



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 46

Shillong, Friday, March 4, 2022

13th Phalguna, 1943 (S. E.)

PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 4th March, 2022.

No.LB.34/LA/2022/3. - The Meghalaya Compulsory Registration of Marriage (Amendment) Bill, 2022 introduced in the Meghalaya Legislative Assembly on the 4th March, 2022, 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 COMPULSORY REGISTRATION OF MARRIAGE
(AMENDMENT) BILL, 2022**

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further to amend the Meghalaya Compulsory Registration of Marriage Act, 2012 (Meghalaya Act No. 13 of 2012);

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

Short title and commencement

1. (1) This Act may be called "The Meghalaya Compulsory Registration of Marriage (Amendment) Act, 2022".

(2) It shall come into force at once.

Amendment of Preamble

2. In the preamble of the Meghalaya Compulsory Registration of Marriage Act, 2012, (hereinafter referred to as Principal Act), the existing words "Whereas further it is mandatory for married man and married women to compulsorily furnish a marriage certificate for all official purposes" shall be deleted.

Amendment of Section 2 of the Meghalaya Compulsory Registration of Marriage Act, 2012

3. In Section 2 of the Principal Act;

(a) in clause (g), the existing words "Secretary to the Government of Meghalaya in the Excise, Registration, Taxation and Stamps Department, *ex-officio*" shall be substituted by the following new words "Inspector General of Registration, Meghalaya, *ex-officio*".

(b) the existing clause (j) shall be deleted.

Amendment of Section 3 of the Act

4. In Section 3 of the principal Act, the words "and such marriage certificate shall be required for all official purposes" occurring at the end of the sentence shall be deleted.

Repeal and Saving

5. (a) The Meghalaya Compulsory Registration of Marriage (Amendment) Ordinance, 2022 (Ordinance No. 2 of 2022) is hereby repealed.

(b) Notwithstanding any action taken under the Principal Act as amended by the said Ordinance shall be saved.

STATEMENT OF OBJECTS AND REASONS

The sole purpose of the Meghalaya Compulsory Registration of Marriage Act, 2012 was to ensure that all marriages in Meghalaya on or after the appointed date are compulsorily registered and this process has the necessary statutory backing through this enactment. However, the statutory mandate of production of such certificates issued under this Act for various purposes to other authorities/offices under other Acts/Rules was not the legislative intent of this particular Act. This is also evident from the title of the Act which focuses on compulsory registration of marriages in general and not necessarily on its usages in other services which may be regulated under separate Acts/Rules etc. It is also observed that the Inspector General of Registration (IGR) does not have any statutory function under the Act either on *ex-officio* basis or otherwise, even though IGR has been dealing with matters related to marriage registration as an intermediate interface similar to Head of Department at the State level. In light of the foregoing, certain provisions of the Act need to be amended to reflect the legislative intent and to incorporate the rule of Inspector General of Registration (IGR) in the registration of marriages.

Hence this Bill.

JAMES P. K. SANGMA,

Minister i/c.

Registration & Stamps.

ANDREW SIMONS,

Commissioner & Secretary,

Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

There will be no additional expenditure from the Consolidated fund of the State of Meghalaya for implementing the provision of the Bill.



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PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 4th March, 2022.

No.LB.35/LA/2022/3. - The Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2022 introduced in the Meghalaya Legislative Assembly on the 4th March, 2022, 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, 2022**

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to amend the Meghalaya Fiscal Responsibility and Budget Management Act, 2006.

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

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| Short title and Commencement. | 1. (1) This Act may be called the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Act, 2022.

(2) It shall come into force at once. |
| 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 4% of GSDP with effect from 6th January, 2022 and 4.50% of GSDP with effect from 11th February, 2022 during the Fiscal Year 2021-22”. |
| Repeal and Saving | 3. (1) The Meghalaya Fiscal Responsibility and Budget Management (Amendment) Ordinance, 2022 (Ordinance No. 1 of 2022 and Ordinance No. 5 of 2022) 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 OBJECTS 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. However, Government of India, Ministry of Finance *vide* letter F.No.40(2)/PF-S/2020-21, dated 31st March, 2021 in line with the recommendation of the Fifteenth Finance Commission has fixed the normal borrowing ceiling of the State at 4 percent of GSDP for the financial year 2021-22.
3. Therefore, in order to institutionalize the recommendation of the Fifteenth Finance Commission with regard to the limit of the fiscal deficit and in compliance with the government of India letter F.No.40(2)/PF-S/2020-21, dated 6th December, 2021 and since the Meghalaya Legislative Assembly was not in session, the amendment of Section 4(1)(b) of the Meghalaya Fiscal Responsibility and Budget Management Act, 2006 for raising the fiscal deficit limit from 3 to 4 percent of GSDP during 2021-22 was made through an Ordinance as approved by Hon'ble Governor on 5th January, 2022 under clause (1) of Article 213 of the Constitution of India and the same was published as Ordinance No. 1 of 2022.
4. Further, in addition to the enhancement of the fiscal deficit from 3 to 4 percent of 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 4 percent, mentioned at (2) and (3) 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.
5. 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 issued guidelines for availing the additional borrowing limit of 0.50 percent of the GSDP linked to performance in the power sector for the current financial year 2021-22.
6. 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.
7. Therefore, in order to give effect to the recommendation of the Fifteenth Finance Commission mentioned at (4) above and in compliance with Government of India letter F.No.40(02)/PF-S/2020-21, dated 9th June, 2021 mentioned at (5) above, and as the Meghalaya Legislative Assembly was not in session, the amendment of Section - 4(1)(b) of the Meghalaya Fiscal Responsibility and Budget Management Act, 2006 raising the Fiscal Deficit to 4.50 percent of GSDP during 2021-22 was made through an Ordinance as approved by the Hon'ble Governor on the 9th February, 2022 under clause (1) of Article 213 of the Constitution of India and the same was published as Ordinance No. 5 of 2022.
8. Therefore, now that the Assembly is in session and as mandated under Article 213(2)(a) of the Constitution of India, the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Ordinance, 2022 (Ordinance No. 1 of 2022 and Ordinance No. 5 of 2022) is necessary to be laid before the Legislative Assembly by way of a Bill, namely, the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2022.

