



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 27

Shillong, Monday, February 23, 2026

4th Phalguna, 1947 (S. E.)

PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 23rd February, 2026.

No.LB.43/LA/2026/2. – The Meghalaya Flood Plain Zoning Bill, 2026 introduced in the Meghalaya Legislative Assembly on the 23rd February, 2026 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE MEGHALAYA FLOOD PLAIN ZONING BILL, 2026

A

BILL

to provide for the zoning of flood plains of rivers in the State of Meghalaya.

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-seventh Year of the Republic of India as follows:-

Chapter – I
PRELIMINARY

Short title, extent and commencement

1. (1) This Act may be called the Meghalaya Flood Plain Zoning Act, 2026.
- (2) It extends to the whole State of Meghalaya.
- (3) It shall come into force on the date of its notification in the official Gazette.

Definitions

2. In this Act, unless the context otherwise requires -
 - (a) 'Act' means the Meghalaya Flood Plain Zoning Act, 2026;
 - (b) 'adjudicating authority' means an officer appointed by the State Government for the purpose of adjudication and imposition of penalty under this Act;
 - (c) 'appellate authority' means an authority appointed by the State Government under Section 15 of this Act;
 - (d) 'Authority' means the Flood Zoning Authority constituted by the State Government under Section 3 of the Meghalaya Flood Plain Zoning Act, 2026;
 - (e) 'flood plain' means and includes water channel, flood channel and that area of nearby low land susceptible to flood inundation;
 - (f) 'flood plain zoning' means regulating or restricting any human activity, land use, or development within the flood plains and flood zones of a river or stream;
 - (g) 'flood zone' means the area which is required to carry the flow of the maximum probable floods;
 - (h) 'land' includes interest in lands, benefits arising out of lands and things attached to the earth or permanently fastened to anything attached to the earth;
 - (i) 'occupier' in respect of any land, means any person who has an interest in the land and cultivates the land himself or by his servants or by hired labour and includes a tenant;
 - (j) 'official Gazette' means the Gazette of Meghalaya;
 - (k) 'owner' in relation to any land includes any person having interest in such land;
 - (l) 'prescribed' means prescribed by rules made by the State Government under this Act;
 - (m) 'river' means and includes its tributaries;
 - (n) 'State Government' means the State Government of Meghalaya; and
 - (o) 'water channel' means the channel in which the flow of a river is generally confined.

Chapter - II
FLOOD ZONING AUTHORITY AND ITS POWERS

- | | |
|---|--|
| Constitution of the Flood Zoning Authority | <p>3. (1) At the commencement of this Act, the State Government, shall by notification in the official Gazette, constitute an Authority to be known as the Flood Zoning Authority.</p> <p>(2) The Authority shall consist of such number of members to be appointed by the State Government as may be prescribed by rules for carrying out the purpose of this Act.</p> <p>(3) The Authority and all officers and employees authorised under this Act shall be deemed to be public servants within the meaning of sub-section (28) of Section 2 of the Bharatiya Nyaya Sanhita, 2023 (Central Act No. 45 of 2023).</p> |
| Powers and functions of the Flood Zoning Authority | <p>4. The Authority shall exercise the powers and discharge the duties in accordance with the provisions of this Act and under such terms and conditions as may be prescribed.</p> |

