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NOTIFICATION

No. Q. 11011/2/2008-PHE, the 11th April, 2023. In exercise of powers conferred by chapter III, Para 23 of the Lushai Hills District (Village Council) Act 1953 and whereas in pursuance of the Operational Guidelines for the Implementation of Jal Jeevan Mission (Har Gar Jal) Chapter – 5 (5.4) w.e.f. 21-12-2019, and in supersession of Notification vide No.Q-11011/2/2008-PHE dt. 11th September 2019, the Governor of Mizoram is pleased to frame Guidelines for the Mizoram Decentralization of Water Supply and Sanitation in Rural Villages and Habitations, 2023 as follows:

1. Title, Extent and Commencement

- (1) These guidelines may be called 'Guidelines for the Mizoram Decentralization of Water Supply and Sanitation in Rural Villages and Habitations, 2023'.
- (2) These shall apply to the rural village and habitation in Mizoram
- (3) These shall come into force on the date of publication of notification in the official gazette.

2. Definitions

In these guidelines, unless the context otherwise requires:

- (1) 'Competent Authority' means Executive Engineer holding the post of Divisional Office under Public Health Engineering Department
- (2) 'Department' means Public Health Engineering Department (PHED)
- (3) 'Government' means government of Mizoram.
- (4) 'Habitation' means separate small settlement having parent village.
- (5) 'NGO' means Non-Governmental Organization registered under the Mizoram Societies Registration Act, 2005.
- (6) 'O&M' means Operation and Maintenance of completed water supply and sanitation scheme.
- (7) 'WATSAN Committee' means Village Water and Sanitation Committee.

3. Constitution of Village WATSAN Committee

- (1) In every village and habitation, a Village Water and Sanitation Committee (WATSAN Committee) shall be constituted by the Village Council which shall consists of the following Office Bearers and members, namely:

Office Bearers:

- (i) Chairman : Village Council President (VCP) Ex-Officio.

- (ii) Secretary : Representative from Young Mizo Association (YMA) or equivalent to YMA from other NGO.
- (iii) Treasurer : Representative from Mizoram Hmeichhe Insuihkhawm Pawl (MHIP) or equivalent to MHIP from other NGO.
- (iv) Fin. Secretary : School Teacher.

Members:

- (i) One representative from Village Council – Ex Officio Member.
 - (ii) One Junior Engineer from PHED - Ex officio Member.
 - (iii) One representative from Social Welfare Department.
 - (iv) One representative from each renowned NGO in the village or habitation.
 - (iv) One representative from Health & Family Welfare Department.
 - (v) One or more Swachhagrahi in the village or habitation.
 - (vi) Not more than 2 persons having experience in public service or in possession of technical knowledge in the line or any other suitable persons residing in rural village and habitation.
- (2) The tenure of office bearers and members of WATSAN Committee shall be 1 (one) year, whereas the chairman will continue to hold the same post during the tenure of village council as notified by the government from time to time. The WATSAN Committee may also be formed through collective decision made by the community of the village in accordance with traditional local self-governance. In the event of mid-term vacancies, new members may be selected by the committee for the remaining term.
- (3) The WATSAN Committee shall meet at least once in 3 months or more often as may be required.
- (4) One-third of the members shall form a quorum in all meeting of WATSAN Committee.
4. Constitution of Integrated Village WATSAN Committee
Where two or more Village Councils exist in a village, an Integrated Village WATSAN Committee may be formed by the Joint Village Council in proportionate manner with all conditions provided in clause (1), (2), (3) and (4) of Para 3 above and the duty and functions assigned to them provided in clause (1), (2), (3) and (4) of Para 5 below.
5. Duties and functions of the Office Bearers
The Office Bearers shall discharge all functions and duties pertaining to their respective office in addition to any other duties and functions assigned to them by WATSAN Committee.

