

40

The 18th January 1974

No.LL.133/72/58.—The following Order made by the Government of Meghalaya under Section 79 of the North-Eastern Areas (Re-organisation) Act, 1971 (Central Act 81 of 1971), is hereby published for general information.

THE MEGHALAYA ADAPTATION OF LAWS ORDER (No. 1), 1974

WHEREAS, by Section 79 of the North-Eastern Areas (Re-organisation) Act, 1971 (Central Act No.81 of 1971), for the purpose of facilitating the application of any law in relation to the State of Meghalaya, the Government of the State of Meghalaya as the appropriate Government is empowered, by Order, to make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient ;

Now, THEREFORE, in exercise of the power aforesaid, the Government of the State of Meghalaya hereby makes the following Order, namely:—

1. (1) This Order may be called the State of Meghalaya Adaptation of Laws Order (No.1), 1974.

(2) It shall be deemed to have come into force on the 21st day of January, 1972.

2. In this Order,—

(a) "appointed day" means the 21st day of January, 1972 ;

(b) "existing law" means any law in force immediately before the appointed day in the whole or any part of the territories now comprised in the State of Meghalaya and includes any rule, order, bye-law, scheme, notification or other instrument made under any such law but does not include any law relating to a matter enumerated in the Union List ;

(c) "law" has the same meaning as is assigned to it in clause (g) of Section 2 of the North-Eastern Areas (Re-organisation) Act, 1971 ; and

(d) "Meghalaya" means the State of Meghalaya formed under Section 5 of the North Eastern Areas (Re-organisation) Act, 1971.

3. As from the appointed day, the existing laws mentioned in the Schedule to this order, with the amendments, modifications or exceptions to which they have been subjected before the appointed day and which are for the time being applicable to Meghalaya or any part thereof, shall, until altered, repealed or amended by a competent Legislature or other competent authority, have effect, subject to the adaptations or modifications directed by that Schedule, or, if it is so directed shall stand repealed.

4. Whenever an expression mentioned in column (1) of the Table hereunder printed occurs in any existing law mentioned in the Schedule to this Order, then unless that expression is by this Order expressly directed to be otherwise adapted or modified or to stand unmodified or to be omitted, there shall be substituted therefore the expression set opposite to it in column (2) of the Table, and there shall also be made in any sentence in which the expression occurs such consequential amendments as the rules of grammar may require.

TABLE

(1)	(2)
1. Assam	Meghalaya
2. Governor or Governor of Assam.	Governor of Meghalaya.
3. Official Gazette	"Official Gazette", which expression shall stand unmodified and shall mean the Gazette of Meghalaya.
4. State or the State, (except where it occurs in the expressions State Government or Inter-State or Inter-State Government.)	"State" or "the State" which expression shall stand unmodified and shall mean the State of Meghalaya.
5. State of Assam or the State.	Assam The State of Meghalaya.
6. Government or State Government.	"Government" or "State Government" which expression shall stand unmodified and shall mean the Government of the State of Meghalaya.
7. State Government of Assam, Assam Government, Government of Assam or Government of Meghalaya.	Government of the State of Meghalaya.

5. (1) Where in the short title of any of the existing laws mentioned in the Schedule to this Order, the Expression "Assam" occurs there shall be substituted therefor the word "Meghalaya", and the year of the Act, occurring at the end of the short title shall be omitted.

(2) References by its short title to any such law as is referred to in sub-paragraph (1) in any other law shall be construed as reference to such law as amended by that sub-paragraph.

6. Any reference in any existing law specified in the Schedule to this Order to a law which is not in force in Meghalaya or any part thereof shall be construed as a reference to the corresponding law, if any, in force in Meghalaya or part thereof as the case may be.

7. The provisions of this Order which have the effect of modifying any existing law so as to alter the manner in which, the authority by which, or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the appointed day and any such notification, order, commitment, attachment, bye-law, rule, regulation or thing may be revoked, varied or undone in the like manner to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this order by the competent authority and under and in accordance with the provisions then applicable to such a case.

8. Save as is otherwise provided by this order, all powers which under any law in force in Meghalaya or any part thereof were, immediately before the appointed day, vested in or exercisable by any person or authority shall continue to be so vested or exercisable until other provision is made by Legislature or Authority empowered to regulate the matter in question.

9. Notwithstanding any amendment or adaptation or modification made by this Order in the extent clause of an existing law, that law shall not be deemed to have been extended or applied to any area to which it did not extend or apply immediately before the appointed day; and a reference in that law to the State of Meghalaya, shall not, unless the context otherwise requires, be deemed to include a reference to any part of that State to which that law did not extend or apply immediately before the appointed day.

