



**THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER
ACT [ASSAM MAINTENANCE OF PUBLIC ORDER
ACT, 1947 (ACT V OF 1947)]**

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**THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER
(AUTONOMOUS DISTRICTS) ACT [ASSAM MAINTENANCE
OF PUBLIC ORDER (AUTONOMOUS DISTRICTS)
ACT 1953 (ACT XVI OF 1953)]**

**(WHICH ASSAM ACTS WERE ADAPTED AND MODIFIED
BY MEGHALAYA ADAPTATION OF LAWS ORDER
No.1 OF 1974.)**

***THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER ACT,
[ASSAM MAINTENANCE OF PUBLIC ORDER ACT,
1947 (ASSAM ACT V OF 1947) AS ADAPTED AND
MODIFIED BY MEGHALAYA**

*An Act to enable the Provincial Government to provide for: ¹[restrictions on movement,] imposition of collective fines, ²[control of press and publications] control of meetings and processions and of essential services³ * * * for the maintenance in Meghalaya of public order and of services essential to the life of the community.*

Preamble WHEREAS it is expedient to enable the Provincial Government to provide for ¹[restrictions on movement], imposition and recovery of collective fines, ²[control of press and publications], control of meetings and procession and to regulate the use and sale of certain drugs³ and of services essential to the life of the community and purposes connected therewith in order to safeguard, prevent and overcome, should it arise, any break-down of law and order.

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act shall be called the Meghalaya Maintenance of Public Order Act.

*The A.M.P.O. Act, 1947 (V of 1947) was passed by the Assam Legislative and received the assent of the Governor on 27th March 1947.

*For Statement of Objects and Reasons see *Meghalaya Gazette*, 1947, Part V, page 71.

¹and ³—Substituted by Assam Act of 1950 (XXI of 1950) for the words "preventive detention."

²and ⁴—Inserted by Amendment Act of 1949 (XII of 1949). Provisions in the Act so far as they relate to control of press and publications have been repealed by the Press (Objectionable Matter) Act, 1951. (No.LVI of 1951.)

⁵ The words "Connected with matters within the exclusively Provincial Legislative field" omitted by Assam Act VII of 1951.

†Applied to Partially Excluded areas under section 92 of Government of India Act, 1935 *vide* Notification No.HMI.31/47, dated 1st April 1947. Extended to Naga Hills under Notification No.L.163/46/34.AD., dated 20th December, 1947 and to other Excluded Areas under Notification No.L.163/46/11-AD., dated 15th June, 1948. The application of this Act in the Autonomous District has been repealed *vide* Assam Act XVI of 1953.

⁶ Inserted by Assam Act XX of 1968.

Acc no. 071853.



Power to make orders restricting the movements or actions of certain persons.

2(1) The [State Government]³, if satisfied with respect to any particular person that with a view to preventing him from acting in any manner prejudicial to the public safety and the maintenance of public order it is necessary so to do, may make and order—

§(a) directing that, except in so far as he may be permitted by the provisions of the order, or by such authority or persons as may be specified therein, he shall not be in any such area or place in Meghalaya as may be specified in the order;

(b) requiring him to reside or remain in such place or within such area in Meghalaya as may be specified in the order, and if he is not already there to proceed to that place or area within such time as may be specified in the order;

(c) requiring him to notify his movements or to report himself or both to notify his movements and report himself in such manner, at such times and to such authority or person as may be specified in the order;

(d) imposing upon him such restrictions as may be specified in the order in respect of his employment or business, in respect of his association or communication with other persons, and in respect of his activities in relation to the dissemination of news or propagation of opinions;

(e) prohibiting or restricting the possession or use by him of any such article or articles as may be specified in the order;

(f) otherwise regulating his conduct in any such particular manner as may be specified in the order.

(2) A District Magistrate may exercise the power conferred by * * *² sub-section (1) and an order so made by him shall be valid for a period not exceeding two months.

¹(3) When any order is made under sub-section (1) by a District Magistrate or by an officer or authority empowered under section 9, the District

§The original clause (a) which ran as follows was omitted by Assam Act XXI of 1950 and subsequent clauses were renumbered.

"(a) directing that he be detained"

¹ Substituted by Amendment Act of 1949. (Act XII of 1949).

² The words "clause (a) of " omitted by Assam Act. XXI of 1950.

³ The words "Provincial Government" has been changed to "State Government"—Vide Adaptation of Laws Order, 1950.

Magistrate or that officer or authority as the case may be shall forthwith report the fact to the [State]⁶ Government, together with the grounds on which the order has been made and such other particulars as, in the opinion of such officer or authority, have a bearing on the necessity for or expediency of the order.]

(4) An order made under sub-section (1) may require the person in respect of whom it is made to enter into a bond, with or without sureties, for the due performance of, or as an alternative to the enforcement of, such restrictions or conditions made in the order as may be specified in the order.

(5) If any person is in any area or place in contravention of an order made under the provisions of this section, or fails to leave any area or place in accordance with the requirements of such an order, then * * * * * he may be removed from such area or place by any police officer or by any person acting on behalf of Government.

³ * * * * *
⁴ [(6)] If the [State]⁶ Government has reason to believe that a person in respect of whom such an order as aforesaid has been made ¹* * * * * has absconded or is concealing himself so that the order cannot be executed, it may—

(a) make a report in writing of the fact to a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the provision of sections 87, 88 and 89 of the Code of Criminal Procedure, 1898, shall apply in respect of the said person and his property as if the order ²[under clause (a) or (b) of sub-section (1) of section 2] where a warrant issued by the Magistrate;

Act V of 1898.

(b) by order notified in the official Gazette, direct the said person to appear before such officer, at such place, and within such period as may be specified in the order; and if the said person fails to comply with such direction he shall, unless he proves that it was

¹ The words "directing that he be detained" omitted by the Assam Act VII of 1951.

² Substituted by Amendment Act, 1951 (VII of 1951).

³ The words "without prejudice to the provision of sub-section (6) omitted by Amendment Act of 1951 (VII of 1951)

⁴ Original sub-sections (6) omitted by Assam Act VII of 1951

⁵ Sub-section (7) and (8) re-numbered as sub-sections (6) and (7) by Assam Act VII 1951.

