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No. 148 **Shillong, Monday, August 14, 2017** **23rd Sravana, 1939 (S. E.)**

PART-IIA

GOVERNMENT OF MEGHALAYA

POLITICAL DEPARTMENT

NOTIFICATION

The 14th August, 2017.

No.POL.161/2012/PT-III/169. - In exercise of the powers conferred by sub-section (1) of Section 20 of the Meghalaya Residents Safety and Security Act, 2016 (Meghalaya Act No.6 of 2016), the Governor of Meghalaya is pleased to make the following Rules, namely:

THE MEGHALAYA RESIDENTS SAFETY AND SECURITY RULES, 2017

1.**Short title, extent and commencement**. – (1) These Rules may be called the Meghalaya Residents Safety and Security Rules, 2017.

(2) They extend to the whole of Meghalaya.

(3) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of these Rules.

2. (1) **Definitions**. – In these Rules, unless there is anything repugnant to the context,-

(a)"Act" means the Meghalaya Residents Safety and Security Act, 2016 (Meghalaya Act No.6 of 2016);

(b)"District Task Force" means the task force constituted under Section 5 of the Act as defined under clause (b) of Section 2 of the Act;

(c)**"**existing tenant" means all tenants residing in rented houses prior to or at the commencement of this Act and also those covered under the existing Tenancy law in force and such land on rent or lease for the purpose of residing or any commercial activity by person other than owner of the land as defined under clause (c) of Section 2 of the Meghalaya Residents Safety and Security Act, 2016;

(d)"Facilitation Centre" means a centre established under Section 17 and includes any other Centres notified by the Government under this Act as defined under clause (d) of Section 2 of the Meghalaya Residents Safety and Security Act, 2016;

(e)"Government" means the State Government of Meghalaya;

(f)"Landlord" means a person or a group of persons, or a firm or a company and the like, who is the owner of a house or rental unit that has been rented or lease out to a tenant and shall include his successor-in-interest or assignee as defined under clause (f) of Section 2 of the Meghalaya Residents Safety and Security Act, 2016;

(g)"Local Authority" means traditional tribal bodies which includes Nokma, Sordar, Syiem, Sirdar (Sardar), Doloi, Wahehshnong, Wahadar, Lyngdoh and Rangbah Shnong of Garo Hills, Khasi Hills and Jaintia Hills, or any other such body constituted as per the tradition, customs and practices in the tribal areas and other authorities which may be notified by the Government or the Deputy Commissioner of the District concerned in the Official Gazette as defined under clause (g) of Section 2 of the Meghalaya Residents Safety and Security Act, 2016; (h)"relative or member of family" means members of a

family and son, daughter, Meghalaya includes husband, wife, father, mother, mother's brother, daughter, including step-son, step-daughter, adopted adopted son as defined under clause (i) of Section 2 of the Residents Safety and Security Act, 2016;

(i)"rented house or rented unit" means any building, apartment, permanent or temporary settlement, colony of industrial workers or miners or labourers or construction workers and such like, hut or shed, such land on rent or lease for the purpose of residing or any commercial activity by person other than the owner of the land or any part thereof, let for residential or non-residential purposes as

defined under clause (j) of Section 2 of the Meghalaya Residents Safety and Security Act, 2016;

(j)"State" means the State of Meghalaya; and

(k)"tenant" means any person who uses or occupies a house or rental unit on payment of rent and includes relatives or members of family,

successor to a tenant as defined under clause (l) of Section 2 of the Meghalaya Residents Safety and Security Act, 2016.

(2) An expression used in the Rules but not defined shall have the same meaning as is assigned to it in the Act.