(1) *Chairman* :

- (i) He shall preside over all meetings of the WATSAN Committee.
- (ii) He shall have the authority to give general directions in regard to all functions and activities of the WATSAN Committee.
- (iii) He shall have the authority to appoint a person among the members of the WATSAN Committee to perform all the duties of the Chairman in his absence.

(2) *Secretary* :

- (i) He shall carry out all activities of the Committee in line with the guidelines issued by the State Government from time to time.
- (ii) He shall call a meeting of the WATSAN Committee as directed by the Chairman, record the proceeding, and prepare and maintain all necessary files, registers and records as well as all other documents required for the transaction of the business of the WATSAN Committee. He shall make all correspondences on behalf of the Committee.

- (iii) He shall place all communications received on matters requiring attention of the WATSAN Committee to the Chairman.
- (iv) He shall maintain updated list of members of the WATSAN Committee.

(3) *Treasurer :*

- (i) He shall keep the WATSAN Committee's fund with proper account and shall be responsible for the safe custody of fund.
- (ii) He shall be jointly responsible with the Finance Secretary for the proper maintenance of the accounts of the Committee.

(4) *Finance Secretary :*

- (i) He shall keep accounts of the WATSAN Committee's fund and record all receipts and expenditure in accordance with the notification and guidelines framed by the State Government from time to time.
- (ii) All monetary transactions shall be made through him.
- (iii) He shall be jointly responsible with the Treasurer for the proper maintenance of the accounts of the Committee.

6. The new WATSAN Committee

The Village Council shall constitute a new WATSAN Committee within two months from the date of formation of a Village Council.

7. Functions of the WATSAN Committee and Integrated WATSAN Committee.

The WATSAN Committee is expected to generate a sense of ownership, ensure the financial viability and sustainability of source and system. The Committee shall perform to bring about improved water supply and sanitized village in all aspect for the following functions:

(1) Water Supply

- (i) The WATSAN Committee shall be responsible for management, supervision and overall operation and maintenance of the water supply scheme (s).
- (ii) The WATSAN Committee will ensure the equitable distribution of water to the users.
- (iii) The WATSAN Committee shall ensure proper quality of water in the system including regular monitoring and shall maintain records of quality monitoring of water.
- (iv) The necessary materials for routine maintenance may be procured by the WATSAN Committee and the fixing or replacement shall be done by the workers employed by the WATSAN Committee.
- (v) The WATSAN Committee shall be at liberty to fix water charges keeping in view sustaining water supply system. The realization of water charges shall be done by WATSAN Committee and the entire amount on account of this shall be retained by the WATSAN Committee, which shall be used for management of water supply works in the village.
- (vi) The WATSAN Committee may sanction any public stand post and private connection in consultation with the Sub-Divisional Officer, PHE Department.
- (vii) Implementation of schemes/projects connected with development and improvement of watershed for the sources of water supply and protection of water supply source.
- (viii) The WATSAN Committee shall maintain record of misuse of water by an individual or user group and shall take suitable action at their level. The WATSAN Committee shall be authorized to impose any penalty or compensation on miscreants.
- (ix) All routine repairs shall be done by the WATSAN Committee while special repairs/ replacement shall be done by the maintenance team of PHE Department. The special

repair means any major disruption in the scheme, major damage to pipelines, storage tanks, treatment plants, intake and source of water due to any event, natural or man-made.

