

A
BILL

To provide for the establishment of institutional mechanism within the State of Mizoram for effective management, protection, conservation, development, equitable distribution, regulation, conjunctive judicious and efficient use of the state water resources with the objective of ensuring water, food and ecological security.

WHEREAS growing population, urbanization, unplanned constructions, unplanned extractions of groundwater, shifting cultivation and other forms of land use and activities in the catchment areas of the rivers has resulted in the depletion and scarcity of water resources;

AND WHEREAS it has become necessary to consolidate the law relating to the management, conservation, protection and improvement in the physical integrity of water resources thus ensuring sustainability of water resources keeping in view the intra and inter-generational needs and to harmonize all laws pertaining to water resources and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Mizoram in the Seventy- Fifth Year of the Republic of India as follows, namely :-

CHAPTER-1

1. Short title, extend and commencement. -

- 1) This Act may be called The Mizoram Water Resources (Management and Regulation) Act, 2024.
- 2) It shall extend to whole of the State of Mizoram except the Autonomous District Councils.
- 3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions. -

(1) In this Act, unless the context otherwise requires,

- a) “Act” means The Mizoram Water Resources (Management & Regulation) Act 2024.
- b) “**aquifer**” means any geological formation which has structures or textures that absorb, stores water or permits appreciable groundwater movement through them.
- c) “**basic sanitation**” means the minimum standard of services necessary for the safe, hygienic and adequate collection, removal, disposal or purification of human excreta, domestic waste water and sewage from households including informal dwellings.
- d) “**basic water supply**” means the minimum standards of services necessary for the reliable supply of a sufficient quantity and quality of water to households, including hamlets or informal dwellings, to support life, personal hygiene and basic sanitation.
- e) “**basin**” means the area of land around a river from which streams run down into it and notified by the State Government.

- f) **“borehole”** includes a well, excavation or any artificially constructed or improved underground cavity which can be used for the purpose of -
- i) intercepting, collecting or storing water in or removing water from an aquifer/ sub - surface underground water.
 - ii) observing and collecting data and information of water in an aquifer /sub - surface underground water.
 - iii) recharging an aquifer.
- g) **“charge”** includes a fee, price or tariff imposed under this Act.
- h) **“Competent Authority”** means ‘Water Resources Development and Management Authority (WARDMA)’ or any other Authority designated by it.
- i) **“community water resources”** means customary common water resources such as springs, ponds, lakes, tanks, traditional water harvesting structures, wells, groundwater or local water bodies by whatever name within the boundaries of a village, forest or a city to which the community has traditional access.
- j) **“conjunctive measurement”** is the joint or co-ordinated management of surface water and ground water in particular regarding the inflow and reservoir functions of aquifers, for the sustainable extraction of ground water.
- k) **“consultation”** means constituting of giving due consideration to the opinion taken and providing feedback and reasons for the various omission from the opinion takers.
- l) **“Council”** means ‘The Mizoram State Water Resources Council’ constituted in chapter 2 of this Act.
- m) **“Dam”** means any existing or proposed structure which is capable of containing, storing or impounding water.
- n) **“domestic use”** in relation to the abstraction of water means the use of water for drinking, washing, cooking and sanitary

purposes in relation to a household and includes water meant for consumption by livestock.

- o) “**Dispute Settlement Committee**” means a committee constituted at the appropriate level under this Act for the settlement of disputes arising out of the water resources management in the State.
- p) “**entitlement**” means a right to use water in terms of any provisions of this Act or in terms of an instrument prescribed under this Act.
- q) “**Government**” or “**State Government**” means the Government of Mizoram.
- r) “**group**” means Departmental Working Group.
- s) “**groundwater**” means the water which exists in an aquifer below the surface of the ground at any particular location, regardless of the geological structure in which it is stationary or moving and includes all groundwater reservoir.
- t) “**Integrated State Water Plan**” means a water plan for use of both surface and groundwater prepared and approved by the State Water Resources Council.
- u) “**irrigation work**” means work which is useful for irrigation both in Agriculture and Horticulture land to enhance productivity.
- v) “**Notification**” means a notification published in the Official Gazette of Mizoram.
- w) “**Participatory Monitoring and Management**” refers to the management and monitoring done by the involvement of water users for the effective and sustainable management of water resources.
- x) **Public Trust** is the Authority bestowed upon the State and the local community based traditional institutions by whatever name they are known in Mizoram created or recognized under this

Act, to hold natural resources as a trustee on behalf of the public and such authority shall run concurrent with private/community ownership rights.