10. Nothing in this Order shall effect the previous operation of, or anything duly done or suffered under any existing law or any right privilege, obligation, or liability already acquired, accrued, or incurred under any such law or any penalty, forfeiture of punishment incurred in respect of any offence already committed against any such law.

11. Any court, tribunal or authority required or empowered to enforce any law in force in Meghalaya or part thereof immediately before the appointed day shall, notwithstanding that this Order makes no provision or insufficient provision for the adaptation of the law, construe the law with all such adaptations as are necessary for the purpose of facilitating its application.

THE SCHEDULE

(See paragraph 3)

(a) BENGAL ACT AND REGULATIONS, ETC.

Bengal Regulations:

The Bengal Sati Regulation, 1829 (Bengal Regulation 17 of 1829).

Acts of the Governor General of India in Council

The Press and Registration of Books Act, 1867 (Act 25 of 1867).

The Northern India Ferries Act, 1878 (Act 17 of 1878).

In the preamble between the words "Assam" and "Delhi" insert "Meghalaya" followed by a comma.

Section 1—In the second paragraph between the words "Assam" and "Delhi" insert "Meghalaya" followed by a comma.
Omit the third paragraph.

The Births, Deaths and Marriages Registration Act, 1886 (Act 6 of 1886).

Section 1—Omit sub-section (2).

The Bengal, Agra and Assam Civil Courts Act, 1887 (Act 12 of 1887).

In the long title insert a comma "(,)" after the word "Provinces" and omit the word "and" occurring between the words "Provinces" and "Assam" and after omitting the fullstop (.) after the word "Assam" add the words "and Shillong" after it followed by a fullstop "(.)".

In the Preamble insert a comma "(,)" after the word "Provinces" and omit the word "and" occurring between the words "Provinces" and "Assam" and after omitting the semicolon "(;)" after the word "Assam" add the words "and Shillong" after it followed by a semicolon "(;)"

Section 1.—(i) In sub-section (1) insert a comma "(,)" after the word "Agra" and omit the word "and" occurring between the words "Agra" and "Assam" and insert the words "and Shillong" between the words "Assam" and "Civil"; and

(ii) below sub-section (1) insert the following as Explanation, namely:—

"Explanation:—'Shillong' has the same meaning as defined in the Shillong Civil Courts and Laws Act, 1947 (Assam Act 8 of 1947)".

The Bengal, Bihar and Orissa and Assam Laws Act, 1912 (Act 7 of 1912).

The title of this Act shall stand unmodified.

The Police (Incitement to Disaffection) Act, 1922

(Act 22 of 1922).

Section 1—Omit sub-section (3).

Regulations made under the Government of India Acts of 1870 and 1915.

Bengal Eastern Frontier Regulation, 1873

(Regulation 5 of 1873).

The Assam Police Officers Regulation, 1883

(Regulation 2 of 1883).

Section 1—Omit sub-section (3).

Acts of the Lieutenant Governor of Bengal in Council.

The Bengal Cruelty to Animals Act, 1869

(Bengal Act 1 of 1869).

Section 7—Omit the full-stop "(.)" at the end and the words "or in the spirit of the said Code in places where the said Code is not applicable" shall be added followed by a full-stop "(.)".

The Bengal Cruelty to Animals (Arrest) Act, 1869

(Bengal Act 3 of 1869).

The Bengal Police Act, 1869

(Bengal Act 7 of 1869).

(b) ASSAM ACTS

The Assam Medical Act, 1916

(Assam Act 1 of 1916).

Section 1.—Omit sub-sections (2) and (3) and the proviso,

Section 4.—For Section 4 *substitute*—

“4. The said Council shall consist of seven members, namely:—

- (a) A President to be nominated by the State Government;
- (b) Three members to be nominated by the State Government; and
- (c) Three members to be elected from the graduates or licenciates in medicine, who are registered practitioners and who are permanent residents of Meghalaya”.

The Assam Local Funds (Accounts and Audit) Act, 1930

(Assam Act 2 of 1930).

Section 1.—For sub-section (2) *substitute*—

“(2) It extends to the whole of Meghalaya”.

The Bijni Succession Act, 1931

(Assam Act 2 of 1931).

The Assam Criminal Law Amendment Act, 1934

(Assam Act 3 of 1934).

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Muslim Marriages and Divorces Registration Act, 1935

(Assam Act 9 of 1935).

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Debt Conciliation Act, 1936

(Assam Act 10 of 1936).

Section 1.—*Omit* sub-sections (2) and (3).

