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PART-IIA

GOVERNMENT OF MEGHALAYA NOTIFICATIONS

The 23rd December, 2022.

No.LBG.132/82/Pt/Vol.I/82. - In continuation of Meghalaya Government's earlier Notification No.LL.(B) 129/93/18, dated 10th March, 2004 and in partial modification of Notification issued *vide* No.LBG.132/82/Pt/Vol.I/73, dated 28th February, 2022 and also in exercise of the powers conferred by section 29 of Meghalaya Shops and Establishment Act, 2003 and other powers enabling him in this behalf the Governor of Meghalaya is pleased to exempt all establishments from the provisions of Section-6 of the said Act and permits all the establishments registered under the Act in the State of Meghalaya to keep open on all 365 days of the year, for a further period of 1 year *i.e.* upto 31st December, 2022, unless it is revoked, subject to the following conditions namely:-

- i. This exemption shall remain in operation for the period of one year from the date of Notification published in Government Gazette.
- ii. Every employee working in the establishment shall be given one day holiday in a week without making any deductions from his/her wages on account thereof and list of the time table of such holidays for a month shall be placed on the notice board in advance.
- iii. Every employee shall be given a rest period of one hour after 5 hours of continuous work.
- iv. No employee shall be required to work for more than 9 hours in a day or 48 hours in a week.
- v. If the establishment remains open after 10:00 P.M. on any day, adequate safety and security arrangements shall be ensured for employees and visitors.
- vi. As establishments are being given permission to be opened for all days new staff shall be appointed for the extended timing.
- vii. Female employees shall be provided separate locker, security and rest rooms at the work place.
- viii. Every employer employing women employees shall constitute Internal Complaint Committee against sexual harassment of women under the Sexual Harassment of Women at Workplace (Prevention Prohibition and Redressal) Act, 2013 (Central Act, 14 of 2013) and the said Committee shall be operative.
- ix. Female employee will be allowed to work after 7:00 P.M. Their written consent in this regard shall be taken as adequate safety and security arrangements of female employees shall be made during working hours and it shall be ensured that they safely reach home after their work is over.

- x. The Prevention of The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, as amended from time to time, shall be implemented in the establishments.
- xi. The employees shall be provided all the facilities mentioned in the relevant labour laws.
- xii. Consent letter shall be taken from the employees and it should be kept as record in the establishments.
- xiii. The spread over of an employee shall not exceed 11 hours in a day.
- xiv. Employee shall be given national and festival holidays with wages.
- xv. The wages including overtime wages of the employees shall be credited to their saving bank account.
- xvi. In addition to these terms and conditions, all the provisions of the Act and other relevant Laws shall be applicable to the establishment.
- xvii. In case of violation of any of the above terms and conditions or any other provision of the Act the exemption shall be cancelled after giving a due opportunity of being heard by the Competent Authority.

This Notification is in supercession of Notification No.LBG.132/82/Pt/Vol.I/73, dated 28th February, 2022.

This will come into immediate effect and until further orders.

G. H. P. RAJU,
Principal Secretary to the Government of Meghalaya,
Labour Department.

The 12th January, 2023.

No.HPL.168/2013/Pt.III/3. - Whereas for public convenience and better administration the Governor of Meghalaya considers it necessary to create a new Police Out Post at Malangkona in the West Khasi Hills District to be known as the Malangkona Police Outpost.

And, whereas, it is necessary to describe the boundaries and jurisdiction of the new Police Outpost as indicated here-under;

Now, therefore, the Governor of Meghalaya is pleased to order the creation of the aforesaid Police Out Post at Malangkona and to describe the boundaries and jurisdiction of the new Police Outpost as indicated hereunder with effect from the date of publication of this Notification in the Official Gazette of Meghalaya. On creation of the Malangkona Police Outpost the areas coming under its jurisdiction shall cease to be under the Nongstoin Police Station.

DESCRIPTION OF THE BOUNDARIES OF THE MALANGKONA POLICE OUTPOST

NORTH : Assam
EAST : Mawshynrut Police Station Jurisdiction
SOUTH : Shallang Police Station Jurisdiction
WEST : North Garo Hills District.