3. **Documents to be furnished by Tenant. -** (1)Existing tenant or a person entering the State for the first time with intention to rent a house or unit and reside in Meghalaya for employment or education or business or other purposes required to furnish documents under Section 3 read with Section 9 of the Act shall submit the following documents to the Landlord to enable the Landlord to submit to the Local Authority and the local Police Station having jurisdiction over the area where the rented house or rented unit is located,-

(a) Self-declaration affidavit in **Form A** with two references of respectable persons as specified in Section 9(1)(a) of the Act;

(b) Particulars as required in **Form B** as per Section 9(2) of the Act;

(c) Copy of any one of the following documents i.e. Passport or Electoral Photo Identity Card or Driving licence or Ration Card or any valid identity card;

(d) if a student, a certificate from the concerned educational institution and student photo identity card issued by the school or college or university or educational institution where he or she is studying; (e) two copies of recent passport size photograph of himself and each individual family member who are or will be residing with him; and (f) two copies of recent passport size photograph of domestic help or other workers who are or will be residing with him:

Provided that this shall not apply to a person entering the State solely as a tourist.

(2) A tenant residing in the State who intends to rent a house or unit in another place or locality in the State shall, in addition to the documents specified in sub-rule (1) above, furnish to the landlord a residential certificate from the Local Authority of the place of his earlier residence as required in Section 9(1)(a) of the Act.

4. **Issue of residential certificate by the Local Authorities. -** (1) The residential certificate under Section 9(1)(a) of the Act shall be issued in

Form I appended to these Rules by the Local Authority of the place where the tenant was earlier residing in the State.

(2) The Local Authority may charge a fee not exceeding Rupees fifty for the issue of residential certificate:

Provided that the rate of fees under this sub-rule may be revised by the Government from time to time by notification.

5. **Sitting Fees and travelling allowance to the non-official members of the District Task Force. -** The sitting fees and the travelling allowances for the non-official members under Section 5(4) of the Act shall be as follows, -

(1) The sitting fees for non-official member of the District Task Force shall be Rupees One Thousand per sitting inclusive of all expenditures incurred for attending the meeting of the District Task Force subject to a maximum of Rupees Five Thousand per month:
Provided that the sitting fees under this sub-rule may be revised by the Government from time to time by notification.

(3) The non-official member of the District Task Force while performing journey in connection with the work of the District Task Force shall be entitled to travelling allowance as per entitlement to Grade – I officers of the Government of Meghalaya.

6. **Creation of Database**. – The database of tenants under sub-section (1) of Section 6 of the Act shall be maintained by the local police station and Local Authority as prescribed in

Form II appended to these Rules.

7. **Clearance from Local Authority**. – (1) Every landlord desirous of obtaining clearance from the Local Authority for letting out his house or rental unit as required under Section 7 of the Act shall submit an application for the purpose in prescribed **Form B** specified in Section 9(2) of the Act and the Local Authority shall give acknowledgement of receipt of application to the landlord forthwith. The landlord, along with Form B, shall also enclose all the documents furnished to him by the existing or intending tenant under Rule 3.

   (2) The Local Authority shall decide the application within a period of 15 (fifteen) days failing which clearance shall be deemed to have been granted by the Local Authority.

Form III A or in **Form III B** appended to these Rules as the case may be.

(4) The landlord shall give a copy of the decision of the Local Authority to the tenant or person intending to be tenant.

(5) A fee not exceeding Rupees fifty may be charged by the Local authority for processing the application of the landlord:

Provided that the rate of fees under this sub-rule may be revised by the Government from time to time by notification.

8. **Procedures to be followed at the Facilitation Centre**. – The following procedures shall be followed at the Facilitation Centre established under Section 17 of the Act,-

(1) Each Facilitation Centre shall have an officer in-charge who shall be designated by the District Task Force and conferred with the powers of the Executive Magistrate by the Government. The Officer in-charge shall be assisted by officers of Police Department and Tourism Department and such other departments as the District Task Force may deem necessary.

Form IV appended to this Rule and submit the same along with proof of identity as mentioned in sub-rule (3) of this Rule to the officer in-charge of the Facilitation Centre:

Provided that the words "every person" under this sub-rule shall not be construed to mean and include the following persons,-

(a) who has been residing permanently in the State of Meghalaya and includes his or her relative or members of family as defined under clause (i) of Section 2 of the Act;

(b) who is employed under the State Government or the Union Government as the case may be either on deputation or transfer and either temporarily or contractually and includes his or her relatives or members of family as defined under clause (i) of Section 2 of the Act; and

(c) who is employed under a Board, Corporation, Society or Organisation partly or wholly owned by the State Government or the Union Government as the case may be and includes his or her relatives or members of family as defined under clause (i) of Section 2 of the Act.

