya ;
- (b) “tree” means any tree specified in the Schedule to this Act, and the State Government may, by notification, add to or modify, the Schedule ;
- (c) “to fell a tree” includes burning, cutting, damaging, uprooting or lopping a tree to cause substantial damage or destruction thereto.

Restriction on felling of trees.

3. (1) No person shall fell any tree or cause or permit such tree to be felled in any land, whether of his ownership or otherwise, except with the prior permission of the Divisional Forest Officer who may grant such permission subject to such conditions not inconsistent with the provisions of this Act.

Provided that such permission shall not be refused if the tree is dead, diseased, over-matured, wind fallen, has become dangerous to life and property or if it is necessary for the purpose of preventing or abating a nuisance.

(2) Every order granting or refusing permission shall be in writing and in the case of refusal shall contain reasons thereof.

(3) Every application for application for permission under this section shall be disposed of by the Divisional Forest Officer as early as possible and not later than two months from the date of submission of the application, failing which permission shall be deemed to have been accorded.

Appeal.

4. Any person aggrieved by an order of the Divisional Forest Officer refusing permission under this Act may within thirty days from the date of such order, prefer an appeal to the Conservator of Forests.

Penalty for felling trees in contravention Section 3.

5. Any person who, without obtaining prior permission as provided in the Act, fells any such tree, or causes or permits it to be felled, shall be liable, on conviction before a Magistrate, to a fine not exceeding one thousand rupees; and the Court of such a Magistrate may further order that any such tree so felled together with all tools and other articles used in committing such contravention shall be forfeited to the State Government.

Power of entry, search and seizure.

6. (1) Any Forest Officer not below the rank of a Range Officer and Police Officer not below the rank of a Sub-Inspector may enter upon any land, where he has reason to believe that any tree has been or is being felled, in contravention of Section 3 and seize such felled tree or any lop-pings thereof, together with its produce, tools, implements and other articles with its produce, tools, implements and other articles used in committing such contravention and shall make a report of such seizure to the Divisional Forest Officer.

Power of entry, search and seizure.	<p>(2) If the property so seized is not ordered to be forfeited to the State Government under Section 5, that property shall be returned to the person from whom it was seized.</p> <p>(3) If any claim is set up by a third person to the property seized as aforesaid, the Magistrate shall inquire into the claim and may admit or reject it, after bearing such person in respect thereof.</p>
Bar against proceedings.	7. No suit or proceedings shall lie against the State Government or against any person empowerment to exercise powers or to perform duties or discharge functions under this Act, for anything in good faith done or purporting to be done under this Act.
Exemption.	<p>8. Notwithstanding any thing contained in this Act no permission shall be required for –</p> <p>(1) the training or laying of hedges :-</p> <p>(2) lopping of branches or pruning of any tree as required by ordinary agricultural or horticultural practices ;</p> <p>(3) the felling of any tree in pursuance of any order or direction made or issued by any authority under the provisions of any law for the time being in force.</p>
Provisions of this Act to be in addition to any other law for the time being in force.	9. The provisions of this Act shall be in addition to the provisions of any other law for the time being in force prohibiting or regulation the felling of trees.
When court to take cognizance of offence	<p>10. No court shall take cognizance of any offence punishable under this Act ,-</p> <p>1) Except on the complaint of the Divisional Forest Officer or any other officer authorised by the Government in this behalf ; and</p> <p>2) Unless the prosecution is instituted within three months from the date on which the offence is alleged to have been committed.</p>
Power to make rules.	<p>11. The State Government may make rules to carry cut the purposes of this Act.</p> <p>(2) In particular, and without prejudice to the generality of the foregoing provision, such rules may provide for all or any of the following matters, namely,-</p>

- (a) the form and manner of applications to be made for permission under sub-section (1) of Section 3 and disposal thereof ; appeals to the Conservator of Forests and the fees payable therefore ;
- (b) the procedure to be followed in hearing and deciding appeals under Section 4 ;
- (c) any other matter;

Repeal of the
Meghalaya Ordinance
1 of 1976.