C. V. D. DIENGDOH,
Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 12th January, 2023.

No.HPL234/2020/Pt/5.- The Governor of Meghalaya, is pleased to order that a full-fledged Women Commando Unit to be inducted into Special Force-10, Meghalaya, Shillong shall be known as **“MEGHASHAKTI - The Women Commando Warrior of Special Force-10”** with effect from the date of their induction till further orders.

C. V. D. DIENGDOH,
Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 13th January, 2022.

No.FOR.50/2021/1667. - Whereas, the Hon'ble National Green Tribunal in OA 48/2019 EZ, in the matter of Jitul Deka Vs Union of India & Ors, *vide* its Judgement dated 27th May, 2022 has directed that the Meghalaya State Pollution Control Board in consultation with the State Government shall conduct a carrying capacity study of Ri-Bhoi District to assess feasibility of the number of legal mines to operate in an environmentally sustainable manner;

Whereas, M/s Anacon Laboratories Pvt. Ltd., Nagpur was engaged to conduct study on Comprehensive Carrying Capacity for Boulder and Stone Mining in Ri-Bhoi District;

Whereas, M/s Anacon Laboratories Pvt. Ltd., Nagpur has submitted the "Report on Comprehensive Carrying Capacity Studies of Boulder and Stone Mining in Ri-Bhoi District (Meghalaya) as per Judgement of Hon'ble national Green Tribunal, post meetings dated 26th August, 2022, 7th September, 2022 and 7th December, 2022";

Whereas, the report was placed in the public domain in the website of MSPCB for inviting objections and suggestions from all people likely to be affected thereby, within a period of over 15 days;

And whereas, no objection and suggestion has been received by the Meghalaya State Pollution Control Board;

And whereas, the "Final Report on Comprehensive Carrying Capacity Studies of Boulder and Stone Mining in Ri-Bhoi District (Meghalaya) as per Judgement of Hon'ble national Green Tribunal, post meetings dated 26th August, 2022, 7th September, 2022 and 7th December, 2022" has been approved by the State Government;

Now, therefore, in compliance to the Orders of the Hon'ble National Green Tribunal in OA 48/2019 EZ and in exercise of powers granted by Section 5 of the Environment (Protection) Act, 1986 *read* with Rule 4 of the Environment (Protection) Rule 1986, and Notification of the Ministry of Environment and Forests (Department of Environment, Forest and Wildlife) *vide* No.SO-289 (E), dated 14th April, 1988, the Government of Meghalaya do hereby issue following directions to implement the recommendations contained in the Report of Comprehensive Carrying Capacity Studies for Boulder and Stone Mining in Ri-Bhoi District, as below with immediate effect:-

DIRECTIONS FOR EXISTING MINING LEASES OF BOULDER STONE IN RI BHOI DISTRICT:-

1. For Existing Mining Leases till their termination.

Those existing mining leases which survive after compliance to the Judgement of the Hon'ble National Green Tribunal should follow following stricter compliance norms in addition to currently imposed conditions:

1.1 For the protection of Wildlife, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination.

- a. Mining Lease Holder (ML Holder) to ensure that Proper fencing is erected along with greenbelt, which shall act as a barrier and restrict entry of stray wild animals from nearby forest area into the Mining Lease (ML).
- b. ML Holder to ensure that annual awareness drive is conducted in the village of operation and among the company personnel, to make everyone aware of the process of managing wildlife encounter.
- c. ML Holder to ensure that in case of any wildlife encounter, adequate precaution is taken to safeguard both human and wildlife.

- d. ML Holder to ensure that a Standard Operating Procedure be made and training be provided to the employees and villagers to appropriately handle wildlife encounter.
- e. ML Holder to ensure that Open Fire is not used anywhere inside or near the mining lease area.
- f. ML Holder to ensure that priority is given to local people in employment.
- g. ML Holder to undertake Social infrastructure development activities.
- h. ML Holder to erect a Board containing the contact number of the Forest Beat Officer and Forest Range Officer in a prominent position in the Mining Lease area, so that they can be immediately contacted in case of emergencies.