⁶ Substituted by A. O. 1950 for "Provincial".

not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer of the reason which rendered compliance therewith impossible and of his whereabouts, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(7) If any person contravenes any order made under this section,³ * * * * * he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both, and if such person has entered into a bond in pursuance of the provisions of sub-section [14]⁴ his bond shall be forfeited, and any person bound thereby shall pay the penalty thereof, or show cause to the satisfaction of the convicting Court why such penalty should not be paid.

⁵ [(8) If any person required to enter upon a bond under sub-section (4) refuses or fails to do so within the time specified in the order, he shall be punishable with imprisonment for a term which may extend to one year :

Provided that if during the course of trial or during the period the person is in imprisonment the bond is duly entered upon by him, the trial or the imprisonment, as the case may be, shall abate with effect from the date the bond is entered into].

Duration of order under section 2. ⁵ [An order made under sub-section (1) of section 2 shall be in force for such period as may be specified but not exceeding one year from the date on which it is confirmed or modified under sub-section (3) of section 4B, unless earlier revoked :

Provided that the State Government may, if and so often they deem necessary or expedient, before the date on which under this section any such order would otherwise have ceased to be in force, and after giving an opportunity to the person concerned to make any representation in writing which he may desire to make and after referring the matter to the Advisory Council and considering its report direct that the order shall continue in force for a further period not exceeding one year at a time as may be specified in the order].

³ The words "other than an order of the nature referred to in clause (b) of sub-section (6)" omitted by Assam Act VII of 1951.

⁴ Substituted by Amendment Act, 1951 (Assam Act XXI of 1951).

⁵ Substituted by Amendment Act, 1951 (Assam Act XXII of 1951).

⁶ Inserted by Amendment Act of 1953 (Assam Act IX of 1953).

Grounds of order under section 2(1) to be disclosed to person affected by the order.

4. Where an order is made in respect of any person under sub-section (1) of section 2, as soon as may be after the order is made, the authority making the order shall communicate to the person affected thereby, so far as such communication can be made without disclosing facts which the said authority considers it would be against the public interest to disclose, the grounds on which the order has been made against him and such other particulars as are in the opinion of such authority sufficient to enable him to make if he wishes a representation against the order; and such person may at any time thereafter make a representation in writing to such authority against the order and it shall be the duty of such authority to inform such person of his right of making such representation and to afford him the earliest opportunity of doing so:

²[* * * * *]

Reference to Advisory Council

³[4A. On receipt of the representation referred to in section 4 or in case no representation is received, the State Government, as soon as may be, shall place before the Advisory Council constituted under sub-section (1) of section 4B the grounds on which the order has been made and in case such order has been made by an authority or officer subordinate to them, the report made by him under sub-section (3) of section 2 and the representation, if any, made by the person concerned.

Constitution of Advisory Council.

4B. (1) The State Government, whenever necessary, shall constitute an Advisory Council consisting of not less than three members, one of whom shall be a person qualified to be a Judge of a High Court and he shall be its Chairman.

(2) The Advisory Council shall, after considering the material placed before it and if necessary, after calling for such further information from the State Government or from the person concerned, as it may deem necessary, submit its report to the State Government before the expiry of four months from the date of the order made under sub-section (1) of section 2.

(3) After considering the report of the Advisory Council, the State Government may confirm, modify or cancel the order made under sub-section (1) of section 2.

(4) The Chairman and the members of the Advisory Council shall for the purpose of this Act be deemed to be holding office within the meaning of sub-section (6) of section (2) of the Indian Official Secret Act, 1923.]

Act XIX of 1923.

¹ Substituted by Amendment Act XXI of 1950.

² The proviso to section 4 of the Principal Act is omitted by Assam Act VII of 1951.

³ Inserted by Assam Act XXII of 1951.

Imposition
of collective
fines on
inhabitants
of area.

5. (1) If it appears to the [State]¹ Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the public safety or the maintenance of public order; or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance, in their power to discover or apprehend the offender or offenders or are suppressing material evidence of the commission of such offences the [State]¹ Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area:

Provided that an imposition of a collective fine by any authority on whom the power may have been delegated under this Act may be made by publication of the order imposing the fine in any such manner as such authority may consider best calculated to bring the order to the notice of the inhabitants of the area concerned.

(2) The [State]¹ Government or any officer empowered in this behalf by the [State]¹ Government by general or special order may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such enquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate judgement of the respective means of such inhabitants.

(4) In any such apportionment the District Magistrate may assign a portion of such fine to a joint or undivided family to be payable by it.

(5) The portion of such fine payable by any person (including a Hindu undivided family) may be recovered—

(a) in the manner provided by the Code of Criminal Procedure, 1898, for the recovery of fine imposed by a Court, as if such portion were fine imposed by the District Magistrate acting as a Court:

Act V of
1898.

Provided that the [State]¹ Government may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure, 1898, make rules under this Act regulating the manner in which warrants under clause (a) of sub-section (1) of the said section of the said Code are to be executed, and for summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant; or

Act V of
1898.

(b) as arrears of land revenue.

¹ Substitute by A.O., 1950 for "Provincial".

Control of
meetings,
processions,
etc.

6. (1) The [State]¹ Government may for the purpose of ²[maintaining public order], by general or special order prohibit, restrict or impose conditions upon the holding of processions, meetings or assemblies by a class of persons or organizations whose activities, in the opinion of the [State]¹ Government, are subversive of law and order.

(2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment which may extend to two years or with fine or with both.

Control of
camps, drill
or parades.

7. (1) The [State]¹ Government may in the interest ³[* * * *] of public order by an order prohibit, or impose such conditions as may be necessary on, the holding of camps or performance of drill or parade with or without arms, or any article, weapon or implement capable of being used as arms by any class of persons or organizations whose activities are in the opinion of the [State]¹ Government subversive of law and order.

(2) Any contravention of an order made under this section shall be punishable with imprisonment which may extend to two years or with fine or with both.

Control of
publications,
etc.