12. The Meghalaya Tree (Plantation) Ordinance, 1976 (1 of 1976) is hereby repealed.

SCHEDULE

(See Section 2 and 3)

- 1. Pine**
- 2.**
- 3.**
- 4.**
- 5.**
- 6.**

MEGHALAYA ACT 14 OF 1976

THE MEGHALAYA INTOXICATING LIQUOR (PROHIBITION OF PUBLICATION OF ADVERTISEMENTS) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 5th October, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th October, 1976)

An

Act

To prohibit the advertisement of liquor by cinematographic exhibition and on walls, buildings and hoardings in public places, and to provide for matters connected therewith

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

Short title, extent and commencement.

1. (1) This Act may be called the Meghalaya Intoxicating Liquor (Prohibition of Publication of Advertisements) Act, 1976.
- (2) It extends to the whole of Meghalaya.
- (3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires:-
 - (a) “advertisement” includes any printed, cyclostyled, type-written, hand-written or painted matter or a design or pictorial representation and also includes the distribution or display of such matter, design or representation on any wall, building or hoarding in a public place or any announcement by means of producing or transmitting light or sound, whether by cinematographic exhibition, neon signs or otherwise ;
 - (b) “intoxicating liquor” does not include a drug as defined in the Drugs and Cosmetics Act, 1940 ;
 - (c) “officer of the Excise Department” means any officer of the Excise Department appointed under Section 8 of the Meghalaya Excise Act (Eastern Bengal and Assam Act I of 1910 as adapted and amended by Meghalaya).

Prohibition of advertisements relating to liquor.

3. No person shall publish or cause to be published any advertisements which solicit the use of, or offers for sale, any intoxicating liquor.

Explanation:- A sign-board on any premises in which intoxicating liquor is manufactured or sold or offered for sale indicating merely that such liquor is manufactured, or sold or offered for sale in those premises, and any catalogue or price list of such liquor kept or maintained in such premises, shall not amount to the publication of such an advertisement.

Presumption.

4. Where any advertisement relating to any intoxicating liquor has been published in contravention of Section 3, it shall be presumed, unless the contrary is proved, that the person on whose behalf it purports to have been published is the person who has published it or caused it to be published.

Power of the inspection and seizure of material object containing published advertisements.

5. (1) Subject to the provisions of any rules made in this behalf, any officer of the Excise Department not below the rank of Excise Inspector may –

- (a) enter and search at all reasonable time with such assistance, if any, as he considers necessary, any place in which he has reason to believe that an offence punishable under this Act has been or is being committed ;

- (b) seize and detain any article used for purposes of an advertisement which he has reason to believe contravenes any of the provisions of this Act ;

- (c) examine any record, register, document or any other material object found in any place mentioned in clause (a) and seize the same, if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act.

- (2) Where any officer seizes any property under sub-section (1) such seizure shall be reported to a Magistrate forthwith, and the provisions of Chapter XXXIV of the Code of Criminal Procedure, 1973, shall apply to the custody and disposal thereof as they apply to property referred to therein.

- | | |
|---|--|
| Penalty | 6. Any person who contravenes the provisions of Section 3 shall, on conviction, be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both. |
| Investigation of offence. | <p>7. (1) An officer of the Excise Department not below the rank of Excise Inspector may investigate any offence under this Act committed within the limits of the area in which he exercises jurisdiction and shall have in respect of such investigation the same powers as an officer-in-charge of a police station has in a cognizable case under the provisions of Chapter XII of the Code of Criminal Procedure, 1973 and may, in particular, make such investigation without an order of a Magistrate.</p> <p>(2) In other respects, the provisions of the said Code or in areas where the Code does not apply the spirit of the Code relating to arrests, searches, search warrants, production of persons arrested and investigation of offences shall, so far as may be, apply to all actions taken in these respects under this Act.</p> |
| Protection of action taken in good faith. | 8. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act. |
| Power to compound offences. | <p>9. (1) The Deputy Commissioner of the district may accept from any person, against whom a reasonable suspicion exists that he has committed any offence punishable under this Act, such sum of money, not being less than five hundred rupees, as he thinks fit by way of composition for the offence which such person is suspected to have committed.</p> <p>(2) On the payment of such sum of money to the Deputy Commissioner, the suspected person, if in custody, shall be discharged and no other proceedings shall be taken against him.</p> <p>(3) The provisions of this Section shall apply also where a prosecution or an appeal against conviction of an offence under this Act is pending, and in such a case the composition of such an offence under this Section shall have the effect of acquittal of an accused with whom the offence has been compounded.</p> |
| Power to make rules. | 10. The State Government may, by notification in the Gazette, make rules for carrying out the purposes of this Act. |

MEGHALAYA ACT 16 OF 1976

THE MEGHALAYA TRANSFER OF LAND (REGULATION) (AMENDMENT) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 5th October, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th October, 1976)

An

Act

further to amend the Meghalaya Transfer of Land (Regulation) Act, 1976

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

Short title and commencement.

