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PART-IIA

GOVERNMENT OF MEGHALAYA
DISTRICT COUNCIL AFFAIRS DEPARTMENT

NOTIFICATION

The 19th August, 2024.

No.DC/LV/4/2019-2024/20/280- In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Bill of the Khasi Hills Autonomous District Council is hereby published for general information:-

**THE KHASI HILLS AUTONOMOUS DISTRICT (NOMINATION AND ELECTION OF
THE LYNGDOH, MYNTRI, LYNGDOH RAID AND SORDAR SHNONG AND
ADMINISTRATION OF SOHIONG, LYNGDOHSHIP) ACT, 2023.**

(Passed by the Khasi Hills Autonomous District Council on the 22nd December, 2023)

(Received the assent of the Governor on the 12th September, 2024)

(Published in the Meghalaya Gazette on the 26 September, 2024)

AN

ACT

to codify, provide and to make provisions for the Nomination, Election and administration of the Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong of Sohiong Lyngdohship.

Preamble:- Whereas under clause (f), (g) and (j) of sub-paragraph (1) of paragraph 3 of the Sixth Schedule to the Constitution of India, the District Council of an Autonomous District is empowered to make laws with respect to any matter related to appointment or succession of Chiefs or Headmen, and administration and social custom

And whereas it is expedient to make such provisions for the administration, nomination and election of the Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong of Sohiong Lyngdohship.

Now, therefore, the District Council of the Khasi Hills Autonomous District, in exercise of power conferred on it as aforesaid and to all other powers enabling it in that behalf, hereby enacted in the Seventy Fourth Year of the Republic of India as follows:-

1. **Short title, Extent and Commencement:-** (1) This Act be called the Khasi Hills Autonomous District (Nomination and Election of the Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong and Administration of Sohiong Lyngdohship) Act, 2023.
(2) It shall extend to the whole of Sohiong Lyngdohship.
(3) It shall come into force at once.
2. **Definitions:-** In this Act, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them as follows:-
 - (1) **"Administrative Officer"** means an Officer appointed by the Executive Committee to temporarily run the affairs of the Lyngdohship in case there is an administrative deadlock or a break down in the administration of the Lyngdohship.
 - (2) **"Adult"** means a person who is not less than eighteen years of age.
 - (3) **"Customary Tolls"** means the tolls levied and collected by the Lyngdoh and his Dorbar on all merchandise, in accordance with the established customs and usages prevailing in the Lyngdohship since time immemorial.
 - (4) **"District Council"** means the Khasi Hills Autonomous District Council constituted under the provisions of the Sixth Schedule of the Constitution of India.
 - (5) **"Dorbar Hima"** means the General Dorbar of Hima Sohiong to be convened, wherever necessary on the advice of the Executive Dorbar, by the Lyngdoh as the Chairman at least once in every year with prior intimation to the Executive Committee.
 - (6) **"Dorbar Kur Pyllun"** means the customary general Dorbar of the Lyngdoh Sohiong clan of Sohiong Lyngdohship comprising of both males and females adults belonging to the Khasi community who has the customary right to nominate the Lyngdoh.
 - (7) **"Election Tribunal"** means an Official of the District Council Court not below the rank of a Magistrate 1st Class constituted by the Executive Committee for disposal of election dispute.
 - (8) **"Electoral College"** means the Myntris and Lyngdoh Raids of the Hima who are eligible to elect the Lyngdoh of Hima Sohiong whose names have been duly recognized by the Lyngdoh and his Dorbar of Hima Sohiong and approved by the Executive Committee.
 - (9) **"Executive Committee"** means the Executive Committee of the Khasi Hills Autonomous District Council.

- (10) **“Executive Dorbar”** or **“Lyngdoh and his Dorbar”** means the Committee consisting of the Lyngdoh, Myntri, Lyngdoh Raid and some Elders or representative of the Hima to run its day-to-day administration and judiciary, as may be appointed by the Lyngdoh and his Dorbar and approved by the Executive Committee. Such meeting shall be presided over by the Lyngdoh and in his absence by any member elected by the members present in the meeting.
- (11) **“Executive Dorbar Raid”** means the customary Dorbar of the Lyngdoh Raid of Raid Sohiong, Raid Nongkseh, Raid Marpna and Raid Shylla of Sohiong Lyngdohship comprising of the Lyngdoh Raid, Rangbah Shnong and some elders of the Raid and approved by the Executive Dorbar to run the day-to-day administration of the respective Raid.
- (12) **“Gazette”** means the Gazette of Meghalaya.
- (13) **“Hima”** or **“Elaka”** means the areas under the administrative jurisdiction of Sohiong Lyngdohship.
- (14) **“Lyngdoh”** means the traditional Chief and the customary administrative Head of Hima Sohiong belonging to the Thabah lawjah clan, the Thabah lawhiar clan and Thabah lawmen clan who is duly appointed as per the prevailing customs and under the provisions of this Act.
- (15) **“Lyngdoh clan”** means the Thabah lawjah clan, the Thabah lawhiar clan and Thabah lawmen clan of Sohiong Lyngdohship.
- (16) **“Lyngdoh Raid”** means the authorized adult male Lyngdoh of the Raid Sohiong, Raid Nongkseh, Raid Marpna and Raid Shylla of Hima Sohiong duly elected or nominated by the respective clan as per the prevailing customs and under the provisions of this Act who shall carry out general administrative functions under the prevailing customs of Hima Sohiong.
- (17) **“Lynti Shnong”** means Lynti Sorkari and includes a route, a footpath, a way, a passage, or any other form of linkage being used by the public for connection of;-
i) a village to another village /town/city,
ii) a village to a market/commercial centre,
iii) a village to a permanent farm or agricultural and allied area,
iv) a village to any other place/area which is more or less permanent in nature.
- (18) **“Mawbri”** means a boundary stone erected by the land-owner of any Ri-Kynti land or Bri-Kur or Ri-Raid land with the knowledge of the bordering land owner or landholder.