1.2 For the prevention of Air Pollution, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination.

- a. ML Holder to ensure that regular water sprinkling is carried out in all critical areas that are prone to air pollution such as Haul roads, Loading and unloading points and transfer points to ensure effective dust suppression.
- b. ML Holder to ensure that all fuel consuming equipments is well maintained and to ensure that the exhaust smoke doesn't contribute abnormal values of noxious gases and un-burnt hydrocarbons.
- c. ML Holder to ensure usage of wet drilling/ drills with dust arrestors, to control dust generation during drilling activities.
- d. ML Holder to maintain adequate industrial and pollution control Equipment, as per Best Practice of the Industry using Best Available Technology.
- e. ML Holder to check the efficiency of the pollution control equipment periodically to comply with the emission standards provided by CPCB and minimize the pollution levels.
- f. ML Holder to ensure covering of the heavy trucks to prevent spillage or dusting.
- g. ML Holder to ensure that Blasting is avoided during high winds.
- h. ML Holder to ensure that water sprinkling is carried out, on blasted material before loading.
- i. ML Holder to ensure reduced dropping height of excavator bucket while loading material into dumpers/tippers.
- j. ML Holder shall ensure that Permanent Boundary Pillars (RCC) are erected along the corners of the Mining Lease. Another set of RCC Pillars have to be erected 7.5 meters inside the periphery of the Mining Lease, so that it can be used to demarcate the buffer zone or Green Belt for plantation.
- k. ML Holder shall do blacktopping (with bituminous mix) of the haul road within the Mining Lease are to prevent dust pollution.
- l. ML Holder shall create Green Belt with native tree species on the 7.5 meter width along the periphery of Mining Lease m. ML Holder to raise plantation along the haul roads to reduce dust retention in the air.

1.3 For the prevention of Noise Pollution, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination.

- a. ML Holder to ensure that Standard specified mining equipment is being used and the equipment should be in good working conditions, properly lubricated and maintained to keep noise within permissible limits.
- b. ML Holder to ensure that Drilling is being carried out with sharp drill bits which shall help in reducing noise.
- c. ML Holder to raise tall trees with heavy foliage along the boundary of mining lease area which will act as a natural barrier to propagating noise.
- d. ML Holder to ensure that the speed of trucks entering or leaving the ML is limited to moderate speed, to prevent undue noise particularly from empty trucks.
- e. ML Holder to avoid secondary blasting, by using rock breakers.
- n. ML Holder to undertake controlled blasting with proper spacing and optimum charge/delay.
- o. ML Holder to ensure that proper quantity of explosive, suitable stemming materials and appropriate delay system is being adopted to avoid overcharging and for safe blasting.
- p. ML Holder to follow proper blast design to control ground vibration and fly rocks.
- q. ML Holder to ensure that the charge per delay is minimized and preferably more number of delays is used per blasts.

1.4 For controlling vibration and prevention of accidents, the following additional conditions have to be fulfilled by Stone Quarry:-

- a. ML Holder to adopt protective measures to minimize the possible damage to nearby areas due to blasting.
- b. ML Holder to ensure that optimum charging of the drilled holes, delay detonators and shock tube initiation system for blasting is being used so as to reduce vibration and dust.
- c. ML Holder to ensure that blasting operations are being carried out, during November to February between timings of 6 a.m. to 4:30 p.m. and during March to October between timings of 5:30 a.m. to 5:30 p.m.
- d. ML Holder should keep the nearest police station/outpost well informed at the time of blasting to ensure safer blasting operations.
- e. ML Holder to conduct periodic monitoring of vibration at suitable location.

1.5 For the prevention of Water Pollution, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination.

- a. ML Holder to undertake construction of bunds and contour trenches at strategic location at the undulated slopes to reduce flow of run-off water and control soil erosion. These bunds should also be constructed at the boundary of the ML and adjoining public roads, except for the approach road to prevent flow of soil, debris etc.
- b. ML Holder to ensure construction of garland drains around the mine pit to divert surface run-off away from the mining area.
- c. ML Holder to ensure construction of retention walls and garland drains around toe of the surface dumps to arrest silt wash off and boulder roll down.

