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NOTIFICATION

No. H. 12017/151/2021-LJD(PHE), the 7th June, 2023.
published for general information.

The following Ordinance is hereby

'The Mizoram (Protection of Rivers) ordinance, 2023.
(No. 1 of 2023)

(Received the assent of the Governor of Mizoram on 26.05.23)

THE MIZORAM (PROTECTION OF RIVERS) ORDINANCE, 2023 AN ORDINANCE

to provide for the protection, conservation, rejuvenation and improvement of rivers and the catchment areas.

WHEREAS, the Legislative Assembly of Mizoram is not in session, and the Governor of Mizoram is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution, the Governor of Mizoram is pleased to promulgate the following Ordinance:-

PREAMBLE

WHEREAS the rivers and their tributaries in the hilly areas of Mizoram are the main sources of water in the State and are the lifelines of the cities, towns and villages and the water in these rivers are the common natural resources required and utilized by human beings and animals for drinking and various other purposes, irrigation, fishing, sports and recreation having great potential for economic development of the State;

AND WHEREAS the growing human population and urbanization, unplanned construction, shifting cultivation and other forms of land use and activities in the catchment areas of the rivers are putting increasing pressure on the rivers and their tributaries in Mizoram resulting in depletion and scarcity of

water and water pollution thus threatening the very source of drinking water and the pristine economic and environmental resources with irreparable damage to the detriment of the general public and the ecosystem which needs to be curbed;

AND WHEREAS water is a common heritage, held in public trust, for the use of all, subject to reasonable restrictions, to protect all water and associated ecosystems; and in its natural state, such as river, stream, spring, natural surface water body, aquifer and wetland, water is a common pool resource, not amenable to ownership by the communities or persons;

AND WHEREAS water is the basic need for the survival of human beings, and the Supreme Court of India also held that right of access to clean drinking water is fundamental to life as enshrined in article 21 of the Constitution of India and there is a duty on the State and citizens under article 48A and article 51-A(g) to protect, safeguard and improve the environment including forests, rivers and wildlife and on the State to provide clean drinking water to its citizens;

AND WHEREAS the Government of Mizoram is aware and satisfied that circumstances exist which render it necessary to take immediate action for the effective protection and conservation of the rivers, their tributaries and the catchment areas for ensuring sustainable availability of clean drinking water for the State and for maintaining a balanced ecosystem;

CHAPTER-I PRELIMINARY

1. Short title, extent and commencement.-
 - (1) This Ordinance may be called the Mizoram (Protection of Rivers) Ordinance, 2023.
 - (2) It extends to the whole of Mizoram except the areas under the jurisdiction of the Autonomous District Councils.
 - (3) It shall come into force immediately.
2. Definitions.-
 - (1) In this Ordinance, unless the context otherwise requires,-
 - (a) "aquatic ecosystem" means a water-based environment, wherein, living organisms interact with both physical and chemical features of the environment and on which, the flora and living creatures or aquatic organisms depend, for their survival such as food, shelter, reproduction, and other essential activities;
 - (b) "Authority" means the Mizoram Rivers Protection Authority constituted at the State, District and Local level under section 3;
 - (c) "catchment area" of a river means the area of land from which water flows into the river;
 - (d) "designated officer" means an officer or any person so designated by the Government to perform the functions under this Ordinance;
 - (e) "developmental activity" means an activity of any kind which alters the appearance, composition or functions of any land, water body, vegetation or the environment;
 - (f) "District Authority" means the District Level River Protection Authority constituted under sub-section (3) of section 3;
 - (g) "encroachment" for the purpose of this Act, shall mean felling or clearing of trees or any vegetation for any purpose, construction of any building or structure or carrying out any developmental activity within the river conservation zone without prior approval of the State Authority and other competent authority under the relevant laws in force;

