

CHHATTISGARH ACT
(No. 22 of 2006)

THE CHHATTISGARH RAJIM KUMBH MELA ACT, 2006

Contents

Section

1. Short name, extent and commencement
2. Definitions
3. Powers to appoint committees and officers
4. Powers to impose tolls and fees
5. Powers to grant license
6. Allotment of sites
7. Powers to make rules
8. Powers of Mela Officer to make orders
9. Powers of Mela Officer on outbreak of fire
10. Penalties
11. Powers to remove unauthorized construction
12. Recovery of dues
13. Delegation of powers
14. Municipal functions

15.CHHATTISGARH ACT

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THE CHHATTISGARH RAJIM KUMBH MELA ACT, 2006

An Act to provide for the proper management of the Kumbh Mela at Rajim.

Be it enacted by the Chhattisgarh Legislature in the Fifty-Seventh year of the Republic of India, as follows: -

1. Short Title extent and commencement
- (1) This Act may be called "The Chhattisgarh Rajim Kumbh Mela Act, 2006".
 - (2) It shall extend to such area as may from time to time be notified in the official gazette by the Government as the Rajim Kumbh Mela Area.
 - (3) It shall come into force from the date of its publication in the Official Gazette.

2. Definitions

In this Act unless the context otherwise requires -

- (1) 'Chief Health Officer' means an officer appointed under sub-section (4) of Section 3 of the Act,
- (2) 'Collector' means a collector under the Chhattisgarh Land Revenue Code, 1959 (No. 20 of 1959)
- (3) 'District Magistrate' means the District Magistrate of the concerned district,
- (4) 'Government' means the Government of Chhattisgarh.
- (5) 'Mela Area' means the area notified as such under sub-section (2) of section 1,
- (6) 'Mela Fund' means the fund whereto all receipts on account of the imposition of tolls, fees, taxes etc. during the Meal Season in the Mela Area, grant-in-aid from the

Government, donations, and any other money received for the Mela shall be credited,

(7) 'Mela' means the Kumbh Mela at Rajim held every year, and the Mahakumbh Mela held at Rajim once every 12 years,

(8) 'Mela Officer' means an officer appointed under sub-section (3) of Section 3 of the Act,

(9) 'Mela Season' means the period notified in the official gazette as the Rajim Mela Season by the Government,

3. Powers to appoint Committees & officers

(1) The Government shall appoint a Central Committee to formulate policy and guide and advise the District Magistrate, the Mela Officer and the Local Committee in the performance of their duties under this Act,

(2) The Government may also appoint Local Committees to assist the District Magistrate and the Mela Officer in the performance of their duties under this Act,

(3) The Government shall appoint any officer not below the rank of Deputy Collector to perform the duties of Mela Officer,

(4) The Government shall appoint any medical officer as Chief Health Officer for the Mela.

4. Powers to impose tolls and fees

Subject to the general and special orders of the Government, the Mela Officer may in consultation with the Local Committee, if it has been appointed under subsection (2) of section 3, impose within Mela Area: -

(i) Tolls on any vehicle or animal entering, or any person bringing goods for sale into such area, and

(ii) Fees on the registration of animals sold within such area.

5. Powers grant to licence

(1) No person shall be allowed to practice any profession or trade in the Mela Area during

the Mela Season without taking a licence from the Mela Officer,

- (2) The procedure for grant of licence may be prescribed by rules,
- (3) The conditions and fees of licence shall be fixed by the Mela Officer.

6. Allotment of sites

- (1) The Mela Officer may allot sites by public auction or otherwise as he may deem necessary for any purpose not repugnant to Hindu religion, to any person or class of persons, and may fix such rent for the site as may appear reasonable to him,
- (2) Without prejudice to the generality of the power conferred by sub-section (1), the Mela Officer may allot sites for the following in particular: -
 - (i) Hindu religious societies;
 - (ii) Social and other organizations;
 - (iii) Sweet shops and restaurants;
 - (iv) Officials;
 - (v) Market places;
 - (vi) Latrines, urinals and rubbish heaps;
 - (vii) Bathing places;
 - (viii) Recreation;
 - (ix) Agricultural, industrial and other exhibitions and demonstrations;
 - (x) Post, telegraph and telephone offices;
 - (xi) Centers of medical aid;
 - (xii) Centers for rest and protection;
 - (xiii) Fire station/Fire extinguisher.

