

MEGHALAYA LEGISLATIVE ASSEMBLY

RE-ASSEMBLED BUDGET SESSION, 2009

**BULLETIN PART 1
(Brief record of proceedings)**

**SIXTH SITTING OF THE SECOND PART OF THE FOURTH
SESSION**

26 JUNE 2009

10.00 A.M

Speaker in Chair

1. STARRED QUESTIONS

Starred Question Nos. 1 to 3 entered on separate list were asked and answers given.

10.35 A.M.

**PRIVATE MEMBERS' BUSINESS
PRIVATE MEMBER'S RESOLUTIONS**

2. The following resolution moved by SHRI R.V. LYNGDOH on the 12th November, 2008 was taken up for further discussion:

“WHEREAS road communication is the only effective transport communication in our State and almost all the roads in the State are in dilapidated condition:

THIS HOUSE do now resolve to urge upon the Government to provide special provision for effective and periodic maintenance of roads in our State and to declare all important roads apart from National Highways as State Highways.”

**SHRI PRESTONE TYNSONG, MINISTER IN-CHARGE OF PWD
(ROADS) replied to the debate.**

As SHRI R.V. LYNGDOH sought to withdraw the resolution, the resolution was put to vote and withdrawn by leave of the House

10 50 A.M.

3. SHRI J.M. MARAK moved the following Resolution:

“WHEREAS the Meghalaya Transfer of Land (Regulation) Act, 1971 (State Act) is aimed at protecting tribal lands from being alienated from tribals to non-tribals and from non-tribals to non-tribals;

WHEREAS by virtue of section 1 (2) of the said Act, the Act extends to all the territories specified in Part II of the table in paragraph 20 of the Sixth Schedule to

the Constitution of India, which means that the Act extends to whole of (i) Khasi Hills district (ii) Jaintia Hills District and (iii) The Garo Hills District;

WHEREAS the Government of Meghalaya (Revenue Department), contrary to the provisions in the said part of the Constitution of India and the said Act, issued a Notification No. RDS.11/76/197 on the 2nd February, 1979 prohibiting transfer of land only within (i) the West Garo Hills District except the Mouza No VI and (ii) the East Garo Hills District, thereby limiting the operation of the said Constitutional provisions and Act in regard to certain parts of the Garo Hills District; and

WHEREAS such exclusion of parts of the Garo Hills District from the application of the said Constitutional provision and Act is not in accordance with Constitution of India and law thus rendering the said Notification illegal and unconstitutional:

THIS HOUSE, THEREFORE, IN EXERCISE OF ITS POWER OF LEGISLATION, DECLARES THE Governemnt of Meghalaya (Revenue Department) Notification No.RDS.11/76/197 dated the 2nd February, 1979 as null and void and urges upon the Government to review all actions taken under the said Notification within a time frame of 6 months with a view to reorienting such actions within the framework of the said Constitutional provisions and Act.”

The following members spoke on the resolution:

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| (i) | Shri J.M. Marak | 10.50 A.M. |
| (ii) | Shri Adolf Lu Hitler R. Marak | 11.01 A.M. |
| (iii) | Shri Sayeedullah Nongrum | 11.10. A.M. |
| (iv) | Shri E.C.B. Bamon | 11.15 A.M. |
| (v) | Shri Rowell Lyngdoh | 11.32 A.M. |

11.45 A.M.

SHRI PRESTONE TYNSONG, MINISTER IN-CHARGE OF REVENUE
replied to the debate

12.00 Noon

THE SPEAKER extended the time of the sitting till the disposal of the resolution under discussion.

12.02 P.M.

As **SHRI J.M. MARAK** sought to withdraw the resolution, the resolution was put to vote and withdrawn by leave of the House.

12.03 P.M.

The Speaker adjourned the House till 10 oo A.M. on Monday, the 29th June, 2009.

R. KOTHANDARAMAN
PRINCIPAL SECRETARY