



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 51

Shillong, Wednesday, March 5, 2025

14th Phalgun, 1946 (S. E.)

PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 5th March, 2025.

No.LB.30/LA/2025/2. – The Meghalaya Police (Amendment) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 5th March, 2025 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

MEGHALAYA POLICE (AMENDMENT) BILL, 2025

A

BILL

to further amend the Meghalaya Police Act, 2010 (Act No. 7 of 2011)

Be it enacted by the Legislative of the State of Meghalaya in the Seventy-Sixth year of the Republic of India as follows:

**Short title and
Commencement.**

- (1) This Act may be called the Meghalaya Police (Amendment) Act, 2025.
- (2) It shall come into force from the date of publication in the Official Gazette.

Amendment to Section 6. 2. For the existing Section 6 of the Meghalaya Police Act, 2010 (Meghalaya Act No. 7 of 2011) the following shall be substituted, namely:-

"6. Selection and minimum tenure of DGP.-

- (1) The Director General of Police (Head of Police Force) of the State shall be selected by the State Government from amongst the three eligible senior most Officers of the Cadre who have been empanelled for promotion to that rank by the Union Public Service Commission on the basis of their length of service, very good record and range of experience for heading the police force.
- (2) The Director General of Police so appointed should have a minimum tenure of 2 (two) years irrespective of the date of superannuation.

Provided that the Director General of Police may be relieved of his responsibilities from the post before the expiry of his tenure by the State Government in consultation with the State Security Commission consequent upon:-

- (a) any action taken against him under the All India Services (Discipline and Appeal) Rules; or
- (b) conviction by a court of law in criminal offence or where charges have been framed by a court in a case involving corruption or moral turpitude; or
- (c) punishment of dismissal, removal, or compulsory retirement from service or of reduction to a lower post, or imposition of any other penalty other than censure awarded under the provisions of relevant Acts and Rules; or
- (d) suspension from service in accordance with the provisions of the rules; or
- (e) incapacitation by physical or mental illness or otherwise becoming unable to discharge his functions as the Director General of Police;
- (f) promotion to a higher post under either the State or the Central Government, subject to the Officer's consent to such a posting;

(g) inefficiency or negligence or misdemeanor *prima facie* established after preliminary enquiry:

Provided that in public interest the State Government may transfer the Director General of Police as may be deemed appropriate to meet any contingency".

Amendment to Section 44.

The existing sub section (b) of Section 44 of the Meghalaya Police Act, 2010 (Meghalaya Act No. 7 of 2011) shall be deleted.

STATEMENT OF OBJECT AND REASONS

It is proposed to amend the Meghalaya Police Act, 2010 (Act 7 of 2011) in view of the Hon'ble Supreme Court of India's Order dated 3rd July, 2018 in Writ Petition (C) No. 310/1996 in Prakash Singh & Ors **Versus** Union of India wherein the Hon'ble Supreme Court has directed all the State Government to amend the existing State Act pertaining to appointment, selection and tenure of the Director General of Police (Head of Police Force) in the State. The Order of the Hon'ble Supreme Court of India is reproduced below:

"(2) The Director General of Police of the State shall be selected by the State Government from amongst the three seniormost officers of the Department who have been empanelled for promotion to that rank by the Union Public Service Commission on the basis of their length of service, very good record and range of experience for heading the police force. And, once he has been selected for the job, he should have a minimum tenure of at least two years irrespective of his date of superannuation. The DGP may, however, be relieved of his responsibilities by the State Government acting in consultation with the State Security Commission consequent upon any action taken against him under the All India Services (Discipline and Appeal) Rules or following his conviction in a court of law in a criminal offence or in a case of corruption, or if he is otherwise incapacitated from discharging his duties."

Hence the Amendment Bill.

PRESTONE TYNSONG,
Deputy Chief Minister,
In-charge Home (Police) Department.

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

There will be no expenditure involved from the Consolidated Fund of the State.

MEMORANDUM OF DELEGATED LEGISLATION

No clause is provided in the Amendment Bill to delegated legislation.



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PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 5th March, 2025.

