

অসম



ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 27th July, 2006

No.LGL.143/2004/19.-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. VII OF 2006.

(Received the assent of the Governor on 25th July, 2006)

THE MAJULI CULTURAL LANDSCAPE REGION ACT, 2006.

AN
ACT

to integrate development and heritage for protection of heritage resources of MAJULI CULTURAL LANDSCAPE REGION, through education, awareness, understanding of cultural significance and ensuring a sustainable and positive development trend.

Preamble

Whereas it is expedient to provide for,-

- (a) Delineation of boundaries of MAJULI CULTURAL LANDSCAPE REGION ;
- (b) Conservation and sustainable development of the resources within the Cultural Landscape Region ;
- (c) Preservation and progression of cultural values, ethos and identify of the Cultural Landscape Region;
- (d) Preventing uncontrolled land use and disintegrated developmental measures of any type as understood so far as development ;
- (e) Preventing commercial exploitation, incorporation of non-indigenous techniques into sustaining traditional life-style and institution ;

- (f) Encouraging heritage and environment sensitive tourism and tourists; controlled tourist influx to the island including type of products/daily needs of tourists, limited to basic necessities only;
- (g) Support proliferation of locally based (economic) initiatives, control external initiatives in the core area for economic activities except for the case of provision of technical expertise and keeping with one tradition of the place;
- (h) Preventing loss of values and authenticity of the Cultural Landscape with unthoughtful and disconcerted projects or programmes by various implementing agencies;
- (i) Continuous development of a hydrological, disaster management, risk preparedness model for flood and erosion for preventing recurrent loss of properties and landmass due to both factors;
- (j) Sustainable Development of buffer area with growth centres, bio-economic activities, market centre of national status which can provide for adequate livelihood options for both people of core area and outside, as well;

It is hereby enacted in the Fifty-seventh Year of the Republic of India, as follows:-

(g) "Cultural resources" means all the tangible and intangible heritage components in Majuli like Sattras, manuscripts, antiquities, village, fields, water-bodies, dance, drama, local proverbs, beliefs, rituals, festivals etc. including typologies of unique and special systems viz. geo-hydrologic system, bio-economic system, socio-cultural system, socio-religious system etc.;

(h) "Development" means sustainable development of all the cultural and natural resources including ethnological, hydrological, topographical and land features, bio-diverse areas, ecosystem sattra region and traditional settlements, without losing the unique and outstanding values of Majuli Cultural Landscape Region;

(i) "Executive Officer" means the officer posted in Majuli Cultural Landscape Management Authority who shall be responsible for day-to-day activities of the Authority;

(j) "Executive Group" means the group constituted by the Government under section 5 of the Act;

(k) "Fund" means Funds of the Authority;

Short title, extent and commencement. 1. (1) This Act may be called the Majuli Cultural Landscape Region Act, 2006.

(2) It shall come into force at once.

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

(a) "Authority" means the Majuli Cultural Landscape Management Authority specifically designated for Majuli Cultural Landscape Region with Core Area and Buffer Area;

(b) "Buffer Area" means the landmass around the Core Area along both sides of Majuli sub-division as may be notified by the Authority with the approval of the government;

(c) "Chairperson" means the Chairperson of the Authority;

(d) "Chief Executive Officer" means the Commissioner, Upper Assam Division or an officer of equivalent rank so appointed by the Government as Chief Executive of the Authority;

(e) "Core Area" means the water and landmass of Majuli Civil Sub-division;

(f) "Cultural Landscape Region" means the total landmass inclusive of Core Area and Buffer Area;

(l) "Government" means the Government of Assam;

(m) "Local Authority" means all the panchayati Raj institutions and other autonomous tribal authorities operating in the Landscape Region;

(n) "Management Plan" means Management plan for the Cultural resources and Economic development of Majuli Landscape Region;

(o) "Prescribed" means prescribed by rules made under this Act;

(p) "Stakeholders" means indigenous residents, Government Organizations, People's Organizations and private individuals/Institutions who has stake in natural resources, possess own organizational structure and decision making process, with or without formal status and can contribute to development in resource management in the area;

(q) "Sattra" means all the sattras presently located in Majuli Core area and Buffer Area as specified in the Schedule appended to this Act and such other

Satras as may be notified by the Government from time to time being in existence for at least fifty years prior to the commencement of this Act and accepted by the Authority;

(r) "Sattra region" means the area around the Sattra, including the traditional villages and natural resources with its traditional spatial entity;

(s) "tourists" means tourist/s coming from outside Majuli Cultural Landscape Region, both domestic, national and international staying not more than 7-10 days;

(t) "Village" means all the revenue villages habited or uninhabited in the Cultural Landscape Region and will also include habitable clusters not yet notified as revenue villages;

Establishment of an Authority. 3. With effect from such date, as the Government may by notification in the Official Gazette constitute, there shall be established an Authority to be called the Majuli Cultural Landscape Management Authority.