(3) Any of the following documents shall be submitted as proof of identity for purposes of sub-rule (2) of this Rule, –

(i) Passport; or

(ii) Electoral Photo Identity Card; or

(iii) Driving License; or

(iv) Identity Card issued by Central, State Government or Educational Institution; or

(v) Any other documents that would facilitate the establishment of identity of a person (e.g. PAN Card, Ration Card, Professional Registration Certificate, etc).

(4) The documents submitted by the applicant intending to transit through the entry point shall be electronically scanned by the receiving officer at the Facilitation Centre and the original documents shall be returned to the applicant.

(5) An acknowledgement receipt of the application shall be handed over to the applicant with seal, date and signature of the receiving official and the person shall be allowed to proceed through the entry point.

Form IV as appended to this Rule to the concerned District Task Force under whose jurisdiction the person entering the State intends to visit or stay.

(7) The acknowledgement receipt referred to in sub-rule (5) of this Rule shall be returned by every person referred to in this Rule to the concerned Facilitation Centre at the time of his or her exiting the State.

(8) The Facilitation Centre shall make necessary entry in its records of such exit and communicate electronically to the issuing Centre of Entry.

(9) A data base for records of entry and exit shall be maintained at each Facilitation Centre.

(10) The Facilitation Centre shall have adequate number of Help Desks as may be deemed necessary by the District Task Force for the convenience of the citizens visiting the State.

(11) The District Task Force may put in place other mechanisms as may be deemed necessary to achieve the aims and objectives of the Act.

9. **For checking of the foreigners. -**Notwithstanding anything contained in Rule 8 of this Rule, in respect of foreigners, the officer of the Anti- Infiltration Directorate at the Facilitation Centre shall exclusively handle such matters in accordance with the provisions of the Foreigners Act, 1947.

10. **Officers and employees of the Facilitation Centres**. **–** (1) The Officer In-charge of the Facilitation Centre shall be a gazetted officer and the officer of the Police Department shall not be below the rank of Sub-Inspector of Police. (2)The officers and employees at the Facilitation Centre shall discharge their duties and functions under the overall supervision of the Chairperson of the District Task Force.

11. **Powers of the Government to issue directions to the District Task Force and obtain reports and returns**. – (1) Without prejudice to the provisions of the Act, the District Task Force shall in exercise of its powers and in performance of its functions under this Rule, be bound by such directions as the Government may issue from time to time.

(2) The District Task Force shall, from time to time, carry out inspection and monitor the rented houses or rented units.

(3) The District Task Force shall furnish to the Government such periodic returns or other information with respect to its functions as the Government may, from time to time require.

(4) The District Task Force shall prepare an Annual report at the end of every financial year indicating therein the description of all the activities of the District Task Force for the previous year.

(5) The Annual report shall also indicate the violations of the provisions of the Act and the actions taken on such violations under sub-sections (5), (6) and (7) of Section 6 of the Act and the penalties imposed under Section 11 and Section 13 of the Act.

(6) A copy of the report prepared under sub-rules (4) and (5) of this Rule shall be submitted to the Secretary of the Political Department.

12. **Appeal**. – (1) Any person or landlord, aggrieved by any decision or order of Local Authority may file an appeal to the District Task Force, within a period of 30 (thirty) days from the date of receipt of the decision of the Local Authority. (2) Any person, aggrieved by any decision or order of the District Task Force, may file an appeal to the Commissioner of Division within a period of 60 (sixty) days, from the date of receipt of the decision or order of the District Task Force. (3) The decision or order of the Commissioner of Division shall be final.

S. KHARLYNGDOH,
Secretary to the Govt. of Meghalaya,
Political Department.

Form I

(*see sub-rule (1) of Rule 4*)

TO WHOM IT MAY CONCERN

No. **Dated..... 20.....**

This is to certify that **Shri/ Smti**_____ S/o/D/o _____ age _____ years by profession _____ was/is residing at _____ (address) in Village/Town/City within the jurisdiction of _____ P.S. _____ District _____State from _____ to _____/ till date.

