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NOTIFICATION

No.B.11013/26/2019-FST, the 21st November, 2019. In exercise of the powers conferred by section 6 of The Chite Lui (Prevention and Control of Water Pollution) Act, 2018, the Government of Mizoram is pleased to make the following rules, namely:

INTRODUCTION

1. Short title, extent commencement:-

- (a) These rules may be called The Chite Lui (Prevention and Control of Water Pollution) Rules, 2019.
- (b) It shall have the like extent as the Act.
- (c) They shall come into force on the date of publication in the Official Gazette.

2. Definitions :-

In the rules, unless the context otherwise requires:-

- (a) "Act" means The Chite Lui (Prevention and Control of Water Pollution) Act, 2018 (Act No 3 of 2018);
- (b) "Nodal Department" means Environment, Forests & Climate Change Department, Government of Mizoram;
- (c) "Save Chite Lui Coordination Committee" means an independent authority, having a separate entity as declared in the Memorandum of Association of the Save Chite Lui Society and which is a Nodal Agency for the purpose of the Act; hereinafter refer as the Committee;
- (d) "Save Chite Lui Fund" means the Funds created under sub-rule (e) of rule 3.
- (e) "State Government" means Government of Mizoram;
- (f) "Central Government" means Government of India;
- (g) "Local Council" means institutions of the local self government and a statutory body under the State government, constituted under The Mizoram Municipalities Act, 2007;
- (h) "Department" means a Department under the Government of Mizoram or a Department under the Government of India, having an office in Mizoram;
- (i) "Commission" means a commission under the Government of Mizoram or a Commission under the Government of India, having an office in Mizoram;
- (j) "Corporation" means a Corporation under the Government of Mizoram or a Corporation under the Government of India, having an office in Mizoram;
- (k) "Board" means a Board under the Government of Mizoram or a Board under the Government of India, having an office in Mizoram;

3. Role and responsibility of the Save Chite Lui Coordination Committee:-

- (a) The Save Chite Lui Coordination Committee shall be an apex body for planning, executing, controlling and monitoring of any affairs relating with rejuvenation of Chite Lui;
- (b) The Committee shall have an authority to inspect the Chite Lui catchment area at any time for any kind of encroachment and file a formal complaint with the Land Revenue & Settlement Department for eviction of the encroacher;
- (c) They shall have the overall responsibility in the enforcement of the Act and the rules;
- (d) The Committee shall create a fund to be called Save Chite Lui Fund in order to initiate required measure towards implementation and enforcement of the provisions of the Act and the rules;
- (e) The committee may accept contribution from statutory bodies created under the Acts of Parliament or of the State Legislature, the national and international organizations, NRIs or industry. Financial contribution shall also be accepted from private bodies and individuals;
- (f) The Committee shall follow the accounting and audit provision as prescribed under General Financial Rules (GFRs);
- (g) The Committee shall form various Sub-Committees/Cells under its umbrella for strengthening the purpose, as and when the need arises;
- (h) The Committee shall have an office in Aizawl;
- (i) The Committee shall have site offices at the vicinity of Chite Lui, as and when the need arises;
- (j) The Committee shall register itself as a Society under The Mizoram Societies Registration Act, 2005;

4. Role and responsibility of the Nodal Department

- (a) The Nodal Department shall be the administrative department of Save Chite Lui Coordination Committee, responsible for implementation of the Save Chite Lui programme;
- (b) It shall ensure coordination amongst various concerned departments of the State Government for smooth execution and implementation of the programme;
- (c) The Nodal Department and the Save Chite Lui Coordination Committee shall consolidate proposal based on detailed project reports for submission to the Central ministries and other funding agencies;
- (d) As per The Water (Prevention and Control of Pollution) Act, 1974, the Nodal Department shall arrange to monitor the water quality of Chite Lui in the catchment area;
- (e) The Nodal Department may liaise with technical agencies for instruction, training and technical advice for the programme;
- (f) The State Government may contribute Grant-in-Aid to the Save Chite Lui Coordination Committee through the Nodal Department in a yearly (as per Financial Years) basis;

5. Role and responsibility of various stakeholders:-**(a) Local Councils and Aizawl Municipal Corporation (AMC):**

- (i) They shall have the responsibility to ensure in their respective area, to prevent violation of any provision of the Act and the rules;
- (ii) The Local Councils and Aizawl Municipal Corporation (AMC) shall coordinate and cooperate with the Save Chite Lui Coordination Committee in the enforcement of the Act and the rules;

(b) Branches and Units of the Non-Governmental Organization (NGOs) and the Community Based Organizations (CBOs):

They are expected to coordinate and cooperate with the Save Chite Lui Coordination Committee in order to rejuvenate Chite Lui within the ambit of their respective areas/jurisdictions;

6. Role and responsibility of the land owners in the river catchment area:-

- (a) They shall be responsible for prevention of any contravention and infringement of the Act and the rules thereunder in their respective land holding within the river catchment area;
- (b) They shall be responsible for controlling of their respective tenants for prevention of any contravention and infringement of the Act and the rules thereunder in their respective land holding within the river catchment area;
- (c) They shall coordinate and cooperate with the Nodal Agency as well as the Nodal Department in the development and maintaining of green cover in the catchment areas of Chite Lui;
- (d) As the Act provides protection of the river bank on both sides of 50 meters from the mid stream of Chite Lui from its source at Bawngkawn till its confluence with Tuirial River, any kind of activities which shall endanger the river shall not be carried-out within the stipulated area without prior permission of the Nodal Agency in writing;

7. Role and responsibility of various State and Central Government Departments/Commissions/Corporations/Boards in Mizoram:-

- (a) They shall refrain from any action which might lead to violation of the Act and the rules, or in any other manner inconsistent with the rationale of the programme;
- (b) To avoid unnecessary discrepancy, they shall work in tandem with the Save Chite Lui Coordination Committee for rejuvenating Chite Lui. All effort for the purpose shall be pursued under the direction of the Save Chite Lui Coordination Committee;
- (c) The Deputy Commissioner/ District Magistrate of Aizawl District shall enforce any Acts under their domain as and when any violation is found and a punitive action shall be taken accordingly;
- (d) The Land Revenue & Settlement Department shall strictly enforce any existing laws under their domain as and when any violation is found and a punitive measure shall be taken accordingly, in order to protect Chite Lui from further encroachment;

8. Confiscation of seize vehicles or seize instruments:-

- (a) Since violation of the Act shall be deemed to be a cognizable offence and which enable to enforce accordingly under Section 3 (Enforcement) of The Chite Lui (Prevention and Control of Water Pollution) Act, 2018, it shall be the prerogative of the Nodal Officer (SDPO, Aizawl North) to confiscate any vehicle or any instruments as and when the necessity arises;

Ajai Saxena,

Principal Secretary to the Govt. of Mizoram,
Environment, Forests & Climate Change Department.