- (19) **"Mawpud"** means a boundary pillar erected between the Lyngdohship and other Lyngdohship and includes a boundary pillar erected between a Raid or any village falling under the jurisdiction of the Lyngdohship.
- (20) **"Musur"** means a type of customary toll levied on all merchandise that enter into the market within the jurisdiction of the Lyngdohship.
- (21) **"Myntris"** means the authorized adults representative of Jana clan, Janong clan, Kharrngi clan, Mawlong clan and Kyrnsian clan of Hima Sohiong duly elected or nominated by the respective clan as per the prevailing customs and under the provisions of this Act who shall carry out general administrative functions under the prevailing customs of Hima Sohiong.
- (22) **"Raid"** means the Raid Sohiong, Raid Marpna, Raid Nongkseh and Raid Shylla of Hima Sohiong.
- (23) **"Rangbah Shnong"** means a traditional elected head of a village under the administrative control and territorial jurisdiction of Raid and Hima Sohiong duly elected or nominated by the adults of the respective villages and as per the prevailing custom and under the provision of this Act.
- Note:** As per prevailing customary practices only the Mawlong Clan can be elected as Rangbah Shnong in Raid Marpna.
- (24) **"Returning Officer"** means any officer as may be appointed by the Executive Committee.
- (25) **"Sanad"** means the appointment letter or order issued by the Executive Committee to the Lyngdoh and also includes the appointment letter or order issued by the Lyngdoh and Dorbar to the Myntri, Lyngdoh Raid, Sordar Shnong or Rangbah Shnong.
- (26) **"Sordar Shnong"** means a traditional elected head of a village under the administrative control and territorial jurisdiction of Hima Sohiong duly elected or nominated by the adults of the respective villages and as per the prevailing custom and under the provision of this Act.
- (27) **"U Synniang U Bynhei"** means a voluntary contribution by the residents of the village for the purpose of ka Synshar - Khadar as per Khasi customary practice.
- (28) **"Village Administrator"** means a person appointed by the Lyngdoh in consultation with the inhabitants of such village to look after a village inhabited entirely by non-Khasis community.
- (29) **"Village or Shnong"** means an area of human habitation having definite contiguous boundary where a number of house-holds are grouped together under one administrative set up, duly recognized as such by the Lyngdoh and Dorbar and approved by the Executive Committee.

3. Election for the appointment of the Lyngdoh:-

- (1) When a vacancy occurs in the office of the Lyngdoh of Sohiong, the Dorbar Kur of Lyngdoh Thabah clan shall intimate the Executive Dorbar the name of the nominated candidate for the post or office of the Lyngdoh for approval which shall then be accordingly intimated to the Returning Officer in writing.
- (2) (a) The Returning Officer on receipt of the nominee or candidate Lyngdoh shall call for the filing of Nomination Paper from interested and eligible persons of the Lyngdoh Thabah clan of Hima Sohiong whose names have been duly recommended by the Dorbar Kur Pyllun. The Returning Officer shall hold Election, declare the result thereof and or do thing necessary for the purpose of the election. The Returning Officer may in case of doubt or uncertainty refer the matter to the Executive Committee who shall decide and direct the Returning Officer accordingly.
- (b) The Returning Officer shall direct the Election Committee to cause the Electoral College to be prepared of all eligible voters and on receipt of the names of electors, shall by a public notification of not less than 30 (thirty) days, notify their names, call for claim and objection etc, if any, and shall approve the names of the electors. In case there is any objections regarding the names of the electors, the Returning Officer shall conduct a hearing of parties involved and shall finally dispose of the matter after affording an opportunity of being heard and shall approve the names of elector. The decision of the Returning Officer in approving the names of electors shall be final and binding.
- (c) If more than one nominee or candidate are nominated or recommended by the Lyngdoh Sohiong clan the confirmation and affirmation/election of the Lyngdoh shall be determined by a simple majority of votes of the electors present and the successful candidate shall be declared elected and his name shall be recommended for issuing of Appointment Order or Sanad.
- (d) In case the Dorbar Kur Pyllun of the Lyngdoh Sohiong clan has/had produced or recommended or nominated only one eligible candidate from the Lyngdoh Sohiong clan, there will be no election but the Executive Dorbar shall have to confirm and affirm the nomination recommended by the Dorbar Kur of Lyngdoh Thabah Clan as per the prevailing customary practices and shall inform the Executive Committee accordingly.
- (3) The Returning Officer shall on the basis of the report of the Presiding Officer declare the result and may, in case of doubt or uncertainty, refer the proceedings to the Executive Committee who shall decide and direct the Returning Officer accordingly.

