

The 30th June, 2010.

No.LL(B).87/97/131.—The Meghalaya Municipal (Amendment) Ordinance, 2010 (No.3 of 2010) is hereby published for general information.

MEGHALAYA ORDINANCE NO. 3 OF 2010

As promulgated by the Governor of Meghalaya on the 30th June, 2010
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THE MEGHALAYA MUNICIPAL (AMENDMENT) ORDINANCE, 2010.

An
Ordinance

further to amend the Meghalaya Municipal Act (Assam Act XV of 1957 as adapted by Meghalaya).

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, the Governor of Meghalaya is pleased to promulgate in the Sixty-first Year of the Republic of India the following Ordinance, namely: -

Short title and commencement. 1. (1) This Ordinance may be called the Meghalaya Municipal (Amendment) Ordinance, 2010.

(2) It shall come into force at once.

Amendment of section 11.

2. In section 11 of the Meghalaya Municipal Act (Assam Act XV of 1957 as adapted by Meghalaya) (hereinafter referred to as the principal Act), for the existing sub-sections (2) and (3) the following new sub-sections (2) and (3) shall be substituted, namely, -

“(2) Seats of Commissioners in every municipality shall be reserved for scheduled tribes and the number of seats so reserved shall bear, as nearly as practicable, the same proportion to the total number of seats to be filled by direct election as the population of scheduled tribes in the municipal area bears to the total population of the Municipality. The seats so reserved for the scheduled tribes, however shall not be less than $\frac{4}{5}$ th of the total number of Wards of that Municipality”.

“(3) 33% of the seats of commissioners in every Municipality shall be reserved for the women. The seats so reserved shall be selected from the wards having the highest percentage of women population at the time of conduct of election to the concerned Municipality”.

Amendment of section 26.

3. In section 26 of the principal Act, -

(a) for the existing sub-section (1), the following new sub-section (1) shall be substituted, namely, -

“(1) Except as otherwise provided in this Act, the term of the elected and appointed Commissioners shall be five years from the date of the date of the first meeting or newly constituted Board after a general election at which a quorum is present under sub-section (4), whichever is later. Election shall be held before the expiry of the term but not earlier than three months before such expiry”.

(b) for the existing sub-section (3), the following new sub-section (3) shall be substituted, namely, -

“(3) the term of five years referred to in sub-section (1) shall be held to include any period which may elapse between the expiry of the said five years and the date of the first meeting of the newly constituted Board at which a quorum is present”.

(c) for the existing sub-section (5), the following new sub-section (5) shall be substituted, namely, -

“(5) If the term of the office of the Commissioner of a Board expires and for any reason the election as provided in sub-section (1) cannot be held, the Board shall be deemed to have been dissolved under section 298 with effect from the date of expiry of the term of the Commissioners and thereafter the provisions of section 299 shall apply to the Board and the Government shall nominate the Commissioners accordingly in conformity with section 11(2) and 11(3). The Government may de-notify any or all the commissioners nominated at any time without giving any reason thereof.

Dated Raj Bhavan,
Shillong, the 30th June, 2010.

R. S. MOOSHAHARY,
GOVERNOR OF MEGHALAYA.

Dated Shillong,
The 30th June, 2010.

L. M. SANGMA,
Secretary,
to the Government of Meghalaya,
Law (B) Department, Shillong.