APPENDIX-I

No. IGL.103/2008/14. -- The following Act of the Assam legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XX OF 2008
(Received the assent of the Governor on 5th August, 2008)
THE GUWAHATI WATERBODIES (PRESERVATION AND CONSERVATION) ACT, 2008

Preamble

To provide for preservations, protection, conservation, regulation and maintenance of water bodies and to develop the water bodies into natural water reservoir and convert into eco-tourism recreation centre to suit the ecological balance within the jurisdiction of Guwahati Metropolitan Development Authority and to protect the water bodies from the encroachers and damages, Whereas it is expedient to provide for preservation, protection, conservation, regulation and maintenance of water bodies and to develop the water bodies into natural water reservoir and convert into eco-tourism recreation centre to suit the ecological balance within the jurisdiction of Guwahati Metropolitan Development Authority and to protect the water bodies from the encroachers and damages and the matters connected therewith or incidental thereto:

Short title, extent and commencement

It is hereby enacted in the Fiftieth Year of the Republic of India as follows:-

1. (1) This Act may be called the Guwahati Waterbodies (Preservation and Conservation) Act, 2008.

(2) It extends to the jurisdiction of Guwahati Metropolitan Development Authority.

(3) It shall come into force at once.

Definitions 2. In this Act, unless the context otherwise requires,-

(a) "Competent Authority" means the Guwahati Metropolitan Development Authority constituted under the Guwahati Metropolitan Development Authority
Authority Act, 1985 or any other Authority whenever State Government specially empowered in this behalf. Assam Act No 20 of 1987
(b) "Government" means the State Government of Assam;
(c) "Jirat" means any structures raised by the owner and includes trees;
(d) "Owner" means a land holder and settlement holder other than land holder who holds land under the Assam Land and Revenue Regulation, 1886 and shall include a mortgagee, lessee or a tenant under the Assam (Temporarily Settled Areas) Tenancy Act, 1971; Regulation I of 1886. Assam Act No 23 of 1971
(e) "Waterbodies" means the area or areas of land where the rain water accumulates and act as natural or storm water reservoir and shall include wetland.

Declaration of waterbodies
3. Notwithstanding anything contained in any other laws enacted by the State Legislature which are for the time being in force in Assam, the areas of the land specified in the Schedules I, II, III and IV of this Act shall be the waterbodies.

Restriction on use of land.
4. Notwithstanding anything contained in any other laws enacted by the State Legislature which are in the time being in force in Assam, the area of land specified in the Schedules I, II, III and IV of this Act shall be used as waterbodies and no person after coming into force at this Act shall-
   (i) undertake any activities including the tilling up of waterbodies which may cause damage or reduce the size of the waterbodies;
   (ii) construct or erect any structure in the waterbodies;
   (iii) dump or throw solid waste or garbage in the waterbodies;
   (iv) extend or reinforce of any building standing upon the waterbodies;
   (v) carry out any kind of fish curing, aquaculture, conservation measure and flood control- measures, that too with the specific previous permission of the Competent Authority.

Appeal 5- Any person aggrieved by the order of the Competent Authority under clause (v) of section 4 may prefer an appeal before the State Government within thirty days from the date of such order, whose decision thereon shall be final.

Penalty 6.
(1) Whoever violates any one or more of the provisions of section 4 shall commit an offence which shall be punishable with imprisonment till - a term which may extend to three years or with fine which may extend to fifty thousand rupees or with both.

(2) A person who abets any of these offences as aforesaid shall be liable for the same punishment as provided for the offence.

(3) The offences committed under this Act shall be treated as cognizable offence under the Code of Criminal Procedure, 1973 and shall be tried accordingly. (Central Act no 2 of 1974)

'Taking up developmental schemes.'

7. The Competent Authority or any other person or Authority, with the previous permission of the Government, may take up project or scheme of eco-tourism or water based recreation for better management, preservation and conservation of the waterbodies declared as such in the Schedules 1, II, III and IV of this Act.

Protection of Action takes in good faith.

8. (1) No suit, prosecution or other legal proceedings shall lie against any officers of the

Competent Authority or Government for anything in good faith done or intended to be done in pursuance of this Act.

(2) No suit or legal proceeding shall lie against the Government for any damage or injury caused or likely to be caused to any owner or person in pursuance of this Act, which is done or intended to be done in good faith.

Power to make rules.

9. The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

Power to remove difficulties.

10. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by notification in the official Gazette take provisions, not inconsistent with the provisions of this Act, as appear to O. to he necessary or expedient for removing the difficulty.

Overriding effect.