1. (1) This Act may be called the Meghalaya Transfer of Land (Regulation) Act, 1976.
- (2) It shall come into force at once.

Amendment of sub-section (3) of Section 3 of the principal Act.

2. In the Meghalaya Amusements and Betting Tax Act (hereinafter, referred to as the principal Act), in Section 3, for sub-section (3) the following sub-section shall be substituted, namely:-

“(3) The State Government may, on the application of a proprietor of any entertainment in respect of which entertainment tax is payable under this Act, allow such proprietor, on such condition, as may be prescribed,

- (a) to compound the tax payable in respect of the entertainment for a fixed sum, or
- (b) to pay the amount of tax due by consolidated payment of such percentage of the gross sum received by the proprietor on account of payments for admission to the entertainment and on account of the tax, as the State Government may fix in this behalf”.

Amendment of Section 6.

3. In the principal Act, in Section 6 between the words “consolidated payment” and “is” the words “or a compounded tax for a fixed sum” shall be inserted.

MEGHALAYA ACT 16 OF 1976

THE MEGHALAYA TRANSFER OF LAND (REGULATION) (AMENDMENT) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 5th October, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 9th October, 1976)

An

Act

further to amend the Meghalaya Transfer of Land (Regulation) Act, 1971

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

Short title extent and commencement.

1. (1) This Act may be called the Meghalaya Transfer of Land (Regulation) (Amendment) Act, 1976.

(2) It extends to the tribal areas within the State of Meghalaya as specified in Part II of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution of India.

(3) It shall come into force at once.

Amendment of Section 8 of act 1 of 1972

2. In Section 8 of the Meghalaya Transfer of Land (Regulation) Act, 1971 –

(i) after sub-section (1), the following sub-section shall be inserted as sub-section (2), namely –

“(2) If any person refuses or fails to comply with an order made under sub-section (1), the competent authority may eject such person from the land.”

(ii) the existing sub-sections (2) and (3) shall be re-numbered as sub-sections (3) and (4) respectively.

(iii) in sub-section (3) as so re-numbered the fullstop “(.)” at the end shall be substituted by a colon “(:)” and the following proviso to this sub-section shall be inserted, namely:-

“Provided that in case the original transferor or his successor-in-interest refuses or fails to refund the actual consideration to the transferee or any person claiming through him, the land shall be disposed of in a prescribed manner by the competent authority for the purpose aforesaid.”

MEGHALAYA ACT 17 OF 1976

THE MEGHALAYA APPROPRIATION (No. V) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 22nd December, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 23rd December, 1976)

An

Act

**to authorise payment and appropriation of certain further sums
from and out of the Consolidated Fund of Meghalaya
for the financial year 1976-77.**

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

Short title

1. (1) This Act may be called the Meghalaya Appropriation (No. V) Act, 1976.

Withdrawal of Rs, 7, 88,200 from and out of the Consolidated Fund of Meghalaya for the financial year 1976-77.

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 seven lakhs, eighty-eight thousand and two hundred rupees towards defraying the several charges which will come in course of payment during the financial year 1976-77 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 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)		(2)		(3)		(4)
Grant No.	Services and purposes (Major heads)		Sums not exceeding		Total	
			Voted by the Assembly	Charged on the Consolidated Fund		
			Rs.	Rs.		Rs.
17.	255	-Police and 260-Fire Protection and Control.	1,31,200	...	1,31,200	
24.	265	-Other Administrative, Services –IV- Census, Vital Statistics, Guest Houses, etc.	22,000	...	22,000	
25.	265	-Other Administrative Services-V- Miscellaneous Administrative Services.	2,000	...	2,000	
42.	284	-Urban Development-A-General –II- Town and Regional Planning.	6,00,000	...	6,00,000	
101.	688	- Loans for Social Security and Welfare –I- Relief Measures and Rehabilitation Schemes.	3,000	...	3,000	
113-A	767	-Miscellaneous Loans-Loans for improvement of Earle Sanatorium, Shillong.	30,000	...	30,000	
Total			...	7,88,200	...	7,88,200