- d. ML Holder should connect these garland drains to a settling tank for settling for silt. The dimensions of such silt traps/settling tanks should be such that the dump capacity is 50% above the safety margin over and above peak sudden rainfall (based on 20 year data) and maximum discharge in the area. Further, it shall allow adequate retention period for proper settling of silt material. Such silt traps should be cleansed before the start of the next rainy season or earlier to ensure proper functioning.
- e. ML Holder to undertake suitable water conservation measures to preserve and enhance ground water resources. He should ensure that rain water is collected in mine sumps and the accumulated water is used in dust suppression and plantation in the mine lease area.
- f. ML Holder to ensure that mining operation in the District does not intersect the water table and it should be done from hill top to the surface level.
- g. ML Holder should identify and demarcate sites for dumping of overburden and mine spoils.
- h. ML Holder to prevent direct discharge of mine effluents/run off into natural water course by providing Checkdam/tailing dams.
- i. ML Holder must properly fill all mined out areas to avoid the contamination of surface water resources and the effects on the aquatic biota.
- j. ML Holder shall ensure that the top soil is used for gainful purposes and stacked at earmarked locations. The overburden dump(s) should be scientifically vegetated with suitable native species, to prevent erosion and surface runoff. In critical areas, use of geo textiles should be undertaken for stabilization of the dump. Moreover, the Retention walls or toe walls shall be provided at the foot of the overburden dumps to avoid landslides, silt washoff and stabilization of the overburden dump.
- k. ML Holder shall stabilize the worked out slops by planting appropriate shrubs/grass species.

1.6 For enhancing compliance to other subsisting laws and rules in vogue, the following additional conditions needs to be fulfilled by the Existing Mining Leases till their termination.

- a. ML Holder shall be personally held responsible for Non-compliance of the conditions stipulated in the Environmental Clearance, Mining Lease, Non-Forest Certificate and Mining Plan and shall be liable for legal action under the relevant acts like Environment Protection Act 1986, MMDR Act, 1957 and Forest Conservation Act, 1980.
- b. ML Holder should satisfy the provisions stipulated in Meghalaya Minor Minerals Concession Rules 2016 (as amended from time to time) and the Environmental Clearance granted to the Project Proponent.
- c. ML Holder shall undertake mining operations strictly in accordance with the Approved Mining Plan as per Rules 20(1) of the Meghalaya Minor Mineral Concession Rules 2016.
- d. ML Holder shall follow all control measures regarding land degradation water pollution, air pollution, noise pollution, Socio-economic measures etc. in the Environment Management Plan (part of the Mining Plan).
- e. ML Holder should not undertake any change in Mining Technology/Scope of working without prior approval of SEIAA and MSPCB.
- f. ML Holder shall comply with all the applicable provisions mentioned in the MoEF & CC Notifications and Office Memorandums issued from time to time.

- g. ML Holder shall not cut trees in the leased area without the permission from the Competent Authority.
- h. ML Holder shall make timely contribution to Meghalaya Minor Mineral Reclamation Fund (MMRF), District Mineral Fees (DMF) and NMET Funds to enable proper Environment Management by the relevant authorities.
- i. ML Holder shall follow the Mine Closure Plan as per Approved Mining Plan with back filling, tree plantation with indigenous species, etc. Monitoring and management of rehabilitated areas shall be continued until the vegetation becomes self-sustaining.

2. Directions for Grant of New Mining leases/Quarry Permits and compliance to Carrying Capacity in Ri-Bhoi District.

2.1 No new Mining Lease or Quarry Permit for stone/boulder shall be granted in the Inviolable areas or '**no-go-areas**' in Ri-Bhoi District, as follows:-

2.1.1 Inviolable areas as per Comprehensive Carrying Capacity Report.

All areas north of the Latitude at **25°47' 55.17' N** in **DMS (Degrees Minutes Seconds) format** or **25.7986583** in **DD (Decimal Degrees format)**.