This certificate is issued after I have satisfied myself with regard to the particulars of self-declaration submitted by **Shri/Smti** _____ vide Affidavit, dated_____ 20__made in **Form 'A'** along with particulars furnished in **Form 'B'** as provided under Section 9(1) (a) and Section 9 (2) of the Meghalaya Residents Safety and Security, Act, 2016(Meghalaya Act No. 6 of 2016).

Name and signature of Local Authority
Address of Local Authority
Phone Number
(Office Seal)

Form II

(*see Rule 6*)

Database of Tenants residing in (Locality name & place/address)

Name/ gender/ Age of tenant	Nationality of tenant	Name of Father / Mother /Spouse of tenant	Name of landlord, address & Tel/ Mobile No.	Tel/ Mobile No.& E-mail of Tenant	Occupation of tenant	Permanent Address of tenant	Documents produced in support of identity of tenant	Date of occupation as present tenant	Previous address of tenant	Name and age of persons residing with tenant & their relationship with tenant	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

Form – III A

(see sub-rule (3) of Rule 7)

DECISION OF THE LOCAL AUTHORITY

Whereas, in pursuance of the provision under Section 7 of the Meghalaya Residents Safety and Security Act, 2016, the Local Authority after careful examination of the documents furnished by **Shri/Smti**._____-_____(landlord) of _____(address) and **Shri/Smti**_____ (tenant/intending tenant) of _____(address), for the purpose of renting a house or rental unit hereby decided to grant clearance.

Now, therefore, accordingly, the clearance is granted by the Local Authority.

Place. . . . . ..

Date . . . . . .

Chairman

Name & address with seal of Local Authority

. . . .

. . . .

Form – III B

(see sub-rule (3) of Rule 7)

DECISION OF THE LOCAL AUTHORITY

Whereas, in pursuance of the provision under Section 7 of the Meghalaya Residents Safety and Security Act, 2016, the Local Authority after careful examination of the documents furnished by **Shri/Smti**._____-_____(landlord) of _____(address) and **Shri/Smti**_____ (tenant/intending tenant) of _____(address), for the purpose of renting a house or rental unit hereby decided not to grant clearance.

Now, therefore, accordingly, the clearance is not granted by the Local Authority for the reasons stated below.

Reasons for rejection_____

_____

Place. . . . . ..

Date . . . . . .

Chairman

Name & address with seal of Local Authority

. . . .

. . . .

FORM IV

[see sub-rules (2) & (6) of Rule 8]

APPLICATION FORM TO BE FILLED IN BY PERSON ENTERING THE STATE OF MEGHALAYA

Form No._____

1. Name*(as in identity document):*

2. Permanent address:_____

State_____ District _____ Taluk_____

Police Station_____ Post Office_____ Mobile No._____

3. Date of Birth:

4.Gender:

M	**F**	**O**

(Tick whichever is applicable)

***5.Details of person accompanying (in case of minor child/children only):** Names

Age Relationship Gender 1 ....

2 ....

6. (a) **Identity Card Type**..... **6**.(b) **Identity Card No** .....

7. (a) Date of arrival

7. (b) Likely date of departure

8. (a) Travel by Bus/Car/Two-wheeler/Train/Air *(tick whichever is applicable) any other..... (please specify)*

8.(b) (Give vehicle/Train/Flight Nos) .....

9.Address during stay in Meghalaya/address of referred person in Meghalaya

Mobile /Contact No															

Reference person in Meghalaya

Name _____ Address _____

Police Station_____ Post Office_____ Mobile No._____

10. Telephone/Mobile No. **11. Purpose of visit:**

Tourist/Employment/Service/Education If any other please specify: _____

Date ..... **Signature of person**

***Strike off if not necessary**

.....cut here .....

ACKNOWLEDGEMENT RECEIPT

Received Form No.____dated_____ from Shri/Smti _____ entering State of Meghalaya on _____ (date) at _____ (place).