11. Notwithstanding anything contained in the Assam Hill I And and Ecological Sites

(216)
Protection and Management) Act, 2006, or any other Acts enacted by the State Legislature for the time being in force in Assam, the provisions of this Act shall have effect in the areas mentioned in the Schedules I, H, III and IV of this Act.(Assam Act. V of 2007)

Schedule I
(SARUSALA BEEL)

Schedule of land:
District : Kamrup (Metropolitan) District,
Mouza: Guwahati.
Revenue Village- Sahar Guwahati Part-II

Bounded by –
North-dag numbers-779, 789, 1064, 1065, 1062, 791, 792, 793, 797 and 794.
South-dag numbers-591, 1058, 1781 and 59,
East-dag numbers- 1012, 1014, 1018, 1051, 1019, 1754, 1753, 1021, 1024,
1025, 1031, 1033, 1034, 1035, 1016, 10.37, 1923, 1038, 1039, 1040, 1041,
1906, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 103,
1078, 1055, 1056 and 1057.

1736, 763, 686, 685, 684, 1933, 681, 680, 679, 678, 632, 631, 1718, 630, 629,
2039, (128, 619, 618, 617, 611, 610, 609, 608, 607, 606, 605, 604, 602, 600,

Schedule II
(BORSOLA BEEL)

Schedule of land: -
District - Kamrup (Metropolitan ) District,
Mouza- Guwahati..
Revenue Village- Sahar Guwahati II

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Buonded by-

North- dag numbers-1302, 1303, 1304, 1305, 1106, 1307, 1108, 1309, 1310 and 1311.

South -dag numbers-1663 and Bilpar Road.

East - dag numbers- Nepali Mandir and 1313, 1314, 1800, 1934, 1324, 1325, 1335, 1336, 1338, 1351, 352 (Road), 1151 (Road), 1359 (Road) and 1642 (Road).

West dag- numbers: 1083 (Road).

Schedule III
(SILSAKO BEEL)

Schedule of land:-

District - Kamrup (Metropolitait)1)'strict,

Mouza- Beltola

(A)

Revenue Village- Hengaraba ri.

All land of dag numbers- 530 (original), 531 (original), 532 (original), 533 (original) 836 (original), 489 (original) and 602 (original) and proposed Cuwahati Resettlement Operation dag numbers 1042, 1047, 1048, 1049, 1050, 1043, 1046, 1082, 1085, 1086, 1093, 1108, 1112, 949, 954, 1040, 1041, 1038, 1053, 1056, 1054, 1039, 1011; 1012, 1070, 1084, 9911, 991, 1074, 1087, 1088, 960, 1065, 1071, 1006, 1099, 1031, 986 and 989.

Bounded by-

North- dag numbers- Dag No.15, 85 of Satgaon village, 1-95., 400, and 483 of village No.1 Madghoria village

East-dag number-691, 692, 693., 694, 698(Part), 728(Part), 730(Part)), 571, 752, 75:3, 760, 761, 759, 695, 642, 603, 538, 534 and 535 of Hengarabarabari Village

South - dag numbers-765, 766., 767, 768, 769 (Part), 446, 448, 449 and 451 of Hengarabarari Village

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(B)
Revenue Village- Satgaon,

All land of dag numbers -15 (original), 925(original), 873(original), 874 (original), 17(original), 84(original) and 939(original).

Bounded by –

North-dag numbers- 4 and S of Satgaon Village.
East - dag numbers- 14, 16, 19, 18, 83, and 85 of Satgaon
South- dag numbers- 532, 533 of Hengarabari
West- dag numbers- 405, 484, 401, 404, 498, 40:3, 478 and 390 of Number 1 Madghoria village.

(C).
Revenue Village-No.1 Madghoria.

All land of dag numbers- 387, 389, 390, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 483, 484, 478, 499, 498, 474, 475, 485 and 486.

Bounded by –

North- P. W, D. Road.
East - dag numbers- 15 of Satgaon village.
South - dag numbers- 533 and 836 of Hengarabart village.

Schedule IV
(Near Deepor Beel)

Schedule of land:-
District - Kantrup (Metropolitan) District,
Mouza- Ramcharani

(A).
Revenue Village- Mikirpara Chakardoi,

Revenue village - Dharupur.

All land of dag number - 947.

(A) and (B) Bounded by -


(C)

Monza - Jalukbari,

Revenue Village- Dakhin Jalukbari,

Bounded by-


Fast- Boundary of Tetelia revenue village...

South- Deepor Beet

West- Boundary of l'aitirt. Jalukbari village.

MOHD. A. HAQUE,
Secretary to the Government of Assam,
Legislative Department.

(Source: The Assam Gazette, (extraordinary) Published by the authority no. 243 Dispur, Friday, 8th August, 2008,. 17th Sravatta, 1930 (S.E), Government of Assam, Orders by the Governor, Legislative Department : Legislative Branch, Notification on 7th August, 2008.)
APPENDIX-II

Survey Schedule/Questionnaire

(Household Survey Schedule cum questionnaire for assessment of Land use land cover change and drainage-sewage system)

House no: …………

1. Name of the respondent: ………………………………………

2. (a) Area/locality: ……………….. (b) Byelane/ ward/ Block/ Other …………..

