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PART-V

GOVERNMENT OF MEGHALAYA MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 10th September, 2025.

No.LB.87/LA/2025/3. – The Meghalaya Decriminalization (Amendment of Provisions and Repealing) Bill, 2025 introduced in the Meghalaya Legislative Assembly on the 10th September, 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 DECRIMINALIZATION (AMENDMENT OF PROVISIONS AND REPEALING) BILL, 2025

A

BILL

to amend certain enactments for decriminalising and rationalising offences to further enhance trust-based governance for ease of living and doing business.

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 Meghalaya Decriminalisation (Amendment of Provisions and Repealing) Bill, 2025.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for amendments relating to different enactments mentioned in the Schedule.

Amendment of certain enactments. - 2. The enactments mentioned in column (4) of the Schedule are hereby amended to the extent and in the manner mentioned in column (5) thereof.

Savings. - 3. The amendment or repeal by this Act of any enactment shall not affect any other enactment in which the amended or repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby amended or repealed; nor shall the amendment or repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

Power to remove difficulties.- 4. (1) If any difficulty arises in giving effect to the provisions of different enactments mentioned in the Schedule as amended by this Act, the State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of the enactments as amended by this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Legislature.

THE SCHEDULE
(See section 2)

Sl. No.	Year	No.	Short title	Amendments
(1)	(2)	(3)	(4)	(5)
1.	1971	8	The Meghalaya Subsidiary Force, 1971	Repealed.
2.	1971	9	The Meghalaya Wild Animals and Birds Protection Act, 1971	Repealed
3.	1976	14	The Meghalaya Intoxicating Liquor (Prohibition of Publication of Advertisements) Act, 1976	(A) For section 6, the following section shall be substituted, namely:— “6. Penalty.- Any person who contravenes the provisions of Section 3 shall be liable to a penalty which may extend to one lakh rupees.” (B) In section 9, in sub-section (1) for the words “five hundred” the words “ten thousand” shall be substituted.
4.	1980	15	The Meghalaya Public Premises (Eviction of Unauthorised Occupants) Act, 1980	For section 10, in sub-section (1) the following shall be substituted, namely:— “ (1) If any person who has been evicted from any public premises under this Act again occupied the premises without authority for such occupation, he shall be liable to a penalty which may extend to five thousand rupees and in the case of a continuing contravention, he shall be liable with imprisonment which may extend to one year or with a penalty which may extend to ten thousand rupees.”
5.	1988	7	The Meghalaya Minerals Cess Act, 1988	For section 9 the following section shall be substituted, namely:— “ 9. Penalty.-Whoever evades payment of the tax under this Act shall on conviction by a court be liable to a penalty which may extend to two lakhs rupees and in the case of continuing contravention, with an additional penalty of two thousand rupees for every day during which such contravention continues”.
6.	1992	4	The Meghalaya Protection of Catchment Areas Act, 1990	For section 11, the following section shall be substituted, namely:- “11. Penalties.-Whoever contravenes the provisions of section 9 or of section 10 shall for the first contravention be punishable with a penalty which may extend to five thousand rupees and in the case of continuing contravention, with a penalty of one thousand rupees for each day the contravention continues and for any subsequent contravention with a penalty which may extend to ten thousand rupees”.
7.	2002	5	The Meghalaya (Mobile Phone Connection) Cess, Act, 2002	Repealed.

(1)	(2)	(3)	(4)	(5)
8.	2018	12	The Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets Act, 2018	<p>(A) In section 4, in sub-section (3) for the words "on conviction before a magistrate to a fine" the words "to a penalty" shall be substituted.</p> <p>(B) For section 13 the following section shall be substituted, namely:—</p> <p style="padding-left: 2em;">"13. Penalties. - Any breach of the conditions and restrictions imposed by this Act or as may be prescribed under the rules made thereunder shall result in levy of penalty which may extend to five lakh rupees for organizers and ten thousand rupees for bookmaker, subject to the condition that opportunity of being heard should be accorded to the licensee or permit holder".</p> <p>(C) After the existing section 13 the following new sections 13A, 13B, and 13C shall be inserted, namely:-</p> <p style="padding-left: 2em;">"13A. Adjudicating authority.—(1) The State Government, for the purpose of determining the amount of penalty, may by a notification, authorise the authority appointed under section 3 to be the adjudicating authority, to hold an inquiry and impose penalty, in the manner as may be prescribed.</p> <p style="padding-left: 2em;">(2) The adjudicating authority may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject-matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with the provisions of sections 13, he may impose penalty:</p> <p style="padding-left: 2em;">Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard in the matter.</p> <p style="padding-left: 2em;">13B. Appeal.—(1) Whoever aggrieved by the order, passed by the adjudicating authority under section 13A or made by the Regulating Authority under sub-section (2) of Section 3 may prefer an appeal before the Secretary to the Government of Meghalaya within thirty days from the date of receipt of order in such manner as may be prescribed.</p> <p style="padding-left: 2em;">(2) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the Secretary to the Government of Meghalaya that he had sufficient cause for not preferring the appeal within that period.</p> <p style="padding-left: 2em;">(3) The Secretary to the Government of Meghalaya may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.</p> <p style="padding-left: 2em;">(4) The Secretary to the Government of Meghalaya shall dispose of the appeal within sixty days from the date of filing.</p> <p style="padding-left: 2em;">13C. Recovery.—Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating authority under section 13A or by the order of the Secretary to the Government of Meghalaya under section 13B, as the case may be, is not deposited by the bookmaker or organizers, it shall result in cancellation of license or permit by the Government".</p> <p>(D) Sub-section (3) of section 14 shall be omitted.</p> <p>(E) Section 15 shall be omitted.</p>

