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PART – IV
GOVERNMENT OF MEGHALAYA
DISTRICT COUNCIL AFFAIRS DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION
The 31st March, 1997

No.DC/L/VII/2/97/586. – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Khasi Hills Autonomous District Council is hereby published for general information:-

THE KHASI HILLS AUTONOMOUS DISTRICT (KHASI SOCIAL CUSTOM OF LINEAGE) ACT, 1997.

(Passed by the Khasi Hills Autonomous District Council on the 13th March, 1997)

(Received the assent of the Governor on 23rd February, 2005)

(Published in the Gazette of Meghalaya on 25th February, 2005).

AN

ACT

to make provisions for the protection and preservation of the Khasi Social Custom of Lineage.

PREAMBLE - Whereas under paragraph 3 of the Sixth Schedule to the Constitution of India, the District Council can make laws, among others, on marriage, divorce, and social customs.

Now therefore, the District Council of the Khasi Hills Autonomous District in pursuance of powers under the said paragraph 3 and of all other powers enabling it in that behalf, hereby enacted in the Forty eight Year of the Republic of India as follows:

- 1. Short title, Commencement and Application**-(1) This Act may be called the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997.
(2) It shall come into force on such date as the Executive Committee may, by a notification in the Gazette, appoint.
(3) It shall apply to all Khasis of the district wherever they may be.

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

- (a) "Chief" means a Syiem, Lyngdoh, Sirdar or Wahadadar, as the case may be of any Elaka;
- (b) "Certificate" means a certificate granted by the registration authority under this Act;
- (c) "District Council" means the Khasi Hills Autonomous District Council established under the Sixth Schedule to the Constitution of India;
- (d) "District" means the Khasi Hills Autonomous District;
- (e) "Executive Committee" means the Executive Committee of the Khasi Hills Autonomous District Council.
- (f) "Gazette" means the Official Gazette of the State of Meghalaya.
- (g) "Headman" includes a Myntri, Syiem Raid, Basan Lyngdoh Raid, Matabor, Elector, Pator, Sordar Shnong, Sordar Raid or Rangbah Shnong.
- (h) "Khasi" means a person belonging to Khasi tribe who may be a Khasi, Jaintia, Pnar, Synteng, War, Bhoi or Lyngngam or who is recognised or deemed as such under prevailing Khasi Custom or this Act.
- (i) "Legal marriage" means any form of marriage performed, solemnised or recognised under any law for the time being in force or under the prevailing Khasi Custom:
- (j) "Minor" means a person who has not attained the age of eighteen years and "minority" means the status of any such person.
- (k) "Privilege" includes any *or* all immunities, privileges, rights or concessions which a Khasi is entitled to *or* is eligible as a member of Scheduled Tribe under the Constitution of India or any law, rule, regulation, notification *or* order made by any authority, District Council, the Legislature of the State of Meghalaya, the Parliament, the Government of India or Government of Meghalaya.
- (l) "Prescribed" means prescribed by rules made under this Act.
- (m) "Rap-iing" means the Khasi custom which allows or permits a Khasi family having no female member or whose female members have died out to bring or introduce into the family or in other words, to adopt a female member from their kpoh or from their kur for taking her place as Ka Khun Khadduh or the youngest daughter of the family to obviate the family from iapduh or dying out or being extinct with no custodian to the family ancestral property and to perform such religious rights or ceremonies if any, vested in the female member or Ka Khun Khadduh or the youngest daughter of the family.
- (n) "Registration Authority" means such person or authority as the Executive Committee may, by a notification in the Gazette, appoint to be the registration authority for the purpose of exercising all or any of the powers, duties or functions of the registration authority under this Act and the rules made thereunder for the whole or any part of the district as may be specified in the notification;
- (o) "Schedule Tribe" means a person belonging to any of the Scheduled Tribes pertaining to the State of Meghalaya and specified in the Constitution (Scheduled Tribe) order, 1950, as amended from time to time;

(p) "Tang Jait" means a ceremony for adopting a Jait with the prefix of "Dkhar" or simply "Khar" to it for the person or persons born of a Khasi father and a non-Khasi mother and have been absorbed and assimilated into Khasi community.