The Shillong (Execution of Decrees) Act, 1943

(Assam Act 12 of 1943)

Section 1.—*Omit* sub-section (2).

The Assam Maternity Benefit Act, 1944

(Assam Act 1 of 1944).

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Nurses', Midwives' and Health Visitors' Registration Act, 1944

(Assam Act 2 of 1944)

Section 1.—*Omit* sub-sections (2) and (3).

Section 4.—For existing clause (6) *substitute*—

“(6) a Professor of Midwifery and Gynaecology of any Medical College or a person who had been a Professor of such College for not less than five years, to be nominated by the State Government”.

(The Assam Maintenance of Public Order Act, 1947)

(Assam Act 5 of 1947)

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Professions, Trades, Callings and Employments Taxation Act, 1947.

(Assam Act 6 of 1947)

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Electricity Control (Emergency Powers) Act, 1947

(Assam Act 9 of 1947)

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Pure Food Act, 1947
(Assam Act 22 of 1947)

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Shops and Establishments Act, 1948

(Assam Act 13 of 1948)

Section 1— (i) *Omit* sub-section (2)

(ii) *Omit* all the words beginning with “to the Municipalities of Dhubri” and ending with “Assam Municipal Act, 1923 and”

The Assam Cattle Diseases Act, 1948

(Assam Act 26 of 1948)

The Assam Kala-Azar Treatment Act, 1949

(Assam Act 10 of 1949)

Section 1.—*Omit* sub-sections (2) and (3).

The Assam Jute (Control Prices) Act, 1950

(Assam Act 15 of 1950)

Section 1—Omit sub-sections (2) and (3).

The Assam Enhanced Police Disciplinary Powers Act, 1950

(Assam Act 18 of 1950)

Section 1—For the existing sub-sections (2) and (3)
Substitute—

“(2) It extends to the whole of Meghalaya and applies to all members of the Meghalaya Police Forces and the Meghalaya Police Battalion wherever they may be serving.”

In the long title, the preamble and sections 2 and 3—For the words “Assam Police Forces”, and “Assam Police Battalion” wherever they occur substitute “Meghalaya Police Forces” and “Meghalaya Police Battalion” respectively.

The Assam Agricultural Pests and Diseases Act, 1950

(Assam Act 35 of 1950)

Section 1—Omit sub-sections (2) and (3).

The Assam Drugs (Control) Act, 1950

(Assam Act 1 of 1951)

Section 1—Omit sub-section (2) and (3).

The Assam Evacuee Property Act, 1951

(Assam Act 11 of 1951)

Section 1—Omit sub-sections (2) and (3).

The Assam Cattle Preservation Act, 1950

(Assam Act 13 of 1951)

Section 1—Omit sub-sections (2) and (3).

The Assam Displaced Persons (Rehabilitation Loans) Act, 1951

(Assam Act 16 of 1951)

Section 1—Omit sub-sections (2) and (3).

The Assam Cement Control Act, 1953

(Assam Act 7 of 1953)

Section 1—Omit sub-sections (2) and (3).

The Assam Maintenance of Public Order (Autonomous Districts Act, 1953.

(Assam Act 16 of 1953)

Section 1—In sub-section (2) for the words and letter “Part A” substitute “Part II.”

Omit sub-section (3).

The Assam Acquisition of Land for Flood Control and Prevention of Erosion Act, 1955.

(Assam Act 6 of 1955)

Section 1—Omit sub-sections (2) and (3).

Section 16—This section shall stand unmodified.

The Assam Tea Plantations Provident Fund and Pension Fund Schemes Act, 1955

(Assam Act 10 of 1955)

Section 1—For sub-sections (2) and (3) substitute—

“(2) It extends only to such areas in Meghalaya as the Government of Meghalaya may, by notification, specify in this behalf.

(3) It shall come into force in any area only on such date as the Government of Meghalaya may, by notification, appoint and different dates may be appointed for different areas”.

The Assam Homeopathic Medicine Act, 1955.

(Assam Act 11 of 1955)

Section 1—Omit sub-sections (ii) and (iii).

The Assam Disturbed Areas Act, 1955

(Assam Act 19 of 1955)

Section 1—Omit sub-section (3).

Section 7—This section shall stand unmodified.

The Assam Autonomous Districts Administration of Justice (Miscellaneous Provisions) Act, 1957

(Assam Act 22 of 1957)

Section 1—Omit sub-section (3).

The Assam Local Authorities Grants (Charged) Act, 1959
(Assam Act 23 of 1959)

Section 1—*Omit* sub-sections (2) and (3).

Sections 2A and 2B—*Omit* Sections 2A and 2B.