Chapter - III
DECLARATION, SURVEYS AND DELINEATION OF FLOOD PLAIN ZONES

- | | |
|--|--|
| Declaration of Flood Plain Zoning | <p>5. (1) Where the State Government considers it necessary or expedient to do so, may, by notification in the official Gazette, declare that flood plain zoning shall be made in the manner hereinafter prescribed.</p> <p>(2) The State Government may, direct that a survey be made of a river for the purpose of determining the limits within which the provisions of the Act are to be applied and that proper maps, charts and registers be prepared specifying all boundaries and landmarks and any other matter necessary for the purposes of ascertaining such limits.</p> |
| Survey | <p>6. (1) The Authority or any officer authorised by it shall carry out surveys of flood plains of the rivers and determine the nature and the extent of flood plains of the rivers.</p> <p>(2) The Authority shall, on the basis of the survey carried out under sub-section (1) above, establish flood plain zones and delineate the areas which are subject to flooding, including classification of land with reference to the relative risk of flood plain use into such categories as may be prescribed to safeguard the health, safety and property of the general public.</p> <p>(3) The Authority shall prepare maps, charts and registers indicating the areas delineated under sub-section (2) above.</p> |
| Power to take up survey | <p>7. For the purpose of carry out the survey under this Act, the Authority or any officer authorized by it on this behalf, shall, -</p> <p>(a) enter upon and survey and take levels of any land;</p> |

- (b) mark such levels, boundaries and lines by placing marks or boundary stones;
- (c) measure the land;
- (d) do all other acts necessary for the purposes of ascertaining the limits referred to in sub-section (2) of Section 5 of this Act;

Provided that the Authority or other authorised officers shall not enter any land or building without giving such occupier at least seven days prior notice in writing of their intention to do so.

Chapter - IV

NOTIFICATION OF LIMITS OF FLOOD PLAINS

Declaration of intention of State Government to demarcate flood plain zones

8. The State Government shall, on the basis of a report from the Authority, by notification in the official Gazette, declare its intention to demarcate the flood plain zones and either regulate or restrict the use of land therein.

Public Notices

9. (1) The Authority shall, on the issue of a notification under Section 8 of this Act, cause public notice of the substance of such notification to be given at conspicuous places in the area and such other places as may be prescribed in the rules.
- (2) The Authority shall exhibit records, charts, maps, registers and such other documents showing the river channel, flood channel and the flood plain zone, specifying the nature and extent to which the use of limits of the area is either regulated or restricted, at its office for inspection by the general public during the timings specified therein.
- (3) The Authority shall give notices individually to the owners or occupiers, as the case may be, of the lands or buildings situated in the zone, where such information is available in the official records.

Objections to the limits, restriction etc.

10. (1) Any person who desires to raise any objection to the limits and the restrictions specified in the public notice referred to in Section 9 of this Act shall, within a period of thirty days from the date of publication of the notification in the official Gazette, forward to the Authority a statement in writing setting forth his objections.
- (2) After the expiry of period specified in sub-section (1) above, the Authority shall issue a notice in the manner prescribed and consider the objections after giving the party concerned a reasonable opportunity of being heard.
- (3) The Authority shall forward to the State Government its proposals together with the records referred to in Section 9 of this Act.

Decision of the State Government

11. (1) The State Government shall, after considering the report of the Authority, determine the limits of the flood plain zones as it considers necessary.

- (2) The decision of the State Government shall be final.
- (3) The State Government shall, by notification in the official Gazette and publication on the official website, declare that the provisions of this Act shall apply to the said river with boundaries and limits as specified.
- (4) The flood plain zones delineated and approved by the State Government shall be deemed to be the flood plain and the limits shall, wherever necessary, be marked in such manner as may be prescribed.
- (5) The Authority shall maintain the charts, registers and maps of such areas so delineated and such charts, registers and maps shall form part of the permanent records of the office.
- (6) The charts, registers and maps maintained under sub-section (5) above shall be furnished to the Deputy Commissioner of the district in which any part of the river is situated and shall be open for inspection by the general public at such times and in such manner as may be prescribed.

Chapter - V

RESTRICTION OF THE USE OF THE FLOOD PLAINS

Powers to regulate, restrict, etc. in the flood plains

- 12.** (1) Where the Authority is satisfied that it is necessary to do so in the interest of public health, safety, protection of property or reducing the inconvenience to the general public, to restrict the activities in the flood plain zone, may, by notification in the official Gazette, specify the zones where such restriction is to be enforced and the nature and extent of such restrictions.
- (2) Notwithstanding anything contained in any other law for the time being in force, the restriction notified under sub-section (1) above shall prevail.
- (3) No person shall undertake any activities within the restricted zone except with the previous permission of the Authority in such manner as may be prescribed:

Provided that where a person makes an application to the Authority for permission under this sub-section (3) to undertake any activity and the Authority does not, within a period of ninety days from the date of receipt of such application, communicate to the person that permission applied for has been refused, it shall be presumed that such permission is granted.

