

The Meghalaya Administration of Justice (Amendment) Act, 1976

MEGHALAYA

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Act 18 of 1976

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The Meghalaya Administration of Justice (Amendment) Act, 1976 Meghalaya Act No. 18 of 1976 Last Updated 19th February, 2020 (As passed by the Assembly) [Received the assent of the Governor on 22nd December, 1976] Published in the Meghalaya Gazette, Extraordinary, dated 23rd December, 1976. An Act further to amend the Rules for the Administration of Justice and Police in the Khasi Hills District and Jaintia Hills District and in the Garo Hills District (hereinafter referred to as the principal Rules), and the Khasi Syiemship (Administration of Justice) Order, 1950 (hereinafter referred to as the principal Order) Be it enacted by the Legislature of Meghalaya in the twenty-seventh Year of the Republic of India as follows:

1. Short title and extent.

(1) This Act may be called the Meghalaya Administration of Justice (Amendment) Act, 1976. (2) It shall have the like extent as the principal Rules and Order.

2. Amendment of the principal Rules and Order.

- The Rules and Order hereinbelow mentioned shall stand amended as follows: (1) On and from the 22nd day of October, 1976, in the Rules for the Administration of Justice and Police in the Garo Hills District published with the Notification No. 2816-AP, dated 29th March, 1937, as amended—(i) for the words "Garo Hills" wherever they occur, other than in the title of the Rules, the words "East Garo Hills District" and "West Garo Hills District" shall be substituted. (ii) in Rule 1, for the words "District known as the Garo Hills" the words "East Garo Hills District and West Garo Hills District" shall be substituted; and (iii) the word "District" occurring at the end of the title of the Rules shall be omitted. (2) On and from 28th day of October, 1976—(a) In the Rules for the Administration of Justice and Police in the Khasi Hills District and Jaintia Hills District, published with Notification

No. 2618-AP, dated 29th March, 1937, as amended, -(i) for the words "Khasi Hills District" wherever they occur, other than in the title of the Rules, the words "East Khasi Hills District, West Khasi Hills District" shall be substituted, and (ii) for the words "Khasi Hills District and Jaintia Hills District" occurring in the title of the Rules the words "Khasi and Jaintia Hills" shall be substituted. (b) In the Khasi syiemship (Administration of Justice) Order, 1950 published with Notification No.

SK/140/49/8, dated 26th January, 1950 as amended -(i) for the words "United Khasi-Jaintia Hills District" wherever occurring in the Order, the words "East Khasi Hills District and West Khasi Hills District" shall be substituted; and (ii) in sub-rule (2) of Rule 1 for the words "said District" the words "said East Khasi Hills District" shall be substituted.

3. Constitution of references.

- In the principal Rules and Order, all references therein to the Code of Criminal Procedure, 1898 or to any of the provisions of the said Code, shall be read as referring to the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) or to the corresponding provisions of the Code.

4. Assimilation of laws.

- All laws which immediately before the 22nd day of October, 1976 and the 28th day of October, 1976, are in force in the Garo Hills District and the Khasi Hills District respectively, shall continue to be in force in the East and West Garo Hills Districts and in the east and West Hills Districts, as the case may be : Provided that except where the context otherwise requires all references therein to the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of the Garo Hills District and Khasi Hills District shall be read, on and from the dates aforesaid, as referring respectively to the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of the East Garo Hills District, West Garo Hills District, East Khasi Hills District and West Khasi Hills District.

5. Trial of cases and appeals.

- Notwithstanding anything contained in this Act or in any other law for the time being in force as the State Government may, by order, for the trial of cases or appeals generally, or for the trial of a particular class of cases or appeals, both civil and criminal, relating to any district, direct that the same be tried by the Court of the Deputy Commissioner, Additional Deputy Commissioner or Assistant to the Deputy Commissioner of any other District.

6. Repeal of Ordinance No. 2 of 1976.

- The Meghalaya Administration of Justice (Amendment) Ordinance, 1976 is hereby repealed. [Notifications] [Published in the Meghalaya Gazette, Part V-A (No. 50) dated 13-12-1979.] No. L.J. 154/76/26, dated the 4th December, 1979. - Consequent on the transfer of the areas comprising Hengspung Syiemship and Sehieng Lyndehship from the West Khasi Hills District to the East Khasi Hills District vide Government Notification No. HPL. 256/79/4, dated the 6th

October, 1979, the Governor of Meghalaya in exercise of the powers conferred by and under Section 5 of the Meghalaya Administration of Justice (Amendment) Act, 1976 (Act No. 18 of 1976) and of all other powers enabling him in this petition (both civil and criminal) relating to or arising from the areas comprising the said Syiemship and Lyndehship including those pending in the Courts of the Deputy Commissioner, West Khasi Hills District and his Assistant shall be filled in, enquire into, tried or disposed of by the Courts of the Deputy Commissioner, East Khasi Hills District and his Assistants. These orders shall take effect from the date of their publication in the Gazette of Meghalaya.