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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 24th January, 2018.

No.SUP.24/2014/92.— In exercise of the powers conferred under sub section (1) of section 40 of the National Food Security Act, 2013 (Central Act No.20 of 2013), the Governor of Meghalaya hereby makes the following rules to amend the Meghalaya State Food Commission Rules, 2014, as follows:-

1. **Short title and commencement :-** (1) These rules may be called the Meghalaya State Food Commission (Amendment) Rules, 2018.
(2) They shall come into force at once.
2. **Addition of new rules 14, 15, 16, 17, 18 and 19.** — The following new rules 14, 15, 16, 17, 18, and 19 shall be added after rule 13 of the Meghalaya State Food Commission Rules, 2014.
"14. Powers of the State Food Commission : The State Food Commission shall have the following powers, namely:-
 - (a) inspect or cause to be inspected, the non-compliance of policy decisions of the Government relating to the Act;
 - (b) organize regional camps for building awareness about benefits and entitlements under the Act and define measures for redressal of grievance;
 - (c) appoint, in consultation with the Government, consultants and technical staff to assist the State Food Commission; and
 - (d) lay down procedure for day-to-day functioning.

15. **Headquarters of State Food Commission:** (1) The headquarters of the State Food Commission shall be at Shillong.
- (2) The working days, office hours of the State Food Commission shall be the same as that of the State Government.
 - (3) The official seal and emblem of the State Food Commission shall be such as the Government may specify.
 - (4) Place of sitting of the State Food Commission shall be decided by the Chairperson and he may hold its sitting at other suitable place within the State with prior approval of the Government.
16. **Procedure for meeting:** (1) The State Food Commission shall meet once in every month in its office at Shillong at such time as the Chairperson thinks fit.
- (2) The quorum for the meeting of the State Food Commission shall be three.
 - (3) The Member Secretary, along with such officers as the Chairperson may direct, shall assist in holding the meeting of the State Food Commission.
 - (4) The Member Secretary shall in consultation with the Chairperson, prepare the agenda for each meeting of the State Food Commission.
17. **Duties of the Member Secretary:** The Member-Secretary shall, in addition to functions as provided in the Act and rules and in accordance with the direction of the Chairperson, have the following duties, namely:-
- (a) execute all decisions taken by the State Food Commission in exercise of its powers and functions of the State Food Commission;
 - (b) exercise and discharge such powers and perform such duties as may be required for the proper administration of the affairs of the State Food Commission and its day to day management.
 - (c) convene the meetings of the State Food Commission in consultation with its Chairperson and cause service of notices of the meetings to all concerned
 - (d) prepare, in consultation with the Chairperson, the agenda for each meeting of the State Food Commission and have notes prepared, which shall be self-contained;
 - (e) made available records covering the agenda items to the State Food Commission reference;
 - (f) ensure that the agenda papers are circulated to all the members at least three clear working days in advance of the meeting, except in cases when urgent attention is required;
 - (g) prepare the minutes of the meetings of the State Food Commission and shall execute the decisions of the State Food Commission taken in the meeting and shall also ensure placing of the Action Taken Note of the decisions of the State Food Commission before the State Food Commission in its subsequent meetings;
 - (h) ensure that the procedure of the State Food Commission is followed by it in transaction of its business;
 - (i) Take up all such matters with the Government for release of grants, creating of posts, revision of scales, procurement of vehicles, appointment of staff, laying of annual and audit report in Assembly, re-appropriation of funds, residential accommodation and any other matter requiring the approval of the State Government;
 - (j) exercise such financial powers as may be delegated to him by the Chairperson on behalf of the State Food Commission;

- (k) incur no expenditure exceeding twenty-five thousand rupees without the sanction of the Chairperson; and
- (l) shall be the appointing and disciplinary authority in respect of officers and other employees of the State Food Commission.

18.

Procedure for hearing Appeal: (1) Any citizen aggrieved by a decision of the District Grievance Redressal Officer (DGRO) may file a Memorandum of Appeal with the State Food Commission within thirty days of such decision.

- (2) When the Memorandum of Appeal is presented after thirty days, such Memorandum of appeal shall be accompanied by an application supported by an affidavit setting forth the fact on which the Appellant relies to satisfy the State Food Commission that he has sufficient cause for not presenting the appeal within the period of limitation.
- (3) Any Memorandum of Appeal so filed with the State Food Commission must be heard and disposed of within period of sixty days of the filing of such appeals.
- (4) The Memorandum of Appeal shall be filed in triplicate and accompanied by a true copy of the orders of the District Grievance Redressal Officer appealed against and such other documents as may be required to support ground of objections mentioned in the Memorandum of appeal.
- (5) The Chairperson shall have power to constitute a Bench consisting of two or three members and declare any members, as he deem fit, to preside over the Bench, where the Chairperson is not the member of such Bench:
Provided that the Chairperson may constitute or reconstitute Benches from time to time.
- (6) The decision of the Bench is to be made according to the opinion of the majority of the Bench:
Provided that if the member of a Bench consisting of an even number differ in opinion on any point, they shall state the point or point on which they differ and make a reference to the Chairperson who shall either hear the case or refer the case to another Bench for decision.
- (7) While hearing the appeal, the Bench shall consider the grounds of appeal and shall decide the case accordingly.
- (8) Orders of State Food Commission on appeal shall be signed and dated by the Members thereof hearing the appeal and shall be communicated to the parties free of charge.

19.

Financial Powers of the State Food Commission: (1) The State Food Commission shall be responsible for expenditure from the funds received by it for the purposes of the implementation of the Act.

- (2) The Chairperson shall have all powers relating to financial transaction of the State Food Commission, except in cases which require prior approval of the Government.
- (3) The Chairperson shall obtain prior approval of the Government in the matters of creation of posts, revision of pay scales, procurement of vehicles, re-appropriation of funds from one head to another, permitting any officer of the State Food Commission to participate in seminars, conferences or training programme abroad and such other matters as may be determined by the State Government, by order.

- (4) The Chairperson shall, subject to such conditions and limitations, control and supervision, have powers to delegate his financial power to the Member-Secretary of the State Food Commission.
- Provided that no such powers shall be delegated in respect of incurring an expenditure on an item exceeding rupees twenty-five thousand.
- (5) The Chairperson with the prior approval of the Government shall have power to engage any person or persons as consultant or consultants for a specific purpose and for a specific period on the terms and condition agreed in advance with that person relating to honorarium, travelling allowance and dearness allowance.
- (6) The Member-Secretary shall have powers to execute all decisions taken by the Chairperson on his behalf relating to financial matters.
- (7) All financial powers of the State Food Commission shall be governed by delegation of financial powers, rules and circulars, orders, instructions as may be issued by the Finance Department of the Government from time to time, in this behalf.

P. W. INGTY,

Addl. Chief Secretary to the Govt. of Meghalaya,
I/c Food Civil Supplies & Consumer Affairs Department.