- (h) "environment" includes water, air and land and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organism and property;
 - (i) "government" means the Government of Mizoram;
 - (j) "Local Authority" means the Local Level River Protection Authority constituted under sub-section (5) of section 3;
 - (k) "nodal department" means the department(s) appointed as such under section 5;
 - (l) "offence" means an offence or action punishable under this Ordinance or under any rule made thereunder;
 - (m) "person" means any person or legal entity and includes an individual, firm, association, partnership, society, group, company, corporation, cooperative society, Government Department/Agency, non-governmental organization, local body and local community;
 - (n) "protected river" means river declared and notified as such under section 8;
 - (o) "public servant" means any person authorized to perform duties and functions under the provision of this Ordinance;
 - (p) "river" means a natural collection of waters, arising from springs or fountains, flowing either continually or intermittently in a bed or channel of considerable width and length, on the earth's surface, towards the sea;
 - (q) "river conservation zone" is a zone in the catchment area adjoining the protected river declared and notified as such under section 8;
 - (r) "State" means the State of Mizoram;
 - (s) "State Authority" means the Mizoram River Protection Authority (MRPA) constituted under sub-section (1) of section 3;
 - (t) "tributary" means a freshwater stream that feeds into a larger stream or river;
 - (u) "water pollution" means the contamination of water bodies, usually as a result of human activities, in such a manner that negatively affects its legitimate uses and to such extent or level as determined by the Government from time to time.
- (2) Words and expressions used in this Ordinance, but not defined herein shall have the meanings assigned to them in the relevant Acts.

CHAPTER-II RIVER PROTECTION AUTHORITY

3. Constitution of the Mizoram River Protection Authority.-

- (1) The Government shall constitute an authority called the Mizoram River Protection Authority (MRPA) at the State level with the following composition to perform the functions stipulated under section 4.
- a) Chief Secretary : Chairperson
 - b) Secretaries and Heads of Departments (Environment, Forests & : Members
Climate Change, Public Health Engineering, Land Resources,
Soil & Water Conservation, Irrigation & Water Resources,
Fisheries, Land Revenue & Settlement, Agriculture, Horticulture,
Urban Development & Poverty Alleviation, Law & Judicial,
Local Administration Departments, Planning & Programme
Implementation, Rural Development, Finance Department)
 - c) Municipal Commissioner/ Chief Executive Officer of the : Member
Urban Local Body
 - d) Chairman, Mizoram Pollution Control Board : Member
 - e) Representative of Local Council : Member

- f) Representative of Village Council Association : Member
- g) Expert in the field of environment/public health/hydrology : Member
(to be appointed for three years term)
- h) Representative of any one of registered NGOs involved : Member
in environment/natural resource protection (to be appointed
for three years term)
- i) Representative of Central Young Mizo Association : Member
- j) Secretary, General Administration Department : Member Secretary

The State Authority may co-opt any officer(s) of the State Government and/or any person(s) as it may consider necessary.

- (2) The Government may, on the recommendation of the State Authority, constitute Working Group for the State Authority, with such composition to perform such duties and functions as may be prescribed.
- (3) The Government shall, in consultation with the State Authority, constitute District Level River Protection Authority for such districts in the State with such composition comprising of, among others, at least five non-official members such as experts in environment protection, civil societies, prominent citizens, etc and to perform such duties and functions as may be prescribed.
- (4) The Government may, on the recommendation of the District Authority, constitute Working Group for the District Authority, with such composition to perform such duties and functions as may be prescribed.
- (5) The Government shall, on the recommendation of the State Authority/District Authority, constitute Local Level River Protection Authority for such wards or villages in the State with such composition comprising of, among others, Chairman, Local Council or President, Village Council, at least five non-official members such as local NGOs, civil societies and prominent citizens and to perform such duties and functions and in such manner as may be prescribed.
- (6) The Authority or the Working Group shall meet at least once in three months.
- (7) The non-official members of the Authority and the Working Group shall be entitled to such allowances for attending the meetings of the Authority or Working Group or for performing duties entrusted by the Authority as may be prescribed by the Government.
- (8) The State Authority may, as and when required, delegate any of their functions to the District Authority/ Local Authority or to the Nodal Department or Officer of the Government for carrying out the purposes of this Ordinance.