4. Appointment of the Lyngdoh:- On the basis of the result referred to in Section 3 of this Act, the Executive Committee shall forthwith issue appointment order or Sanad under such terms and conditions as the Executive Committee may provide and not inconsistent with the provisions of this Act, and shall report the same to the next Session of the District Council.

5. **Dispute regarding the Election:-** If within thirty days of the declaration of the result by the Returning Officer, any dispute arises regarding any matter relating to or connected with the Election of the Lyngdoh, the party or parties concerned shall refer the dispute by a petition. Such petition shall be filed before the Secretary to the Executive Committee in duplicate accompanied by a fee as may be prescribed by the Executive Committee from time to time and shall refer the matter to the Tribunal constituted by the Executive Committee for the purpose who shall dispose of the matter accordingly within six months from the date of receipt of the case records. Such reports and findings shall be submitted to the Executive Committee for its decision.

Provided, that the period of six months may be extended by the Executive Committee on receipt of a written application from the Tribunal for certain reasonable grounds.

6. **Qualification for the office of the Lyngdoh:-**

A Khasi male person shall qualify to be elected as a Lyngdoh if he;-

- a) is a natural descendant of the Lyngdoh Sohiong clan belonging to the Thabah lawjah clan, Thabah lawhiar clan and Thabah lawmen clan of Sohiong Lyngdohship;
- b) is of good moral character, both of whose parents are indigenous Khasi by birth;
- c) is a native and resident of Hima Sohiong and is not less than 25 years of age;
- d) is not a member of any Hima;
- e) has obtained prior recommendation from the Dorbar Kur Pyllun of the Lyngdoh Sohiong clan;
- f) has adequate knowledge of the administration, customary practices and traditions of the Hima;
- g) is able to read and write.

7. **Terms of Office:-**(1) There shall be only one Lyngdoh to be elected from the whole of Sohiong Lyngdohship and his term of office shall be for life from the date of his appointment provided that he may be removed from office or suspended by the Executive Committee if :-
- (a) he violates any of the terms and conditions of his appointment; or

(b) he violates any of the laws, regulations, rules and the resolution passed by the Council; or

(c) he refuses to carry out the orders and instruction issued by the Executive Committee; or

(d) he is found to be physically or mentally unfit to carry out his functions; or

(e) he is found incapable of carrying on the administration to the satisfaction of the Executive Committee due to ill health, old age or habitual drunkenness; or

(f) he violated any customary rights and practices prevailing in the Hima and duly recognized by the Executive Committee; or

(g) he has been convicted of an offences involving moral turpitude; or

- (h) he is found to have oppressed the people of the Hima and cause dissatisfaction with his misrule; or
- (i) he has lost the confidence of the majority of his electors or of the people of the Hima; or
- (j) he is an undischarged insolvent; or
- (k) he is found to have been conducting himself in a manner derogatory to his office or prejudicial to the interest of the Hima or part thereof; or
- (l) Has been conducting himself in a manner which may undermine the authority of the Executive Committee or the District Council; or
- (m) he fails to convene the annual Dorbar Hima or Dorbar Pyllun;

Provided that every such case shall be placed before the Council in its next Session;

Provided further that no Lyngdoh shall be removed from office or punished without giving him an opportunity of being heard:

Provided further that the requirement of the second proviso shall not apply;—

- (i) in the case where the order of removal or punishment or suspension is awarded on account of his being convicted by a court of an offence involving moral turpitude; or
 - (ii) in the case of order for suspension pending inquiry.
- (2) In the event of suspension pending enquiry, the Executive Committee shall frame charges accordingly and appoint an Inquiry Officer to enquire into such charges framed.
- (3) The Inquiry Officer on receipt of the Statement of Defence from the suspended Lyngdoh shall record statement of witnesses if any and call for records if deemed necessary before submitting his findings or report. The process of enquiry shall be completed within three months. However, the Executive Committee may from time to time extend the period of three months at the request of the Inquiry Officer.