2.1.2 Inviolable areas within the Eco-Sensitive Zone of the Nongkhylllem Wildlife Sanctuary, Notified Community Reserve, Sacred Groves and Reserved Forests in Ri-Bhoi District.

All areas covered within the Eco-Sensitive Zone of the Nongkhylllem Wildlife Sanctuary, Notified Community Reserves, Sacred Groves and Reserved Forests in Ri-Bhoi District.

2.2 Compliance to Carrying Capacity of the Inviolable areas.

As per the Report on Comprehensive Carrying Capacity Studies of Boulder and Stone mining, the carrying capacity of the 'Conditionally and Permanently Prohibited areas' or 'inviolable areas as mentioned above, is 6.32 Lakh Metric Ton of boulder stone per annum. Hence, to ensure compliance of the same:-

2.1.3.1 The existing valid Mining Leases shall not be permitted to increase their annual production capacity, to ensure annual production is within the above stated carrying capacity of 6.32 Lakh Metric Ton per annum.

2.1.3.2 Terminated mining leases shall not be reinstated if the combined production capacity of the existing Valid Mining Leases meets the carrying capacity of 6.32 Lakh Metric Ton per annum.

2.3. Validity of these restrictions:

These directions shall be valid for a minimum period of 10 years, after which a scientific assessment, similar to that being done by Forest Survey of India for Forest Cover Assessment, should be done to ensure that a Moderately Dense Forest (MDF) with a crown density of minimum 40% is achieved in all the Penalised areas.

If the Crown Density Range is below 40% then it should be reassessed every 3 years till all the penalised areas achieve the crown density of minimum 40%. Till such times, these restrictions should be maintained. Only after successful attainment of Crown Density Range of 40% in all the Penalised Areas, these restrictions should be removed.

SYED MD. A. RAZI,

Commissioner & Secretary to the Government of Meghalaya,
Forests and Environment Department.

The 24th January, 2023.

No.FE.184/2022/5. - In pursuance of clause (3) of Article 166 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Meghalaya is pleased to make the following rules to amend the Meghalaya Delegation of Financial Powers Rules, 2006, thereafter referred to as the principal rules, namely:-

1. **Short title and commencement.** - (1). These rules may be called the Meghalaya Delegation of Financial Powers (Amendment) Rules, 2022.
(2). They shall come into force from the date of notification in the Official Gazette.
2. **Amendment of Schedule IV.** - In the principal rules, in Schedule IV after the existing entries relating to "Water Resources Department" the following new entries shall be added, namely:-

"Meghalaya Public Service Commission

SL No.	Nature of Powers	Authority	Extent of Powers	General Conditions
1	2	3	4	5
1.	To sanction remuneration to Question Setters, Moderators, Evaluators, Conductor (for conducting speed test) Examiners.	Secretary	Full Power	Subject to Budget provision and in accordance with the rates and scale approved by Government.
2.	To sanction honorarium/ remuneration to Expert Advisers assisting the Interview Board.	Secretary	Full Power	Subject to Budget provision and in accordance with the rates and scale approved by Government.
3.	To sanction remuneration to Supervisors, Assistant Supervisors, Invigilators, Grade IV Staff for conducting various examinations.	Secretary	Full Power	Subject to Budget provision and in accordance with the rates and scale approved by Government.
4.	To sanction rent for accommodation for conducting various examinations.	Secretary	Full Power	Subject to Budget provision and in accordance with the rates and scale approved by Government.
5.	To sanction expenditure for refreshment while conducting written examination, Personal Interview.	Secretary	Full Power	Subject to Budget provision and in accordance with the rates and scale approved by Government".

C. V. D. DIENGDOH,
Secretary to the Government of Meghalaya,
Finance Department.

The 17th January, 2023.

No.AGRI(G)175/2008/Pt/835. - Whereas, as per the Notification F.No.D(FA)/2018/DBT, dated 17th March, 2017, from Ministry of Chemical & Fertilizers, Department of Fertilizers, Government of India, sale of fertilizers by retailers to the beneficiaries is to be on the basis of verification of farmers or buyers' identity through Aadhar-based biometric authentication/voter ID card/Kisan Credit Card (KCC); and the buyers details will be captured in the Point of Sale (PoS) machines installed at the retailers' end, having online connectivity with central service. As per information from the Company, production of Aadhar card by the farmers is mandatory for purchase of fertilizer.