- y) “**rainwater harvesting**” means the technique of collection and storage of rainwater for future use and for recharge of ground water.
- z) “**river**” means river, streams, rivulets in Mizoram State not extending beyond the inter-state boundary.
- za) “**Schedule Department**” means the major water consuming department declared as nodal department.
- zb) “**State**” means ‘State of Mizoram’.
- zc) “**sustainable use**” means use of water resources in such manner and at such rate that does not lead to the long-term decline of the water resources thus maintaining its potential to meet the needs and aspiration of future generations.
- zd) “**Village Water Resources Committee**” means the committee under this Act.
- ze) “**Village Water and Sanitation Committee (Village WATSAN Committee)**” means a village level committee constituted to look after overall operation and maintenance of drinking/domestic water supply and sanitation.
- zf) “**water resources**” includes surface and sub-surface water contained in any spring, well, canal, river, stream or other water course, whether natural or artificial, and any lake or pond, sustained under water or by aquifer, spring, river or stream; water recycled after treatment of sewage and industrial waste etc; that is to say water supplies and sewerage, irrigation and canals drainage and embankments, water storage, groundwater.

zg) **“Water Users Association”** means the water users associations registered or unregistered under Mizoram Society Registration Act at the village levels which represent the users of surface and / or groundwater irrigation water.

(2) Notwithstanding anything to the contrary, any other term used but not defined under this Act shall have the same meaning as has been defined under the General Clauses Act or any other relevant or subject matter legislation in the State.

CHAPTER- 2

ESTABLISHMENT & INCORPORATION OF AUTHORITY

3. Constitution of Mizoram State Water Resources Council.-

(1) The State Government, after the commencement of this Act, shall by notification in the Official Gazette constitute a Council to be known as “**Mizoram State Water Resources Council (MISWARC)**” for water management and regulation to facilitate the objectives of this Act with effect from such date as may be specified in the notification.

The Council shall consist of the following members, namely: -

- a) Chairman : Chief Minister, Mizoram
- b) Vice Chairman : Minister, IWRD
- c) Members : Minister- EF&CC, PHE, P&E, Fisheries
Commissioner/Secretary-
Finance Department,
Principal Secretary/Secretary i/c - Agriculture,
EF&CC, Fisheries, Horticulture, IWRD,
LRS&WC, PHE, P&E, P&PI, RD, UD&PA.
Chairperson - MPCB
- d) Member Secretary: Chief Secretary, Government of Mizoram.

(2) The Council shall meet at least once in a year.

(3) The meetings of the Council shall be facilitated and coordinated by the Irrigation & Water Resources Department.

(4) The Council shall be an overarching body to consider and steer the policies and programme of the State to supply quality water to all persons at affordable costs and prices and ensuring optimal judicious utilization of water resources of the State.

4. Powers and Functions of MISWARC .–

The Council shall discharge the following functions, namely: -

- 1) The Council shall have absolute authority over water resources (surface and groundwater) of the State.
- 2) The Council shall have the ultimate power to resolve / negotiate any issue which arises from inter-State river / international boundary rivers.
- 3) The Council shall have the power to impose /accept / reject and levy/fix taxes, tariff or direct to collect fee/charges relating to water resources of the State.
- 4) The Council shall have the power to direct / instruct any Department / Agency to framing policy, planning, resources mobilization, review and co-ordination of activities of various departments /agencies and all the other institutions created under this Act.
- 5) The Council shall have the power to approve / disapprove Integrated State Water Plan/ State Specific Action Plan for equitable utilization of available water resources in the State.
- 6) The Council shall have the power to approve, review or modify the Mizoram State Water Policy or policies that impact the development, utilization, conservation and reuse of water in the State;
- 7) The Council shall recommend, if necessary, financial assistance by way of compensation to a class of consumers in consultation with the Competent Authority for decision of the Government;
- 8) The Council shall refer any matter of immediate long-term importance related to water or its management to the Competent Authority;
- 9) The Council shall issue directions and impose restrictions as deem necessary for carrying out the provisions of this Act.
- 10)The Council may appoint / engage / depute any technical person / persons to assist the Council as deem necessary.
- 11) The Council shall have the power to approve / reject proposal for amendment of the Act.

