

THE SECOND SCHEDULE

(See sections 33 and 36)

AUTONOMOUS STATE LIST

[See section 33(1)]

Matters with respect to which the Legislative Assembly has exclusive power to make laws.

PART A

The following matters enumerated or to the extent included in List II—State List¹.

1. Village and town police within the meaning of clause (f) of sub-paragraph (1) of paragraph 3 of the Sixth Schedule to the Constitution (Entry 2).
2. Administration of justice, constitution and organisation of all courts, except the Supreme Court and the High Court; procedure in rent and revenue courts; fees taken in all courts except the Supreme Court and the High Court (Entry 3).
3. Prisons, reformatories, Borstal institutions and other institutions of a like nature, and persons detained therein; arrangements with the State of Assam and other States for the use of prisons and other institutions (Entry 4).
4. Local Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-Government or village administration (Entry 5).
5. Public health and sanitation; hospitals and dispensaries (Entry 6).
6. Pilgrimages, other than pilgrimages to places outside India (Entry 7).
7. Intoxicating liquors, that is to say, the production, manufacture, possession, transport, purchase, and sale of intoxicating liquors (Entry 8).
8. Relief of the disabled and unemployable (Entry 9).
9. Burials and burial grounds: cremations and cremation grounds (Entry 10).
10. Education including universities, subject to the provisions of entries 63, 64, 65 and 66 of List I and Entry 25 of List III (Entry 11).
11. Libraries, museums and other similar institutions controlled or financed by the autonomous State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national importance (Entry 12).
12. Communications, that is to say, roads, bridges, ferries and other means of communication not specified in List I, but excluding roads, bridges and ferries declared by the Legislature of Assam by law to be State highways; municipal tramways; ropeways; inland waterways and traffic thereon subject to the provisions of List I and List III with regard to such waterways; vehicles other than mechanically propelled vehicles (Entry 13).
13. Agriculture, including agricultural education and research, protection against pests and prevention of plant disease subject to the provisions of entry 1 of Part C (Entry 14).
14. Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice (Entry 15).
15. Pounds and the prevention of cattle trespass (Entry 16).

¹ NOTE.—Reference in this Schedule to List I, List II or List III or to entries therein are reference to the said list or entries therein the Seventh Schedule to the Constitution; and references in brackets at the end of each entry are references to the corresponding entries in List II or List III in the said Schedule and have been inserted for the sake of convenience only.

16. Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power, subject to the provisions of entry 56 of List I, but excluding water-supplies, irrigation and canals, drainage and embankments, water storage and water power in relation to irrigation, hydro-electric and navigation projects financed by the Government of Assam wholly or in part and declared by the Legislature of the State of Assam by law to be projects of State Importance (Entry 17).

17. Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant; and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans, colonization (Entry 18).

18. Forests, subject to the provisions of entry 2 of Part C (Entry 19).

19. Protection of wild animals and birds (Entry 20).

20. Fisheries (Entry 21).

21. Courts of wards subject to the provisions of entry 34 of List I; encumbered and attached estates (Entry 22).

22. Regulation of mines and mineral development subject to the provisions of List I with respect to regulation and development under the control of the Union (Entry 23).

23. Gas and gas-works (Entry 25).

24. Trade and Commerce within the autonomous State subject to the provisions of entry 33 of List III (Entry 26).

25. Markets and fairs (Entry 28).

26. Weights and measures except establishment of standards (Entry 29).

27. Money-lending and money-lenders; relief of agricultural indebtedness (Entry 30).

28. Inns and inn-keepers (Entry 31).

29. Incorporation, regulation and winding up of universities; unincorporated trading, literary, scientific, religious and other societies and associations; co-operative societies (Entry 32).

30. Theatres and dramatic performances; cinemas subject to the provisions of entry 60 of List I; sports, entertainments and amusements (Entry 33).

31. Betting and gambling (Entry 34).

32. Works, lands and buildings vested in or in the possession of the autonomous State (Entry 35).

33. Elections to the legislature of the autonomous State subject to the provisions of any law made by Parliament (Entry 37).

34. Salaries and allowances of members, Speaker and Deputy Speaker of the Legislative Assembly (Entry 38).

35. Powers, privileges and immunities of the Legislative Assembly and of the members and committees thereof, enforcement of attendance of persons for giving evidence or producing documents before committees of the Legislature of Meghalaya (Entry 39).