Government to declare Majuli Cultural Landscape Region. 4. The Government shall, in consultation with the local stakeholders, by notification in the Official Gazette, declare the area covering the Core Area and the Buffer Area as Majuli Cultural Landscape Region.

Composition of the Authority 5. The Authority shall consist of the following :-

- (i) Chief Secretary, Assam
or any Additional
Chief Secretary as may
be nominated by the
Government : Chairperson
- (ii) Commissioner & Secretary
to the Govt. of Assam,
Cultural Affairs Department : Vice-Chairperson
- (iii) Commissioner, upper Assam
Division or any other officer
of equivalent rank as may
be appointed by the
Government : Chief Executive
Officer.
- (iv) Sub-Divisional Officer (Civil)
Majuli, posted specially
for Majuli Cultural Landscape
Region with an office at
Majuli to discharge the
functions entrusted to
him under this Act : Executive Officer.

- (v) Five members to be nominated by the Executive Group from amongst themselves. : Members

Executive Group 6. (1) There shall be constituted an Executive Group consisting of the following members, who shall aid and advise the Authority in its decision making process and in all other matters as entrusted to the Authority under this Act :-

- (i) Local Member of parliament (LS)
- (ii) Member of Parliament (RS)- to be decided by the Government;
- (iii) Member of State Legislative Assembly-Majuli;
- (iv) Deputy Commissioner- Jorhat District;
- (v) Chairman/Secretary of prominent NGO's viz Majuli Island Protection and Development Council (MIPADC);
- (vi) Deputy Commissioner- Lakhimpur District & Dhemaji District;
- (vii) President, Anchalik Panchayats, Majuli; Sub-division
- (viii) Presidents from SC/ST Boards of Majuli;
- (ix) CEC, Mishing Autonomous Council or his representative;
- (x) Superintending Archaeologist, ASI, Guwahati;
- (xi) Director Archaeology , Assam;
- (xii) Director of Museum, Assam;

- (xiii) Director of Cultural Affairs, Assam;
- (xiv) Senior Representative of Brahmaputra Board;
- (xv) Secretary, Flood Control Development, Assam;
- and
- (xvi) Chairperson, Town Committee, Majuli; and
- (xvii) 5 to 10 other members to be nominated by the Government from amongst the persons who are involved in promotion of Art and Culture more particularly culture which are integral to sattras and other parts of the Cultural Landscape Region, Academician and Stakeholders from the Cultural Landscape Region.

(2) The Chairperson, Vice-Chairperson, Chief Executive Officer and Executive Officer shall be members of the Executive Group and shall actively participate in all the deliberations and decisions of the Executive Group.

(3) The meetings of the Executive Group shall be presided over by the Chairperson of the Authority.

7. (1) The Authority shall meet normally once in every three months or at such earlier time as may be decided by the Chairperson. The meeting of the Authority shall be convened by the Chief Executive Officer with the approval of the Chairperson at such time and place as may be determined by the Chairperson.

(2) The Chairperson and in absence of Chairperson, the Vice-Chairperson shall preside over meetings of the Authority.

(3) The rules and procedures of meetings of the Authority in regard to transaction of business including quorum shall be made by the Authority by framing bye-Laws in this respect.

Meetings of the Executive Group 8. (1) The Executive Group shall ordinarily meet at least once in every six months at such place within the jurisdiction of the Authority and at such time as may be decided by the Chairperson.

(2) The meeting shall be notified by the Chief Executive Officer as per decision of the Chairperson under sub-section (1) indicating the date, time and venue of the meeting which shall be duly communicated to all the members at least fifteen days ahead of the meeting.

(3) The meeting of the Executive Group shall be presided over by the Chairperson and in his absence for any reason the Vice-Chairperson shall preside over meetings.

(4) The transaction of business in the Executive Group meeting, including quorum, shall be made

by following the procedure as per bye-Laws framed by the Authority in this respect.

(5) All questions, which come up before any meeting of the Executive Group shall be decided by majority of the votes of the members present and voting and in the event of an equality of votes, the Chairperson or in his absence, the person presiding shall have and exercise a second or casting vote.