5. Constitution of Water Resources Development and Management Authority (WARDMA) .-

The State Government, after the commencement of this Act, shall by notification in the official Gazette constitute an authority to be known as “**Water Resources Development and Management Authority (WARDMA)**” for water management and regulation to facilitate the objectives of this Act with effect from such date as may be specified in the notification.

The authority will consist of the following members, namely: -

- a) Chairman : Chief Secretary, Govt of Mizoram.
 - b) Co-Chairman : Secretary, IWRD.
 - c) Members : **Principal Secretary/Secretary** – Agriculture, C&I, EF&CC,FD, Fisheries, Horticulture, LRS&WC,P&E, P&PI,PHE, RD, UD&PA.
Head of Department - Agriculture, C&I, EF&CC, Fisheries, Horticulture, LRS&WC, P&E, PHE, RD, UD&PA
Chairman – MPCB, Representative-MZU
- Member Secretary: Chief Engineer, IWRD

6. Powers and functions of WARDMA.-

- 1) The Authority shall have the power to collect taxes relating to water resources of the State as may be prescribed.
- 2) The Authority shall have the power to propose to MISWARC for acceptance / adaptation / amendment / appeal of any existing act / rules or part of Act / rules relating to water resources of the State.
- 3) The Authority shall have the power to resolve / negotiate any issue arising from inter-Department / inter-District river / inter-Village boundary rivers.
- 4) The Authority shall sue or be sued by the said name.

- 5) The Authority shall have the power to direct / instruct for framing policy, rules, management & regulatory framework, planning, resources mobilization, review and co-ordination of activities of various departments /agencies and for all the other institutions created under this Act.
- 6) The Authority shall scrutinize and propose, for approval to MISWARC, the Integrated State Water Plan (ISWP)/ State Specific Action Plan (SSAP) for equitable utilization of available water resources in the State.
- 7) The Authority shall review and revise the Integrated State Water Plan (ISWP) every five years from the date of its approval by the Government.
- 8) The Authority shall encourage institutional harmony between the traditional or community-based institutions/ organisations and State agencies to improve water management framework and to prevent or arrive at early resolution to water related disputes in the State.
- 9) The Authority shall meet at least twice in a year.
- 10)The Authority may depute any technical person / persons from the Schedule department to assist the authority as deem necessary.
- 11) The Authority will propose amendment of this Act as and when it felt necessary.
- 12)The Authority will direct and assigned “The Departmental Working Group (DWG)” for any issue as and when needs arises in addition to their respective functions.
- 13) The Authority will have the power to constitute / abolish District Water Resources Committee (DWRC) and Village / Local Water Resources Committee.

7. Constitution of “Departmental Working Group” .-

The State Government, after the commencement of this Act by notification in the Official Gazette constitute a Working Group to be known as “**Departmental Working group (DWG)**” for water management and regulation to facilitate the objectives of this Act in each Schedule Department with effect from such date as may be specified in the notification.

The Group will comprise of the following members, namely:-

- a) Chairman : Secretary (i/c Schedule Department))
- b) Co-Chairman : HoD of Schedule Department.
- c) Members : 2 (two) Officers from Schedule Department and one member from any stake-holder department as deem necessary by the Chairman& Co-chairman.
- d) Member Secretary: Superintending Engineer, Schedule Department.