The 'Tang Jait' ceremony may be performed according to prevailing custom among the Kur, Jait, or clan *of* the Khasi father and in the absence of such a custom or in the case of Khasi converted to other religion it shall be performed by any uncle or adult male member of the Kur or Jait who is a Khasi from the kpoh *of* the Khasi father in such form and manner as the members of the Kpoh may decide, which may vary from kpoh to kpoh and it shall be done in the presence of the Chief or Headman of the village or locality where the person concerned or his/her Khasi father resides.

3. Khasi Social Custom of Lineage – (1) On or after the commencement of this Act, every person born of a legal marriage –

(a) whose parents are or were both Khasi, shall be a Khasi of the Kur, Jait or Clan of the mother, or

(b) whose mother is or was a Khasi and the father a non-Khasi, shall be a Khasi *of* the Kur, Jait or Clan of the Khasi mother if and only if the person and his/ her Khasi mother fulfill the following requirements, namely:-

(i) they can speak Khasi, unless prevented from knowing the language by circumstances beyond their control.

(ii) they observed and are governed by Khasi matrilineal system of lineage, the Khasi laws *of* inheritance and succession and the Khasi laws of consanguinity and kinship.

(iii) had not, at any time, in writing or, otherwise voluntarily renounced the Khasi status.

(iv) had not adopted the personal law of the non-Khasi father or husband, as the case may be, or a personal law *of* a society incompatible with Khasi personal laws and customs, and,

(v) had not ~~lost~~ or been deprived of Khasi status by judgement or order of any competent court or by the operation of any such judgement *or* order, or under the provision *of* this Act, or

(c) whose father is or was a Khasi and the mother a non-Khasi and the Khasi father and every such person fulfill the requirements specified in sub-clauses (i) to (v) *of* clause (b) *of* sub-section (1) *of* this section shall be a Khasi belonging to such Khasi, Kur, Jait, or Clan in accordance with the prevailing Khasi customs applicable to such Khasi father or belonging to such new Kur, Jait, or clan as may be adopted under any prevailing Khasi customs applicable to the Khasi father or by "Tang Jait".

(2) Every case *of* Tang Jait made under clause (c) of sub-section (i) of this section and under any other provisions *of* this Act shall be reported, as soon as may be, to the registration authority under this Act by the person performing or conduction it duly confirmed by the Chief or Headman *of* the village or locality concerned present in the ceremony and the report shall also contain such information and particulars as may be prescribed.

(3) Where on or after the commencement of this Act -

(a) a person is or has been adopted or brought up by any Khasi family, person or persons as his/her/their own son or daughter, nephew *or* niece under any prevailing Khasi custom or any law in force, or

(b) a female person is or has been introduced or brought in any Khasi family under the Khasi custom of 'Rap-iing', every person so adopted or brought in as Rap-iing shall be a Khasi but *of* the Kur Jait or clan *of* his/her natural Khasi mother or of such Khasi Kur Jait or Clan according to the prevailing Khasi custom applicable to his/her Khasi father *or* as may be adopted by 'Tang Jait' in case the natural mother is or was a non-Khasi.

(4) Every person who is or was a Khasi before the commencement of this Act or who is *or* was deemed to be a Khasi before such commencement under any prevailing Khasi custom or any law in force shall be a Khasi and shall always be deemed to be a Khasi under this Act unless,

(a) such person had before such commencement renounced his/her Khasi status or had lost or had been deprived *of* Khasi status under any prevailing Khasi custom or any law then in force, or

(b) such person had, on *or after* the commencement *of* this Act, lost or had been deprived of Khasi status under the provisions *of* this Act.