Penalty

- 13.** (1) If any person commences or carries on or attempts to carry on any activities in the flood plain zones specified in the notification under sub-section (1) of Section 12 of this Act contrary to the terms and conditions specified in such notification, he or she shall be liable to a penalty which may extend to ten thousand rupees.

- (2) In default of payment of fine as specified in sub-section (1) above, he or she shall be liable with further penalty which may extend to five hundred rupees for each day during which the contravention continues.
- (3) The penalty under this Section shall be imposed by the adjudicating authority appointed by the State Government by notification in the official Gazette, after giving the person concerned a reasonable opportunity of being heard and in such manner as may be prescribed.
- Power to compound**
- 14.** (1) Subject to such conditions as may be prescribed, any officer authorized by the State Government in this behalf by notification in the official Gazette, may, either before or after the institution of proceedings under this Act, accept from the person who has contravened or is reasonably suspected of having contravened the provision of this Act, a sum of money not exceeding ten thousand rupees.
- (2) On payment of such sum of money as specified in sub-section (1) above along with an undertaking, to the effect that same contravention shall not be repeated, such person shall be discharged and no further proceedings shall be taken against him in respect of such contraventions.
- Appeal**
- 15.** (1) Any person aggrieved by any decision of the Authority may, within a period of thirty days from the date on which such decision was communicated to him, prefer an appeal before the appellate authority to be appointed by the State Government by notification in the official Gazette in such manner as may be prescribed:
- Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- (2) The appellate authority may after giving a reasonable opportunity of being heard to the appellant, make such orders as it deems fit and the decision thereof shall be final.
- (3) The appellate authority shall dispose of the appeal within sixty days from the date of filing.
- Revision**
- 16.** (1) Where no appeal has been preferred under Section 15 of this Act, the State Government may, for the purpose of examining the legality or correctness of any inquiry or proceedings of the Authority, call for the records of any inquiry or proceedings of the Authority and make such order in the case as it thinks fit:
- Provided that no such records shall be called after the expiry of three months from the date of such order.
- (2) No order of the Authority shall be varied by the State Government so as to prejudicially affect any person without giving such person a reasonable opportunity of being heard in the matter.

Chapter-VI**POWER TO REMOVE OBSTRUCTIONS AND RECOVERY OF EXPENSES****Power to remove obstructions and recovery of expenses**

17. (1) The Authority may, in accordance with the provision of this Act, direct any owner or occupier of land to do any act or to remove any unauthorized obstruction within such time as may be specified by it, and such owner or occupier shall do such act or remove the obstruction.
- (2) If the owner or occupier fails to comply with the order of the Authority within the time specified under sub-section (1) above, the Authority may cause such act to be performed or cause the obstruction to be removed.
- (3) All expenses incurred by the Authority under this Section shall be recovered from such owner or occupier as arrears of land revenue as per the applicable laws.

Chapter – VII**MISCELLANEOUS****Protection of action taken**

18. (1) No suit, prosecution or other legal proceeding shall lie against the State Government or any Authority or person exercising any power or performing any duty under this Act for anything which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder.
- (2) No suit or other legal proceeding shall lie against the State Government for any damage caused or likely to be caused for anything which is in good faith done or intended to be done in pursuance of this Act or any rules made under this Act.

Recovery of fine

19. All fines imposed under this Act shall be recovered in the manner provided in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023).

Power to make rules

20. (1) The State Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing provisions, such rules may provide for —
- (a) the manner in which charts and records shall be maintained;
- (b) the manner of holding inquiry and imposing penalty under Section 13 of this Act; and
- (c) any other matter which has to be, or may be, prescribed.
- (3) Every rule made under this Act shall, as soon as, is made, be laid before the Meghalaya Legislative Assembly.

