

THE MEGHALAYA PROTECTION OF CATCHMENT AREAS RULES, 1996

No.FOR,151/89/119, - In exercise of the powers conferred by Section 17 of the Meghalaya Protection of Catchment Areas Act, 1990, the Government of Meghalaya hereby makes the following rules, namely:-

1. Short title:-

- (1) These rules may be called the Meghalaya Protection of Catchment Areas rules, 1996.
- (2) It shall come into force on the 15th April, 1996.

2. Definitions:-

(1) In these rules, unless the context otherwise requires:

- (a) Chairman means the Chairman of the Advisory Board as constituted under Section 3 of the act;
- (b) "Member" means a member of the Board;
- (c) "Section" means a section of the Act.

(2) All other terms and expressions defined in the Act, but should not defined in these rules shall have that same meaning as in the Act.

3. Nomination of members to the Advisory Board:-

(1) The environment experts and non-officials nominated as members to the Advisory Board shall hold office for such periods not exceeding three years, as may be specified in the notification appointing them as such any such member may however, be eligible for administration.

(2) The Government may at anytime remove any environment expert or non-official member from the membership of the Advisory Board.

(3) Travelling and daily allowances shall be payable to the environment experts and non-official members of the Advisory Board for attending meetings, etc, of the Advisory Board at the highest rate admissible to Government servants for the time being in force.

4. Procedure for the functioning of the board.

(1) No business shall be transacted at a meeting of the Advisory board unless one third of the members are present.

(2) The Advisory board may decide its own procedure for smooth functioning of the advisory board.

(3) A meeting of the Advisory Board may, if the Chairman so directs, be referred to the members by circulation of papers and, if approved by the majority of the members, shall be deemed to have been decided by a majority in a meeting.

5. Permission to carry out activities to catchment areas.

For seeking permission to carry out any activity in the non-critical catchment areas, as referred to in Section 6 (2) (d), any person may apply to the Competent Authority in form A and the competent authority may grant or refuse to grant such permission.

6. The Board lay guidelines:-

The board shall lay down guidelines for the competent authority to deal with application for permission subject to provision of Section 7.

7. Publication of intentions to take up certain measures and consideration of objections under Section 8:-

- (1) On the advice of the advisory board, the Government in the Forest Department shall publish a notice of its intentions to take up any measure as contemplated in sub-section (2) of Section 6 in the area and the gazette, and shall provide for 30 (thirty) days time to the people in general to file objections, if any, to the Government against the proposed.
- (2) All objections received by the Government shall be placed, before the Advisory Board for consideration and advice.
- (3) The Government shall, on the advice of the board, notify such measures for enforcement as are contemplated in sub-section (2) of Section 6. This notification shall also be published in two newspapers having wide circulation and the gazette.

8. Notice for entry and verification under Section 10:-

- (1) Notice to enter upon land declared as Catchment area, to inspect and verify the activities, if any, or in connection with any function under the Act, shall be given in Form B to every person claiming to be the owner or occupier of the land.
- (2) A minimum of 24 hours time shall be given to the owner or occupier in the notice.

9. The Forest Department shall be the nodal department to implement and monitor the implementation of the Act/Rules.

H.M. CAIRAE,
Commissioner and Secretary to the Govt. of
Meghalaya, Forest and Environment Department.

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