36. Salaries and allowances of Ministers for the autonomous State (Entry 40).

37. Public Services of the autonomous State (Entry 41).

38. Pensions payable by the autonomous State or out of the Consolidated Fund of Meghalaya (Entry 42).

39. Public debt of the autonomous State (Entry 43).

40. Treasure trove (Entry 44).

41. Land revenue, including the assessment and collection of revenue, the maintenance of land records, survey for revenue purposes and records of rights, and alienation of revenue (Entry 45).

42. Taxes on agricultural income (Entry 46).

43. Duties in respect of succession to agricultural land (Entry 47).

44. Estate duty in respect of agricultural land (Entry 48).

45. Taxes on lands and buildings (Entry 49).

46. Taxes on mineral rights subjects to any limitations imposed by Parliament by law relating to mineral development (Entry 50).

47. Duties of excise of the following goods manufactured or produced in the autonomous State and countervailing duties at the same or lower rates on similar goods manufactured or produced elsewhere in India:—

(a) alcoholic liquors for human consumption;

(b) opium, Indian hemp and other narcotic drugs and narcotics;

but not including medicinal and toilet preparations containing alcohol or any substance included in sub-paragraph (b) of this entry (Entry 51).

48. Taxes on the entry of goods into a local area for consumption, use or sale therein (Entry 52).

49. Taxes on advertisements other than advertisements published in the newspapers (Entry 55).

50. Taxes on goods and passengers carried by road or on inland waterways (Entry 56).

51. Taxes on vehicles, whether mechanically propelled or not, suitable for use on roads including tram-cars subject to the provisions of entry 35 of List III (Entry 57).

52. Taxes on animals and boats (Entry 58).

53. Tolls (Entry 59).

54. Taxes on profession, trades, callings and employments (Entry 60).

55. Capitation taxes (Entry 61).

56. Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling (Entry 62).

57. Rates of stamp duty in respect of documents other than those specified in the provisions of List I with regard to rates of stamp duty (Entry 63).

58. Any other matter not enumerated in this Part and in respect of which a District Council has power to make laws under paragraph 3 of the Sixth Schedule in the Constitution, to the extent to which it is not included in entry 16 of this Part and entry 2 of Part C.

59. Offences against laws with respect to any of the matters in this Part (Entry 64).

60. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this Part (Entry 65).

61. Fees in respect of any of the matters in this Part, but not including fees taken in any court (Entry 66).

PART B

The following matters enumerated or to the extent included in List III—Concurrent List.

1. Marriage and divorce; wills, intestacy and succession; social customs; appointment or succession of Chiefs or Headmen (Entry 5).

2. Offences against laws with respect to any of the matters in this Part (Entry 1).
3. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this Part (Entry 46).
4. Fees in respect of any of the matters in this Part, but not including fees taken in any court (Entry 47).

Concurrent List between the autonomous State and the State of Assam

PART C

(See section 33 (2))

Matters with respect to which the Legislature of Meghalaya and the Legislature of the State of Assam also have power to make laws, namely, the following matters enumerated or to the extent included in List II –State List and List III—Concurrent List.

1. Scheme of agriculture designed to benefit both the areas of the autonomous State as well as the rest of Assam (Entry 14 of List II).
2. Conversion of forests in catchment areas of projects referred to in entry 16 of Part A, financed by the Government of Assam wholly or in part and declared by the Legislature of the State of Assam by law to be projects of State importance (Entry 19 of List II).
3. Industries subject to the provisions of entries 7 and 52 of List I (Entry 24 of List II).
4. Production, supply and distribution of goods, subject to the provisions of entry 33 of List III (Entry 27 of List II).
5. Removal from the autonomous State to any other area of the State of Assam or to any other State of prisoners and accused persons (Entry 4 of List III).
6. Transfer of property other than agricultural land, subject to entry 58 of Part A; registration of deeds and documents (Entry 6 of List III).
7. Economic and social planning (Entry 20 of List III).
8. Acquisition and requisitioning of property (Entry 42 of List III).
9. Recovery in the autonomous State of claims in respect of taxes and other public demands, including arrears of land revenue and sums recoverable as such arrears, arising outside the autonomous State (Entry 43 of List III).
10. Inquiries and statistics for the purposes of any of the matters specified in this Schedule (Entry 45 of List III).
11. Offences against laws with respect to any of the matters in this Part (Entry 64 of List II and Entry 1 of List III).
12. Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this Part (Entry 65 of List II and Entry 46 of List III).
13. Fees in respect of any of the matters in this Part, but not including fees taken in any court (Entry 66 of List II and Entry 47 of List III).