8. Powers and functions of DWG .-

- 1) The function of the Group will be limited as per their respective Allocation of Business assigned by the Government of Mizoram.
- 2) The Group will assist the WARDMA in any issue relating to their Allocation of Business.
- 3) The Group shall propose / suggest to WARDMA for acceptance / adaptation / amendment / repeal of any existing Act / rules or part of Act / rules relating to water resources of the State.
- 4) The Group, as per direction, will be responsible for collection, keeping accounts and remitting fees / taxes collected as revenue.
- 5) The Group, as per direction, will be responsible for receiving application, registration of machines / tools etc, give direction to Agency / NGO / person on behalf of the Authority.
- 6) All ground work will be the responsibility of the Group for the smooth functioning of WARDMA.
- 7) The Group may initiate amendment of this Act as and when it felt necessary.

9. Constitution of District Water Resources Committee(DWRC) :-

District Water Resource Committee (DWRC) will be constituted at the district level by the Water Resources Development and Management Authority (WARDMA).

The District Water Resources Committee (DWRC) shall consist of the following members, namely:-

- a) Chairman : Deputy Commissioner.
- b) Member Secretary : Executive Engineer, IWRD / PHE.
- c) Other members : District officers from IWRD/PHE/EF&CC/ Agriculture/Horticulture/Land Resources, Soil & Water Conservation/Fisheries / Commerce & Industries and any other officer or expert that may be co-opted by the Chairman.
- d) The District Water Resources Committee shall have adequate representation from the relevant NGO.

10. Power and functions of DWRC.-

The District Water Resources Committee shall perform the following functions:

- 1) Implementation of the plan, policies programmes and schemes as may be assigned to them by the Mizoram Water Resources Development and Management Authority (WARDMA).
- 2) Co-ordination and convergence of all activities related to State Specific Action Plan (SSAP) under water mission at district level.
- 3) The District Water Resource Committee (DWRC) would be empowered to coordinate and cooperate in all activities in the district involving the water sector and to ensure that projects and programmes of various departments are implemented in accordance with their respective guidelines from time to time and to ensure convergence wherever possible.
- 4) Carrying out extensive and intensive sensitization on conservation, development and management of water amongst public, institutions etc., and encourage their participation.

- 5) Endorsement of water resources related schemes/proposals within their jurisdiction.
- 6) monitoring and inspection of infrastructural projects implemented under their jurisdiction.
- 7) Adjudicate water related disputes occurring between two or more villages / locality and hear appeals arising from orders passed by the Village/ Local Water Resources Committee.
- 8) Empowered to form / abolish Village / Local Water Resources Committee.

11. Constitution of Village / Local Water Resources Committee (VWRC/ LWRC) :-

Village Water Resource Committee (VWRC) will be constituted at the Village level and **Local Water Resources Committee (LWRC)** at the municipal area by the **District Water Resource Committee (DWRC)**.

The Village/Local Water Resources Committee (DWRC) shall consist of the following members, namely :-

- a) Chair Person : President, Village Council / Chairman, Local Council
- b) Secretary : YMA President
- c) Members : Village Council (VC) / Local Council members,
President & Secretary of Water Users Association /
Village WATSAN committee.

12. Powers and Functions of VWRC/LWRC :-

- 1) Undertake measures for development, conservation and protection of water catchment areas as prescribed by competent authority/ various implementing departments or agencies under Government of Mizoram.
- 2) Prevent pollution of identified water sources of the village / locality.
- 3) Propose fine/penalty on defaulters for enumerated activities to the competent authority.
- 4) Village / Local Water Resources Committee shall act as dispute settlement committee in their respective village / locality.

CHAPTER- 3

SURFACE WATER

13. Regulation and protection of surface water resources :-

(1) Management, development, budgeting and allocation of all available surface water to all water required sector by the Council (MISWARC)/WARDMA.

a) As per availability of water WARDMA will empower the concerned State department / Agency for utilisation of surface water for Domestic purposes, Environment & Ecological needs, Agriculture & allied sector, Commerce & Industries purposes and generation of hydro-power etc.

b) At the time of drought / water scarcity in the State, WARDMA will be responsible for proper distribution for different water related sector.

c) The State Irrigation & Water Resources Department shall undertake the following measures: -

i. Provide inputs for the formulation of policy, guidelines and norms for regulation and protection of Surface water resources in the state at the time of preparation of integrated state water plan.

ii. Survey and mapping of Surface water resources.

iii. Monitor Surface water utilisation for various uses.