⁴[8] (1) The [State]¹ Government, if satisfied that such action is necessary for the purpose of preventing any activity ⁵[which undermines the security of or tends to overthrow the State] or any part thereof, may—

(a) by order in writing prohibit either absolutely or for a specified period the bringing into, or sale or distribution or circulation within the State of any newspaper, periodical, book, leaflet or other document specified in the order ;

(b) by an order in writing addressed to any printer, publisher or editor or generally to all printers, publishers, or editors or to such class of printers, publishers or editors as may be specified therein—

(i) prohibit either absolutely or for a specified period the printing or publication of any matter relating to a particular subject or class of

¹ Substituted by A. O., 1950 for "Provincial"

² Substituted by Assam Act VII of 1951 for: the word "securing public safety, public order or supplies and services essential to the life of the community".

³ The words "of public security or maintenance" omitted by Assam Act VII of 1951.

⁴ Sections 8 and 8b deleted by Assam Act VII of 1951 and sections 8A, 8C, 8D, 8F, 8F, renumbered as sections 8, 8A, 8B, 8C, 8D, respectively. The provision in section 8 has been repeated by the Press (Objectionable Matter) Act, 1951 (Act LVI of 1951).

⁵ Substituted by Amendment Act of 1950 (XXI of 1950) for the words "prejudicial to public safety, the maintenance of public order or tranquility of the State."

subjects in any particular issue or issues of a newspaper or periodical or in any book or in any other document whatsoever ;

(ii) require that a matter relating to or arising out of any matter published in any previous issue of any newspaper or periodical be published in any particular issue of such newspaper or periodical in such manner as may be specified in the order ;

¹(iii) prohibit either absolutely or for a specified period the publication of any newspaper, periodical, book or any other document whatsoever or the use of any Press.

(2) The officer referred to in sub-clause (iii) of clause (b) of sub-section (1) may after scrutiny of the matter, issue a direction either prohibiting its publication or permitting its publication with such modifications as he may deem necessary.

(3) If any person contravenes any order made or direction given under this section, he shall, on conviction, be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(4) Where it appears to the State Government that an order made or direction given under this section is contravened, the State Government may, without prejudice to the penalty prescribed in sub-section (3), direct that any copy wherever found of the newspaper or periodical or any issue thereof, or book or other document² in respect of which the order or direction appears to have been contravened or any printing press or other instrument or apparatus used in the printing or production of any such newspaper, periodical, book or document shall be seized and detained.

²["*Explanation.*—For the purpose of this section "printer" includes a "keeper of a printing press" and the "press" shall have the same meaning as is assigned to that word in the Indian Press (Emergency Powers) Act, 1931". Act XXIII of 1931.

¹ Sub-clause (IV) re-numbered as sub-clause (iii) which is omitted by Assam Act VII of 1934.

² Inserted by Assam Act XXI of 1950.

Control of
use of loud-
speakers,
megaphones,
etc.

³[8A] (1) The [State]⁴ Government may, for the purpose of ⁵[preventing activities, which in their opinion undermine the security of, or tend to overthrow the State] by general or special order, prohibit, restrict or impose conditions on—

(i) the use or operation in any street, square, public place or any other place of any apparatus for amplifying the human voice, or any reproduction of the human voice, such as a megaphone or an electrically operated loudspeaker; and

(ii) the use or operation or driving in any street, square, public place or any other place of any vehicle which carries⁶ or has attached to it any apparatus referred to in sub-clause (i).

⁷(2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment which may extend to two years or with fine or with both.

(3) The apparatus referred to in sub-clause (i) together with the vehicle, if any, to which it may be attached shall be liable to be forfeited to [Government]¹ if it be used or operated in contravention of an order passed under this section.

Prevention
of prejudi-
cial act and
report.

²[8B]. (1) No person shall, without lawful authority or excuse,—

(a) do any prejudicial act; or

^{2A}(b) make, print, publish, distribute or exhibit any document containing, or spread by any other means whatsoever, any prejudicial report.

(2) The author, editor, printer or publisher of, and any person who otherwise makes, produces or exhibits, any prejudicial report and any person who distributes or sells any report of that nature, knowing it to be of such nature shall be deemed to have contravened this section.

³ See foot note 4 of page 7

⁴ Substituted by A.O., 1950 for the word "Provincial".

⁵ Substituted by Assam Act VII of 1951 for the words "securing or maintaining public safety, public order, or preventing or suppressing activities which in the opinion of the State Government are subversive of law and order"

⁶ Substituted by the Adaptation of Laws Order, 1950 for the words "His Majesty"

⁷ See foot-note 4 of page 7.

^{2A} The provisions in section 8B so far as they relate to prejudicial report are repealed by the Press (Objectionable Matter) Act, 1951 (Act VI of 1951).

(3) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to two years or with fine or with both:

Provided that in any proceedings arising out of a contravention of this section,—

(a) in relation to the making or printing of any document, it shall be a defence for the accused to prove that the said document was made or printed, as the case may be,—

(i) before the Assam Maintenance of Public Order (Second Amendment) Act, 1949 came into force, or

(ii) with the permission or under the authority of the ¹[State] Government, or

(iii) as a proof intended for submission to the ¹[State] Government or to a person or authority designated by the ¹[State] Government in this behalf with a view to obtaining permission for its publication;

(b) in relation to the publication of any document it shall be a defence for the accused to prove that the said document was published with the permission or under the authority of the ¹[State] Government.

Explanation—For the purpose of this section—

²[(a) “prejudicial act” means any act, including shouting slogans, which is intended or is likely to undermine the security of, or tends to overthrow the State.]

(b) “prejudicial report” means any report, statement, utterance or visible representation, which is, or the publishing of which is, an incitement to the commission of a prejudicial act:

¹ *Vide* Adaptation of Laws Order, 1950

² Substituted by Assam Act VII of 1951.

Provided that *bonafide* acts indicating disapprobation of the policy or measures of the Government with a view to obtain their alteration by lawful means shall not be deemed to be acts which are intended or are likely to ¹[undermine the security of or tend to overthrow the State].

Power of
photographing,
etc.

²[8C.] (1) The ³[State] Government or any District Magistrate may further direct a person on whom any order under section 2 of this Act has been passed that such person shall—

- (a) allow himself to be photographed ;
- (b) allow his finger and thumb-impressions to be taken ; and
- (c) furnish specimens of his handwriting and signature.

(2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

Punishment
for carrying
or possessing
any corrosive
substance or
liquid.

