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## PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

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### NOTIFICATION

The 5<sup>th</sup> March, 2025.

**No.LB.30/LA/2025/2.** – The Meghalaya Police (Amendment) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 5<sup>th</sup> 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. (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 3<sup>rd</sup> 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.