(2) Dam safety:

Standard operating procedure issued by Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti on dam safety shall be followed.

CHAPTER- 4

GROUNDWATER

14. Management of Ground Water:-

- (1) The State Irrigation and Water Resources Department shall be responsible for the efficient management of groundwater resources in conjunction with the Mizoram Water Resources Development and Management Authority (WARDMA) and the District Water Resources Committee.
 - a) The State Government shall establish State Groundwater Cell / Monitoring Centre under State Irrigation and Water Resources Department for carrying out the specialized function like quality and quantity assessment of groundwater, groundwater conservations, management and development activities.
 - b) The State Irrigation and Water Resources Department (IWRD), in consultation with the State Public Health Engineering Department/Central Ground Water Board and in coordination with appropriate agencies established under this Act, shall undertake the following measures: -
 - i) provide inputs for the formulation of policy, guidelines and norms for the regulation and protection of groundwater resources in the State at the time of preparation of Integrated State Water Plan ;
 - ii) survey and mapping of groundwater resources ;
 - iii) notify, after following prescribed procedure, the groundwater resources of an area as critical, semi-critical or safe based on survey data of groundwater resources ;
 - iv) notify measures to be followed upon and regulate activities in areas classified as critical, semi-critical and safe ;
 - v) monitor groundwater extraction for various purposes ;
 - vi) monitor the quality of groundwater for domestic, commercial, irrigation, industrial and other purposes ;
 - vii) undertake measures to create awareness on groundwater use ;

- viii) promote rain water harvesting to augment ground water recharge ;
- ix) ensure that exploitation of groundwater resources does not exceed the natural replenishment to the aquifer and steps shall be taken to ensure augmentation of ground water resources ;
- x) undertake suitable and appropriate technologies on artificial recharging projects so that extraction is less than the recharge.

(2) Ground water and energy nexus-

The Mizoram Water Resources Development and Management Authority (WARDMA) shall collaborate with state concerned departments / Power & Electricity Department to ensure greater protection and conservation of groundwater resources by way of incentives and dis/non-incentives.

CHAPTER- 5
INTEGRATED STATE WATER PLAN (ISWP)

15. Integrated State Water Plan.-

- (1) The Government shall prepare an Integrated State Water Plan based on water plans prepared for every district.
- (2) Water Plan for every district shall be prepared in such a manner as may be prescribed and it shall cover all aspects of demand and supply and water for various purposes.
- (3) The Integrated State Water Plan shall be placed before MISWARC, which may, with such modifications as deemed necessary, approve it within a period of six months from the date of submission.
- (4) The Integrated State Water Plan may be reviewed after every five years from the date of submission.
- (5) For the purpose of the Integrated State Water Plan, the Government may divide the State into different categories based on the stage of groundwater development, the trend of groundwater level depletion, the level of water table, quality of groundwater, availability of surface water and other relevant criteria, as it may deem appropriate in view of the local conditions: Provided that the categorization shall not take effect unless a notice in this regard is published in not less than two local newspaper.
- (6) Any person may file written objections against the categorization along with such fee, as may be specified, within one month from the date of publication.
- (7) The Government shall within a period of two months, consider and settle objections received against the proposed categorization and notify the final categorization of the areas from such date, as it may deem fit.

CHAPTER - 6
POWERS TO ISSUE DIRECTIONS
& IMPOSE RESTRICTIONS.