STATEMENT OF OBJECTS AND REASONS

1. The State aims to foster trust-based governance, reduce compliance burdens, and enhance ease of living and doing business by decriminalizing minor offences and rationalizing offences across various State Acts. In view of the above, amendments are being proposed in certain provisions of the following Acts to decriminalize minor offences and rationalize the penalty amount.
2. Amendments are being introduced to substitute “fine” with “penalty” in certain provisions, omit certain provisions, and repealing of redundant laws.
3. This Bill aims to streamline regulations to attract investments, improve administrative efficiency, and ensure fair and transparent framework for penalties, contributing to sustainable development, entrepreneurship, and a business-friendly environment in the State of Meghalaya.
4. To facilitate the ease of living and doing business by decriminalizing minor offences and rationalizing offences, suitable amendments and repealing of the following relevant Acts are proposed: -
 - (i) The Meghalaya Subsidiary Force, 1971 (Act No. 8 of 1971)
 - (ii) The Meghalaya Wild Animals and Birds Protection Act, 1971 (Act No. 9 of 1971)
 - (iii) The Meghalaya Intoxicating Liquor (Prohibition of Publication of Advertisements) Act, 1976, (Act No. 14 of 1976)
 - (iv) The Meghalaya Public Premises (Eviction of Unauthorised Occupants) 1980, (Act No. 15 of 1980)
 - (v) The Meghalaya Protection of Catchment Areas Act, 1990 (Act No. 4 of 1992)
 - (vi) The Meghalaya (Mobile Phone Connection) Cess, Act, 2002 (Act No. 5 of 2002)
 - (vii) The Meghalaya Minerals Cess Act, 1988 (Act No. 7 of 1988)
 - (viii) The Meghalaya Regulation of the Game of Arrow Shooting and the Sale of Teer Tickets Act, 2018 (Act No. 12 of 2018)
5. Therefore, the Meghalaya Decriminalization (Amendment of Provisions and Repealing) Bill, 2025 is being proposed.
6. Hence this Bill.

MAZEL AMPAREEN LYNGDOH,
Minister,
Law Department
Government of Meghalaya.

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

The Bill, if enacted, would not involve any expenditure, either recurring or non-recurring, from and out of the consolidated Fund of the State of Meghalaya.

MEMORANDUM REGARDING DELEGATED LEGISLATION

In the Bill, in the Schedule, in serial number 8, clause (B) empowers the State Government to make rules regarding manner of conducting enquiry by the adjudicating officer and the manner in which an appeal may be preferred before the Secretary to the Government of Meghalaya;

2. The matters in respect of which notifications may be issued and rules may be made in accordance with the provisions of the Bill are generally matters of procedures and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

ANNEXURE.

EXTRACTS FROM The Meghalaya Intoxicating Liquor (Prohibition of Publication of Advertisements)
Act, 1976
(Act No. 14 of 1976)

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Section 6. Penalty.-Any person who contravenes the provisions of Section 3 shall, on conviction, be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

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EXTRACTS FROM The Meghalaya Public Premises (Eviction of Unauthorised Occupants)
(Act No. 15 of 1980)

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Section 10. Offence and penalty.- (1). If any person who has been evicted from any public premises under this Act again occupied the premises without authority for such occupation, he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

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EXTRACTS FROM The Meghalaya Minerals Cess Act, 1988
(Act No. 7 of 1988)

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Section 9. Offences.- Whoever evades payment of the tax under this Act shall on conviction by a court be punishable with imprisonment for a term which may extend to six months or with fine which may extend to rupees two thousand or with both.

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EXTRACTS FROM The Meghalaya Protection of Catchment Areas Act, 1990
(Act No. 4 of 1992).

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Section 11. Penalties.- Whoever contravenes the provisions of section 9 or of section 10 shall for the first offence be punishable with fine which may extend to rupees two thousand and, in case of continuing offence, of rupees two hundred for each day the offence continues and for any subsequent offence with imprisonment for a term which may extend to six months with or without fines.

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EXTRACTS FROM The Meghalaya Regulation of the Game of Arrow Shooting and the Sale of
Teer Tickets Act, 2018
(Act No. 12 of 2018):

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Section 4. Powers and functions of the Regulatory Authority- (1)

(3) If any person prevents or obstructs the entry of any officer so authorized, he shall, in addition to any action which he is liable under any law for the time being in forced, be liable on conviction before a magistrate to a fine not exceeding rupees Fifty thousand only.

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Section 13. Offences and penalty.- (1) Any breach of the conditions and restrictions imposed by this Act or as may be prescribed under the Rules made thereunder shall result in levy of penalty as provided hereunder, subject to the condition that opportunity of being heard should be accorded to the licensee or permit holder.

(2) On conviction by a court not below that of a First Class Magistrate for any of the offences amounting to a breach of any of the conditions and restrictions imposed by this Act, shall be penalized with imprisonment that may extend upto three months and with fine not exceeding rupees fifty thousand only from the organize and a sum not exceeding rupees ten thousand only from a bookmaker.

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14. Power to compound offences.- (1)

(3) All offences punishable, under this Act or the rules made thereunder shall be non-cognizable and bailable.

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Section 15. Appeal - Every appeal against the order made by the Regulating Authority under sub-section (2) of Section 3 shall be made to the Assistant Commissioner of Tax within a period of forty five days: Provided that an appeal against an order imposing penalty by an officer duly authorized shall not be made.

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