²[8D]. Any person who carries on his person or knowingly has in his possession or under his control any corrosive substance or liquid, under such circumstances as to give rise to a reasonable suspicion that he does not carry it on his person or have it in his possession or under his control for a lawful object, shall unless he can show that he was carrying it on his person, or that he had it in his possession or under his control for a lawful object, be punishable with imprisonment for a term which may extend to two years or with fine or with both.

“Protected
places.

⁴[8E]. (1) If as respects any place or class of places the State Government considers it necessary or expedient in the public interest or in the interest of the safety and security of such place or class of places that special precautions should be taken to prevent the entry of unauthorised persons, the State Government may by order declare that place, or, as the case may be, every place of that class to be a protected place ;

1. Substituted by Assam Act VII of 1951 for the words “endanger the safety or stability of the State.”

2. See foot-note 4 of page 7.

3. *Vide* Adaptation of Laws Order, 1950.

4. Inserted by Assam Act XXII of 1960.

and thereupon, for so long as the order is in force, such place or every place of such class, as the case may be, shall be a protected place for the purposes of this Act.

(2) No person shall, without the permission of the State Government or of any person in authority connected with the protected place duly authorised by the State Government in this behalf or of the district Magistrate or of the Subdivisional Magistrate having jurisdiction, enter, or be on or in or pass over, any protected place and no person shall loiter in the vicinity of any such place.

(3) Where in pursuance of sub-section (2) any person is granted permission to enter, or to be on or in, or to pass over, a protected place, that person shall, while acting under such permission, comply with such orders for regulating his conduct as may be given by the authority which granted the permission.

(4) Any Police Officer, or any other person authorised in this behalf by the State Government, may search any person entering, or seeking to enter, or being on or in, or leaving, a protected place and any vehicle, vessel, animal or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, vessel, animal or article:

Provided that no woman shall be searched in pursuance of this sub-section except by a woman.

(5) If any person contravenes any provision of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by any Police Officer or by any other person authorised in this behalf by the State Government.

(6) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Protected
areas.

3F. (1) If the State Government considers it necessary or expedient in the public interest or in the interest of the safety and security of any area to regulate the entry of persons into that area, the State Government may without prejudice to any other provisions of this Act, by order declare the area to be a protected area; and thereupon, for so long as the order is in force, such area shall be a protected area for the purposes of this Act.

(2) On and after such day as may be specified in, and subject to any exemptions for which provision may be made by, an order made under sub-section (1), no person who was not immediately before the said day resident in the area declared to be a protected area by the said order shall be therein except in accordance with the terms of a permit in writing granted to him by an authority or person specified in the said order.

(3) Any police officer, or any other person authorised in this behalf by the State Government, may search any person entering or seeking to enter, or being on or in, or leaving, a protected area, and any vehicle, vessel, animal or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, vessel, animal or article:

Provided that no woman shall be searched in pursuance of this sub-section except by a woman.

(4) If any person is in a protected area in contravention of the provisions of this section then, without prejudice to any other proceedings which may be taken against him, he may be removed there from by or under the direction of any police officer on duty in the protected area or by any other person authorised in this behalf by the State Government.

(5) If any person is in a protected area in contravention of any of the provisions of this section, he shall be punishable with the imprisonment for a term which may extend to three years or with fine or with both.

Forcing or evading a guard. 8G. Any person who effects or attempts to effect entry into a protected place or protected area—

- (a) by using, or threatening to use, criminal force to any person posted for the purpose of protecting, or preventing or controlling access to, such place or area, or
- (b) after taking precautions to conceal his entry or attempted entry from any such person, shall be punishable with imprisonment for a term which may extend to five years or with fine or with both,

[8H. If the State Government considers it necessary or expedient in the public interest or in the interest of public safety or maintenance of public order that the use, possession or sale of any official Uniform, Indian or Foreign or any dress so nearly resembling such Uniform as to be calculated to deceive should be regulated, the State Government may, by general or special order, direct that no person shall without lawful authority use, possess or sell such official Uniform or dress without a licence or permit from the Deputy Commissioner or the Subdivisional Officer, as the case may be, within their respective jurisdiction.]¹

Delegation of Power and duties of State Government.

²[9. The State Government may by order direct that any power or duty except the power to make orders under section 2(1) (a) and (b), which is conferred or imposed on the State Government shall in such circumstances and under conditions, if any, as may be specified in that direction be exercised or discharged by an officer not below the rank of District Magistrate or Additional District Magistrate.]

Protection of action to be taken under this Act.

10. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done in pursuance of this Act.

Application of other laws not barred.

11. The provisions of this Act shall be in addition to and not in derogation of any other Act, Ordinance or Regulation for the time being in force.

Power to arrest without warrant.

12. Any police officer may arrest without warrant any person who is reasonably suspected of having committed ³[or of being about to commit]⁴ an offence punishable under this Act.

1. Inserted by Assam Act XX of 1968.

2 Substituted by Assam Act VII of 1951 for section 9 of the principal Act.

3 Inserted by Assam Act XVIII of 1949.

4 The words " or, is likely to commit " omitted by Assam Act XXI of 1950.

**THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER
(AUTONOMOUS DISTRICTS)
ACT,**

(The Assam Maintenance of Public Order Act (Autonomous Districts) Act, 1953 (Assam Act XVI of 1953) as adapted and modified by Meghalaya]

**An
Act**

**to amend and consolidate the law relating to
the maintenance of public order in the
Autonomous Districts specified in Part II
of the table appended to paragraph
20 of the Sixth Schedule to the
Constitution**

Preamble

Whereas it is expedient to amend and consolidate the law relating to the Maintenance of Public Order in the Autonomous Districts specified in Part II of the table appended to paragraph 20 of the Sixth Schedule to the Constitution ;

It is hereby enacted as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Meghalaya Maintenance of Public Order (Autonomous District) Act,.

(2) It shall extend to all the Autonomous Districts specified in Part II of the table appended to paragraph 20 of the Sixth Schedule to the Constitution;

(3) It shall come in to force at once.

Power to
make orders
restricting
the move-
ments or
actions of
certain per-
sons.

2. (1) The State Government, if satisfied with respect to any particular persons that with a view to preventing him from acting in any manner prejudicial to the public safety and the maintenance of public order it is necessary so to do may make an order—

(a) directing that except in so far as he may be permitted by the provisions of the order, or by such authority or persons as may be specified therein, he shall not be in any such area or place in Meghalaya as may be specified in the order ;

(b) requiring him to reside or remain in such place or within such area in Meghalaya as may be specified in the order, and if he is not already there to proceed to that place or area within such time as may be specified in the order ;

¹ Substituted for "Part A" by the Meghalaya A. L. O. No.1 of 1974.