(6) The decisions taken in Executive Group meeting shall be forwarded to the Authority for taking further follow up action on them.

(7) A member shall not at any meeting of the Executive Group take part in the discussion of or vote on any matter in which he has directly or indirectly by himself or his partner, any share or interest.

Term of Office and allowances of the nominated members

9. The term of office, sitting allowance and other allowances admissible to the members nominated under clause (v) of section 5 and clause (xvii) of sub-section (1) of section 6 shall be such as may be prescribed.

Powers and Functions of the Authority

10. Subject to the provisions of this Act and the rules made there under the Authority shall,-

(a) have powers to protect the Cultural resources, implement the Management Plan, Co-ordinate and monitor the developmental activities, prepare and modify necessary guidelines for socio-economic, socio-cultural activities, disaster mitigation and risk preparedness plan for the entire Majuli Cultural Landscape Region;

(b) ensure protection and preservation of all the cultural resources and development conducive and integral to these resources including these as appended at Appendix of this Act;

(c) carry out a survey of the Majuli Cultural Landscape Region and prepare reports of the surveys carried out;

(d) prepare a Management Plan for the region;

(e) cause to be carried out such works as are contemplated in the Management Plan;

(f) formulate as many schemes as are necessary for implementing the Management Plan of the region;

(g) secure and co-ordinate execution of Town and Country Planning schemes, Economic and Social development schemes, flood protection and erosion

protection schemes, disaster and risk preparedness schemes, tribal welfare schemes, preservation of authenticity and Values of the Sattrra and Sattrra Region and villages, in accordance with the said plan and schemes of the Management Plan.

(h) raise finances for any projects or schemes for the development of the cultural Landscape Region and to extend assistance to the Local Authorities in the region for the execution of such projects or schemes;

(i) do such other works as the State Government may entrust or as may be necessary for or incidental or conducive to, any matters, which are necessary for furtherance of the objects for which the Authority is constituted;

(j) entrust to any Local Authority or other agencies, the execution of any development plan, agreed Management Plan in the Landscape Region;

(k) supervise and review the progress of expenditure incurred under the plan and performance of various development departments and Local Authorities with reference to the Plan;

(l) take action to protect all the properties and components mentioned in the Management Plan;

(m) raise local, regional and international awareness about the significance of the Majuli Cultural Landscape Region;

(n) promote and encourage proper research to understand the archaeological, historical, ecological, agricultural, spiritual, ethnological values of the Majuli Cultural Landscape Region;

(o) be responsible for preparation, modification and implementation of the Management Plan of Majuli and abide by the Management Plan prepared in consensus with the local stakeholders and shall ensure, by such measures as they think fit, the all round implementation of the Management Plan;

(p) consult external technical expert(s), agencies, organizations for matters, as they feel required, which may endanger the physical properties and the cultural values and significance of the site;

(q) take further measures for development relating to the field of land using decisions, agriculture, irrigation, drinking water, vernacular housing, roads

and tracks, wetlands and fisheries, sattra and sattra region, traditional settlements, forests and groves, livestock co-operative as per people's demand and requirement, vocational training marketing of the local products, improvement of education through school and colleges, eco-sensitive and spiritual tourism, resettlement and rehabilitation in all areas of the Region;

(r) take proper consideration to the flood and erosion problem of the site with modern, environmentally sound measures to check loss of landmass and destruction of properties in flood;

(s) do any other acts which are not inconsistent with this Act;

(t) perform such other functions as may be prescribed.

Officers, Employees and other administrative set-up of the Authority. 11. (1) The Authority shall have such officers, employees and other administrative set-up for efficient functioning of the Authority.

(2) The conditions of service of such officers and employees shall be such as the Government may determine from time to time.

(3) Till establishment of a permanent set-up, the Authority shall function from the office of the Commissioner, Upper Assam Division and avail the services of the existing staff of the office of the Commissioner, Upper Assam Division.

Powers and functions of the Chairperson, Vice-Chairperson, Chief Executive Officer and Executive Officer.

12. (1) The Chairperson shall have overall supervision and control over the administration of the Authority and preside over all meetings of the Authority and the Executive Group and in his absence for any reason, the Vice-Chairperson shall exercise the powers and responsibilities of the Chairperson.