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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GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 4th March, 2022.

No.LB.37/LA/2022/4. - The Meghalaya Settlement of Arrears (Under the State Taxation Acts) (Amendment) Bill, 2022 introduced in the Meghalaya Legislative Assembly on the 4th March, 2022, 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 SETTLEMENT OF ARREARS (UNDER THE STATE TAXATION ACTS) (AMENDMENT) BILL, 2022

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further to amend the Meghalaya Settlement of Arrears (under State Taxation Acts) Act, 2020
(Meghalaya Act No. 16 of 2020)

Be it enacted by the Legislature of the State of Meghalaya on the Seventy-third year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called The Meghalaya Settlement of Arrears (under State Taxation Acts) (Amendment) Act, 2022.
- (2) It shall extend to the whole of the State of Meghalaya.
- (3) It shall come into force from such date as the State Government may, by notification, appoint.

Amendment of Section 5.

2. (1) After the existing sub-section (2) of Section 5 of the Meghalaya Settlement of Arrears (under State Taxation Acts) Act, 2020, hereinafter called the Principal Act, the following new provisos shall be inserted, namely:-

“Provided that all applications received during the validity of the Principal Act, wherein,-

- (i) the tax payer could not make full payment of the net payable dues by the due date in the Tax Settlement Notice but such dues have been paid before the date as may be notified by the Government; or
- (ii) the tax payer could make payment of the net payable dues by the due date, fixed in the Tax Settlement Notice and the balance of such payment shall be made within such further time as may be notified by the Government; or
- (iii) the tax payer could not make any payment of the net payable dues by the due date, fixed in the Tax Settlement Notice and payment of the net payable dues shall be made within such further time as may be notified by the Government;

such payment shall be deemed to have been paid under the provision of sub-section (1) of Section 9 of the Principal Act:

Provided further that all applications received during the validity of the principal Act and proceedings were initiated thereunder but not completed, shall not be invalidated”.

STATEMENT OF OBJECTS AND REASONS

It is necessary to amend the Meghalaya Settlement of Arrears (under State Taxation Acts) Act, 2020, by further extension of the date of payment of the net payable dues under the scheme in order to provide relief to tax payers who opted for the Tax Amnesty Scheme but due to the huge negative impact of the first wave made worse by the second wave of Covid-19 pandemic and has affected all sectors of the economy, thereby restricting cash flow, and made it very difficult for such tax payers who opted for the scheme to make the payment by the specific date,

Hence this Bill.

JAMES P. K. SANGMA,

Minister-in-charge.

ANDREW SIMONS,

Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

The provisions of this Bill when enacted and enforced will be administered by the staff of the Taxation Department and no additional expenditure will be necessary for the purpose.

JAMES P. K. SANGMA,

Minister-in-charge.



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GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 4th March, 2022.

No.LB.38/LA/2022/3. - The Registration (Meghalaya Amendment) Bill, 2022 introduced in the Meghalaya Legislative Assembly on the 4th March, 2022, 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 REGISTRATION (MEGHALAYA AMENDMENT) BILL, 2022**A****BILL**

further to amend the Registration Act, 1908 (Central Act 16 of 1908) in its application to Meghalaya

Whereas it is expedient further to amend the Registration Act, 1908 (Central Act 16 of 1908) hereinafter referred to as the principal Act in its application to Meghalaya to provide for the power to remit or reduce the fees payable on registration of documents for a particular class of cases or persons and a particular class or classes of instruments:

Be it enacted by the Legislature of the State of Meghalaya on the Seventy-third year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Registration (Meghalaya Amendment) Act, 2022.
- (2) It shall come into force with immediate effect.

Insertion of new section 78A.

2. In the principal Act, after the existing Section 78 a new Section 78A shall be inserted, namely:-

“78A. Power to reduce or remit fees. - The State Government may, if in its opinion it is necessary in the public interest so to do, by order published in the Official Gazette, reduce or remit the fees payable in respect of any of the matters enumerated in clauses (a) to (i) of Section 78, either generally or for any particular class of cases and in respect of persons generally or of any particular class or classes or persons, or in respect of any particular class or classes of instruments.”

STATEMENT OF OBJECTS AND REASONS

It is necessary to further amend the Registration Act, 1908 (Central Act 16 of 1908) in its application to Meghalaya to provide for the power to remit or reduce the fees payable on registration of documents for a particular class of cases or person and a particular class or classes of instruments in order to encourage registration of immovable property in the inter-state border areas.

Hence this Bill.

JAMES P. K. SANGMA,

Minister-in-charge
Registration & Stamps.

ANDREW SIMONS,

Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

The provisions of this Bill when enacted and enforced will be administered by the staff of the Registration Department and no additional expenditure will be necessary for the purpose.