4. Functions of the State Authority.-

Subject to any special or general directions by the Government in this behalf, the State Authority shall perform the following functions, namely:-

- (a) to advise the Government on measures for the protection, conservation, maintenance and rejuvenation or improvement of the protected rivers, their tributaries and the river conservation zone for maintaining healthy ecosystem and to ensure sustainable availability of clean water in such rivers at all times;
- (b) to advise the Government on measures to regulate or prohibit the exploitation of water in the protected rivers and the river conservation zone so as to maintain sustainable availability of water and a balanced aquatic ecosystem in the larger interest of the society;
- (c) to advise the Government on the constitution, duties and functions of the District and Local Authorities and the designated officers under this Ordinance;

- (d) to advise the Government on the legislative and administrative measures to be taken from time to time for the protection and conservation of the natural resources, the environment and the aquatic ecosystem in the protected rivers, their tributaries and the river conservation zone;
 - (e) to liaise with stakeholder Departments, organizations, agencies and the public for promoting coordination and public participation and awareness in protection and conservation of the protected rivers, their tributaries and the river conservation zone;
 - (f) to monitor the status and condition of the protected rivers and the river conservation zone including the works or activities undertaken therein through the concerned Government Departments, experts and other agencies.
 - (g) to scrutinize the activities or works to be undertaken within the protected rivers and the river conservation zone and give approval for such works as it may consider necessary.
 - (h) to advise the Local Authority or District Authority to submit proposal for declaring any river and the catchment areas, within their jurisdiction that requires special protection for ensuring sustainable availability of clean water, as protected river and river conservation zone.
5. Appointment of Nodal Department.-
- (1) The Government shall, in consultation with the State Authority, by notification in the Official Gazette, appoint Nodal Department to implement or to carry out the provisions and purposes of this Ordinance as well as the orders and directions of the State Authority.
 - (2) The Nodal Department may by order enlist the service and assistance of any government department, agency, authority or officials for implementing the purposes of this Ordinance, and it shall be binding upon such government department, agency, authority or officials to provide such service and assistance as may be required.
6. Functions of the Nodal Department.-
- Save as otherwise provided in any other law in force for the time being, the Nodal Department shall have power to perform the following functions, namely:-
- (a) to advise or recommend to the State Authority and District Authority the name and designation of officers of the Nodal Department to be appointed as designated officers at the State level and District level;
 - (b) to carry out survey and demarcation of the protected river and the river conservation zone notified under section 14 including fixation of permanent boundary pillars, fencing, signboards wherever required with the active participation of the local communities on the direction of the State Authority;
 - (c) to take measures for the protection and conservation of the protected rivers, their tributaries and the river conservation zone;
 - (d) to take measures to assess, monitor and evaluate the status and condition of each of the protected rivers, their tributaries and the river conservation zone with regard to the quantity and quality of water in various seasons and the status of flora, fauna and other aquatic life;
 - (e) to take measures for rejuvenation or improvement of the protected rivers, their tributaries and the river conservation zone, such as afforestation through aided natural regeneration in degraded or open areas, soil and water conservation measures, construction of recharge pits/structures, check dams, pollution control at source, maintenance of e-flow and removal of encroachment wherever necessary with the active participation of the local communities and in accordance with the relevant laws in force;
 - (f) to take any other measures for carrying out the provisions and purposes of this Ordinance as well as the orders and directions of the State Authority.
 - (g) to take measure for creating awareness among the general public about the importance of protecting and conserving the rivers and the catchment areas for ensuring sustainable availability of clean water.

