

MAHATMA GANDHI ROAD

SHILLONG-793001

List of Business

AUTUMN SESSION

Thursday, September 15, 2011

Government Business

1. Questions.
2. Shri H. D. R. Lyngdoh, Minister in-charge, District Council Affairs to beg leave to move the Government Resolution for approval of the Order Vide Notification No.DCA. 14/2009/44 dt. 1-4-2011 issued by the Governor under Sub-Paragraph (2) of Paragraph 16 of the Sixth Schedule to the Constitution of India, laid on 9-9-2011.
3. Shri H. D. R. Lyngdoh, Minister in-charge, District Council Affairs to move that the Government Resolution for approval of the Order Vide Notification No.DCA. 14/2009/44 dt. 1-4-2011 issued by the Governor under Sub-Paragraph (2) of Paragraph 16 of the Sixth Schedule to the Constitution of India be approved.
4. Shri Saleng A. Sangma, Minister in-charge, Co-operation to lay the Annual Report and Account of Meghalaya State Warehousing Corporation for the year 2009-2010.
5. Prof. R. C. Laloo, Minister in-charge, Education to move the following Resolution:
“Whereas, the right of Children to Free and Compulsory Education, 2009

was enacted by Parliament and notified on 1st April, 2010.

And whereby, it was mandatory for all State Governments to frame Rules for implementing the provision of the Act. Accordingly, the Government of Meghalaya had notified the said Rules under the name and style "The Meghalaya Right of Children to Free and Compulsory Education Rules, 2011" on 1st August, 2011 and as per Section 34 of the said Act, the above Rules had to be laid in the Assembly.

And whereas the Meghalaya Right of Children to Free and Compulsory Education Rules, 2011 was laid in the ongoing Assembly Session on 12th September, 2011.

And whereas in the course of discussion of the Rules, the majority of the members expressed concern about the provisions of Section 21 of the aforesaid Act mainly concerning the Constitution of School Managing Committees for Aided Schools managed and administered by religious institutions which specify that three-fourth of the members will be drawn from the parents association and the remain 25% will be drawn from the teachers' representatives, local leaders, local educationist etc.

And whereas the right of religious institutions to manage and administer Aided Schools of their choice has been conferred by Article 30 (1) of the Constitution of India.

And whereas the Government recognizes the significant contributions made by the religious Educational Institutions, and the concerns raised by the members relating to the existing management structures of Missionaries Schools run by religious organizations which may be affected, under the ambit of the existing Acts and Rules.

And whereas the Government of Meghalaya resolves to urge the Government of India to consider amendment of Section 21 of the aforesaid Act to exempt constitution of School Managing Committees of Aided Schools managed and administered by religious institutions, as laid down under the aforesaid provision and further till finalization of such proposed

amendment by the Government of India, the status quo in respect of the existing School Managing Committee should be maintained.

Therefore, this House resolves that the Government of India to consider amendment of the Right of Children to Free and Compulsory Education, Act 2009 to exempt the Aided Schools run and managed by the religious institutions and also urges the Government of India that status quo in respect of existing School Managing Committees of the Aided Schools run and managed by religious institutions be maintained till consideration and finalization of such amendment is completed by Government of India notwithstanding what the Act specifies”

6. Motion for Modification.

Further discussion and voting on the Motion for Modification of the Meghalaya

Right of Children to Free and Compulsory Education Rules, 2011 moved by Shri. Conrad K. Sangma, Leader of Opposition on the 12th September, 2011.

“Appreciating the grave consequences posed by the Meghalaya Right of Children to Free and Compulsory Education Rules, 2011 framed by the Government of Meghalaya under Section 38 (4) of the Right of Children to Free and Compulsory Education Act, 2009 to (i) the Right to Education of Children as guaranteed by Article 21 A of the Constitution of India and (ii) the rights, responsibilities and obligations of various school authorities, the State and Central Governments concerned with the RTE and other bodies concerned, This House hereby suspends the operation of the said Rules for the time being and commits the Rules to a Select Committee to be constituted by the Honourable Speaker for deeper study and report and further recommends that the said Rules shall come into effect only after the State Government has reconsidered the said Rules in the light of recommendations of the said Select Committee”.

7. Shri John Manner Marak, MLA & Member of the Rules Committee, to move the following motion:

“This House approves the Meghalaya Legislative Assembly Secretariat (Recruitment and Conditions of Service Rules) 2011, as earlier approved by

the Rules Committee of the Meghalaya Legislative Assembly on the 29-8-2011, and as laid on the Table of the House on the 9th September, 2011 .“

8. (a) Dr. Mukul Sangma, Chief Minister in-charge, Finance to beg leave to introduce the the Meghalaya Appropriation (No. III) Bill, 2011.

(b) If leave be granted to introduce the Bill.
9. Shri Rowell Lyngdoh, Deputy Chief Minister in-charge, Parliamentary Affairs to move
“That the Second Proviso to Sub-rule (c) of Rule 72 of the Rules of Procedure and Conduct of Business in its application to the Meghalaya Appropriation (No.111) Bill, 2011 be suspended for the time being in so far as the rules requires circulation of the Bill four days in advance before the motion for consideration may be moved.”
10. (a) Dr. Mukul Sangma, Chief Minister in-charge, Finance to move that the Meghalaya Appropriation (No. III) Bill, 2011 be taken into consideration.