(c) requiring him to notify his movements or to report himself or both to notify his movements and report himself in such manner, at such times and to such authority or persons as may be specified in the order ;

(d) imposing upon him such restriction as may specified in the order in respect of his employment or business, in respect of his association or communication with other persons, and in respect of his activities in relation to the dissemination of news or propagation of opinions ;

(e) prohibiting or restricting the possession or use by him of any such article or articles as may be specified in the order ;

(f) otherwise regulating his conduct in any such particular manner as may be specified in the order.

(2) A District Magistrate may exercise the power conferred by sub-section (1) and an order so made by him shall be valid for a period not exceeding two months.

(3) When any order is made under sub-section (1) by a District Magistrate or by an officer or authority empowered under section 14, the District Magistrate or that officer or authority, as the case may be, shall forthwith report, the fact to the State Government together with the grounds on which the order has been made and such other particulars as, in the opinion of such officer or authority, have a bearing on the necessity for or expediency of the order.

(4) An order made under sub-section (1) may require the person in respect of whom it is made to enter into a bond, with or without sureties, for the due performance of, or as an alternative to the enforcement of, such restrictions or conditions made in the order as may be specified in the order.

(5) If any person is in any area or place in contravention of an order made under the provisions of this section or fails to leave any area or place in accordance with the requirements of such an order then, he may be removed from such area or place by any police officer or by any person acting on behalf of Government.

(6) If the State Government has reason to believe that a person in respect of whom such an order as aforesaid has been made has absconded or is concealing himself so that the order cannot be executed, it may—

(a) make a report in writing of the fact to a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and thereupon the spirit of the provisions of sections 87, 88 and 89 of the Code of Criminal Procedure, 1898, shall apply in respect of the said person and his property as if the order under clause (a) or (b) of sub-section (1) of section 2 were a warrant issued by the Magistrate;

Act V of
1898.

(b) by order notified in the official Gazette, direct the said person to appear before such officer, at such place, and within such period as may be specified in the order; and if the said person fail to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

(7) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both, and if such person has entered into a bond in pursuance of the provisions of sub-section (4) his bond shall be forfeited, and any person bound there by shall pay the penalty thereof, or show cause to the satisfaction of the convicting Court why such penalty should not be paid.

(8) If any person required to enter upon a bond under sub-section (4) refuses or fails to do so within the time specified in the order, he shall be punishable with imprisonment for a term which may extend to one year :

Provided that if during the course of trial or during the period the person is in imprisonment the bond is duly entered upon by him, the trial or the imprisonment, as the case may be, shall abate with effect from the date the bond is entered into.

Duration of orders under section 2. 3. An order made under sub-section (1) of section 2 shall be in force for such period as may be specified but not exceeding one year from the date on which it is confirmed or modified under sub-section (3) of section 6 unless earlier revoked ;

Provided that the State Government may, if and so often it deems necessary or expedient, before the date on which under this section any such order would otherwise have ceased to be in force, and after giving an opportunity to the person concerned to make any representation in writing which he may desire to make and after referring the matter to the Advisory Council and considering its report direct that the order shall continue in force for a further period not exceeding one year at a time as may be specified in the order.

Grounds of order under section 2 (1) to be disclosed to person affected by the order.

4. Where an order is made in respect of any person under sub-section (1) of section 2, as soon as may be after the order is made, the authority making the order shall communicate to the person affected thereby, so far as such communication can be made without disclosing facts which the said authority considers it would be against the public interest to disclose, the grounds on which the order has been made against him and such other particulars as are in the opinion of such authority sufficient to enable him to make if he wishes, a representation against the order; and such person may at any time thereafter make a representation in writing to such authority against the order and it shall be the duty of such authority to inform such person of his right of making such representation and to afford him the earliest opportunity of doing so.

Reference to Advisory Council.

5. (1) On receipt of the representation referred to in section 4 or in case no representation is received, the State Government, as soon as may be, shall place before the Advisory Council constituted under sub-section (1) of section 6 the grounds on which the order has been made and in case such order has been made by an authority or officer subordinate to it, the report made by him under sub-section (3) of section 2 and the representation, if any, made by the person concerned.

Constitution to Advisory Council.

6. (1) The State Government, whenever necessary, shall constitute an Advisory Council consisting of not less than three members, one of whom shall be a person qualified to be a Judge of a High Court and he shall be its Chairman.

(2) The Advisory Council shall, after considering the material placed before it and if necessary, after calling for such further information from the State Government or from the person concerned, as it may deem necessary, submit its report to the State Government before the expiry of four months from the date of the order made under sub-section (1) of section 2.

(3) After considering the report of the Advisory Council, the State Government may confirm, modify or cancel the order made under sub-section (1) of section 2.

(4) The Chairman and the members of the Advisory Council shall for the purpose of this Act be deemed to be holding office within the meaning of sub-section (6) of section 2 of the Indian Official Secrets Act, 1923. Act XIX of 1923.

Imposition
of col-
lective
fine on
inhabi-
tants of
any area.

7. (1) If it appears to the State Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the public safety or maintenance of public order, or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders or are suppressing material evidence of the commission of such offences, the State Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area :

Provided that an imposition of a collective fine by any authority on whom the power may have been delegated under this Act may be made by publication of the order imposing the fine in any such manner as such authority may consider best calculated to bring the order to the notice of the inhabitants of the area concerned.

(2) The State Government or any officer empowered in this behalf by the State Government by general or special order may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) In any such apportionment the District Magistrate may assign a portion of such fine to a joint or undivided family to be payable by it.

(5) The portion of such fine payable by any person (including a Hindu undivided family) may be recovered—

(a) in the manner provided by the Code of Criminal Procedure, 1898, for the recovery of fines imposed by a Court, as if such portion were a fine imposed by the District Magistrate acting as a Court : Act V of 1898.

Provided that the State Government may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure, 1898, make rules under this Act regulating the manner in which warrants under clause (a) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant ; or

(b) as arrear of land revenue.

Control of meetings, processions, etc.