- (x) The WATSAN Committee shall maintain record of discharge of water source as prescribed by PHE Department from time to time.
 - (xi) Co-ordination with the designated officials of the Public Health Engineering Department, for carrying out the major repair and replacement works in case of major breakdown arising out of natural calamities or abnormal situation.
 - (xii) The WATSAN Committee shall be responsible for appointment of person(s) and his (their) wage(s) in consultation of concerned Sub-Divisional Officer of PHE Department. The WATSAN Committee can remove the person(s) selected if their work is not found satisfactory. The payment to all skilled as well as unskilled workers shall be made by using funds generated by the WATSAN Committee or grants given by the State Government.
 - (xiii) The WATSAN Committee shall maintain all records like attendance registers of the workers, their wages, payment and all other transactions of any type in the operation and maintenance of the scheme.
 - (xiv) The WATSAN Committee will not make any change, additional, alteration or modification in the system in any form without the approval of competent authority of PHE Department.
 - (xv) The WATSAN Committee shall make land available for successful implementation of any project free of cost.
 - (xvi) The WATSAN committee shall maintain a register of complains and the action taken on them along with outcome. The Committee will also maintain a record of break downs indicating the time and duration of break down on the specified format.
 - (xvii) The payment of energy bills shall be made by the WATSAN Committee.
 - (xviii) Formulation and implementation of the projects including augmentation schemes subject to the provisions of this notification and in conformity with guidelines as maybe prescribed by the Government.
- (2) Sanitation
- (i) The WATSAN Committee shall be responsible for planning and implementation, management, supervision and overall operation and maintenance of the sanitation facilities created in the village.
 - (ii) The frequency of routine sanitary survey/inspection shall be carried out by the WATSAN Committee.
 - (iii) The WATSAN Committee shall promote personal hygiene, home sanitation, safe water, proper garbage disposal, excreta disposal and waste water disposal.
 - (iv) The Committee shall make a demand for sanitary facilities in the village for household, schools, Anganwadis and community sanitary complex.
 - (v) The sanitary indicator shall be maintained as may be prescribed by PHED for determinants of quality of life and development index.
 - (vi) It shall motivate village people to adopt hygienic behavior as a way of life.
 - (vii) The necessary materials for routine maintenance may be done by the WATSAN Committee and the fixing or replacement shall be done by the workers employed by the WATSAN Committee.
 - (viii) The WATSAN Committee shall be at liberty to fix sanitation fee to sustain sanitation system. The realization of sanitation charges shall be done by WATSAN Committee and the entire amount on account of this shall be retained by the WATSAN Committee, which shall be used for management of sanitation facilities in the village.

- (ix) The WATSAN Committee shall maintain record of misuse of sanitation facilities by an individual or user group and shall take suitable action at their level. The WATSAN committee shall be authorized to impose any penalty or compensation on miscreants.
 - (x) All routine repairs shall be done by the WATSAN Committee while special repairs/replacements shall be done by the maintenance team of PHE Department. The special repair means any major disruption in the scheme, major damage to sanitation facilities and infrastructures due to any event, natural or man-made.
 - (xi) The duties and functions of Committee shall be binding as provision of Para 7, under sub-clause (xi) to (xix) of Clause (1).
8. Selection of Scheme for transferring to WATSAN Committee
- (1) The area of service should be the area covered by the scheme.
 - (2) The entire scheme should be in a satisfactory working condition without any history of frequent break downs and crisis that require intensive technical supervision and manipulation.
9. Joint walk through by PHED Officers and WATSAN Committee
- (1) Before handing over the system a walk through including the members of the WATSAN Committee, user group and officials of PHE Department should be made. The proceedings of the walk through, including the comments of all the participants be recorded and this record shall be maintained in the office of Sub-Division and Division / WATSAN Committee.
 - (2) An inventory of all the components indicating their state of working should be made and jointly signed by the representative of the WATSAN Committee and the department and a copy of the same should be handed over to the WATSAN Committee and one copy should be retained in the office of the Sub-Division as well as Division.
10. Transfer of assets
- (1) A key plan and details of the scheme indicating the functional assets and non-functional assets of each component should be prepared. The details of each component which should be jointly signed by the WATSAN Committee representative and the PHE Department officers should be kept in the records of WATSAN Committee as well as in the department.
 - (2) The manpower already deployed by the department on the operation & maintenance of the schemes shall be placed at the disposal of the WATSAN Committee, if the WATSAN Committee opts for the deployment of departmental workers. Otherwise the WATSAN Committee shall be at liberty to employ workers as per the necessity. The number of workers skilled as well as unskilled maybe decided mutually by the Sub-Divisional Officer of PHE Department and the WATSAN Committee.
11. Funding Pattern
- (1) Any financial assistance released to the WATSAN Committee shall be deposited into bank account.
 - (2) PHE Department shall release financial assistance on the basis of actual requirement for implementation of new works and to facilitate Operation & Maintenance of existing scheme. The assessment of the requirement of the funds shall be done by the WATSAN Committee with the help of the Sub-Divisional Officer concerned under PHED and a consolidated demand shall be submitted to the Department as per the prescribed format annexed to these guidelines as Annexure – II.