16. Powers to issue directions and impose restrictions. -

- (1) WARDMA shall ensure development, management and conservation of water resources of the State in accordance with the Integrated State Water Plan.
- (2) WARDMA may issue directions regarding the development, management or use of water which may include the following, namely:-
 - (i) construction and installation of any new structure for extraction of ground water through energised means;
 - (ii) conditions subject to which the construction and installation of any new or existing water extracting structures may be allowed;
 - (iii) condition for operation of existing water extracting structures and their reinstallation;
 - (iv) restrictions on the utilization of ground water;
 - (v) installation and maintenance of instruments for measuring the quality and level of ground water and for volumetric measurement of the quantum of groundwater extraction;
 - (vi) specifying areas in which an industrial operation or processes utilizing groundwater shall not be carried out or shall be carried out subject to certain conditions and safeguards;
 - (vii) optimal use of surface water for irrigations, industrial or domestic use;
 - (viii) efficient use of water and to minimize the wastage or misuse of water and to promote recycling and reuse of water;
 - (ix) water conservation and groundwater recharge, including rain water harvesting;
 - (x) drilling or digging of wells for extraction of groundwater without registration with the Authority or with such entity, as may be stipulated by WARDMA;

- (xi) users drawing water to register the extraction structures with the Authority or with such entity, as may be stipulated by WARDMA within a given period; and
 - (xii) any other directions, as may be considered necessary to achieve the objectives of this Act.
- (3) Where the direction(s) is issued by the Authority to any specific person, such person shall be bound to implement such direction(s) of WARDMA within such time, as may be stipulated by the Authority: Provided that before issuing any direction(s) to a specific person, WARDMA shall give him an opportunity to be heard after a notice of not less than fifteen days.
- (4) The Authority may, from time to time, issue advisories to the Government regarding policies and programs for development, management and conservation of water.

CHAPTER- 7
WATER RESOURCES MAPPING AND STATE WATER INFORMATION
SYSTEM

17. Water Resources Mapping.-

- 1) The Council shall ensure undertaking of water resources mapping of surface water resources and groundwater resources in the State within a period of 5 years from the date of commencement of this Act.
- 2) The availability of water resources and its use by various sectors in the river basins within the State to be assessed scientifically and reviewed at 5 years interval.
- 3) The Council should also start aquifer mapping and determine their characteristics.

18. State Water Information System.-

- 1) Mizoram State will make use of MzWRIS (Mizoram Water Resources Information System) developed under NHP (National Hydrology Project) which is interlinked with IndiaWRIS (India Water Resources Information System) maintained by Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti. MzWRIS includes all water resources data collected by different departments in the State. All the data, except “Classified data” will be put in public domain.
- 2) Procedure for release of classified data & pricing will be in accordance to State Data Dissemination Policy 2022.
- 3) The information system includes hydro-meteorological information including location, surface & groundwater quality, aquifer characteristics.

CHAPTER- 8
SETTLEMENT OF DISPUTES

19. Settlement of Disputes.-

1. Village/Local Water Resources Committee shall act as dispute settlement committee within their respective village.
2. The District Water Resource Committee will resolve all the dispute arising between two or more village water resources committees/ village WATSAN Committees, or refer to WARDMA, as the case may be.
3. a) An appeal shall lie to District Water Resource Committee against any order passed by any Village/Local Water Resource Committee ;
b) District Settlement Committee will be constituted as per need and circumstances in the district by the District Water Resources Committee.
4. a) An appeal may be made to the Water Resources Development and Management Authority (WARDMA) against any grievances on order passed by District Water Resource Committee (DWRC) ;
b) Any dispute between two or more districts shall be settled by the Water Resources Development and Management Authority (WARDMA) for any water related grievance ;
5. An order passed by Water Resources Development and Management Authority (WARDMA) would be final and binding upon the parties.

6. Time frame-

The District Settlement Committee shall not take more than 60 days for settlement of disputes and the committee at the village level shall not take more than 30 days for the settlement of disputes. In the event of settlement of disputes exceeding the prescribed number of days, under this Act, the Committee shall give reasons in writing.

CHAPTER- 9
OFFENCES AND PENALTIES

20. Offences and penalties .-

If any person violates or fails to comply with the provisions of this Act or any rule made there under or obstructs any person authorized by it from exercising any powers or functions under this Act, he shall be punishable with imprisonment or with fine or with both.