4. Conferment of Khasi status in certain cases before the commencement of this Act:- The 'Tang Jait' as provided in clause (c) of sub-section (1) and in sub-section (2) *of* section 3 *of* this Act shall, also apply to cases before such commencement.

5. Authority to make registration and grant *of* Khasi tribe certificate:-

(1) Subject to the other provisions of this Act and such condition and restrictions, as may be prescribed, the registration authority shall be the only authority having jurisdiction to register as a Khasi a person who is or deemed to be a Khasi under this Act and to grant a Khasi tribe certificate to the person.

(2) Save as otherwise provided in Sections 10 and 11 of this Act, the registration made and the certificate granted by the registration authority under this Act shall unless it is proved that it was made or obtained by means of fraud, false representation or the concealment of any material fact, be conclusive evidence that the person in whose favour registration was made and certificate granted is or was a Khasi and it shall be admissible as evidence in any court of law.

6. **Application for registration and Khasi tribe certificate:-** Application for registration and for grant of certificate under this Act shall be made to the registration authority, in such form and manner and on payment of such fee, as may be prescribed by the following persons, namely:-

- (a) In case of person born of Khasi parents, by either of the parent;
- (b) In case of person born of Khasi mother and a non-Khasi father, by the mother;
- (c) In case of person born of a non-Khasi mother and a Khasi father, by the father;
- (d) In case of person adopted under Rap-iing or otherwise, by the adopting Khasi person or any one of the adopting Khasi persons.

7. **Cases where registration is compulsory and period within which application for registration has to be made:-** (1) Notwithstanding anything contained in the other provisions of this Act, registration under this Act shall be compulsory in the cases of a person or persons to whom clause (b) or clause (c) of sub-section (1) of section 3 of this Act is applicable.

(2) The provisions of sub-section (1) of this Section shall also apply to all persons born before the commencement of this Act *of a* Khasi mother by a non-Khasi father or of a non-Khasi mother by the Khasi father, and the person claims or identifies to be a Khasi.

(3) Application for registration and *for* grant of Certificate in case of a person referred to in Sub-section (1) and (2) of this section shall be made by the Khasi mother or Khasi father, as the case may be, and within five year from the commencement of this Act where a person was born before such commencement and within three years from the date of birth of a person in the case of a person born on or after the commencement of this Act.

8. **Other provisions relating to application for registration:-**(1) In case the application cannot be made by such person as provided in sections 6 or 7 of this Act, the application may be made by any adult member of the Khasi family concerned, or by the person seeking registration giving reasons thereof;

Provided that the registration authority may, for reasons to be recorded and communicated to the applicant, refuse to entertain any application made under this sub-section.

(2) Where any of the provisions of section 6,7 and 8 of this Act causes undue hardship or difficulty in any particular case or cases, registration authority shall refer the matter to the Executive Committee, for its decision and order and the Executive Committee, may by general or special order, do anything not inconsistent with this Act for the purpose of removing the hardship or difficulty or may refer the matter to such person or body or authority for the views or opinions in the matter as it may deem fit and proper.

9. **Disposal of application by registration authority:-**(1) On receipt of the application for registration and for grant of a certificate by the registration authority under this Act, the same shall be considered and disposed of by the registration authority as soon as may be and not later than six months from the date of receipt the application.

(2) In granting or refusing registration and grant of a certificate under this Act, the registration authority shall take into account all the provisions of the foregoing Section 3, 4, 6, 7 and 8 and the other relevant provisions of this Act as well as the rules and orders made thereunder and shall *also*, in this connection, take into consideration the following matters, namely:-