(This acknowledgement receipt should be returned to the concerned Facilitation Centre at the time of exiting out of the State)

Signature& seal of In-charge
Facilitation Centre

Exited the State on _____ (date) at _____(place)

Signature & seal of In-charge
Facilitation Centre

FORM "A"

[See section 9 (1) (a)]

Affidavit

[To be typed on a Rupees Ten Non-Judicial Stamp Paper]

I……..(Name of deponent), S/o / D/o,……., age about……years, by profession …… and permanent resident of…… do hereby solemnly affirm and declare as follows:-

1. That I am a bonafide resident of India and presently reside at……..

2. That I was a previous resident of ……. village/ town/ city ……. within the jurisdiction of the …….. Police Station, …….. District, …….. State, from……to….. (period).

3. That this Self Declaration is for declaring my earlier residence for the purpose of Section 9 (1) (a) of the Meghalaya Residents Safety and Security Act, 2016 and submitting the same before the concerned authority with supporting documents referred to in section 9.

4. That the statements in this Declaration made in paragraphs 1, 2 and 3 above are true and correct to the best of my knowledge, belief and information and nothing material has been concealed therein.

5. That if any information given by me in this declaration or any document submitted in support of any residential address shall be found untrue or incorrect or false I would be liable for penalties under Sections 199 and 200 of the Indian Penal Code, 1860.

References - Name and address/Phone/Mobile.

1.

2.

Signature and Address of Tenant/ Phone/Mobile.

Form-B

[See Section 9(2)]

Details of information of resident for verification by Police and Local Authority.

Particulars of Landlord where the tenant resides.

1. Name of the Landlord: _____ 2. Occupation: _____ 3. Details of permanent address: _____ 4. Telephone/ mobile number: _____ 5. Present address: _____ 6. Details of domestic help or other workers staying along with the landlord:

Name Age Permanent Residential Address Signature/Thumb Impression

_____

_____ (*NB: Separate sheet be used to affix photograph of domestic help or other workers along with name and signature or thumb impression below the photograph)

Particulars of Tenant

3. (a) Nationality: _____ (b) Age : _____ 4. Address:_____ 5. Phone Number:_____

1. Name: _____ 2. Father's name/ mother's name/spouse's name:_____

6. Mobile number: _____
7. Email address:_____
8. Occupation: _____
9. Documents produced in support of address and identification:

(a) If student, certificate and identity card from the educational institution: _____ (b) If Government servant, employment certificate, transfer order or appointment order or office identity card: _____ (c) For doctors / lawyers/ engineers/ architects/ professional drivers/ self employed and other professionals - registration certificate/ number:_____ (d) For migrant workers or those engaged in business/ trade: trading license from respective District Council or labour registration certificate/ license under relevant law:

_____

(e) For others - Permanent Account Number (PAN) card/ electricity bill/ ration Card/Adhaar card: _____

10. Details of family member residing with the tenant and includes sub-tenants and joint tenants:

Name Age Relationship Occupation Signature/Thumb Impression

_____

_____

_____

_____

_____

_____

11. Details of domestic help or other workers staying along with the tenant:

Name Age Permanent Residential Address Signature/Thumb Impression

_____

_____ (*NB: Separate sheet be used

to affix photograph of family members and domestic help along with name and signature or thumb impression below the photograph)

12. Present Address:
    & Telephone and Mobile Number:

13. Previous address:
& Telephone and Mobile Number:

14. Date of leaving the previous address:

15. Permanent address:
    & Telephone and Mobile Number
    (to be supported by documentary proof)

*Strike out whichever not necessary

Name and Signature of tenant with date / address and Phone/ Mobile.	Name and Signature of Landlord with date/address and Phone/Mobile.

Acknowledgement

Received from Shri/ Smti. _____ S/o / D/o _____ R/o _____ Phone / Mobile Number _____ intimation of letting out of _____ to Shri/ Smti. _____ _____.

Date _____ Diary No. _____

Signature of recipient _____ Name & Designation _____ Police Station _____ Office Seal

Acknowledgement

Received from Shri/ Smti. _____ S/o / D/o _____ R/o _____ Phone / Mobile Number _____ intimation of letting out of _____ to Shri/ Smti. _____ _____.

Date _____ Diary No. _____

Signature of recipient _____ Name & Designation _____ Police Station _____ Office Seal

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