8. (1) The State Government may for the purpose of maintaining public order by general or special order prohibit, restrict or impose conditions upon the holding of processions, meetings or assemblies by a class of persons or organisations whose activities, in the opinion of the State Government, are subversive of law and order.

(2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment which may extend to two years or with fine or with both.

Control of camps, drills or parades.

9. (1) The State Government may in the interest of public order by an order prohibit, or impose such conditions as may be necessary on, the holding of camps or performance of drill or parade with or without arms or any article, weapon or implement capable of being used as arms by any class of persons or organisations whose activities are in the opinion of the State Government subversive of law and order.

(2) Any contravention of an order made under this section shall be punishable with imprisonment which may extend to two years or with fine or with both.

Control of use of loud-speakers, megaphones, etc.

10. (1) The State Government may, for the purpose of preventing activities, which in their opinion undermine the security of or tend to overthrow the State by general or special order, prohibit, restrict or impose conditions on—

- (i) the use or operation in any street, square, public place or any other place of any apparatus for amplifying the human voice, or any reproduction of the human voice, such as a megaphone or an electrically operated loudspeaker ; and
- (ii) the use or operation or driving in any street, square, public place or any other place of any vehicle which carries or has attached to it any apparatus referred to in sub-clause (i).

possession or under his control for a lawful object, be punishable with imprisonment for a term which may extend to two years or with fine or with both.

“ Protected
places.

1. [13A. (1) If as respects any place or class of places the State Government considers it necessary or expedient in the public interest or in the interest of the safety and security of such place or class of places that special precautions should be taken to prevent the entry of unauthorised persons, the State Government may by order declare that place or, as the case may be, every place of that class to be a protected place; and thereupon, for so long as the order is in force, such place or every place of such class as the case may be, shall be a protected place for the purposes of this Act.

(2) No person shall, without the permission of the State Government or of any person in authority connected with the protected place duly authorised by the State Government in this behalf or of the District Magistrate or of the Subdivisional Magistrate having jurisdiction enter, or be on or in or pass over, any protected place and no person shall loiter in the vicinity of any such place.

(3) Where in pursuance of sub-section (2) any person is granted permission to enter, or to be on or in, or to pass over a protected place, that person shall, while acting under such permission, comply with such orders for regulating his conduct as may be given by the authority which granted the permission.

(4) Any police officer, or any other person authorised in this behalf by the State Government, may search any person entering, or seeking to enter, or being on or in, or leaving, a protected place and any vehicle, vessel, animal or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, vessel, animal or article:

Provide that no woman shall be searched in pursuance of this sub-section except by a woman.

1. Inserted by Assam Amendment Act XXII of 1950.

(2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment which may extend to two years or with fine or with both.

(3) The apparatus referred to in sub-clause (1) together with the vehicle, if any, to which it may be attached shall be liable to be forfeited to the State Government if it be used or operated in contravention of an order passed under this section.

Prevention
of prejudi-
cial act.

11. (1) No person shall, without lawful authority or excuse, do any prejudicial act.

(2) If any person contravenes the provision of sub-section (1), he shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

Explanation.—For the purpose of this section 'prejudicial act' means any act, including shouting slogans which is intended or is likely to undermine the security of, or tends to overthrow the State:

Provided that *bona fide* acts indicating disapprobation of the policy or measures of the Government with a view to obtain their alteration by lawful means shall not be deemed to be acts which are intended or are likely to undermine the security of or tend to overthrow the State.

Power of
photograph-
ing, etc.

12. (1) The State Government or any District Magistrate may further direct a person on whom any order under section 2 of this Act has been passed that such person shall;—

- (a) allow himself to be photographed;
- (b) allow his finger and thumb impressions to be taken; and
- (c) furnish specimens of his handwriting and signature.

2. If any person contravenes any order issued under this section, he shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

Punishment
for carrying
or posses-
sion of any
corrosive
substance or
liquid.

13. Any person who carried on his person or knowingly has in his possession or under his control any corrosive substance or liquid, under such circumstances as to give rise to a reasonable suspicion that he does not carry it on his person or have it in his possession or under his control for a lawful object, shall, unless he can show that he was carrying it on his person, or that he had it in his

(5) If any person contravenes any provision of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by any police officer or by any other person authorised in this behalf by the State Government.

(6) If any person contravenes any of any provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Protected
areas

13 B. (1) If the State Government considers it necessary or expedient in the public interest or in the interest of the safety and security of any area to regulate the entry of persons into that area, the State Government may without prejudice to any other provisions of this Act, by order declare the area to be a protected area; and thereupon, for so long as the order is in force, such area shall be a protected area for the purposes of this Act.

(2) On and after such day as may be specified in and subject to any exemptions for which provision may be made by, an order made under sub-section (1), no person who was not immediately before the said day resident in the area declared to be a protected area by the said order shall be therein except in accordance with the terms of a permit in writing granted to him by an authority or persons specified in the said order.

(3) Any Police Officer, or any other person authorised in this behalf by the State Government may search any person entering or seeking to enter, or being on or in, or leaving, a protected area, and any vehicle, vessel, animal or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, vessel, animal or article:

Provided that no women shall be searched in pursuance of this sub-section except by a woman.

(4) If any person is in a protected area in contravention of the provisions of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by or under the direction of any police officer on duty in the protected area or by any other person authorised in this behalf by the State Government.

(5) If any person is in a protected area in contravention of any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Forcing or
evading
guard.

13. C Any person who effects or attempts to effect entry into a protected place or protected area—

- (a) by using, or threatening to use, criminal force to any person posted for the purpose of protecting, or preventing or controlling access to, such place or area, or
- (b) after taking precautions to conceal his entry or attempted entry from any such person, shall be punishable with imprisonment for a term which may extend to five years or with fine or with both.”]

“Special
restrictions
on residence.”

13. D¹ (1) If the State Government considers it necessary or expedient so to do in the public interest or in the interest of the safety and security of any area which is or which is a part of an area declared as “disturbed area” under Meghalaya Disturbed Area Act, the State Government may by order, direct in respect of any such area to be specified in the order (hereinafter referred to as the said area) that, subject to any exemptions made by the State Government by general or special order—

Assam Act
XLIX of
1955.