12. Fund of WATSAN Committee

The fund of the WATSAN Committee shall consist of the following:

- (1) Any grants received from the Government.
- (2) Contribution made by the Village Council/WATSAN Committee.
- (3) Voluntary donation that may be received.
- (4) Water fees/sanitation fees that may be levied and collected under clause (1)(v) & (2) (viii) of Para 7.
- (5) Loans and advances that may be allowed to be taken as per scheme formulated or approved by the State Government.
- (6) Any other receipts that may be obtained.

13. Implementation of new schemes/projects

Notwithstanding the various functions of the WATSAN Committee or integrated WATSAN Committee, new schemes/projects may be taken up for any village or group of villages by the State Government under any particular scheme that may be formulated.

Provided that the respective WATSAN Committee or the integrated WATSAN Committee shall ensure that the issues related to the ownership of water source and sites for installation of the water supply and sanitation systems are resolved.

The new Schemes/projects shall be implemented in conformity with guidelines as may be prescribed by the Government from time to time.

14. Financial Transactions

- (1) For the purpose of carrying out financial transactions, the WATSAN Committee or the Integrated WATSAN Committee shall open Saving Bank account in nationalized bank or the State Co Operative Bank or the Mizoram Rural bank and the same shall be operated under joint signatures of the respective Chairman and Finance Secretary.
- (2) All money received under Para 12 of the guidelines shall be deposited in the Bank account referred to in clause (1) above.
- (3) All transactions of expenditure and receipts shall be recorded in Cash Book Registers and such further registers shall be maintained as may be specified by the State Government from time to time.
- (4) All money receipts and expenditures accounts/records shall be maintained in systematic manner.

15. Stock Registers

Separate Registers shall be maintained for materials received and materials issued.

16. Audit

- (1) The Executive Engineer of the Public Health Engineering Department in-charge of the concerned area shall appoint an audit team, consisting of officials, including officials from the Public Health Engineering Department, for Annual Audit.
- (2) The audit report shall be made available to the Village WATSAN Committee for settlement of the observations and objections made by the audit team. Provided that the accounts may be audited by the State Government at any time.

17. Power to make Guidelines and procedures
 - (i) The State Government may make guidelines for the purpose of carrying into effect the current good governance.
 - (ii) The village WATSAN Committee or the Integrated village WATSAN Committee may make procedures for the conduct of day-to-day business by delegating its respective powers and functions as may be required for the purpose.
18. Removal of Difficulties
Any difficulty, anomaly or doubt arising from the guidelines shall be referred to the State Government, whose decision shall be final.

C. Lalremsiama,
Secretary to the Government of Mizoram,
Public Health Engineering Department.

Annexure-I

MEMORANDUM OF UNDERSTANDING (MOU)

This is to confirm the Agreement between the Village Water and Sanitation Committee (WATSAN Committee) _____ Block _____, District _____ and Department of Public Health Engineering, Mizoram Government.

Scope of Work

Under this Agreement all parties agree to undertake the work in accordance with the Agreement as per description of activities agreed upon as exhibited in Annexure-II to the Agreement. The description of activities forms an integral part of this Agreement and hence is binding on the parties.