8. **Referendum**:- If however, any dispute arises as to whether the Lyngdoh has or has not lost the confidence of the majority of the electors or of the people of the Lyngdohship as provided in sub-section (i) of Section 7, the Executive Committee may, if deem necessary, hold and conduct a referendum consisting of all the recognized and approved electors of the Hima and shall take appropriate action on the basis of a simple majority of the result of such referendum.

9. **Appointment of Acting Chief or Lyngdoh**:-

- (1) If at any time the office of a Lyngdoh becomes vacant as a result of death, resignation, retirement due to old age, removal or suspension, the Executive Committee in consultation with the Executive Dorbar may by order in writing appoint any adult of Lyngdoh Clan or Myntri or Lyngdoh Raid to act as an Acting Chief or Lyngdoh who shall exercise all the powers and functions of the Lyngdoh. An Acting Chief or Lyngdoh will remain in Office until appointment of a new Lyngdoh or until further order of the Executive Committee whichever is earlier.

- (2) Where there is a change of incumbent on account of sub-section (1) above, there shall be proper taking and handling over charge of the office properties duly recorded in writing between the predecessor and the successor incumbent in the presence of witnesses:

Provided that any deliberate or willful violation of this provision shall be treated to be an act of criminal breach of trust and the incumbent is liable to be prosecuted as per law established.

10. **Election and confirmation of Myntri, Lyngdoh Raid and Sordar Shnong:-** (1) An adult person shall be eligible to be elected as a Myntri, Lyngdoh Raid or Sordar Shnong if he has attained the age of 25 years and bear a good moral character both of whose parent are Khasi by birth.

(2) If there is any vacancy in the post of Myntri or Lyngdoh Raid, it is the duty of the respective clan concerned to elect or nominate the Myntri or Lyngdoh Raid under the prevailing custom and such meeting for nomination and election of the Myntri or Lyngdoh Raid shall be presided over by the Elder, Chairman of the clan which result shall be placed before the Executive Dorbar for confirmation and upon which the Lyngdoh shall issue Appointment Letter or Sanad to the person concerned under such terms and conditions as the Executive Dorbar may provide which shall be intimated to the Executive Committee immediately:

Provided that, only the adult resident of the Hima belonging to the respective Myntri or Lyngdoh Raid clan shall take part in the nomination and election of the Myntri or Lyngdoh Raid as the case may be.

- (3) The post of Myntri or Lyngdoh Raid is normally elected for life; however, the Dorbar Hima may on the advice of the Executive Dorbar, remove from Office or suspend any of the Myntri or Lyngdoh Raid if he is found;-

- (i) to have violated or purposely ignored to follow any laws, rules and regulations of the Hima and the resolutions or Orders passed by the Dorbar Hima and the District Council under the Provision of this Act; or
- (ii) to be incapable to carry out his function due to ill health, old age or habitual drunkenness; or
- (iii) to have been convicted of any offence by any Court of Law; or
- (iv) to have lost the confidence of the majority of the members of the clan concerned.

- (4) Any vacancy in the post of Sordar Shnong shall be reported to the Lyngdoh and his Executive Dorbar who shall summon a meeting of all the adults of that village on such date and time as may be fixed by the Executive Dorbar for the election of a new Sordar Shnong, and such meeting shall be presided over by the Lyngdoh or by any person authorized by him. On basis of the result of such election, the Sordar Shnong shall be appointed by the Lyngdoh under terms and conditions as the Executive Dorbar may provide which shall be intimated to the Executive Committee immediately:

Provided that a Sordar Shnong shall not take charge of the office without receiving the Sanad or Appointment letter.

- (5) The Sordar Shnong shall hold Office for three years and he may be removed from the Office or suspended by the Executive Dorbar if;-

- a) he refuses to carry out the orders and instructions issued by the Executive Dorbar; or

- b) he violated any of the provisions of this Act or Rules or and Regulation of the Executive Dorbar or Dorbar Hima; or
- c) he violates any of the laws, regulations, rules and resolution passed by the District Council; or
- d) he has been convicted of an offence involving moral turpitude; or
- e) he is found incapable of carrying on their duties and functions due to ill health, old age or habitual drunkenness; or
- f) he is found to be mentally unfit to carry out their duties and of functions; or
- g) he is found to have been conducting themselves in a manner of derogatory to their Office; or
- h) he is found to have been conducting themselves in a manner which may undermine the authority of the Hima and the Executive Committee of the District Council; or
- i) he have lost the confidence of the majority of the adults males or persons eligible to elect him:

Provided that in case of doubt or uncertainty for the purpose of sub-section (2), (3) and (4) of Section 10 above, the Lyngdoh and his Dorbar shall call for the filling of Nomination Paper from interested and the eligible person of the Myntri and Bakhraw Clan concerned and eligible adult of the respective village for the post of Rangbah Shnong as the case may be. The Lyngdoh and his Dorbar shall cause the Electoral Roll to be prepared of an eligible voters and scrutiny of candidates, hold election, declare the result thereof and or do things necessary for the purpose of the election. The Lyngdoh or his Officer deputed by the Lyngdoh and his Dorbar may in case of doubt or uncertainty refer the matter to the Executive Dorbar who shall decide the matter accordingly.