(b) Consideration of the Meghalaya Appropriation (No. III) Bill, 2011 clause by clause.
11. Dr. Mukul Sangma, Chief Minister in-charge, Finance to move that the Meghalaya Appropriation (No. III) Bill, 2011 be passed.
12. (a) Dr. Mukul Sangma, Chief Minister in-charge, Finance to move that the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2011 be taken into consideration.
(b) Consideration of the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2011 clause by clause.
13. Dr. Mukul Sangma, Chief Minister in-charge, Finance to move that the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2011 be passed.
14. (a) Shri Rowell Lyngdoh, Deputy Chief Minister in-charge, Parliamentary

Affairs to move that the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Amendment) Bill, 2011 be taken into consideration.

(b) Consideration of the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Amendment) Bill, 2011 clause by clause.

15. Shri Rowell Lyngdoh, Deputy Chief Minister in-charge, Parliamentary Affairs to move that the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) (Amendment) Bill, 2011 be passed.

16. (a) Dr. Mukul Sangma, Chief Minister in-charge, Taxation etc. to move that the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) Bill, 2011 be taken into consideration.

(b) Consideration of the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) Bill, 2011 clause by clause.

17. Dr. Mukul Sangma, Chief Minister in-charge, Taxation etc., to move that the Meghalaya Tax on Luxuries (Hotels and Lodging Houses) Bill, 2011 be passed.

18. (a) Prof. R. C. Laloo, Minister in-charge, Education to move that the Meghalaya State Technical University Bill, 2011 be taken into consideration.

(b) Consideration of the Meghalaya State Technical University Bill, 2011 clause by clause.

19. Prof. R. C. Laloo, Minister in-charge, Education to move that the Meghalaya State Technical University Bill, 2011 be passed.

20. (a) Prof. R. C. Laloo, Minister in-charge, Education to move that the Rajitlal University Bill, 2011 be taken into consideration.

(b) Consideration of the Rajitlal University Bill, 2011 clause by clause.

21. Prof. R. C. Laloo, Minister in-charge, Education to move that the Rajitlal

University Bill, 2011 be passed.

22. (a) Prof. R. C. Laloo, Minister in-charge, Education to move that the International Open University Bill, 2011 be taken into consideration.

(b) Consideration of the International Open University Bill, 2011 clause by clause.

23. Prof. R. C. Laloo, Minister in-charge, Education to move that the International Open University Bill, 2011 be passed.

24. Election to Financial Committees.

25. Prorogation/Adjournment sine-die.

26. National Anthem.

Shillong, the 14th September, 2011.

**H. Mylliemngap,
Secretary,
Meghalaya Legislative Assernbly.**

MEGHALAYA LEGISLATIVE ASSEMBLY

RESOLUTION

Whereas, the Right of Children to Free and Compulsory Education, 2009 was enacted by Parliament and notified on 1st April, 2010

And whereby, it was mandatory for all State Governments to frame Rules for implementing the provision of the Act. Accordingly, the Government of Meghalaya had notified the said Rules under the name and style "The Meghalaya Right of Children to Free and Compulsory Education Rules, 2011" on

1st August,2011 and as per Section 34 of the said Act, the above Rules had to be laid in the Assembly.

And whereas the Meghalaya Right of Children to Free and Compulsory Education Rules, 2011 was laid in the ongoing Assembly Session on 12th September, 2011.

And whereas in the course of discussion of the Rules, the majority of the members expressed concern about the provisions of Section 21 of the aforesaid Act mainly concerning the Constitution of School Managing Committees for Aided Schools managed and administered by religious institutions which specify that three-fourth of the members will be drawn from the parents association and the remain 25% will be drawn from the teachers' representatives, local leaders, local educationist etc.

And whereas the right of religious institutions to manage and administer Aided Schools of their choice has been conferred by Article 30(1) of the Constitution of India.

And whereas the Government recognizes the significant contributions made by the religious Educational Institutions, and the concerns raised by the members relating to the existing management structures of Missionaries Schools run by religious organizations which may be affected, under the ambit of the existing Acts and Rules.

And whereas the Government of Meghalaya resolves to urge the Government of India to consider amendment of Section 21 of the aforesaid Act to exempt constitution of School Managing Committees of Aided Schools managed and administered by religious institutions, as laid down under the aforesaid provision and further till finalization of such proposed amendment by the Government of India, the status quo in respect of the existing School Managing Committee should be maintained.

Therefore, this House resolves that the Government of India be urged to consider amendment of Section 21 of the Right of Children to Free and Compulsory Education, Act 2009 to exempt the Aided Schools run and managed

by the religious institutions and also urge the Government of India that status quo in respect of existing School Managing Committees of the Aided Schools run and managed by religious institutions be maintained till consideration and finalization of such amendment is completed by Government of India notwithstanding what the Act specifies.

Prof R. C. Laloo
Minister – Education

Smti. H. Myllemngap
Secretary,
Meghalaya Legislative Assembly.