

(1170)

**GOVERNMENT OF MEGHALAYA
FOREST AND ENVIRONMENT DEPARTMENT**

NOTIFICATION

No. FOR/CC/29/2019/1140

Dated Shillong, the 13th February, 2024

Whereas, in compliance of directions issued by the Hon'ble High Court of Meghalaya in proceedings held before them in Public Interest Litigation No. 10 of 2019 In Re.: Cleanliness of Umiam Lake vs State of Meghalaya, the Government of Meghalaya made the Meghalaya Waterbodies (Preservation and Conservation) Guidelines, 2023 vide Notification No. FOR/CC/29/2019/Pt/688 dated 18th July, 2023;

And whereas, the Hon'ble High Court of Meghalaya in proceedings held before them in the said Public Interest Litigation on 19th October, 2023 noted that the said guidelines contain obvious mistakes which need to be corrected;

And whereas, the Hon'ble High Court of Meghalaya in the said proceedings directed that the said guidelines shall be corrected, modified, revisited and republished;

And whereas, the Hon'ble High Court of Meghalaya in the said proceedings also directed that the concerns indicated by the Respondent No.6 in the said Public Interest Litigation must be addressed both to ensure that the aesthetics around a waterbody and natural beauty are not compromised in the name of developed or only for the purpose of allowing private construction to come up;

And whereas, the said guidelines were revisited by an Expert Committee consisting of, among others, Respondent No.6 in the said Public Interest Litigation;

Now therefore in compliance of the directions issued by the Hon'ble High Court of Meghalaya and on recommendation of the said Expert Committee, the Government of Meghalaya hereby makes the following guidelines to amend the Meghalaya Waterbodies (Preservation and Conservation) Guidelines, 2023, namely:-

1. Short title, extent and commencement. (1) These guidelines may be called the Meghalaya Waterbodies (Conservation and Protection) Amendment Guidelines, 2023.

(2) These guidelines shall extend to the whole of Meghalaya.

(3) The guidelines shall come into force on the date of their publication in Meghalaya Gazette.

Amendment of clause (c) in paragraph 2. In the Meghalaya Waterbodies (Conservation and Protection) Guidelines, 2023 (hereinafter referred to as the "principal guidelines"), in clause (c) in paragraph 2, the words and figure "no-construction zone" and "paragraph 5" shall respectively be substituted by the words and figure "waterbody setback" and "paragraph 7".

2. Insertion of a sub-paragraph in paragraph 7. In the principal guidelines, in paragraph 7, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely: -

“(1A) Width of regulated zone for a waterbody shall be four times the width of waterbody setback for such waterbody applicable for water bodies mentioned in Appendix 1 and Appendix 2 only.

Provided that in the cases where a part of the regulated zone of a waterbody falls outside its catchment area, extent of the regulated zone at such locations shall be limited to catchment area of such waterbody.”

3. **Merging of Appendix 3 and Appendix 4**, which will now read as Appendix 3 in para 7.

4. **Substitution of paragraph 9**. In the principal guidelines, paragraph 9 shall be substituted by the following paragraph, namely: -

“9. **Restriction on installation or construction of hoarding, billboards, signages, buildings and certain other built forms to protect and maintain strategic scenic Vistas**. Notwithstanding anything contained in these Guidelines, hoardings, billboards, signages, buildings and built forms of such size and other specifications, as may be prescribed, shall not be installed or constructed in waterbody setback, regulated zone and such other areas located in vicinity of regulated zone, as may be prescribed, to protect and maintain strategic scenic Vistas by ensuring unhindered view of waterbodies from the nearby roads, highways and other viewpoints.”

Sd/-
(D.P. Wahlang, IAS)
Chief Secretary
Government of Meghalaya

Memo No. FOR.CC/29/2019/1140-A

Dated Shillong the 13th February, 2024.

Copy forwarded to:

1. PS to the Chief Minister of Meghalaya for kind information of the Hon'ble Chief Minister.
2. PS to the Chief Secretary to the Government of Meghalaya, with a request to bring to the kind information of the Chief Secretary.
3. PA to the Additional Chief Secretary to the Government of Meghalaya, Home (Police)/Water Resources Departments with a request to bring to the kind information of the Additional Chief Secretary.
4. PA to the Commissioner & Secretary to the Government of Meghalaya, Forest & Environment/ Public Health Engineering/Urban Affairs/Planning/Finance/Soil and Water Conservation Departments with a request to bring to the kind information of the Commissioner & Secretary.
5. The Secretary to the Government of Meghalaya, Forest & Environment/Water Resources Departments for information.
6. The Principal Chief Conservator of Forest & HoFF, Forest & Environment Department, Meghalaya, Shillong.
7. The Chairman, Meghalaya State Pollution Board, Shillong.
8. The Member Secretary, Meghalaya State Pollution Board, Shillong.
9. The Deputy Commissioner, East Khasi Hills District, Shillong for information and necessary action
10. The Director Urban Affairs Department, Meghalaya, Shillong.
11. The Director Soil & Water Conservation Department, Meghalaya, Shillong.
12. The Director of Printing & Stationery, Meghalaya, Shillong for publication in the Meghalaya Gazette.
13. The Chief Engineer Public Health Engineering Department Meghalaya, Shillong.

14. The Chief Engineer (Environment & Sanitation) PHED, Meghalaya, Shillong.
15. The Chief Executive Officer, Smart City Project/Shillong Municipal Board, Shillong for information and necessary action.
16. The Chief Conservator of Forests (Social Forestry & Environment), Meghalaya, Shillong.
17. The Secretary to Executive Committee, Khasi Hills Autonomous District Council, Shillong.
18. The Chief Executive Officer, Shillong Cantonment Board. Shillong.
19. Shri Nababrata Bhattacharjee, Chairman, State Expert Appraisal Committee (SEAC), Silviculture Building, Lower Lachauchiere, Shillong-793001.
20. The Senior System Analyst, NIC, Shillong with a request to upload in the Government website.

By orders, etc.,



Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department
Meghalaya

Table: 3. SITTING NORMS FOR BUILDINGS AND OTHER STRUCTURES FOR RIVERINE WATERBODIES WITHIN URBAN AREAS

Sl.No.	Width of Riverine Body	Extent of Waterbody Setback	Parameters for Regulatee Zone				
			Maximum Plot Coverage	Maximum F.A.R	Maximum Number of Floors	Maximum building height	Type of Building
1.	Up to 3 m	3 m	As per the Meghalaya Building Bye-Laws, 2021				
2.	More than 3 m	6 m	As per the Meghalaya Building Bye-Laws, 2021				