3. Nature of the topography (highland/lowland):………………………………………………

4. Elevation:………………………………………………

5. Distance from the city centre and main road :………………………………………………

6. Total no of family members:…………. Male:……….. Female:………………

7. Religion: Hindu/Muslim/Christian/other

8. Caste: ………………. Community: ………………

9. Family type: (Unitary/ Joint/ Nucleated/ Extended) ………………………………

10. Residing in the Locality from:………………………………………………

11. Age structure of the family members:

<table>
<thead>
<tr>
<th>Age group</th>
<th>Male</th>
<th>Female</th>
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<tbody>
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12. Literacy level:

<table>
<thead>
<tr>
<th>Educational level</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

13. Occupational pattern:

<table>
<thead>
<tr>
<th>Activity</th>
<th>No of member involved</th>
<th>Monthly income</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

(222)
14. Total Land holding by family:

15. Landuse pattern of the Family:

<table>
<thead>
<tr>
<th>Land Category</th>
<th>Size</th>
<th>Nature of land</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Built-up land</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Farm land</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waste land</td>
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<td></td>
<td></td>
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<tr>
<td>Other</td>
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<td></td>
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<tr>
<td>Total land</td>
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</tbody>
</table>


17. Whether the family is getting sufficient water throughout the year:………………

18. Quality of drinking water:………………………………………………………

19. Sanitation facility: septic tank/pit latrine /no latrine

20. Waste water outlet: i) Close drainage

   ii) Open drainage

   iii) No drainage

21. Whether garbage disposal area is available:……………………………………….

22. Garbage disposed on: Dustbins/pick up by municipal garbage vans/throwing to roadside corner/other

23) Availability of roadside drain: Yes/no Depth:………Breadth:……

24) Whether water logging/flash takes place?

25)Which season water logging/flash flood takes place?

<table>
<thead>
<tr>
<th>Season</th>
<th>Duration</th>
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</thead>
<tbody>
<tr>
<td>Summer</td>
<td></td>
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<tr>
<td>Winter</td>
<td></td>
</tr>
<tr>
<td>Throughout</td>
<td></td>
</tr>
<tr>
<td>The year</td>
<td></td>
</tr>
</tbody>
</table>

26. Submerges level during Water logging and flashflood time:

   Submerge drains/roads/house/other
27. Causes of water logging:
   i.
   ii.
   iii.

28. Causes of flash flood:
   i.
   ii.
   iii.

29. Problem occurs due to water logging and flash flood:
   i
   ii
   iii

30. Types of garbage available in the drain:

31. Sources of garbage’s : Household/Market/Shop/Industry/Hospital/other

32. Whether proper sewerage system is available?

33. Sewage outlet is connected to…………………………………………………………

34. At what interval drains are cleared…………………………………………………..

35. Drains are cleared by …..municipal corporation/local body/other

36. Any local committee/ people are involving in the cleaness program:

37. If the drains are shallow, why? Due to garbage/silt/other

38. Is there any situation takes place? Yes /No

39. Siltation takes place on roads/drainroad/other

40. Is there any hill cutting takes place?Yes/No . (Causes of hill cutting)

41. Is there any earth filling takes place?

42. Any afforestation program adopted by the people of the locality?
   If yes ,explain……..

43. Is there any wetland or low lying area available in the locality?

44. The drains of the locality are connected with………………………………………..
45. Preventive measures taken by the concerned authority:
   i. At the time of flash flood: ............................................
   ii. Before flash flood: ................................................
   iii. After flash flood: ................................................

46. Preventive measures taken by the concerned authority:
   i. For earthcutting: ...................................................  
   ii. To conserve the wetlands: ...............................  
   iii. To clean the drains and to keep garbage free: .........

47. Role played by the flood control department/ Water Resource Department/ Guwahati Municipality/ Development Authority/ Guwahati Municipality Corporation/ DDMA/NDRF/NGO/others at the time of water logging/flash flood:

48. Precaution taken by the house hold at the time of flash flood: .........................

49. Is there any industry available in the locality? If yes ....................

<table>
<thead>
<tr>
<th>Name</th>
<th>Type</th>
<th>Area coverage</th>
</tr>
</thead>
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</tbody>
</table>

50. Is there any development activity related to Land use land cover change and drainage sewerage system of the city is going on in the area?

51. Types of the development activity: .................................................. 

52. Personal opinion of the respondent regarding land use land cover change and drainage sewerage system of the city: ..................................................

53. Peoples’ suggestion for flood management of the affected areas:
   i. ..........................................................  
   ii. .........................................................
   iii. .....................................................

54. Personal observation of the surveyor:

Supervisor’s signature  
Surveyor’s signature in full  
Date: 

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