7. Appointment of Designated Officers and staff.-

- (1) The Government may, in consultation with the State Authority/District Authority, appoint or designate a senior level officer as designated officer at the State level and such other officers in the Districts as designated officers at the District level for the purposes of this Ordinance to assist the State Authority and District Authority respectively in such manner and for such areas or District and to perform such duties and functions as may be prescribed.
- (2) The Government may, on the recommendation of the State Authority, from time to time, appoint or designate such other officers/officials or persons on contract basis or otherwise, as may be required to assist the Authority or designated officers and also to be in charge of certain stretch(es) of particular protected river(s) and/or river conservation zone in such manner and to perform such duties and functions as may be prescribed:
Provided that any person (non-official) who performs specific duties, if any, in respect of particular stretch of protected river(s) and/or river conservation zone, under this Ordinance as assigned by the State Authority or District Authority, shall be entitled to such allowances or remuneration as approved by the Government.

CHAPTER-III

DECLARATION OF PROTECTED RIVER AND RIVER CONSERVATION ZONE

8. Power to declare Protected River and River Conservation Zone.-

The Government shall, on the recommendation of the State Authority, from time to time declare, by notification in the Official Gazette, the whole stretch or part of any river and the adjoining catchment areas in the State as Protected River and River Conservation Zone respectively in the manner herein after provided.

9. Identification of river and the catchment areas that requires protection.-

- (1) The Local Authority may identify any river including their tributaries and the adjoining catchment areas, that requires special protection for its ecological, faunal, floral, hydrological, cultural or natural significance and or ensuring sustainable availability of clean water and submit the proposal for declaring the identified river as protected river to the District Authority.
- (2) The District Authority shall forward such proposal with comments for declaring the identified river as protected river indicating the name, situation, the approximate length or stretch(es) and the status of such river and the tributaries and the approximate area or extent and status of the catchment areas that requires protection to the State Authority.
- (3) The State Authority shall examine the proposal and submit the same with such modifications as may be required with recommendation to the Government for approval and issue of preliminary notification under section 10.
- (4) The State Authority, as it may consider necessary, may advise or direct the District Authority or Local Authority to submit proposal for declaring any river and the adjoining catchment areas, that require special protection for ensuring sustainable availability of clean water, as protected river and river conservation zone.

10. Notification of proposal to declare Protected River and River Conservation Zone.-

The Government shall, on the recommendation of the State Authority, publish a notification in the Official Gazette -

- (a) stating its intention to declare the identified river and the catchment areas as protected river and river conservation zone respectively with justification as may be required;

- (b) specifying the name, the situation, the approximate length or stretch(es) and condition of such river including the extent, the legal status and condition of catchment area to be declared as river conservation zone;
- (c) specifying the restriction to be imposed in such river and the river conservation zone; and
- (d) inviting claim of rights and objections within the proposed river conservation zone but outside the notified reserved forest, indicating the time frame of not less than 60 days for submission of the same and the authority i.e., State Level Designated Officer, to whom such claim is to be submitted.

A copy of the notification shall be sent to the Local Authority and Local/Village Council concerned in local vernacular language, and shall also be placed in public domain and disclosed through print or electronic media or in such manner, as may be considered necessary to give wide publicity to reach the affected people.

11. Survey of the proposed Protected River and the River Conservation Zone.-

The Government shall, on the expiry of the period fixed for submission of claims of rights and objections under clause (d) of section 10, cause the proposed protected river and the river conservation zone to be surveyed and demarcated by a team consisting of officials of the Nodal Department, other land-based Government Departments, representatives of Local/Village Council, Local Authority and civil societies concerned under the guidance of the designated officer concerned. The team shall also enquire into and/or verify on the spot, the claims of rights and objections and the existence of any right of any person or any Government Department, or land holdings already existing and/or developed with or without valid land pass or legal ownership in the area, location-wise showing the name of the location, village and district where claims of rights exist, the nature of claims or rights, the area, the distance from the proposed protected river, and shall submit detailed report indicating the condition and legal status of the proposed protected river and the river conservation zone with comments and suggestions for changes and modifications, if any, made from the preliminary notification under clause (b) of section 10 with supporting map to the State Level Designated Officer.

