

The 16th December, 2013

No.FEA (TFC) 149/2010/Pt/98 – In the exercise of the powers conferred by Section 10 of the Meghalaya State Finance Commission Act, 2012 (Act No.4 of 2012) the Governor of Meghalaya hereby makes the following Rules, namely.

1. Short title and commencement – (i) These Rules may be called the Meghalaya State Finance Commission Rules, 2013.

(ii) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions – In these Rules, unless the context otherwise requires;

(i) “Act” means the Meghalaya State Finance Commission Act, 2012;

(ii) “State Government” means the Government of State of Meghalaya;

(iii) “State Legislature” means the Legislature of the State of Meghalaya; and

(iv) “Traditional Bodies” means the existing Chiefs of Traditional Institutions or Village Durbars, by whatever name, constituted under the customary laws or conventions.

3. Functions of the Commission –

The State Finance Commission shall perform the functions assigned to the Commission under section 3(1) of the Meghalaya State Finance Commission Act, 2012 and any other function as the State Government may deem it necessary by a specific notification. In addition the State Finance Commission shall make recommendations on measures needed to improve financial position and fiscal discipline of Municipal Boards and Autonomous District Councils.

4. Composition and qualification for appointment as, and the manner of selection of the Chairman & Members of the Commission –

The composition of the Commission constituted under section (4) shall consist of –

(i) A Chairperson, who shall be selected from among persons who have had experience in public affairs;

(ii) and the Members, not exceeding four in numbers, who shall be selected from among persons who have special knowledge of the finances and accounts of Government, or have had wide experience in financial matters and in administration, or have special knowledge of economic; and

(iii) The Member Secretary who shall be appointed by the State Government.

5. Procedure and Powers of the Commission –

- (i) The Commission shall determine the procedure and methods of functioning of the Commission as assigned to them under the Act.
- (ii) The Commission, in the performance of their functions, shall have all the powers of a civil court under the Code of Civil Procedure, 1908 (Central Act No.5 of 1908) in respect of the following matters, namely,
 - (a) Summoning and enforcing the attendance of any official, person or witness
 - (b) Requiring the production of any document
 - (c) Requisitioning any public record from any court or office

6. Term of office of Chairman and Members of the Commission –

The Chairman and Members of the Commission may hold office for such period as may be specified in the notification of the State Government appointing them.

7. Conditions of Services and salaries and allowances of Chairman & Members –

The Members of the Commission shall render whole-time or part-time service to the Commission as the State Government may in each case specify and there shall be paid to the members of the Commission such salaries of fees and such allowances as may be specified by a Notification to be issued from time to time.

D.T. KHARSHIING,
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Finance (Economic Affairs) Department