MEGHALAYA ACT 18 OF 1976

THE MEGHALAYA ADMINISTRATIVE OF JUSTICE (AMENDMENT) ACT, 1976

(As passed by the Assembly)

[Received the assent of the Governor on the 22nd December, 1976]

(Published in the *Gazette of Meghalaya*, Extraordinary, dated 23rd December, 1976)

An

Act

further to amend the Rules for the Administration of Justice and Police in the Khasi Hills District and Jaintia Hills District and in the Garo Hills District (hereinafter referred to as the principal Rules), and the Khasi Syiemship (Administration of Justice) Order, 1950 (hereinafter referred to as the principal Order)

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

Short title and extent.

1. (1) This Act may be called the Meghalaya Administration of Justice (Amendment) Act, 1976.
- (2) It shall have the like extent as the principal rules and Order.

Amendments of the principal rules and Order.

2. The Rules and Order herein below mentioned stand amended as follows :-
 1. On and from the 22nd day of October, 1976, in the rules for the Administration of Justice and Police in the Garo Hills District published with Notification N.2816-AP, dated the 29th March, 1937, as amended:-
 - (i) for the words “Garo Hills” wherever they occur, other than in the title of the Rules, the words “East Garo Hills District and West Garo Hills District” shall be substituted ;
 - (ii) in rule 1, for the words “District known as the Garo Hills” the words “East Garo Hills District and West Garo Hills District” shall be substituted; and
 - (iii) the word “District” occurring at the end of the title of the Rules shall be omitted.

2. On and from the 28th day of October, 1976,-

(a) In the rules for the Administrative of Justice and Police in the Khasi Hills District and Jaintia Hills District published with Notification No.2618-AP,dated 29th March, 1937, as amended,-

(i) For the words “Khasi Hills District” wherever they occur, other than in the title of the Rules, the words “East Khasi Hills District, West Khasi Hills District” shall be substituted ; and

(ii) For the words “Khasi Hills District and Jaintia Hills District” occurring in the title of the Rules, the words “Khasi and Jaintia Hills”, shall be substituted.

(b) In the Khasi Syiemships (Administration of Justice) Order, 1950 published with Notification N.SK/140/49/8, dated the 25th January, 1950 as amended,-

(i) for the words “United Khasi-Jaintia Hills District” wherever occurring in the Order, the words “East Khasi Hills District and West Khasi Hills District” shall be substituted ; and

(ii) in sub-rule (2) of Rule 1 for the words “said District” the words “said East Khasi Hills District” shall be substituted.

Construction of references.

3. In the principal Rules and Order, all references therein to the Code of Criminal Procedure, 1898 or to any of the provisions of the said Code, shall be read as referring to the Code of Criminal Procedure, 1973 (Act 2 of 1974) or to the corresponding provisions of the Code.

Assimilation
of laws.

4. All laws which immediately before the 22nd day of October, 1976 and the 28th day of October, 1976, are in force in the Garo Hills District and the Khasi Hills District respectively, shall continue to be in force in the East and West Garo Hills Districts and in the East and West Khasi Hills Districts, as the case may be :

Provided that except where the context otherwise requires all references therein to the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of the Garo Hills District and the Khasi Hills District shall be read, on and from the dates aforesaid, as referring respectively to the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of the East Garo Hills District, West Garo Hills, District, East Khasi Hills District and West Khasi Hills District.

Trial of
cases and
appeals.

5. Notwithstanding anything contained in this Act or in any other law for the time being in force the State Government may, by order, for the trial of cases or appeals generally, or for the trial of a particular class of cases or appeals, both Civil and Criminal, relating to any district, direct that the same be tried by the Court of the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of any other District.

Repeal of
Ordinance
2 of 1976.