No.LB.31/LA/2025/2. – The Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 5th March, 2025 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE MEGHALAYA FISCAL RESPONSIBILITY AND BUDGET MANAGEMENT (AMENDMENT) BILL, 2025

A

BILL

to amend the Meghalaya Fiscal Responsibility and Budget Management Act, 2006 (Meghalaya Act No. 4 of 2006).

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

**Short title and
Commencement.**

- (1) This Act may be called the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Act, 2025.
- (2) It shall come into force at once.

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- Amendment of Section 4.** 2. In section 4 of the Meghalaya Fiscal Responsibility and Budget Management Act, 2006, in sub-section (1), for clause (b), the following shall be substituted, namely-
- "(b) to maintain fiscal deficit to an annual limit of 3.5% of GSDP during Fiscal Year 2024-25".**
- Repeal & Savings.** 3. (1) The Meghalaya Fiscal Responsibility and Budget Management (Amendment) Ordinance, 2025 (Ordinance No. 2 of 2025) is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the provisions of this Act.

STATEMENT OF OBJECT AND REASONS

1. As per the Meghalaya Fiscal Responsibility and Budget Management Act, 2006 (Principal Act) the fiscal deficit of the State has been fixed at 3 percent of GSDP.
2. Government of India, Ministry of Finance *vide* letter F.No.40(i)/PF-S/2024-25, dated 30th March, 2024 in line with the recommendation of the Fifteenth Finance Commission has fixed the normal borrowing ceiling of the State at 3 percent of GSDP for the financial year 2024-25.
3. Further, in addition to the above normal borrowing ceiling at 3 percent of the GSDP, the Fifteenth Finance Commission recommended an extra/additional annual borrowing space for the States of 0.50 percent of their GSDP, over and above the 3 percent, mentioned at (2) above, for each of the first four years of the award period covering the period 2021-22 to 2024-25, based on certain performance criteria in the power Sector.
4. In line with the above recommendation, Government of India, Ministry of Finance, Department of Expenditure *vide* letter F.No.40(02)/PF-S/2020-21, dated 9th June, 2021 has recommended performance-based additional borrowing space of 0.50 percent of GSDP to States for undertaking reforms in the power sector for each year for a four-year period from 2021-22 to 2024-25.
5. One of the conditions for availing additional borrowing limit of 0.50 percent of GSDP linked to performance in the power sector is amendment of the State FRBM Act.
6. Therefore, in order to give effect to the recommendation of the Fifteenth Finance Commission mentioned at (3) above and in compliance with Government of India letters F.No.40(02)/PF-S/2020-21, dated 9th June, 2021 mentioned at (4) above and F.No.40(1)/PF-S/2024-25, dated 30th March, 2024 mentioned at (2) above, it is proposed to amend Section - 4(1)(b) of the Meghalaya Fiscal Responsibility and Budget Management Act, 2006 raising the Fiscal Deficit to 3.5 percent of GSDP during 2024-25.
7. **In view of the circumstances stated above, an immediate legislation was necessitated. As such, the Hon'ble Governor had approved an Ordinance of the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Ordinance, 2025 on the 3rd February, 2025 under clause (1) of Article 213 of the Constitution of India.**
8. Therefore, now that the Assembly is in session, a Bill to replace the above Ordinance (Ordinance No. 2 of 2025), without modification is necessary to be introduced in the House by way of a Bill, namely, the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2025.

Hence, the Bill.

CONRAD K. SANGMA,
Chief Minister, I/c. Finance.

ANDREW SIMONS
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

As the amendment will raise the borrowing limit of the State, there will be expenditure on payment of interest and repayment of principal to be incurred from the Consolidated Fund of the State on implementing the provisions of this Act.



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PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 5th March, 2025.

No.LB.32/LA/2025/3. – The Contingency Fund of Meghalaya (Amendment) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 5th March, 2025 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**THE CONTINGENCY FUND OF MEGHALAYA (AMENDMENT)
BILL, 2025**

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BILL

further to amend temporarily the Contingency Fund of Meghalaya Act, 1972

**Be it enacted by the Legislature of the State of Meghalaya in the Seventy Sixth Year of the
Republic of India as follows:-**

**Short title and
Commencement**

1. (1) This Act may be called the Contingency Fund of Meghalaya (Amendment) Act, 2025.
- (2) It shall be deemed to have come into force on and from the 7th February, 2025.

