MEGHALAYA ACT 3 OF 1991

THE MEGHALAYA FOREST AUTHORITY ACT, 1991

(As passed by the Meghalaya Legislative Assembly on the 1st April, 1991)

Received the assent of the Governor on the 16th April, 1991

Published in the Gazette of Meghalaya, Extra-ordinary dated 17th April, 1991

An

Act

To provide for the constitution of an Authority for the unified control of forests in the State

WHEREAS, there is need to further adopt measures to prevent indiscriminate felling of trees in the State:

AND, WHEREAS, for that purpose it is expedient to have an authority with persons from the State Government and the District Council as members:

AND, WHEREAS, concurrence of all the Chief Executive Members of the District Councils in the State has been obtained:

Be it enacted by the Legislature of the State of Meghalaya in the Forty-second Year of the Republic of India as follows:-

1. **Short title, extend and commencement-**
   (1) This Act may be called the Meghalaya Forest Authority Act, 1991.
   (2) It extends to the whole of the State of Meghalaya.
   (3) It shall be deemed to have come into force on the 2nd March, 1991.
2. **Definitions-** In this Act unless there is anything repugnant in the subject or context-
   (a) "Authority" means the Meghalaya Forest Authority constituted under section 3;
   (b) "District Council" means an Autonomous District Council constituted under the provisions of the Sixth Scheduled to the Constitution of India; and
   (c) "Forest" means all classes of forests but excludes reserved forests, Government or Government protected forests and any area recorded as forests in Government records.
3. **Constitution of the Authority-**
   (1) There shall be constituted the Meghalaya Forest Authority with a Board of Governors comprising of the Chief Minister, the Minister-in-charge, Forests and Environment and the Chief Executive Members of the Autonomous District Councils in the State.

(2) The Chief Minister shall be the Chairman, the Minister-in-charge, Forests and Environment, the Deputy Chairman and an officer of the State Forests Department, not below the rank of a Conservator of the Forests to be nominated by the State Government, the Member Secretary of the Board of Governor.

(3) In the event that there is no council of Ministers in the State of Executive Committee in any District Council the Governors as the case may be, of the Board shall, for the time being, be appointed by the Governor of Meghalaya.

4. **Functions of the Authority-** The functions of the Authority shall be to advise the State Government and the District Councils on proper co-ordination and implementation of State and District Council forest lows and in the preparation of forest plans and schemes and other matters connected with the preservation of forests in the State.

5. **Meetings of the Authority and Quorum-**

(1) The Authority shall meet as often as may be necessary and all matters in a meeting shall be decided by the majority members present with the Chairman casting his vote only in case of a tie.

(2) The quorum for any meeting shall be four including the person presiding.

(3) Every meeting shall be presided over the Chairman and, in his absence, by the Deputy Chairman.

6. **Officers and Staff-**

(1) The Member-Secretary shall be the Chief administrative officer of the Authority and shall exercise supervision and control over its day to day affairs, authenticated letters other papers emanating from it and maintain or cause to be maintained accounts and other records.

(2) The Authority may with prior approval of Government appoint such other officers and staff as may be necessary not carrying out its function under this Act.

7. **Power to make rules-** The State Government may make rules for carrying out the purpose of this Act.

8. **Act not to be in derogation of any other laws-** The provisions of this Act shall not be in derogation of any other law on forests operating in the State.

9. **Repeal and Saving-**

(1) The Meghalaya Forest Authority Ordinance, 1991 is hereby repealed.

(2) Notwithstanding the repeal any action taken or anything done under the Ordinance so repeal shall repealed shall be deemed to have been taken or done under the corresponding provisions of this Act.