

MEGHALAYA LEGISLATIVE ASSEMBLY
WINTER SESSION
(BULLETIN)
FRIDAY, THE 3RD DECEMBER, 2010.

The House met at 11 a.m. with the Hon'ble Speaker in the Chair, and transacted business till 4:00 P.M. The day was allotted for transaction of Government Business.

1. Question:

Starred Questions No. 84 to No.90 were disposed off.

2. Zero Hour Notice:

A Zero Hour Notice under Rule 49 (A) of the Rules of Procedure & Conduct of Business was tabled by Shri James K. Sangma, MLA under the caption "Status of Appointment of MPSC Chairman".

Reply was given by Dr. Mukul Sangma, Chief Minister.

3. Call Attention Notice:

(1) Shri Manas Chaudhuri, MLA, called the attention of the Minister in-charge Urban Affairs under Rule 54 (1) of the Rules of Procedure and Conduct of Business to the news item published in "The Shillong Times", dated 25.11.10, under the caption 'Government largesse to Civil Service Officers'. Shri Manas Chaudhuri wanted to know the governing policy of this matter, the criteria and eligibility for applying. He also wanted to know whether similar facility will also be given to journalists and MLAs, both sitting and former MLAs. A reply was given by Shri F. S. Cajee, Minister in-charge, Urban Affairs, and said that this facility has been given to the Civil Service Officers in pursuance of the Sarkaria Commission, but ownership of the land rests with Government. He also said that Government will re-examine its policy of extending this facility to other professionals and MLAs as well.

(2) Shri Rowell Lyngdoh, Deputy Chief Minister in-charge Health & Family Welfare laid a statement relating to a call attention notice by Shri John M. Marak, MLA under the caption "43 vacancies unfilled in TB Hospital".

(3) Shri Rowell Lyngdoh, Deputy Chief Minister in-charge Health & Family Welfare laid a statement relating to a call attention notice by Shri James K. Sangma, MLA under the caption "State Health Sciences Quota unfilled".

(4) Smti. Ampareen Lyngdoh, Minister in-charge Education laid a statement relating to a call attention notice by Shri Conrad K. Sangma, Leader of Opposition under the caption "College Staffs call indefinite strike".

4. Half an Hour Discussion:

The discussion could not take place as it was disallowed under Rule 49 (2).

5. Bills:

(1) The Meghalaya Co-operative Societies (Amendment) Bill, 2010 was taken into consideration and passed.

(2) The Meghalaya Police Bill, 2010 was taken up for consideration. Amendments were tabled both by the Government and by Shri Manas Chaudhuri, MLA and Shri James K. Sangma, MLA. Shri Manas Chaudhuri said that the Bill is flawed. Section 9 is in conflict with the Police Act, 1861. He said that the Government should not be in a hurry, and the Bill needs to be scrutinized thoroughly before passing. Shri Conrad K. Sangma, Leader of Opposition suggested that the Bill be referred to a Select Committee. Shri James K. Sangma, MLA also made similar suggestion. Dr. Mukul Sangma, Chief Minister said that Government is satisfied with the Bill. Shri B. M. Lanong, Deputy Chief Minister in-charge Law said that no law is static and it can be amended if there is any flaw. Shri Manas Chaudhuri and Shri James K. Sangma did not withdraw their amendments. The Bill was however taken into consideration and passed by voice vote.

(3) The Meghalaya Municipal (Amendment) Bill, 2010 was taken into consideration and passed.

(4) The Meghalaya Municipal Disclosure Bill, 2010 was taken into consideration and passed.

(5) The Meghalaya Transfer of Land (Regulation) Amendment Bill, 2010 was taken up for consideration. Amendment was moved by Shri Manas Chaudhuri, MLA. Mr. Chaudhuri said that Will falls under the Indian Succession Act, which is a central Act. He said that Will is not a transfer, and cited the High Court case H.S.K. Nongrum vs Bimalendu Sen Gupta, 1989. He said this Amendment will attract the provisions of the Indian Succession Act. It will not be able to withstand scrutiny by the President of India, and assent to the Amendment Bill will be withheld. It is ultra vires. He also wanted to know from the Minister in-charge Revenue whether this Amendment will not attract the Indian Succession Act. Prof. R. C. Laloo, Minister in-charge Revenue & Disaster Management replied that the Amendment tabled by Shri Manas Chaudhuri, MLA has been accepted by the Government. The Bill was taken into consideration and passed by voice vote.

(6) The Meghalaya Cement Cess Bill, 2010 was taken into consideration and passed by the House.

(7) Smti. Ampareen Lyngdoh, Minister in-charge Education introduced the Mahatma Gandhi University Bill, 2010 and the University of Technology & Management Bills, 2010. The Bills were taken into consideration and passed after suspension of the second proviso to Sub-rule (c) of Rule 72 of the Rules of Procedure & Conduct of

Business. Shri Conrad K. Sangma, Leader of Opposition expressed his disappointment over the hurriedness in which the Bills were introduced and passed by the Government without giving adequate opportunity to Members and public to examine the Bills.

6. Government Resolution:

Shri H. D.R Lyngdoh, Minister in-charge District Council Affairs moved for approval of Government Notification No.DCA.18/2004/PT/141, dated 17.9.10 issued by the Governor under sub-paragraph (2) of paragraph 16 of the Sixth Schedule to the Constitution of India. Shri Conrad K. Sangma, Leader of Opposition, and Shri John Manner Marak, MLA said that the House cannot take up this matter as the matter is pending in the High Court, and therefore, it is subjudice. Shri B. M. Lanong, Deputy Chief Minister quoted Article 194 and said that Members enjoy immunity on anything said inside the House, and it is their privilege. The Hon'ble Speaker said that as per Constitutional provision, the rule of sub-judice does not operate against Parliament's power of extending President's Rule in this case.

7. Election to Committees:

(1) Shri John Manner Marak, MLA was elected Chairman of Public Accounts Committee (2) Shri S. Nongrum, MLA was elected Chairman of Public Undertakings Committee (3) Shri A. L. Hek was elected Chairman of Committee on Estimates.

8. Statement by Dr. Mukul Sangma, Chief Minister:

The Chief Minister said that arrears will be paid to the Government employees before Christmas, and Notification has been issued by Finance Department in his regard. Shri Conrad K. Sangma, Leader of Opposition, wanted to know if the pending D.A. will also be paid to the Government employees. The Chief Minister replied that the matter is under examination.

9. Prorogation/ Adjournment sine-die:

Since there was no more Business to be transacted, the House was prorogued sine-die.

**Dated Shillong,
The 3rd December, 2010.**

**Secretary,
Meghalaya Legislative Assembly.**