12. Disposal of claims and objections.-

All claims of rights on the proposed river conservation zone and all objections against the proposed declaration of protected river and the conservation zone and the report of the survey under section 11 shall be scrutinized, verified, decided and disposed of by the District Authority concerned.

Provided that such authority, while disposing claims of rights and objections, shall take into consideration, land records and the legal status of the proposed river conservation zone where rights are claimed as well as the provisions of the relevant laws in force in the State.

13. Appeal.-

Any person aggrieved by any decision of the authority under section 12 may file an appeal before the State Authority seeking appropriate relief within 60 days of the date of issue of the order/decision. The State Authority shall, within 60 days of filing the appeal, pass the appropriate order which shall be final.

14. Final notification declaring Protected River and the River Conservation Zone.-

The Government shall, after disposal of all appeals, publish in the Official Gazette, the final notification declaring the protected river and the river conservation zone, specifying the name,

situation, length or stretch(es), the extent, limit or boundary showing the geo-coordinates at suitable intervals, the condition and legal status of such protected river and the river conservation zone:

Provided that the legal status of reserved forest notified as river conservation zone, if any, shall remain unchanged.

CHAPTER-IV PROTECTION, REJUVENATION AND IMPROVEMENT OF PROTECTED RIVERS AND THE CATCHMENT AREAS

15. Restrictions in Protected River and River Conservation Zone.-

- (1) Subject to the provisions of the relevant laws in force in the State, no person shall –
- (a) construct, or undertake any developmental activity or industrial activity or physical works of any kind including obstruction or diversion of the water course or channel, or issue or obtain land pass of any kind in the protected river or river conservation zone that may cause depletion of water or adverse effect or disturbance on the ecosystem, excepting those unavoidable activities or works for which prior approval of the State Authority and other competent authority under the relevant laws shall invariably be obtained:

Provided that the restriction under clause (a) of sub-section (1) does not include any work ancillary to conservation, improvement and management of the ecosystem in the protected river and the river conservation zone, such as the construction of check-posts/duty camp, patrol paths, fire-lines, fencing, bridges and culverts, check dams, water holes, boundary marks, pipelines or other like purposes.

- (b) set fire or cause fire to spread, place, deposit, release or dispose, directly or indirectly, any garbage, spoils or any solid, liquid and gaseous hazardous waste or substance including poison, chemicals and noxious materials, into any protected river or their tributaries or in the river conservation zone or the catchment areas that may cause water pollution or death or disturbance to the living organisms or the ecosystem;
- (c) quarry stone, extract sand and soil, cut, damage, injure or collect trees and other non-timber forest produce or any natural resources in the river conservation zone except with prior approval of the State Authority and other competent authority under the relevant laws in force;
- (d) in the protected rivers or river conservation zone, carry or use poison, chemicals, noxious or hazardous materials, explosive substances, inflammables, arms and ammunitions or any other substances, electrical or mechanical devices for hunting or killing any wild animal or living organisms or for any other purposes;
- (e) extract or divert water from the protected rivers or their tributaries or tap ground water or surface water in the river conservation zone for commercial and industrial purposes.
- (2) The Government shall have power to impose any other restrictions as it may consider necessary for the purposes of this Ordinance.

16. Restrictions in the catchment areas beyond River Conservation Zone.-

In any land beyond the river conservation zone but within the catchment areas of the protected rivers, the State Government may, in consultation with the State Authority, by notification, regulate, restrict or prohibit -

- (a) the breaking up or clearing of land for cultivation or any other purposes;
- (b) the setting on fire or clearing of the vegetation;

- (c) extraction of ground water or surface water for commercial purpose;
- (d) disturbance of terrestrial and aquatic life and/or pollution of habitat;

when such regulation or prohibition appears necessary for any of the following purposes-

- (i) for the preservation of soil on ridges and slopes, for the prevention of landslips or of the formation of ravines and torrents, or the protection of land against erosion;
- (ii) for the maintenance of water supply in springs, streams and rivers;
- (iii) for the preservation of the public health.
- (iv) for the preservation of wildlife and for prevention of land and water pollution.