Chairman
_____ WATSAN Committee

Executive Engineer, PHED

Annexure-II

Description of Activities of WATSAN Committee

1. The WATSAN Committee shall be responsible for operation and maintenance of the water supply and sanitation scheme.
2. The WATSAN Committee shall be responsible of appointment of persons and their wages in consultation of concerned Sub-Divisional Officer, PHED. The WATSAN Committee can remove the persons selected if their work is not found satisfactory.
3. The Committee shall maintain all records like attendance registers of the workers, their salary bills, payment and all other transactions of any type in the operation and maintenance of scheme.

4. The WATSAN Committee will not make any change, addition, alteration or modification in the system in any form without the approval of competent authority of PHED.
5. The WATSAN Committee may sanction any public stand post and private connection in consultation with the concerned Sub-Divisional Officer, PHED. The WATSAN Committee will ensure the equitable distribution of water of the users.
6. Committee shall maintain a register of complaints and the action taken on them along with outcome. The Committee will maintain a record of break downs indicating the time and duration of break down on the specified format.
7. A monitoring Committee of the user group shall be formed by the WATSAN Committee to oversee the working of staff, which shall report the irregularities to the WATSAN Committee for taking action against the defaulter.
8. The Committee shall maintain record of misuse of water by an individual or user group and shall take suitable action at their level. The WATSAN Committee shall maintain records of quality monitoring of water and discharge of water source(s) as prescribed by PHED.
9. Sanitary survey shall be conducted periodically. Overall improvement of general health conditions shall be maintained in record.
10. The beneficiary WATSAN Committee shall open and maintain a Bank Account in a Government recognized bank. All WATSAN Committee Cash resources and any Government grant shall be deposited into the bank account of the WATSAN Committee and the fund so accrued shall be utilized for Operation & Maintenance (O&M) of the Scheme.

PHE Department

1. The PHE Department will arrange for training of the staff employed by the WATSAN Committee.
2. The Engineers of PHE Department shall inspect the scheme regularly as per norms and issue necessary observations and guidelines.
3. Periodical meeting by the Departmental Officers with the WATSAN Committee shall be conducted to sort-out the issues and the observations of the inspecting Engineers. Such meeting shall be at least twice in a year.
4. The Department shall maintain records of all events and changes in the schemes and shall carry out regular evaluation of the policy of transfer of schemes.
5. WATSAN Committee will prepare a statement of private water connections or sanitary facilities if any and handover the statement of PHE Department.
6. The PHED shall maintain the record of grants, reimbursements and any other financial assistance provided to the WATSAN Committee & get it audited as per the standard procedure of the Department.
7. All O&M works shall be done by the WATSAN Committee and any technical support in case of major repair/break down the O&M maybe sought from the PHED which will be given by the concerned PHED Division.

The guidelines for transfer of operation and maintenance of completed schemes of Rural Water Supply and Sanitation Schemes to WATSAN Committee issued by the Government of Mizoram shall be a part and parcel of the MoU/agreement, the decision of the Executive Engineer will be binding on both the parties.

Chairman
_____WATSAN Committee

Executive Engineer
PHE Department

Annexure -III

HANDLING OVER COMPLETED SCHEME TO THE WATSAN COMMITTEE

The completed _____ Scheme for the village of _____ is handed over to WATSAN Committee in accordance with WATSAN Committee guidelines notified by the PHED, Government of Mizoram in order to operate regularly Operation & Maintenance to keep sustainability of the scheme. The scheme is completely handed over today onwards for looking after the scheme in good condition.

Venue :
Time :

The list of spare materials is maintained and also handed over to the Committee.

The Memorandum of Understanding (MoU) is an integral part of this handed over scheme and hence is binding on the parties.

Provider	Recipient
(Executive Engineer, PHED or his Representative)	(Chairman, WATSAN Committee or his Representative)
Name (Seal)	Name (Seal)

Witness :

1. _____
2. _____

Annexure -IV

Requirement of Fund

Village :
District :
Division, PHED :

Sl.No.	Name of Works	Amount	Reason	Remarks
TOTAL				

(Rupees _____) only

Chairman
WATSAN Committee

Secretary
WATSAN Committee