- (a) all persons or any class of persons shall remove themselves or be removed from the said area or to any specified part thereof.
- (b) all persons or any class of persons in the said area shall remain therein for such period as may be specified;
- (c) any animal or property or any specified class of animals or property shall be removed from the said area or to any specified part thereof;
- (d) within a specified time any building or other property specified in the order shall be destroyed or rendered useless; and may do any other act involving interference with private rights of property which is necessary for any of the purposes aforesaid.

(2) An order made under sub-section (1) for the removal of persons, animals or property may specify :—

- (a) the route or routes by which all or any class of persons, animals or property are to remove themselves or be removed from the specified area or to any specified part thereof ;
- (b) the time or times by which they are to remove themselves or be removed therefrom or to any specified part thereof ;
- (c) the place or places to which they are to proceed or be taken on removing themselves or being removed from the specified area ;

and may make such other incidental and supplementary provisions as may appear necessary or expedient for the purposes of the said order .

(3) If any order made under sub-section (1) is contravened in respect of any animal or property, the person in charge of such animal or property shall be deemed to have contravened the order.

(4) If any person contravenes any order made under this section he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both].

2 [13.E. If the State Government consider it necessary or expedient in the public interest or in the interest of public safety or maintenance of public order that the use, possession or sale of any official Uniform, Indian or Foreign, or any dress so nearly resembling such Uniform as to be calculated to deceive should be regulated the State Government may, by general or special order, direct that no person shall without lawful authority use, possess or sell such official Uniform or dress without a licence or permit from the Deputy Commissioner or the Subdivisional Officer, as the case may be, within their respective jurisdiction.]

Delegation
of powers
and duties
of State
Government.

14. The State Government may by order direct that any power or duty except that power to make orders under section 2 (a) and (b), which is conferred or imposed on the State Government shall in such circumstances and under conditions, if any, as may be specified in that direction be exercised or discharged by an officer not below the rank of a District Magistrate or Additional District Magistrate.

Protection of action to be taken under this Act. 15. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done in pursuance of this Act.

Application of other laws not barred. 16. The provisions of this Act shall be in addition to and not in derogation of any other Act, Ordinance or Regulation for the time being in force.

Power to arrest without warrant. 17. Any police officer not below the rank of a Sub-Inspector of Police may arrest without warrant any person who is reasonably suspected of having committed or of being about to commit an offence punishable under this Act :

Provided that nothing in this Act shall protect a police officer making a malicious arrest.

Repeal. 18.(1) The Meghalaya Maintenance of Public Order Act, as applicable in the Autonomous Districts specified in part II of the table appended to paragraph 20 of the Sixth Schedule is hereby repealed. Assam Act V of 1947.

(2) All orders made, directions given, proceedings commenced or liability incurred under the provisions of the Meghalaya Maintenance of Public Order Act, shall be deemed to be made, given, commenced or incurred under the respective provisions of this Act, and subsequent actions, if any, with regard to any order, direction, proceeding or liability shall be in accordance with the provisions of this Act.

(3) Notwithstanding the provisions in sub-section (2) above, no order made, direction given or proceedings commenced under the Meghalaya Maintenance of Public Order Act, shall be invalid by reason of being inconsistent with any of the provisions of this Act.





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EXTRAORDINARY

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No.64 Shillong, Saturday, May 5, 1979, 15th Vaisakha
1901 S. E.

PART VA

GOVERNMENT OF MEGHALAYA

ORDERS BY THE GOVERNOR

POLITICAL DEPARTMENT

NOTIFICATION

The 5th May 1979

No.POL.330/78/165.—Whereas the Governor of Meghalaya considers it necessary and expedient in the public interest and in the interest of the safety and security of the places hereinafter men-

Now, therefore, in exercise of the powers conferred by Sections 8 E and 8 F of the Meghalaya Maintenance of Public Order Act and Sections 13A and 13B of the Meghalaya Maintenance of Public Order (Autonomous Districts) Act (Assam Acts V of 1947 and XVI of 1953 respectively as adapted by Meghalaya), the Governor of Meghalaya is pleased to declare the following Sub-Stations, Power Houses, Generating Plants and Transmission Lines, namely:—

Sub-Stations :

1. Turá Power House 1, 2 and 3.
2. Chandmary.
3. Tura Bazar.
4. Babupara.
5. I. T. I., Araimile.

6. P. W. D., Dobasipara.
7. Sangsangiri.
8. Tura Basic Training Centre.
9. Rongkhon.
10. B. S. F.
11. P. H. E. Water Work.
12. Rongram.
13. Rongram P. H. E.
14. Ashangiri.
15. Rombagiri.
16. Rongsakgiri all under Tura Electrical Subdivision.
17. Damalgiri.
18. Dorambokgiri.
19. Dalupara.
20. Mukdangra.
21. Harigaon.
22. Perapara.
23. Garobadha all under Phulbari Electrical Subdivision, Garobadha.
24. 250 KVA Assam Timber.
25. 250 KVA Meghalaya Potteries.
26. 250 KVA M. S. E. B. Campus.
27. Balsaldamgiri.
28. Dilma.
29. Gajingpara.
30. Resubelpara.
31. Tekachang.
32. Resubakrapara.
33. Narangkhol.
34. Bajengdoba.
35. Waksommeridudam.
36. Mendal.
37. Gokolgiri.
38. Harenkata.
39. Manikganj.
40. Upper Manikganj.
41. Miapara.
42. Damas.
43. Nolbari.
44. Dainadubi.
45. Kanta.
46. Chimaapak.
47. Bangsi-apal.
48. Berubari.
49. Nongehram all under Mendipathar Electrical Subdivision.
50. Intake sub-station, Nangalbibra.
51. Colony sub-station, Nangalbibra.
52. Darugiri timber treatment plant.
53. Darugiri.
54. Rongkhol.
55. Rongjeng.
56. Songsak.

57. Williamnagar.
58. Lift irrigation sub-station phase 1 and 2 Simsanggiri.
59. Lift irrigation sub-station phase 3 Rongrenggiri.
60. Rongrenggiri.
61. Bonsanggiri.
62. Kusimkol.
63. Naramgiri.
64. Songsak Ozal all under Nangwalbibra division.