- (a) Whether the person seeking registration and for grant of certificate or in whose behalf the same be sought (hereinafter in this section referred to as "the applicant") is/was married or not and if married, whether his/her spouse is/was a Khasi or not;
- (b) Whether the parents of the applicant are/were both Khasis or not;
- (c) Whether the applicant's parents, in case one *of* them is/was a non-Khasi are/were legally married and whether they are/were living together or have/had separated or have/had been divorced, furnishing supporting documents wherever possible;
- (d) the place *of* birth *of* the parents and of the applicant;
- (e) Whether the applicant, in case one of the applicant's parents is/was a non-Khasi, can speak Khasi and has knowledge *of* the Khasi customs *of* kinship, marriage, divorce, inheritance, and *of* the Khasi customs which an ordinary Khasi person is expected to know.
- (f) Whether the applicant and/or the applicant's parents or any of them hold any landed property in any area within any State in India.
- (g) Whether the applicant and/or the applicant's parents or any of them had ever stayed in any country outside India. If so, the purpose of his/her/their stay in such foreign country/countries and whether the applicant and/or the parents or any of them own any land or house property there or leased hold right to any such property;
- (h) Whether the applicant and/or the applicant's parents or any of them had ever acquired the citizenship or nationality *of* any foreign country;
- (i) Whether the Khasi parent of the applicant and/or the applicant had at any time adopted or identified himself/herself by the title or surname of his/her non-Khasi parent and/or spouse, as the case may be and not by the Khasi title or surname, that is, Kur or Jait;
- (j) Whether the Khasi status of the applicant and *of* the applicant's parents or any of them had ever been in doubt or questioned by any of their near relatives or by any person or authority or had been questioned before any authority or court of law.

(3) The registration authority may *for* the purpose of clause (c) of sub-section (2) of this Section or where the registration authority has reason to believe, which shall be recorded in writing, that any of the information furnished in the application are doubtful, direct the personal appearance of the applicant or/and his/her parents or any *of* the parent before the registration authority, at their own expenses, for ascertaining the actual position in the matter.

(4) The registration authority *for* disposing of any application under this section may, if considered necessary, call *for* such information and particulars *from* the applicant or any chief, headmen or any, other authority or body or association or may make or cause to be made such enquiry or investigation by itself or by such officer, chief headmen, person or other authority *or* may make a reference to the Executive Committee as it may deem necessary.

(5) The Executive Committee may on its own motion or on information received, or on a reference made to it by any chief, headmen, body or association or authority, call for any application for registration disposed *of* by or pending disposal with the registration authority, or for any paper or record thereof, for its examination and consideration and may make such orders or direction in respect of such application or any reference made to it by the registration authority under the preceding sub-section (4) or it may refer the matter or any other matter it considers necessary to such chief or headmen, or any person, or authority, body or association as the Executive Committee may decide, for their views, opinion or advice or the Executive Committee may order such enquiry or investigation to be made by such officer, body or person or authority with respect to any matter in connection thereof and after considering the views opinions, advice *of* the report of such enquiry or investigation pass such order, direction or instruction in this behalf and the registration authority shall have to act according to such order, direction or instruction.

(6) Every order granting or refusing registration shall be in writing and shall contain reasons thereof.

(7) Where registration is granted the applicant shall be registered as a Khasi and of such Kur, Jait or Clan in such register and other records as may be prescribed and a certificate to that effect, in such form and containing such particulars may be prescribed and affixed with the photograph of the person concerned authenticated by the registration authority in such manner as may be prescribed shall be granted to the applicant.

(8) The registration authority shall prepare and submit a list of application not disposed of by it within the period mentioned in sub-section (1) to the Executive Committee with reasons thereof and the Executive Committee after taking into consideration of all the facts and circumstances relevant thereto and/or after causing such inquiry to be made in the matter and/or after making a reference as provided under section (5) of this section shall issue such instruction or direction as to the disposal of the application and the registration authority shall dispose of the application accordingly.