6. The Meghalaya Administration of Justice (Amendment) Ordinance, 1976 is hereby repealed.

MEGHALAYA ORDINANCE 1 OF 1976**THE MEGHALAYA TREE (PRESERVATION) ORDINANCE, 1976**

(Published in the *Gazette of Meghalaya*, dated the 20th May, 1976)

An

Ordinance

**to make provisions for regulating the felling of trees for the
purpose of protection of catchment areas and soil from erosion
and to preserve the special characteristics of the hilly
areas as regards landscape, vegetal cover and climate and
to provide for matters connected therewith
and incidental thereto**

Whereas , the Legislative Assembly of Meghalaya is not in Session and the Governor of Meghalaya is satisfied that circumstance exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor is pleased to promulgate in the Twenty-Seventh Year of the Republic of India the following Ordinance, namely:-

1. Short, title, extent and commencement.- (1) The Ordinance be called the Meghalaya Tree (Preservation) Ordinance, 1976.

(2) It shall extend to the Municipality and Cantonment areas of Shillong:

Provided that the State Government may, by notification, extend the Ordinance to other areas of Meghalaya.

(3) It shall come into force at once.

2. Definitions. - In this Ordinance, unless the context otherwise requires:-

- (a) "Government" means the Government of Meghalaya ;
- (b) "tree" means any tree specified in the Schedule to this Ordinance, and the State Government may, by notification, add to or modify, the Schedule ;
- (c) "to fell a tree" including burning , cutting, damaging, uprooting, or lopping a tree to cause substantial damage or destruction thereto.

3. Restriction on felling of trees.- (1) No person shall fell any tree or cause or permit such tree to be felled in any land, whether of his ownership or otherwise, except with the prior permission of the Divisional Forest Officer who may grant such permission subject to such conditions not inconsistent with the provisions of this Ordinance ;

Provided that such permission shall not be refused if the tree is dead, diseased, over-matured, windfallen, has become dangerous to life and property or if it is necessary for the purpose of preventing or abating a nuisance.

(2) Every order granting or refusing permission shall be in writing and in the case of refusal shall contain reasons thereof.

(3) Every application for permission under this section shall be disposed of by the Divisional Forest Officer as early as possible and not later than two months from the date of submission of the application failing which permission shall be deemed to have been accorded.

4. Appeal.- Any persons aggrieved by an order of the Divisional Forest Officer refusing permission under this Ordinance may, within thirty days from the date of such order, prefer an appeal to the Conservator of Forests.

5. Penalty for felling trees in contravention of Section 3.- Any person who without obtaining prior permission as provided in the Ordinance, fells any such tree, or causes or permits it to be felled, shall be liable, on conviction before a Magistrate, to a fine not exceeding one thousand rupees; and the Court of such a Magistrate may further order that any such tree to felled together with all tools and other articles use in committing such contravention shall be forfeited to the State Government.

6. Power of entry, search and seizure.- (1) Any Forest Officer not below the rank of a Range Forest Officer and Police Officer not below the rank of a Sub-Inspector may enter upon any land, where he has reason to believe that any tree has been or being felled, in contravention of Section 3 and seize such felled tree or any loppings thereof together with its produce, tools implements and other articles used in the committing such contravention and shall make a report of such seizure to the Divisional Forest Officer.

(2) If the property to seize is not ordered to be forfeited to the State Government under Section 5, that property shall be returned to the person from whom it was seized.

(3) If any claim is set up by a third person to the property, seized as aforesaid, the Magistrate shall inquire into the claim and may admit or reject it after hearing such person in respect thereof.

7. Bar against proceedings:- No suit proceedings shall lie against the State Government or against any person empowered to exercise powers or to perform duties or discharge functions under this Ordinance, for anything in good faith done or purporting to be done under this Ordinance.

8.Exemption.- Notwithstanding anything contained in this Ordinance no permission shall be required for –

- 1) the trimming of laying of hedges ;
- 2) lopping of branches or pruning of any tree as required by ordinary agricultural or horticultural practices.

9. Provisions of this Ordinance to be in addition to any other law for the time being in force.- The provisions of this Ordinance shall be in addition to the provisions of any other law for the time being in force prohibiting or regulating the felling of trees.

10. When court to take cognizance of offence.- No court shall take cognizance of any offence punishable under this Ordinance:-

- 1) except on the complaint of the Divisional Forest Office or any other officer authorised by the Government in its behalf; and
- 2) unless the prosecution is instituted within three months from the date on which the offence is alleged to have been committed.