(2) The Chief Executive Officer shall in addition to performing his functions as are conferred on him by or under this Act or under any Law for the time being in force shall-

(i) be the Chief Executive of the Authority;

(ii) be responsible for all budgetary planning, enforcement and supervisory functions of the Authority;

(iii) furnish to the Authority all the information relating to the administration and accounts of the Authority as well as other matters whenever called upon by the Authority to do so;

(iv) prepare and submit the annual reports and

audited accounts of the Authority for its approval within three months of the close of every financial year and thereafter submit copies of the same to the Authority and the Government.

(v) perform such other functions as may be prescribed.

(3) The State Government shall designate the Sub-Divisional Officer (SDO), Civil, Majull to be the Executive Officer of the Authority to assist the Chief Executive Officer. The Executive Officer shall be responsible for all day to day activities of the Authority. He shall also prepare the annual audit report, annual report and monitor the activities of the Cultural Landscape Region. He will also issue sanctions of schemes and fund of the Authority after specific approval of the Chief Executive Officer.

Fund of the Authority.

13. The Government shall provide annually plan, non-plan and grants-in-aid either through the respective departments or directly to the Authority, after due appropriation made, by allocation of adequate funds for the protection, preservation, management and development of the Cultural Resources to be undertaken by the Authority and for the administrative expenses of the Authority. The Authority can also receive grants, donations, special

funding etc from state, national and international agencies.

Levy of fees. 14. It shall be lawful for the Authority to levy at such rate as may, by regulations be specified, a fee for grant of permission under any provision of the Act. All fee realized under this Act shall be credited to the Authority Fund.

Budget. 15. The Authority shall prepare or cause to be prepared in consultation with the Executive Group every year, in such form and at such time as may be prescribed, an annual budget estimate in respect of the next financial year showing the estimated receipts and disbursements of the Authority and shall submit a copy thereof to the State Government for prior approval before incurring any expenditure from the Budget provisions.

Subventions and Loans to the Authority. 16. (1) The State Government may, from time to time, make subventions to the Authority for the purpose of this Act on such terms and conditions as the State Government may determine.

(2) The State Government may, from time to time, advance loans to the Authority on such terms and conditions, not inconsistent with the provisions of this Act, as the State Government may determine.

Powers of the Authority to borrow.

17. The Authority may, from time to time, with the previous sanction of the State Government and subject to the provisions of this Act, and under such terms and conditions as may be determined in this behalf, borrow any sum required for the purpose of this Act.

Accounts and Audit.

18. (1) The Authority shall cause to be maintained proper books of accounts and such other books as the rules made under this Act may require and shall prepare in accordance with such rules an annual statement of accounts.

(2) The Authority shall cause its accounts to be audited annually by such persons as the State Government may direct.

Power to make rules.

19. (1) The State Government may make rules for carrying out the purposes of this Act.

(2) Every rules made under this Act shall be laid, as soon as may after it is made, before the Assam Legislative Assembly while it is in sessions for a total period of fourteen days which may be comprised in one session or two successive session and if, before the expiry of the session, in which it is so laid or the sessions immediately following, the Assam Legislative Assembly agree in making any

modification in the rule or the Assam Legislative Assembly agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

APPENDIX

Definition of Cultural Resources in Majuli Core Area and Buffer Area or Majuli Cultural Landscape Region.

HYDROLOGIC TYPE

Small Ponds (pukhuris) :

such as washing or homestead fishery.

Hola (depression in fields) :

Holas are natural depressions in the paddy fields, mostly located in the interior landscape, smaller than a wetland (beel) are shared by local communities for feeding, washing cows, buffaloes sometimes fishing. Various economically important local grasses, weeds are also found here. During rainy season water gets accumulated due to slopes which may get dry.

Khal (a man made linear dug out for making roads) :

Usually found alongside the road as shallow ravine. The khals are man made water bodies which are created as leftover linear dug out earth from which is dumped for constructing the road. The khals exhibit multipurpose use of a fishery, a vegetable yard on a hanging bamboo palisade and a boundary for the household.

Dubi/ Duba (water body near road caused by seasonal flood) :

A dynamic creation of flood, scouring of shifting river channel in the riparian flood plains of Majuli, a dubi becomes identifiable only

post flood season when water recedes, which leaves the channels dry, and dubi or a deep sheet of leftover water along the source remains. The dubis/ dubas get charged with floodwater again in the subsequent season and therefore it becomes a constant source of fish and other aquatic species from the river.