10. Loss and deprivation of Khasi status:- (1) Notwithstanding anything contained in any law in force, a Khasi person shall cease or deemed *to* have ceased to be a Khasi or shall lose or deemed to have lost or have been deprived of Khasi status, on and from such date as may be specified in the order made in this behalf by the registration authority who -

(a) voluntarily, in writing or otherwise renounces or had renounced his/her Khasi status, or

(b) fail or had failed or does not or did not comply with any of the requirements of or the provisions under this Act or the rules or orders made thereunder, or

(c) does not observe or no longer observes or is not or no longer governed by the Khasi matrilineal system of lineage or Khasi Laws of Inheritance and succession, consanguinity and kinship, or

(d) had adopted a personal law of a society not compatible with Khasi personal laws and customs, or

(e) had lost or had been deprived of Khasi status by the Judgment and order of any competent court or by the operation of any judgment and order of any competent court.

(2) Every order made by the registration authority under preceding sub-section (1) shall be published by the Gazette as well as in local newspaper and it shall be communicated to the person concerned.

(3) An order under this section may be made on a complaint, report or information in writing, by any person, authority, Chief, headman, association or body to the registration authority or on its own motion, after making such inquiry as it may consider necessary.

(4) No order under this section shall be made unless the person affected has been given an opportunity to submit his explanation in defence and of being heard.

(5) Notwithstanding anything contained in any other law the onus of proving that the person has not ceased to be a Khasi shall be upon the person who asserts it.

(6) Where all or any of the children born of a Khasi mother by a non-Khasi father or a non-Khasi mother by a Khasi father, as the case may be, adopt the personal law of the society of their non-Khasi parent, it shall always be presumed for the purpose of this Act, that such Khasi parent and the children had renounced her/his/their Khasi status voluntarily.

11. Effect of loss and deprivation of Khasi status:- (1) No person who had ceased to be a Khasi or who had lost or deemed to have lost or been deprived of Khasi *status* under section 10 of this Act shall, from the date of publication of his/her name in the order made under sub-section (1) and (2) of that section, have any right by inheritance *or* succession to any property, moveable or immovable which otherwise would have devolved on him/her by Khasi custom or under any law in *force* applicable to a Khasi person or be entitled to any privilege or concession which a Khasi person may be eligible as a member of the Scheduled Tribe.

(2) No person who had ceased or have lost or been deprived of Khasi status under section 10 shall, in any way whatsoever identify himself as a Khasi or as belonging to any Khasi Kur, Jait or clan or use any Khasi Kur, Jait or clan as a title or surname after his name or declare himself to be a Khasi for any purpose whatsoever.

(3) Where a person had ceased or deemed to have ceased to be a Khasi or had lost or deemed to have lost or been deprived of Khasi status under section 10 of this Act, registration made and certificate granted or issued in this behalf by the registration authority under this Act shall, from the date of the order under-section (1) and (2) of Section 10, be deemed to have been cancelled and revoked and shall no longer be enforceable.

12. Change of Surname, Kur, Jait or Clan:- (1) No person shall change his/her Surname, Kur, Jait or Clan and take or assume any other Khasi surname, Kur, Jait or Clan except as hereinafter provided in this Act.

(2) A petition for effecting change of surname, Kur, Jait or Clan shall be submitted to the registration authority, on payment of such fees as may be prescribed in this behalf, for its orders giving reasons and grounds necessitating such change together with such papers or documents if any, in support thereof and the names and other particulars of the persons the petitioner wish the registration authority to examine on such matters mentioned in the petition.

Provided that no such petition shall be accepted by the registration authority unless it is satisfied that a public notice as prescribed under this Act had been published in two consecutive issues of any two local newspapers one in English and other in Khasi, inviting objection, if any, to the proposed change, from any person, body, authority or association within such time as mentioned in the notice which shall not, however, exceed forty days from the date of the last publication of the second notice in the newspapers.

(3) It shall be the duty and responsibility of the petitioners or the party making the objection to furnish, at their own expenses, copies of such papers or documents the parties respectively relied upon and to bear all costs and expenses for their respective witnesses as well as for the discovery and examination or production of any paper or documents as and when so directed by the registration authority.