11. Power to make rules.- (1) The State Government may make rules to carry out the purposes of this Ordinance.

(2) 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 of applications to be made for permission under sub-section (1) of Section 3 and disposal thereof; appeals to the Conservator of Forest and fees payable thereof ;
- (b) the procedure to be followed in hearing and deciding appeals under Section 4 ;
- (c) any other matter.

SCHEDULE

[See Section 2 (b)]

1. Pine
- 2.
- 3.
- 4.
- 5.
- 6.

Raj Bhavan Shillong:
The 18th May , 1976

LALLAN PRASAD SINGH,
Governor of Meghalaya.

MEGHALAYA ORDINANCE 2 OF 1976

THE MEGHALAYA ADMINISTRATION OF JUSTICE (AMENDMENT) ORDINANCE, 1976

(Published in the Gazette of Meghalaya, Extraordinary, dated the 20th October, 1976)

An

Ordinance

further to amend the Rules for the Administration of Justice and Police in the Khasi Hills District and Jaintia Hills District and in the Garo Hills District (hereinafter referred to as the principal Rules), and the Khasi Syiemship (Administration of Justice) Order, 1950 (hereinafter referred to as the principal Order).

Whereas, the Legislative Assembly of Meghalaya is not in Session and the Governor of Meghalaya is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor is pleased to promulgate in the Twenty-seventh Year of the Republic of India of India the following Ordinance, namely:-

1. Short title and extent.- (1) This Ordinance may be called Meghalaya Administration of Justice (Amendment) Ordinance, 1976.

(2) It shall have the like extent as the principal Rules and Order.

2. Amendments of the principal Rules and Order.- The Rules Order herein below mentioned shall stand amended as follows:-

(1) On and from the 22nd day of October, 1976 in the Rules for the Administration of Justice and Police in the Garo Hills District published with Notification No.2816-AP, dated the 29th March, 1937, as amended,-

- (i) for the words "Garo Hills" wherever they occur, other than in the title of the Rules, the words "East Garo Hills District" and "West Garo Hills District" shall be substituted ;
- (ii) in rule 1 for the words "district known as the Garo Hills" the words "East Garo Hills District and West Garo Hills District" shall be substituted ; and
- (iii) the words "District" occurring at the end of the title of the Rules shall be omitted.

(2) On and from the 28th day of October, 1976-

(a) In the Rules for the Administration of Justice and Police in the Khasi Hills District and Jaintia Hills District published with Notification N.2618-AP, dated 29th March, 1937, as amended .-

- (i) for the words "Khasi Hills District" wherever they occur, other than in the title of the Rules, the words "East Khasi Hills District, West Khasi Hills District" shall be substituted ; and
- (ii) for the words "Khasi Hills District and Jaintia Hills District" occurring in the title of the Rules, the words "Khasi and Jaintia Hills" shall be substituted.

(b) In the Khasi Syiemships (Administration of Justice) Order, 1950 published with Notification No.SK.140/49/8,dated the 25th January, 1950, as amended,-

- (i) for the words "United Khasi Jaintia Hills District" wherever occurring in the Order, the words "East Khasi Hills District" and "West Khasi Hills District" shall be substituted ; and
- (ii) in sub-rule (2) of Rule 1 for the words. "said District" the words "said East Khasi Hills District" shall be substituted.
- (iii)

3. Assimilation of Laws. - All laws which immediately before the 22nd day of October, 1976 and the 28th day of October, 1976, are in force in the Garo Hills District and the Khasi Hills District respectively shall continue to be in force in the East and West Garo Hills Districts and in the East and West Khasi Hills Districts, as the case may be:

Provided that except where the context otherwise requires all references therein to the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of the Garo Hills District and Khasi Hills District shall be read, on and of the dates aforesaid, as referring respectively to the Deputy Commissioner , Additional Deputy Commissioner or Assistant to the Deputy Commissioner of the East Garo Hills District West Garo Hills District, East Khasi Hills District and West Khasi Hills District.

4. Trial of cases and appeals.- Notwithstanding any thing contained in this Ordinance or in any other law for the time being in force the State Government may, by order, for the trial of cases or appeals generally , or for the trial of a particular class of cases or appeals, both Civil and Criminal, relating to any district, direct that the same be tried by the Court of the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of any other District.

Dated Raj Bhavan
Shillong
The 19th October, 1976

LALLAN PRASAD SINGH,
Governor of Meghalaya.