Pitoni/ Doloni (shallow marshy land with savannah type of grass) :

A pitoni and a doloni, in local term for shallow marshy land is usually found in the interior landscape of Majuli. Sometimes they are fed by streams or small channels, remains muddy with ankle deep water. A prime spot for various zoo and phytoplankton, various reeds such as khagori, nal and other medium height savannah type of grasses along with water weeds, it is a major breeding ground for most of the migratory and local birds. Fishes mostly murrel and cat types are abundant here which attracts birds from Bortokola to Kamsarai. In summer noon buffaloes and cows are found to be grazing and wallowing in these shallow and muddy swamps.

Beel (large wetlands)

Large static water bodies connected by small streams or depressions, most of the times beels in Majuli are directly connected to interior large streams or Brahmaputra river in high floods. They sometime form a water network system with various other water components such as pitoni, jan, small rivers etc. A identifiable entity for its largeness beels are mostly shared by all the villages surrounding it for fish, aquatic plants, economic plants and as a water source for winter paddy and rabi crops.

Jan (small stream, may dry up in seasonal variation)

Suti (perennial stream)

Nadi/ Noi (River)

LAND TYPE

FIELDS

Low land/ High Land/ Open field/ River Bank etc.

Dhanoni (paddy field)

Mahtoli (Pulse field)

Sariah toll (mustard field)

Grazing Land

Temporal Islets and sand bars (Char/ Chapori)

Forest Areas (vegetation types-deciduous/ evergreen/ legumes/ shrub etc. – entire bio-resource)

Groves (a spatial area where the grasses are grown/ found)

Noloni (Nal reeds in low lying areas)

Khagori (Khagori reed in low lying areas)

Ikora (Ikra char, savannah vegetation)

Kahuwa (char, savannah grass)

Kheroni (char, savannah grass)

Bahoni and Betoni (bamboo and cane)

SETTLEMENT TYPE :

Mishing Village : Dahgam and Baragam or spatially located near natural components/ architecture etc.

Deori Village : All Deori villages

Sonowal Kachari Village :

Professional Villages :

Potters village

Weavers Village

Fisherman Village

Special Craft Village

Village with predominant practice of art and culture

Sattrra region village :

Villages which come under direct sattra influence

Villages/ areas with indirect customary laws of Sattrra.

SCHEDULE
EXISTING SATTRAS
IN MAJULI CULTURAL LANDSCAPE REGION :

List of existing Sattras in Majuli Core Area :

NAME	LOCATION
1. Auniati	Jugunidhari, Bortani (udasin/ celebrate)
2. Garamur	Garamur (udasin/ celebrate)
3. Dakhinpat	Dakhinpat (udasin/ celebrate)
4. Bhogpur	Bogpur, Deo dia Ati (udasin/ celebrate)
5. Natun Kamalabari	Kamalabari (udasin/ celebrate)
6. Uttar Kamalabari	Kamalabari (udasin/ celebrate)
7. Madhay Kamalabari Sattra	Hazarikachuk (udasin/ celebrate)
8. Bengena-ati	Bengena-ati (grihasthi)
9. Natun Samaguri	Raonapaar
10. Purani Samaguri	Bangaon, karhal gaon

11. Saru Garamur Garamur Ashrami Sattrā
12. Dakhinpat Grihasthi/
Ashrami Sattrā Naoshali Gaon, Dakhinpat
13. Dighali Dighali beel
14. Belosidhia Belosidhia, Mohkina Dhekiajuli
(grihasthi)
15. Adhar Kamalabari, Na sattrā (grihasthi)
16. Bihimpur Kamargaon, Raonapaar
17. Narasinha (Bar Alengi) Bhakatiduar, Silikhaguri (grihasthi)
18. Malual Karatipar, Maharichuck
19. Sakala Dhodang Chapori Kalang Suti
(grihasthi)
20. Matiabari Rajgurubari (Bhogpur sattrā)
21. Sarjan Pakajara (grihasthi)
22. Dikhow Mukhia Alengi Ratanpur (grihasthi)
23. Ahatguri Sattrā Dhodang Chapori
24. Alengi Madarguri Bali Chapori
25. Natun Sakala Sattrā Dhodang Chapori, Kalang Suti
(grihasthi)

- | | |
|---------------------------------------|---|
| 26. Alengi Sattr | Balichapori |
| 27. Bar Alengi Sattr | Balichapori Kakarikata
(Porabheti Baralengi) |
| 28. Dikhow Mukhi Bah Jengani
sattr | Ratanpur |
| 29. Owa Sattr | Kerelagaon, Kamalbari (grihasthi) |
| 30. Punia Sattr | Phulani (grihasthi) |
| 31. Tokoubari Sattr | |

M. K. DEKA,
Commissioner & Secretary to the Government of Assam
Legislative Department, Dispur.