Generating Plants :

1. Williamnagar Power House.

Transmission Lines :

1. Tura to Nangalbibra via Williamnagar.
2. Nangalbibra to Daiwadubi.
3. Darugiri to Songsak.
4. Tura to Bajengdoba.
5. Dainadubi to Mendipathar.
6. Mendipathar to Anogiri.
7. Mendipathar to Chidmit.
8. Harigaon to Dalupara.
9. Harigaon to Gongglanngiri.

to be protected places and that all areas within a radius of 50 metres from the said protected places to be protected areas for the purposes of the Acts aforesaid with immediate effect and until further orders.

R. LYNGDOH,
Deputy Secretary to the Govt. of Meghalaya,
Political Department.



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17th Chaitra,

1932 (S. E.)

PART IV

GOVERNMENT OF MEGHALAYA

LAW (B) DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 7th April, 2010.

No.LL(B)8/2010/68.—The Meghalaya Maintenance of Public Order (Amendment) Act, 2010 (Act No. 4 of 2010) is hereby published for general information.

MEGHALAYA ACT NO. 4 OF 2010

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 6th April, 2010.

Published in the Gazette of Meghalaya Extra Ordinary issue dated 7th April, 2010.

THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER (AMENDMENT) ACT, 2010.

AN

ACT

to amend the Meghalaya Maintenance of Public Order Act (Assam Act V of 1947 as adapted by Meghalaya).

Whereas, the Hon'ble Gauhati High Court vide its order dt. 6-1-2010 in matter of PIL No. 50/2005 filed by Mrinal Talukdar Vrs State of Assam & Ors directed the State of Meghalaya to strictly implement the law declared by the Hon'ble Apex Court as reported in 1998 (1) SCC 201 in matter of Communist Party of India (M) Vrs Bharat Kumar & Ors;

Whereas, further the above judgment of the Hon'ble Apex Court declared that any act for ensuring abstention from normal duties by members of public employee, disrupt normal life or does any act being subversive of law and order or destroy public or private property shall be illegal;

Whereas, also the Government of Meghalaya in pursuance of and in compliance with the above order of the Hon'ble Gauhati High Court and the Hon'ble Apex Court decided to implement by amending the Meghalaya Maintenance of Public Order Act (Assam Act V of 1947 as adapted by Meghalaya) and also the Meghalaya Maintenance of Public Order (Autonomous District) Act (Assam Act XVI of 1953 as adapted by Meghalaya);

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-first Year of the Republic of India as follows, -

Short title and commencement.

1. (1) This Act may be called the Meghalaya Maintenance of Public Order (Amendment) Act, 2010.

(2) It shall be deemed to come into force from 24th February, 2010.

**Insertion of new
section 6A to
Act V of 1947.**

2. In the Meghalaya Maintenance of Public Order (Assam Act V of 1947 as adapted by Meghalaya), after the existing section 6 the following new section 6A, shall be inserted, namely, -

"Breach of
public order,
penalty

"6A Whosoever whether an individual or any organization or any association of persons or group of persons either singly or collectively does/do anything by whatever means any act for causing abstention from normal activities by members of public, employees, disrupts normal life or does any act being subversive of law and order or destroy public or private properties shall be guilty of offence under this Act and shall be punishable with imprisonment for three years and upwards but not more than seven years and also shall be liable to compensate the Government, the public and private citizen for the loss suffered by them".

L. M. SANGMA,
Secretary to the Government of Meghalaya,
Law (B) Department.



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PART IV
GOVERNMENT OF MEGHALAYA
LAW (B) DEPARTMENT
ORDERS BY THE GOVERNOR

NOTIFICATION

The 7th April, 2010.

No.LL(B)8/2010/65.—The Meghalaya Maintenance of Public Order (Autonomous Districts) (Amendment) Act, 2010 (Act No. 3 of 2010) is hereby published for general information.

MEGHALAYA ACT NO. 3 OF 2010

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 6th April, 2010.

Published in the Gazette of Meghalaya Extra Ordinary issue dated 7th April, 2010.

THE MEGHALAYA MAINTENANCE OF PUBLIC ORDER (AUTONOMOUS DISTRICTS)
(AMENDMENT) ACT, 2010.

AN

ACT

to amend the Meghalaya Maintenance of Public Order (Autonomous District) Act (Assam Act XVI of 1953 as adapted by Meghalaya).

Whereas, the Hon'ble Gauhati High Court vide its order dt. 6-1-2010 in matter of PIL No. 50/2005 filed by Mrinal Talukdar Vrs State of Assam & Ors directed the State of Meghalaya to strictly implement the law declared by the Hon'ble Apex Court as reported in 1998 (1) SCC 201 in matter of Communist Party of India (M) Vrs Bharat Kumar & Ors;

Whereas, further the above judgment of the Hon'ble Apex Court declared that any act for ensuring abstention from normal duties by members of public employee, disrupt normal life or does any act being subversive of law and order or destroy public or private property shall be illegal;

Whereas, also the Government of Meghalaya in pursuance of and in compliance with the above order of the Hon'ble Gauhati High Court and the Hon'ble Apex Court decided to implement by amending the Meghalaya Maintenance of Public Order Act (Assam Act V of 1947 as adapted by Meghalaya) and also the Meghalaya Maintenance of Public Order (Autonomous District) Act (Assam Act XVI of 1953 as adapted by Meghalaya);

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-first Year of the Republic of India as follows, -

Short title and commencement. 1. (1) This Act may be called the Meghalaya Maintenance of Public Order (Autonomous District) (Amendment) Act, 2010.

(2) It shall be deemed to come into force from 24th February,

2010

Insertion of new section 8A to Act XVI of 1953.

2. In the Meghalaya Maintenance of Public Order (Autonomous Districts) (Assam Act XVI of 1953 as adapted by Meghalaya), after the existing section 8, the following new section 8A, shall be inserted, namely, -

"Breach of public order, penalty

"8A Whosoever whether an individual or any organization or any association of persons or group of persons either singly or collectively does/do anything by whatever means any act for causing abstention from normal activities by members of public, employees, disrupts normal life or does any act being subversive of law and order or destroy public or private properties shall be guilty of offence under this Act and shall be punishable with imprisonment for three years and upwards but not more than seven years and also shall be liable to compensate the Government, the public and private citizen for the loss suffered by them".

L. M. SANGMA,
Secretary to the Government of Meghalaya,
Law (B) Department.

1980

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