**Amendment of
Proviso to Section 2
of Meghalaya Act 5
of 1972**

2. In section 2 of the Contingency Fund of Meghalaya Act, 1972 as amended, for the existing *proviso*, the following new *proviso* shall be substituted, namely,--

“Provided that during the period beginning on the date of commencement of the Contingency Fund of Meghalaya (Amendment) Act, 2025 and ending the 31st March, 2025, this section shall have effect subject to the modification that for the word “rupees five hundred and five crore” the words ‘one thousand and five crore’ shall be substituted with effect from 7th February, 2025.

**Repeal and saving of
Ordinance No. 3 of 2025**

3. (3) The Contingency Fund of Meghalaya (Amendment) Ordinance, 2025 (Ordinance No. 3 of 2025) is hereby repealed.
- (4) Notwithstanding such repeal, any action taken or anything done under the Ordinance so repealed, shall be deemed to have been taken or done under the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Advance from the Contingency Fund of the State are needed by various Department of the Government for various urgent and unforeseen expenditures. As the balance in the Fund is not enough, an Ordinance was promulgated by the Governor on the 7th February, 2025 to raise its corpus temporarily from rupees five hundred and five crores to rupees one thousand and five crore to cover the periods till the 31st March, 2025.

As the matter was urgent and the House was not in session, an immediate Legislative action was taken to implement the aforesaid decision, and as such the Contingency Fund of Meghalaya (Amendment) Ordinance, 2025 (Ordinance No. 3 of 2025) was promulgated by the Hon'ble Governor of Meghalaya. However the said Ordinance is required to be replaced by an enactment of the Assembly.

Now, therefore this Contingency Fund of Meghalaya (Amendment) Bill, 2025 seeks to replace the aforesaid Ordinance.

Hence, the Bill.

CONRAD K. SANGMA,
Chief Minister

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly

FINANCIAL MEMORANDUM

An amount of ₹ 1005 crores will be involved from the Consolidated Fund of the State for the purpose of the enactment.

**EXTRACT OF THE SECTION 2 OF THE CONTINGENCY FUND
OF MEGHALAYA ACT, 1972**

**Establishment of nature
of the Contingency
Fund of Meghalaya.**

There shall be established a Contingency Fund in the an imprest to be entitled to the “Contingency Fund of Meghalaya” into which shall be paid from and out of the Contingency Fund of Meghalaya a sum of rupees one hundred and five crores.

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**STATEMENT AS REQUIRED UNDER RULE 69 (1) OF THE RULES OF
PROCEDURE AND CONDUCT OF BUSINESS IN THE MEGHALAYA
LEGISLATIVE ASSEMBLY EXPLAINING THE CIRCUMSTANCES WHICH
HAS NECESSITATED IMMEDIATE LEGISLATION BY ORDINANCE.**

Under the provision of Article 267 (2) of the Constitution of India, the Legislature of Meghalaya by enacting “The Contingency Fund of Meghalaya Act, 1972” ‘established the contingency fund of Meghalaya’ having a permanent corpus of ₹ 50,00,000. The Act of 1972 was amended from time to time and by the “Contingency Fund of Meghalaya (Amendment) Act, 2021 (Act No. 14 of 2021)” the corpus of ‘the Contingency Fund of Meghalaya’ thereby, was augmented by raising the corpus of the Fund to ₹ 505,00,00,000.

To meet the additional and unforeseen expenditure by different Departments for the remaining period of the current financial year, 2024-25, the Hon’ble Governor promulgated “The Contingency Fund of Meghalaya (Amendment) Ordinance, 2025 (Ordinance No. 3 of 2025) on 7th February, 2025 and published on 10th February, 2025 because the Legislative Assembly was not in Session at that time by temporarily raising the corpus to ₹ 1005 crores. The Ordinance has to be replaced by a Bill.

CONRAD K. SANGMA,
Chief Minister