17. Power to prevent or stop illegal activities or encroachment.-

Notwithstanding anything contained in any other law for the time being in force, the Government or the Authority or the designated officer/designated person shall have power to prevent or stop any activity prohibited under this Ordinance.

18. Proper arrangement for sanitation.-

It shall be incumbent upon the owner of any building, structure or establishment, except a temporary or kutcha hut built by local inhabitant for agriculture purposes, within the river conservation zone or catchment areas to ensure construction of proper septic tanks and a soaking pit or an alternate arrangement, and garbage or waste disposal system acceptable to the Authority or designated officer.

CHAPTER-V
OFFENCES, PROCEDURES AND PENALTIES

19. Power of entry, search, seizure and inspection, etc.-

- (1) The designated officer or his duly authorized representative, if he has any reason to believe, whether from any information given to him by any person and taken down in writing or from personal knowledge or otherwise, that any action prohibited under this Ordinance has taken place or is intended to take place and in respect of which an offence punishable under this Ordinance appears to have been, or is likely to be committed, may inspect or enter at any reasonable time, any such premises, and search and inspect such premises whether open or closed space and seize the property, item and material prohibited under this Ordinance, if any.
- (2) Every search or seizure made under this section shall be carried out in accordance with the provisions of the Code of Criminal Procedure, 1973 relating to search or seizure.

20. Vicarious liability.-

When an offence under this Ordinance is committed by any department/agency or its employee, then the head of the department/agency shall be deemed to have committed the offence, unless he proves that the offence was committed without his knowledge or that he used all his efforts to prevent the commission of such an offence.

21. Indemnity.-

No suit, prosecution or legal proceedings, whatsoever, shall lie against any public servant in respect of anything which has been done, or intended to be done, in good faith, under this Ordinance. The officers or any person authorized under the provision of this Ordinance to perform a certain act in a certain manner shall be deemed to be public servants within the meaning of the Indian Penal Code.

22. Penalties.-

- (1) Whoever contravenes any of the provisions of this Ordinance or obstructs any public servant in the discharge of duties under this Ordinance or violates any rule or order made under this Ordinance, shall be punishable with fine which shall not be less than one thousand rupees, but which may extend to ten thousand rupees in addition to the cost of remedying the damage caused, if any:

Provided that the person responsible for abetment of such offence or connivance shall also be liable and punished accordingly.

- (2) Whoever without any lawful authority undertakes any developmental activities or industrial activities or works of any kind which cause water pollution or any other activities which cause death or disturbance to the wild animals or living organism in any manner in the protected river and river conservation zone or set fire to any vegetation or obstruct or divert the water course or channel in the river conservation zone or encroaches upon the river conservation zone, shall be punishable with imprisonment for a term which shall not be less than one month but which may extend to six months or with fine which shall not be less than ten thousand rupees but which may extend to one lakh rupees or with both in addition to the cost of remedying the damage caused, if any:

Provided that the person responsible for abetment of such offence or connivance shall also be liable and punished accordingly.

- (3) Whoever without any lawful authority cuts or injures a tree or clears any vegetation or quarries stones, extract sand or other non-timber forest produce in the protected river and river conservation zone shall be punishable with a fine which shall not be less than two times of the value of such forest produce damaged or collected but which may extend to five times of such value in addition to other penalty that may be imposed:

Provided that the person responsible for abetment of such offence or connivance shall also be liable and punished accordingly.

- (4) In the case of a second or subsequent offence, the offender shall be punished with twice the amount of fine prescribed for such offence under sub-section (1) or sub-section (2) or sub-section (3), as the case may be.
- (5) In the case of continuing contravention, an additional fine which may extend up to five thousand rupees may be imposed for every day during which such contravention continues.

Provided that no such penalty shall be imposed without giving the person concerned an opportunity of being heard in the matter:

Provided further that whoever fails or refuses to pay the stipulated fines for contravention of the offences under this section shall be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees or with both.