- (6) An appeal against any order passed by the Lyngdoh and his Dorbar shall lie to the Executive Committee whose decision shall be final. Such appeal shall be filed before the Secretary to the Executive Committee within thirty days from the date the order is communicated or known to the party or parties concerned accompanied by a petition fee to be prescribed by the Executive Committee.

11. Qualification for the office of the Lyngdoh Raid:-

- (1) A Khasi person shall qualify to be elected as a Lyngdoh if he;-
- (a) is a natural descendant of the Nongbri clan of Raid Nongkseh, Thabah clan of Raid Sohiong, Mawlong clan of Raid Marpna and Shylla clan of Raid Shylla of Sohiong Lyngdohship;
 - (b) is of good moral character, both of whose parents are indigenous Khasi by birth;
 - (c) is a native and resident of Hima Sohiong and is not less than 25 years of age;
 - (d) is not a member of any Hima;
 - (e) has adequate knowledge of the administration, customary practices and traditions of the Raid; and
 - (f) is able to read and write.

12. Functions of the Lyngdoh Raid or Executive Dorbar Raid:-

- (1) A Lyngdoh Raid shall be elected as per prevailing customary practices.
- (2) An elected Lyngdoh Raid shall obtain Sanad from the Lyngdoh and his Dorbar.
- (3) The Lyngdoh Raid or Executive Dorbar Raid shall issue appointment order or Sanad to the Rangbah Shnong within his jurisdiction.
- (4) The Lyngdoh Raid or Executive Dorbar Raid shall issue land document within his jurisdiction as per prevailing customary practices in consonance with the Acts and Rules of the District Council.

13. Power to make Rules:-

The Executive Dorbar or Dorbar Lyngdoh shall have the power to make rules for the day-to-day administration of the Lyngdohship including the administration of land as well as the revenue administration in accordance with the prevailing customary practices since time immemorial and under the provision of this Act. Such rules shall be framed and placed before the Dorbar Hima before submission to the Executive Committee. The Executive Committee shall, with the prior approval of the Governor, notify the Rules in the Official Gazette.

14. Qualifications of a Sordar Shnong or Rangbah Shnong:-

- (1) An adult male person shall qualify to be elected as Sordar or Rangbah Shnong if:-
- (a) he is a citizen of India and belongs to the Khasi community;
 - (b) he is a native and resident of a particular village for which he desires to be elected as Sordar Shnong Sohiong Lyngdohship;
 - (c) he is not less than 25 years of age;
 - (d) he bears a good moral character who commands social respect in a village;
 - (e) both his parents are indigenous Khasi by birth;
 - (f) he is not a member of another Lyngdohship;
 - (g) he is not a Myntri;
 - (h) he is able to read and write the Khasi language; and
 - (i) he has a good knowledge of the customary practices and traditions prevailing in the Lyngdohship.

Provided that in any village inhabited entirely by non-Khasi community, the Lyngdoh and his Dorbar may by order appoint, in consultation with such village a Village Administrator to look after such village, who shall be directly under the control and direction of the Lyngdoh and Dorbar which shall be intimated to the Executive Committee immediately.

- (2) A Sordar Shnong or Rangbah Shnong shall function as per customary practices and under the terms and conditions contained in the appointment order or Sanad and in conformity with the Acts and Rules of the District Council.
- (3) The Lyngdoh and his Executive Dorbar shall have the powers to issue appointment Order or Sanad to the Sordar Shnong or Rangbah Shnong of each village under its jurisdiction duly and unanimously elected by the Village Dorbar as a seal or stamp of approval for his functioning.
- (4) Only the adult shall be eligible to participate and to be elected as Rangbah Shnong in the Village Dorbar.
- (5) The Executive Dorbar shall have the power to conduct the election for the appointment of a Rangbah Shnong either by secret voting or raising of hands.
- (6) No Village Dorbar shall be convened secretly by some heads of households or by a group of individuals without permission from the Sordar Shnong or Rangbah Shnong. Any person or group of individuals found to have done so shall have to pay a fine as fixed by the Executive Dorbar from time to time and such unauthorized Village Dorbar will be declared by the court or office as illegal and invalid.
- (7) Any person who functioned or acted illegally as a Sordar Shnong or Rangbah Shnong without obtaining an appointment Order or Sanad from the office of the Lyngdoh and his Dorbar shall have to pay a fine as fixed by the Executive Dorbar from time to time.

15. Powers and Functions of the Executive Dorbar:-

- (1) The Executive Dorbar shall have the power to lay down terms and conditions in the appointment order or Sanad as it deems fit.