**Power of the State to
remove difficulties**

21. (1) If any difficulties arises in giving effect to the provisions of this Act, the State Government may, by order published in the official Gazette, make such provisions, not inconsistent with provisions of this Act, as appears to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) above shall, as soon as may be after it is made, be laid before the Meghalaya Legislative Assembly.

STATEMENT OF OBJECTS AND REASONS

Flooding is one of the most recurrent natural hazards affecting the State of Meghalaya, owing to its high rainfall, steep terrain, narrow river valleys and increasing concentration of human activities along river corridors. Flood and flash floods frequently result in loss of life and property, damage to infrastructure, disruption of livelihoods and degradation of riverine ecosystems. Despite the recurring nature of these impacts, the State presently does not have a dedicated statutory framework for the identification, demarcation and regulation of flood-prone areas.

2. Flood Plain Zoning has been recognised at the National Level as an effective non-structural measure for flood risk mitigation. The National Disaster Management Authority Guidelines (2008) and the Technical Guidelines on Flood Plain Zoning issued by the Ministry of Jal Shakti (2025) recommend enactment of suitable legislation by States to regulate land use in flood plains, minimise flood-related damages and promote suitable river management. In the absence of such legislation, unregulated construction, encroachments and obstruction within flood-prone areas have aggravated flood impacts in several parts of the State.

3. The Government is committed to strengthening disaster risk reduction, safeguarding life and property, and ensuring orderly and sustainable development by providing a comprehensive legal framework for scientific delineation of flood plains, including a preliminary declaration of intention, classification of flood-prone areas based on risk, and regulation of activities therein.

4. The Bill provides for constitution of a Flood Zoning Authority, preparation and maintenance of flood zoning map, charts and registers, establishment of a centralised flood zoning information system, and regulation or restriction of activities that obstruct natural flow of water or increase flood risk.

5. The Bill incorporates provisions for public notification, inspection of records and submission of objections by affected persons, ensuring transparency and stakeholder participation prior to finalisation of flood plain limits. It also provides for enforcement measures and penalties for violations to ensure effective implementation.

6. The proposed legislation aims to institutionalise flood risk management practices in the State, reduce long-term disaster-related losses, promote environmentally sustainable development along river corridors, and support co-ordinated action among Government Departments and agencies through reliable Flood Zoning data.

7. The Bill seeks to achieve the above objectives.

METBAH LYNGDOH,
Minister in-charge
Water Resources Department.

MALTHUS S. SANGMA,
Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

No expenditure will be incurred from the consolidated fund of the State for implementing this Act.

MEMORANDUM ON DELEGATED LEGISLATION

In this Bill -

1. Sub-clause (2) of clause 3 empowers the State Government to appoint the Flood Zoning Authority.
2. Clause 4 empowers the State Government to make rules to specify the powers, duties, terms and conditions of the Flood Zoning Authority;
3. Clause 5 empowers the State Government to prescribe the manner of declaring the flood zones.
4. Sub-clause (2) of clause 6 empowers the State Government to prescribe the manner of classification of flood plains into categories and the criteria for such classification;
5. Clause 8 empowers the State Government to declare its intention to demarcate the flood plain zones.
6. Sub-clause (2) of clause 10 empowers the State Government to prescribe the manner of issuing notice by the Flood Zoning Authority.
7. In clause 11 -
 - a. Sub-clause (4) empowers the State Government to prescribe the manner of marking the limits of flood plain zones.
 - b. Sub-clause (6) empowers the State Government to prescribe the manner for inspection of the charts, registers and maps by the general public.
8. Sub-clause (3) of clause 12 empowers the State Government to prescribe the manner of undertaking activities within the restricted zone.
9. Sub-clause (3) of clause 13 empowers the State Government to prescribe the manner of imposing penalty.
10. Sub-clause (1) of clause 15 empowers the State Government to appoint the appellate authority and procedure thereof.
11. Clause 20 empowers the State Government to make rules for carrying out the purpose of the Bill.

The matters in respect of which the rules may be made are matters of procedure, technical detail and administrative arrangement, and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.