23. Power to compound offences.-

- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Government may, by notification, empower any officer of the Nodal Department -
 - (a) to accept from any person who committed or who is reasonably suspected of having committed an offence punishable under this Ordinance other than the offences punishable under sub-section (2) of section 22 of this Ordinance, a sum of money by way of compensation for the offence which such person is suspected to have committed, and
 - (b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.
- (2) On payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody in connection with the offence, shall be discharged, the property, if any, seized shall be released, and no proceedings in respect of the offence shall be taken against such person or property.

CHAPTER-VI
MISCELLANEOUS

24. Reward for detection of offence/apprehension of offenders. –

- (1) When the court imposes a sentence of fine under section 22, it may, when passing judgement or order that the reward be paid to a whistle-blower or person who renders assistance in the detection of the offence or the apprehension of the offenders, if any, out of the proceeds of fine not exceeding twenty percent of such fine.
- (2) When an offence is compounded under section 23, the officer compounding the case may order reward to be paid to a whistle-blower or person who renders assistance in the detection of the offence or the apprehension of the offenders, if any, out of the sum of money accepted by way of composition not exceeding twenty percent of such money.
- (3) The Government may prescribe the procedure for payment of reward under sub-section (1) and sub-section (2).

25. Creation of the Mizoram River Protection Authority Fund.-

The State Government shall create a separate fund to be called "The Mizoram River Protection Authority Fund", to which shall be credited all receipt towards fee, fine, penalty, surcharge, etc levied and collected under this Ordinance including donation and grants received by the Authority in such manner as may be prescribed.

26. Utilization of fund.-

All funds/money received by the Authority shall be set aside and utilised for -

- a) payment of quarterly sitting allowances to non-official members of the Authority or Working Group;
- b) payment of reward to whistle-blowers or persons who render assistance in detection of offence or apprehension of offenders;
- c) payment of allowances or remuneration or wages to non-officials/persons for performing duties under this Ordinance as assigned by the Government or the Authority;
- d) any other activities related to the protection, conservation and rehabilitation of the protected rivers, river conservation zones or the catchment areas:

Provided that the Government shall prescribe the manner and procedure for utilization and maintenance of the accounts of the funds received under section 25.

27. Act to have effect in addition to other Acts.-

The provisions of this Ordinance shall be in addition to, and not in derogation of, the provisions in any other law, for the time being in force.

28. Power to make rules.-

- (1) The State Government may, by notification, make rules consistent with the provisions of this Ordinance for carrying out all or any of the purposes of this Ordinance.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or prescribe -
 - (a) the composition, duties and functions of -
 - (i) the Working Group for the State Authority and for the District Authority constituted under sub-section (2) and sub-section (4) of section 3;
 - (ii) the District Authority and the Local Authority constituted under sub-section (3) and sub-section (5) of section 3;
 - (b) the procedure for payment of allowances to non-officials for attending meetings of the Authority/Working Group or for performing duties entrusted by the Authority under sub-section 7 of section 3;
 - (c) the duties and functions of the designated officer(s) at the State level and District level appointed under sub-section (1) of section 7;
 - (d) the procedure for appointment of officials or persons on contract basis or otherwise to assist the Authority or designated officers as well as the duties and functions of such officials or persons as may be required under sub-section (2) of section 7;
 - (e) the manner and procedure for creation and utilization of the Mizoram River Protection Authority Fund including maintenance of the accounts of such fund under section 25 and section 26.
 - (f) the procedure for dealing with offences under this Ordinance;
 - (g) any other matter as may be required for the purpose of carrying out any of the purposes of this Ordinance.

29. Power to remove difficulties.—

If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Government may, by order, make such provisions or give such directions not inconsistent with the provisions of this Ordinance as may appear to it to be necessary or expedient for removing such difficulty:

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

Secretary,
Law & Judicial Deptt.,
Govt. of Mizoram.