- (2) The Executive Dorbar shall have the power to recognize and approve any form of human habitation or settlement as a village, subject to the fulfillment of the following criteria or requirements;-
- (a) such human habitation or settlement should have more than 10 (ten) households;
 - (b) such human habitation or settlement should have a definite and contiguous geographical area or size; and
 - (c) such human habitation or settlement should have the scope for demographic growth and expansion in the future.
- (3) All villages falling under the Lyngdohship shall as far as possible and practicable, be well planned having proper drainage system, toilet, urinals, footpath, village roads, playgrounds and other related facilities.
- (4) The houses or buildings in each and every village under the Lyngdohship shall not be erected or built too close to avoid or minimize massive fire hazards, etc.
- (5) No land owner or land holder shall create obstruction in any manner or form on or to all the footpaths or roads existing within the Lyngdohship.
- (6) It shall be the duty of every village to maintain and clean all the footpaths twice a year.
- (7) It shall be the duty of every village or land owner or land holder to maintain the muroks and mawpuds of the Lyngdohship regularly.
- (8) If any of the murok or mawpud is found to have been destroyed or lying in a dilapidated condition, it shall be the duty of the local inhabitants to report the matter directly to the office of the Lyngdoh.
- (9) Any person found to have destroyed the murok or mawpud, shall be prosecuted as per law established.

16. Formation of New Village, alteration of area and naming of village and locality (Dong):-

Any formation of a new village or bifurcation of a village shall be as per prevailing practices and in conformity with the Acts, Rules and Regulations of the District Council. Such new village shall have a name and definite boundary and duly approved by the Executive Committee. The Lyngdoh and his Dorbar may take into consideration the consent of the parent village if deem necessary.

17. Administration of Land.

Administration of land within the Lyngdohship shall be as per prevailing practices and in conformity with the Acts, Rules and Regulations of the District Council.

18. Judicial Administration:-

The judicial power of the Lyngdoh shall be as prescribed in the United Khasi-Jaintia Hills Autonomous District (Administration of Justice), Rules. 1953, as amended.

19. Revenue Administration:-

The Executive Dorbar shall assess and collect customary tolls, fees, u synniang u bynhei, musurin accordance with the customary practices and usages in vogue in the Lyngdohship since time immemorial.

20. Developmental Administration:-

Subject to the availability of funds and budget provisions, the Executive Dorbar shall have the power to place or allot funds to the Village Dorbars, individuals, any association or any other implementing agencies to serve the following purposes:-

- (i) for the construction and creation of assets and infrastructures like village roads, footpaths, footbridges, community halls, indoor stadiums, public latrines, wells, ponds, morgue, crematorium and cemetery, football playground, children parks etc. as the Executive Dorbar or Dorbar Hima shall decide from time to time;
- (ii) for the establishment, management, and rendering financial assistance to schools, colleges and public libraries;
- (iii) for the establishment, management and rendering financial assistance to old age houses, orphanages, centre for social and child welfare and other homes of destitute and under-privileged persons;
- (iv) for the provision and giving of awards and other incentives to the native students of the Lyngdohship;
- (v) for rendering better service to mankind and humanity.

21. Budget Preparation:-

- (1) The Executive Dorbar shall formulate and prepare the budget of the Lyngdohship indicating therein the anticipated income and expenditure for a given financial year accruable from its Revenue Administration.
- (2) The financial year adopted by the State or Central Government shall always be the financial year of the Lyngdohship.
- (3) The Lyngdohship shall have the right to accept any form of regular funding either from the Executive Committee or the State Government or the Central Government or any other sources and incorporate the same in its budget.
- (4) The gross income of the Lyngdohship shall be expended as per directions of the District Council.
- (5) Having prepared the budget, that is, the anticipated income and expenditure during a given financial year, the Executive Dorbar shall approve before implementing it in the next financial year.
- (6) The office of the Lyngdoh shall always maintain the Cash Book, Ledger, etc. indicating the actual income and expenditure of the Lyngdohship for each and every financial year.
- (7) Every actual income and expenditure shall be audited regularly and annually by the persons or officials of the Lyngdohship and if required, by the external auditors and the Audit Report shall be placed before the Executive Dorbar for approval. In case of discrepancy, the same shall be referred and placed and before the Dorbar Hima for redressal and conveying the final approval.
- (8) The Executive Dorbar shall have the powers to re-appropriate savings from any share above as and when the need arises and divert for expenditure under another share or shares.

22. Emergency Provision in case of Administrative Deadlock:-

- (1) Notwithstanding anything contained in this Act, if at any time it is found that the Lyngdoh cannot carry on with his duties and functions due to the absence of his Dorbar either on account of vacancies in the posts of Lyngdohs or Myntri or Lyngdoh Raid or of recognized members of such Dorbar or on account of lack of co-operation or confidence as between the Lyngdoh and his Dorbar thereby creating a deadlock in the administration of the Hima, the Executive Committee of the District Council, after due consideration and declaration made of the deadlock in the administration may temporarily take over the administration of the Hima, and appoint, for the purpose of running the administration of the Hima, an Administrative Officer and further constitute a Committee consisting of four to six members to assist the Administrative Officer in running the affairs of the Hima, and such Administrative Officer and the Committee shall function and exercise all the powers and functions of the "Lyngdoh and his Dorbar" as provided in this Act or any other Act or Regulation or Rule both administratively and judicially:

Provided that members of such Committee who will assist an Administrative Officer, shall be appointed from amongst persons who are Lyngdoh, Myntri, Lyngdoh Raid, Sordar Shnong or Rangbah Shnong or any other persons who is a native of the Hima.