- 1) For the first offence, simple imprisonment for a term which may extend to three months or with fine up-to ten thousand rupee or with both.
- 2) For subsequent offences with simple imprisonment which may extend to six months or fine up to twenty-five thousand rupees or with both.
- 3) Deputy Commissioner / District Magistrate of the concerned District shall be empowered as penal authority for aforesaid offences.

21. Cognizance of the offences-

No court shall take cognizance of any offence committed under this Act except on a complaint of the following person;

- 1) A person duly authorized by the village Water Resources Committee/Village WATSAN Committee.
- 2) A person duly authorized by the State WARDMA
- 3) Any person who has given notice of not less than 30 days in a manner prescribed of the alleged offence and of his intentions to make a complaint to the State government.

22. Bar of Jurisdiction -

No Civil Court shall have jurisdiction to entertain any suit or proceeding in respect of any order, direction passed under this Act.

CHAPTER-10

RULES AND MISCELLANEOUS PROVISIONS

23. Power of the State Government to make rules.-

The State Government may by notification make rules not in consistent with this Act to provide for all matter for which provisions is necessary or expedient for the purpose of giving effect to the provisions of this Act.

24. Schedule Departments. –

The Public Health Engineering Department and Irrigation & Water Resources Department, after the commencement of this act, will be declared as a Schedule department which will be responsible for execution of order / direction given by any authority constituted under this Act.

25. Allocation & Budgeting of Water. –

The Council / Authority will allocate and make budgeting of water as and when the necessities arise in the following priorities manner as reflected in the Mizoram State Water Policy 2020 –

- 1) Drinking Water & Sanitation
- 2) Minimum Environmental and Ecological needs
- 3) Agriculture & Allied purposes
- 4) Industries & Commercial purposes
- 5) Hydropower

However, under the above priority setting, rights of users in the lower priorities shall be protected if there is proven scarcity of water. Water sharing and allocation within the same priority among competing users shall be based on equity.

26. Act to override other Laws .-

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

27. Power to remove difficulties.-

- a) If any difficulty arises in giving effect to the provisions of this Act, the State Government may by order in the Official Gazette, make such provisions not in consistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty :

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

- b) Every order made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly.

STATEMENT OF OBJECTS AND REASONS

Whereas, water which exists in various forms, is unevenly distributed constitutes a hydrological unit and therefore deleterious impact on any one form of water resources are likely to impact other forms.

Whereas, water is an indispensable and a scarce natural resource and a common property of all, held in public trust “There are further limits on utilizable quantities of water owing to an uneven distribution over time and space”. As such requiring efficient and integrated management of this finite resources so as to secure it for present and future generations.

Whereas, it is expedient to make a clear and comprehensive legislative and institutional framework for the water sector as a means to regulate water resources, promote effective functioning and ensure judicious and sustainable management and equitable allocation and utilization of water resources for the purpose of drinking, agriculture and allied sector, industries and other purposes associated therewith or incidental thereto.

Whereas, it is necessary to recognize that women are at the centre of water resources management and are directly proportionately affected by the ineffective management of water resources. There is an urgent need to implement measures that will enhance capacity and role in managing water resources.

Whereas, it is also necessary to recognize that conventional top-down sectoral approach to water resources management limits the scope of evolving a more robust equitable decentralized community driven integrated approach to water resource management and is essential in the unique community context of Mizoram.

It is, therefore, imperative for the Government of Mizoram to put in place a well-defined institutional arrangement which encompasses various issues relating to Water Resources for its management and regulations.

(P.C VANLALRUATA)
Minister
Government of Mizoram
i/c Irrigation & Water Resources Department

MEMORANDUM OF DELEGATED LEGISLATION

The Bill attempts to delegate power of making rules to the State Government for the purposes of this Bill vide section 28. The delegation of legislative power is of a normal character and are mainly intended to cover matters of procedure.

(P.C VANLALRUATA)
Minister
Government of Mizoram
i/c Irrigation & Water Resources Department

FINANCIAL MEMORANDUM

There will be no financial involvement for the Government in the
“**The Mizoram Water Resources (Management and Regulation) Act, 2024**”.

(P.C VANLALRUATA)
Minister
Government of Mizoram
i/c Irrigation & Water Resources Department