Provided that the registration authority may, if satisfied, on prayer made in that behalf giving reasons thereof and after all expenses involved had been deposited as directed with the Registration Authority, summon or enforce the attendance of any person and examining the person on oath and/or requiring the discovery, production and examination of any paper or document.

(4) Notwithstanding anything contained in Sub-section (3) of this Section the registration authority may, on its own motion or otherwise direct the personal appearance of any person if the registration authority has reasons to believe that such person has knowledge or information on any matter connected with the case and for their discovery, production and examination of any paper or document and all expenses and costs involved in that behalf shall be borne by the petitioner in full.

(5) The provisions of sub-section (4) , (5) and (8) of Section 9 of this Act shall mutatis mutandis apply to the petition under this section as are applicable to the application in the aforesaid Section 9.

(6) Every petition under this Section shall be disposed of as soon as may be by the Registration authority and not later than six months from the date of receipt of the petition.

(7) Where the change as proposed in the petition contravenes the prevailing Khasi Social Custom of Lineage as provided in Section 3 and 4 of this Act, the Registration authority shall refuse consent and shall dismiss the petition.

(8) Every order made by the Registration Authority, refusing to give consent and dismissing the petition or giving its consent and allowing the petition, as the case may be, shall be writing and shall contain reasons thereof and it shall be published in such form as may be prescribed in the Gazette and in any local newspapers, in English and Khasi by the registration authority which shall also be communicated to the petitioner and expenses thereof shall be borne by the petitioner out of the fees paid under sub-section (2) of this section.

(9) Where the registration authority gives its consent and allows the petition, registration, if any, already made under this Act, shall be modified accordingly and fresh certificate granted canceling the one already granted earlier.

(10) Where in the course of the proceeding under this section it is found that the petitioner is not or is no longer a Khasi under the provisions of this Act, but identified and claimed himself/herself to be a Khasi, the person shall be liable to action under all or any of Section 10, 11 and 17 of this Act according to the circumstances of the case and registration and certificate, if any, already made and granted under this Act shall be cancelled forthwith.

- 13. Appeal:-** (1) An appeal shall lie to the Executive Committee against the order of the registration authority under Section 6, 7, 8, 9, 10 and 12 of this Act if filed within 90 days from the date of the order.

Provided that the Executive Committee may entertain an appeal after the expiry of such period of ninety days if it satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) In computing the period of 90 days under sub-section (1), the time required to obtain the certified copy of the order appealed against shall be excluded.

(3) An appeal under this section may be filed by the person aggrieved by the order or by any other person, chief, headman or any authority, body or association on ground of injury to such Khasi social Customs as may be shown in the appeal petition.

(4) An appeal under this section shall be made in such form and manner and on payment of such fee as may be prescribed.

(5) The order or decision of the Executive Committee in appeal under this section shall be final and binding.

14. Application, Certificate, Registration, etc to be public documents and their custody:-

(1) All applications for registration and for certificate including the office copies of such certificates kept with registration authority, registers of entries of registration and other papers and documents connected thereof shall be public documents and shall be open to public inspection on payment of such fee as may be prescribed.

(2) All applications for registration the office copies of certificates granted, the registers of entries of registration and other papers and documents connected thereof shall be kept and maintained in such manner as may be prescribed and under the charge of such officers as may be appointed by the Executive Committee who shall be responsible for their safe custody and the overall responsibility for their maintenance and safe custody shall vest with the Executive Committee.

15. Burden of proof:- Save as otherwise provide in this Act, where in any proceeding under this Act, the Khasi status of a person is called in question, the burden of proof, notwithstanding anything contained in any other Law, shall be with the person who asserts that he/she is a Khasi.

16. Power of the Registration authority:- (1) The registration authority while making inquiries under this Act shall all the powers of a Civil court while trying a suit as provided under the code of Civil Procedure 1908 (contain Act 5 of 1908) in respect of the following matters, namely:-

- (a) Summoning and enforcing the attendance of any person and examining him on oath.
- (b) Requiring the discovery and production of any document and,
- (c) Any other matter which may be prescribed.