- (2) During the period of such taking over, all the powers and functions of the Lyngdoh shall, with effect from the date of the notification be deemed to have suspended till the Executive Committee vacates the order of taking over or issue further order.
- (3) The period of taking over of the Hima by the Executive Committee of the District Council shall terminate at the expiry of a period of one year from the date of taking over extendable every six months at a time or as soon as the Executive Committee is satisfied that the cause of the taking over has either been removed or disappeared which the Executive Committee shall, by another notification, vacate the earlier notification of taking over.
- (4) Any action taken under this Section shall be reported by Executive Committee for information to the Council in the next session.

23. Official Language:-

- (1) The official language of the Lyngdohship in both the office and as well as in the court shall be in Khasi language.
- (2) However, this does not prevent the use English language as an associated official language in both the office and as well as in the court of the Lyngdohship as and when need arises.

24. Code of Conduct in the Dorbar Hima:- (1) The office of the Lyngdoh shall always inform well in advance informing the date, time and venue of the Dorbar Hima and shall request or instruct them to attend the same. The venue for such Dorbar shall be in the iing Dorbar of the Lyngdohship or any other venue as decided.

- (2) The Agenda for the Dorbar Hima shall be informed in advance or on the day of the Dorbar Hima, depending upon the advice of the Executive Dorbar.
- (3) Person who desires to include any agenda for discussion and deliberation in the Dorbar Hima shall have to inform the Executive Dorbar not less than two weeks in advance for its consideration.
- (4) The Dorbar Hima shall be presided over by the Lyngdoh and in his absence by any member elected unanimously in the Dorbar.
- (5) The Lyngdoh or any person acting as such shall have the right to accept or reject or postpone any agenda on the day of Dorbar Hima.
- (6) 2/3rd of the total strength of the invitees present shall form the quorum.

- (7) No party system (Longliang) shall be allowed in the Dorbar Hima. All decisions shall be taken based on the consensus after deliberations and shall always regard it as the Dorbar Blei.
- (8) Person who takes part in the discussion, deliberation decision-making will have to do so by standing. While doing so he shall express his feelings etc. precisely and concisely without time consuming.
- (9) When the Lyngdoh or any person presiding the Dorbar Hima as a Chairman stands to address, interact and react to points or issues of deliberations, etc. all those present shall have to sit down.
- (10) If any person makes his discussion, deliberations and expressions, which are not in consonance with the agenda or subject, the Lyngdoh or any person presiding over the Dorbar Hima shall have the right to refrain him from doing so.
- (11) No intoxicated persons shall be allowed to sit and participate in the proceeding of the Dorbar Hima.
- (12) No smoking will be allowed during the Dorbar period.
- (13) When duly informed, those who do not attend or remain absent in the Dorbar Hima except on genuine grounds shall be deemed as "Bein Dorbar" which is an act of contempt of the sanctity of the Dorbar and shall have to pay a fine as fixed by the Executive Dorbar from time to time.
- (14) The Chairman shall have full discretionary powers to stop or drive out or send for arrest any person who pick-up quarrels or speak immorally or speak furiously inside the Dorbar Hima in the course of the deliberations and may go up to the extent of imposing a fine upon him as he deems fits.
- (15) The Chairman shall have full discretionary powers to decide the person who humbugs (phlan duman) during the Dorbar Hima.
- (16) The minutes of the proceedings of the Dorbar Hima shall be recorded in writing and shall be circulated to all concerned after obtaining the signature of the Lyngdoh and the Secretary respectively for follow-up action of the respective points either from the office or individual's side.
- (17) Under prevailing customs and usages, women are usually not permissible or allowed to sit and make deliberations in the Dorbar Hima. However, the Chairman may waive this provision in certain extraordinary cases.
- (18) Issues discussed and decisions taken in the Dorbar Hima shall be final and binding.
- (19) Any decision or resolution shall be passed by majority of persons present in the Dorbar and shall do so as a stamp of approval either by:-
 - (a) standing or
 - (b) raising of hands.

25. Code of Conduct of the Officials:-

- (1) Every official shall at all time maintain absolute integrity and devotion to duty and shall do nothing which is unbecoming of an official.
- (2) Every official holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty by all staff under his supervision, control or authority.
- (3) No official shall, in the performance of his or her official duties or in the exercise of powers conferred in him, act or otherwise than in the best of his judgment except when he is acting under direction of his official superior and shall, when acting on such direction, obtain the direction in writing and where it is not practicable to obtain the direction in writing shall obtain written confirmation of the direction as soon thereafter as possible.