However, as intimated by the Director of Agriculture *vide* letter No.AGRI/FERT-38/2022-23/321, dated 16th January, 2023, supply of biometric machines from the Company is still awaited. Further, since Aadhar coverage is still low in the State, unavailability of fertilizer in absence of Aadhar authentication could mean significant losses to the farmers.

Therefore, considering the urgency of the matter and as per decision taken in the meeting under the Chairmanship of the Commissioner & Secretary, Department of Agriculture & Farmers Welfare dated 16th January, 2023, and in order to ensure the availability of fertilizer to the farmers during the onset of planting time, the sale of fertilizers in Meghalaya may take place upon manual production of Aadhar/EPIC/Kisan Credit Card (KCC) by the farmers alongwith manual record of sale to be maintained, till such time as the Biometric machines are available and Aadhar cards obtained by all farmers. The Director of Agriculture will ensure that all retailers and buyers comply to the instructions herein.

ISAWANDA LALOO,
Secretary to the Govt. of Meghalaya,
Department of Agriculture & Farmers' Welfare.

The 30th January, 2023.

No.CTA-62/2011/Pt.I/257. - In pursuance of the provision of Sub-Rule 9 of Rule 8 of the Central Sales Tax (Meghalaya) Rule 1957, it is hereby notified for General Information that the following declarations of Form 'C' are hereby declared invalid and obsolete from the date of issue for all intents and purposes. Dealers are cautioned against accepting the said forms for the purpose of trade. Anyone fraudulently found using the said forms will bind himself liable for action in accordance with the provision of the Central Sales Tax Act, 1956 and Rules framed thereunder.

1. No.MEGH/09/902616, dated 4th May, 2022.

J. L. KHARWANLANG,
Assistant Commissioner of Taxes,
Meghalaya, Shillong.

The 16th January, 2023.

No.RDS.5/2021/177. - In exercise of the power conferred under Section 11 (d) (i) of the Meghalaya Transfer of Land (Regulation) Act, 1971, the Governor of Meghalaya is pleased to specify the M/s Meghalaya Gas and Appliances (Bharti Gas) as a Company to which provisions of the said Act, shall not apply in relation to transfer of land measuring 2B-0K-0L located at Darengre, West Garo Hills District (and more fully described in the Schedule below) by way of lease for a period of 15 (fifteen) years from Shri Prenil Ch. Marak to M/s Meghalaya Gas and Appliances (Bharti Gas) for the purpose of setting up of retail outlet.

SCHEDULE OF BOUNDARIES

North : National Highway
East : Land of (L) P. R. Marak
South : Local Road connecting Doldegre
West : Land of Lt. Sumonsing Sangma

Joint Secretary to the Govt. of Meghalaya,
Revenue & Disaster Management Department.

The 5th January, 2023.

No.DC/L/VI/1/2009-2023/157/1. – In exercise of the powers conferred under sub-rules (1) and (3) of Rule 36 of the Assam and Meghalaya Autonomous Districts (Constitution of District Councils) Rules, 1951, as amended, I, Lamphrang Blah, Chairman Khasi Hills Autonomous District Council hereby summon the Council of the Khasi Hills Autonomous District to meet on **Wednesday the 1st March, 2023 at 11:00 A.M.** in the Council Hall at Shillong.

LAMPHRANG BLAH,
Chairman,
Khasi Hills Autonomous District Council,
Shillong.

The 5th January, 2023.

No.DC/L/VI/1/2009-2023/158/2. – In compliance to Rule 36 (1) of the Assam and Meghalaya Autonomous Districts (Constitution of District Councils) Rules, 1951 as amended, I am directed to inform you that the Budget Session of the Khasi Hills Autonomous District Council has been fixed to commence on **Wednesday, the 1st March, 2023 at 11:00 A.M.** in the District Council Hall, Shillong.

Secretary to the District Council,
Khasi Hills Autonomous District,
Shillong.