(2) The decision of the registration authority under this ct shall have the force of a decree of the civil court.

17. Offences and Penalties:- (1) Any person who is not a Khasi who falsely or fraudulently claims, identifies or declare himself or herself to be a Khasi of such Khasi Kur, Jait or Clan or use a Khasi surname in order to gain such benefit, privileges advantages or concessions which a Khasi person is entitled to as a member of the Schedule Tribes, or for any other purposes whatsoever or who continues to do so even after he/she had lost or had been deprived of Khasi status under any of the provisions of this Act for the purposes aforesaid or for any other purposes whatsoever or any person who fraudulently makes or furnishes false statement or declaration or information in order to obtain or deny or revoking registration and grant of certificate or for obtaining of denying or revoking change of Khasi surname, Kur, Jait or Clan under this Act or any person or chief who willfully refuses or fails to comply with or

to carry out any lawful order or direction made under this Act or willfully refuses or fails to furnish such information, paper or documents or furnished, information which he knows or believes to be false or violates any provisions of this Act or the rules and orders made thereunder or obstruct the registration authority or an officers, person, chief or headman in the discharge of their duty under this Act or the rules or orders made thereunder shall be deemed to have committed an offence under this Act.

(2) Whoever commits an offence under this section shall, on conviction by a Magistrate, be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both for the first offence and to double the above punishment for every subsequent offence.

(3) An offence under this Act shall be cognizable and bailable and no court shall take cognizance of any offence under this Act except on a complaint made by the registration authority or any officer authorized by the Executive Committee in this behalf or any chief or headman or body or association.

18. **Power to give direction:-** The Executive Committee may give such direction as it deems fit to the registration authority as to carrying out the provisions of this Act and the rules made thereunder and such directions shall be binding.
19. **Bar of jurisdiction of Civil Court:-** No Civil Court shall have jurisdiction to settle, decide or deal with any matter or to determine any matter which is, by or under this Act, required to be settled, decided or dealt with or to be determined by the registration authority or the Executive Committee.
20. **Protection of action in good faith: -** No suit or other legal proceeding shall lie against the Executive Committee, the registration authority, any officer or person, authority, chief, headman or body or association in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules or orders made thereunder.
21. **Power to make rules:-** (1) The Executive Committee may, by notification in the Gazette, make rules for the purposes of carrying into effect the provisions of this Act.

(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 in which application for registration or appeal may be made and form of registration and certificate that may be granted and the fees payable therefore and manner of payment thereof.
- (b) The forms of registers and other documents and records to be kept and maintained under the Act and their Custody.
- (c) Forms of order under Section 10 of the Act.
- (d) Fees for inspection of records and documents and for certified copies thereof or of entries therefrom and manner of payment thereof, and
- (e) Any other matter which is to be or may be prescribed.

STATEMENT OF OBJECT AND REASONS

Owing to the fact that a large number of people have been misusing the Khasi Social Lineage for their personal advantage and self-interest, thus jeopardized and seriously disturbed the social and cultural life of the Khasi people, it is, therefore, expedient to provide a law for strictly following the prevailing Khasi Social Custom of Lineage in order to keep and preserve the traditional matrilineal system of society of the Khasis and for the protection of their interest and at the same time to prevent claims of Khasi status by unscrupulous persons purely for the benefits, concessions or privileges conferred on the Khasi as members of the Schedule Tribe under the Constitution of India.

Hence the Act.

Certified that the above Act was passed by the Khasi Hills Autonomous District Council on the 13th March 1997.

Y. K. LYNDOH

Chairman

Khasi Hills Autonomous District Council
Shillong

No. _____

I assent to this Act.

Dated Shillong
The 23rd February, 2005

M. M. Jacob,
GOVERNOR OF MEGHALAYA

Sample Only (KHEDC)