Section 5—This section shall stand unmodified.

The Assam Tea Plantations Employees Welfare Fund Act, 1959
(Assam Act 18 of 1960)

The Assam Loud-Speakers (Control) Act, 1960
(Assam Act 23 of 1960)

Section 1—*Omit* sub-sections (2) and (3).

The Assam Non-Trading Companies Act, 1960
(Assam Act 32 of 1960)

Section 1—*Omit* sub-sections (2) and (3).

The Assam Special Powers (Press) Act, 1960
(Assam Act 3 of 1961)

Section 1—*Omit* sub-sections (2) and (3).

The Assam Urban Immovable Property Tax Act, 1969
(Assam Act 11 of 1969)

Section 1—*Omit* sub-sections (2) and (3).

Section 7—This Section shall stand unmodified.

The Assam Non-Government School and College Employees
Centralised Provident Fund Scheme Act, 1969
(Assam Act 15 of 1969)

The Assam Children Act, 1970 (Assam Act 12 of 1971)

Section 1—For sub-section (2) *substitute*—

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

The Assam Taxation (Procedure for Rounding Off Act, 1971)
(Assam Act 18 of 1971)

(c) MEGHALAYA ACTS—

(Acts of the Autonomous State of Meghalaya)

The Meghalaya Professions, Trades, Callings and Employments
Taxation Act.

Section 1—*Omit* sub-section (2).

Section 10—For “Commissioner” *substitute*—
“Assistant Commissioner” wherever it occurs.

(d) RULES AND ORDERS

The Assam Services Discipline and Appeal Rules, 1964. ✓

The Assam Civil Services (Conduct) Rules, 1965. ✓

The Assam Fundamental Rules and Subsidiary Rules. ✓

The Assam Treasury Rules and Subsidiary Orders. ✓

The Assam Financial Rules. ✓

The Assam Contingency Manual. ✓

The Assam Budget Manual. ✓

The Assam Local Audit Manual.

The Assam Jail Manual.

The Assam Services (Pension) Rules, 1969. ✓

The Assam Police Manual.

The Delegation of Financial Powers Rules, 1960. ✓

Rule 1—For sub-rule (1), *substitute*—

“(1) These rules may be called the Meghalaya Delegation of
Financial Powers Rules.”

The Assam Autonomous District (Constitution of District Councils)
Rules, 1951.

Rule 1—For sub-rule (1) between the words “Assam” and
“Autonomous” *insert* the words “and Meghalaya”.

Rule 2—(i) *Omit* clause (7).

(ii) For clause (12), *substitute*—

“(12) ‘Gazette’ means the Gazette of Meghalaya’.

(iii) for clause (13), *substitute*—

“(13) ‘Governor’ means the Governor of Meghalaya.’

(iv) in clause (19) for the word “Assam” *substitute* “Meghalaya”.

(v) for clause 21, *substitute*—

“(21)” “Secretary Tribal Areas” means the Secretary to the Government of Meghalaya in the District Council Affairs Department or any other officer whom the State Government may nominate in this behalf’.

Rule 128—In the proviso to sub-rule (1) for the words, figure and letter “1 of Part I—Assam” *substitute* “Part XV—Meghalaya”.

Rules 166, 169 and 180—For “Secretary to the Government of Assam, Tribal Areas Department,” wherever occurring, *substitute*—

“Secretary, Tribal Areas”.

Government of Assam Public Works Department Codes.

The Meghalaya Adaptation of Laws Order (No.1), 1973.

Paragraph 2—Items (vii), (viii), (ix), (x), (xii), (xiii), (xiv), (xv) and (xvi) shall be deemed to have been omitted from the Order with immediate effect.

• The Assam Trade Unions Regulation, 1927.

Assam Industrial Disputes Rules, 1958.

• The Assam Payment of Wages Rules, 1937.

The Assam Industrial Employment (Standing Orders) Rules, 1947.

• The Assam Minimum of Wages Rules, 1952.

The Assam Plantations of Labour Rules, 1956.

The Assam Motor Transport Workers Rules, 1962.

The Assam Beedi and Cigars Workers (Conditions of Employment) Rules, 1968.

• The Contract of Labour (Regulation and Abolition) Assam Rules, 1971.

• The Assam Maternity Benefit Rules, 1965.

Explanation—Save as is otherwise provided by this Order references in any of the aforesaid Rules, Manuals and Codes to any Government Departments or authorities shall be construed as referring to the corresponding Government Departments or authorities in the State of Meghalaya or to such Government Departments or authorities exercising corresponding power or authority in the State of Meghalaya.

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Law Deptt.