Explanation: Nothing in sub-Rule (3) above shall be construed as empowering an official to evade his responsibility by seeking instructions from, or the approval of, a superior officer or authority when such instruction are not necessary under the scheme of distribution of powers and responsibilities.

- (4) The Executive Dorbar shall have the powers to suspend or remove official who is found to have violated any provision of this Act. The period of suspension shall be determined by the Executive Dorbar or shall extend till the disposal of findings or enquiries.
- (5) Officials shall not convey or transmit any document or papers directly or indirectly to any person without the order of the Lyngdoh or Acting Lyngdoh. All documents of the Lyngdohship shall be treated as secret and confidential.

26. Taking Part in Politics and Elections:-

- (1) The Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong shall not be a member or be otherwise associated with any political party or any organization which takes part in politics, nor shall they take part in subscribe in aid or assist in any other manner, any political movement or activity;
- (2) If any question arises whether any movement or activity falls within the scope of this Act, the decision of the Executive Committee shall be final.
- (3) The Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong shall not canvas or otherwise interfere or use his influence in connection with or take part in an election to any Legislature, Council or Local authority.

Provided that:-

- (i) the Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong shall qualify to vote at such election and may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- (ii) the Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong shall not be deemed to have contravened the provisions of this Act by reason only that he assists in the conduct of an election in due performance of a duty imposed on him in his official capacity or under any law for the time being in force; and
- (iii) the display by the Lyngdoh, Myntri, Lyngdoh Raid and Sordar Shnong on his person or vehicle any election symbol shall amount to using his influence in connection with an election within the meaning of this sub-section.

27. **Demonstrations and Strikes:-** The Lyngdoh shall not participate in any demonstration or resort to any form of strike in connection with any matter pertaining to his condition of service.
28. **Criticism of the Executive Committee:-**
- (1) The Lyngdoh shall not in any manner make radio or television broadcast, or publishes any document, or makes any statement or public utterances, or any communication to the press;-
 - (i) which has the effect of an adverse criticism of the Central or State Government or the Executive Committee; or
 - (ii) which is likely to embarrass the relations between the Central Government and the District Council or the Central Government and any State Government and the District Council.
 - (2) Subject to the provisions of sub-section (1) above, nothing in this section shall apply to any statements made or views expressed to the Executive Committee in confidence by the Lyngdoh, the Myntri, the Lyngdoh Raid, Rangbah Shnong or Sordar Shnong in their official capacity or in the due performance of their duties.
29. **Connection with Press, Radio, Television etc:-** The Lyngdoh shall not, except in accordance with any general or special orders of the Executive Committee or in the performance in good faith of the duties assigned to him communicates directly any official documents or information to any other person or to the press to whom they are not authorized to communicate such documents or information.
30. **Protection of action taken in good faith:-** No suit, prosecution or other legal proceedings shall lie against any officer or person for executing any order made by the Executive Committee or in respect of anything which is in good faith done or intended to be done by any authorized officer or person under this Act or the rules or orders made there-under.
31. **Authorisation:-** The Executive Committee may, by order in writing, authorize two or more of its members to exercise on its behalf any power or powers conferred upon it by this Act and anything heard, any act done or order passed as such by such members of the Executive Committee shall be deemed to have been heard, done or passed by the Executive Committee.
32. **Review of Orders:-**
- 1) The Executive Committee may, either on its own motion or on the application of any interested or aggrieved party, review or revise any order passed by it or any authority of the District Council acting under this Act and pass such order in reference thereto as it deem necessary.
 - 2) No order affecting any question of right between or amongst party(s) shall be reviewed or revised without giving the party or parties likely to be affected an opportunity of being heard.
 - 3) No order shall be reviewed at the instance of any party or parties except on the following grounds;-
 - (i) discovery of new and important matter of evidence; or
 - (ii) any mistake or error apparent on the face of the record; or
 - (iii) any other sufficient reason.

33. **Power to remove difficulty:-**

If any difficulty arises in giving effect to the provisions of this Act, the Executive Committee, as appears to it to be necessary for removing such difficulty, may by public notification make such provisions, not inconsistent with the provisions of this Act, and the order of the Executive Committee in such case shall be final.

34. **Bar to Civil Suits:-**

No suits or legal proceedings shall lie before any Court of Law against any order or action taken or anything done in good faith under any provisions of this Act.

35. **Act not in derogation of any other law:-** Save as otherwise provided in this Act and the provisions of the United Khasi Hills District (Appointment and Succession of Chiefs and Headmen) Act, 1959 as amended, the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force:

Provided that all pending cases pertaining to the nomination and election of the Lyngdoh, Myntri, Bakhraw, Sordar Shnong and Rangbah Shnong of Sohiong Lyngdohship shall be dealt with, disposed of under the provision of this Act.