7. Powers to make rules

- (1) The Government may make rules to carry out the purposes of this Act,
- (2) Without prejudice to the generality of the powers conferred by subsection (1), the Government may make rules for -
 - (i) The establishment of a Mela Fund;
 - (ii) Expenditure from the Mela Fund;
 - (iii) Utilization of surplus from the Mela Fund;

- (iv) The procedure for grant of licence under section 5;
 - (v) Manner in which orders made by the Mela Officer and the Government under section 8 shall be published;
 - (vi) The Membership and procedure of meetings of the committees to be appointed under section 3;
- (3) Rules made under this Act shall be published in the official gazette,
- (4) Rules made under this Act shall be laid before the Legislative Assembly as soon as possible.

8. Powers of Mela Officer to make Orders

- (1) Subject to the rules made under section 7 and general or special orders of the Government or the District Magistrate the Mela Officer may make orders to carry out the purposes of this Act,
- (2) Without prejudice to the generality of the powers conferred by sub-section (1), the Mela Officer may make orders for: -
- (i) Safety of buildings and structures put up in the Mela Area and the articles brought in the Mela Area;
 - (ii) Supply of water and any material necessary for extinguishing fire;
 - (iii) Restricting the use of fire for cooking or for any other purpose,
 - (iv) Fixing the fees and conditions of licence under section 5;
 - (v) Compulsory isolation and removal of any person suffering from dangerous infectious diseases;
 - (vi) Disinfection of any house, dwelling, building, source of water supply or any other suspected source of infection;
 - (vii) Conditions subject to which persons can enter or leave the Mela Area;
 - (viii) Destruction of any food or other material meant for human consumption;

- (ix) Requisitioning any public or private building and public or private vehicle for a reasonable rent during the Mela Season;
- (3) Orders made by the Mela Officer shall be published in the manner as may be prescribed,
- (4) Any person may prefer any objection to the Government about such orders within 15 days of their publication,
- (5) The Government may by order either on its own motion or on an objection made to it, set aside, or modify any order made by the Mela Officer,
- (6) Any such order of the Government setting aside or modifying any order made by the Mela Officer under this section shall also be published in the prescribed manner.

9. Powers of Mela Officer on outbreak of fire In the event of an outbreak of fire, the Mela Officer or any person specially authorized by the Government in this behalf may order the demolition of any structure within the Mela Area if in his judgment its demolition is necessary or expedient for preventing the fire from spreading and no suit or other proceeding shall lie for any act done in good faith under this section.

10. Penalties Any person who: -

- (1) Makes any unauthorized construction within the Mela Area; or
- (2) Uses any unauthorized place within the Mela Area as a latrine, urinal or rubbish dump; or
- (3) Practices any profession, trade or calling without a licence obtained under the provisions of section 5 or commits a breach of conditions of such licence; or
- (4) Contravenes any provisions of this Act or of any rules made under this Act; or
- (5) Disobeys any order or direction in writing lawfully issued under this Act;

shall be punished on conviction with simple imprisonment which may extend to three months or with fine which may extend to one thousand rupees or with both, and where the offence is a continuing or recurring one, with a further fine which may extend to Rs 100 (Rs hundred only) for every day after the date of the first conviction during which the offender is proved to have persisted in such offence.

11. Powers to remove unauthorized construction The Mela Officer may remove any unauthorized construction within the Mela Area and the cost of such removal may be recovered from such person making such construction as arrears of land revenue.
12. Recovery of dues (1) If any person fails to pay within the time allowed by the Mela Officer the rent fixed under section 6 or the cost referred to in section 11, the Mela officer may forward to the Collector a certificate specifying the amount due from such a person, and the collector shall give such a person an opportunity to prefer objection and shall after hearing and determining such objections as may be made, recover the amount entered in the certificate or such amount, if any, as he may find to be due, as arrears of land revenue and if the collector finds that no amount is due from such a person, he shall return the certificate to the Mela Officer with his findings.
(2) The Mela Officer may eject any lessee or licensee who contravenes any rules or orders made under this Act from the site allotted to him.
13. Delegation of powers The Government may, by notification in the official gazette, delegate the powers conferred on it under subsections (4), (5), and (6) of section 8 to any authority subordinate to it.

14. Municipal functions within the Mela Area
- (1) Notwithstanding the provisions of Chattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956), Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961) or Chhattisgarh Panchayat Raj Act, 1993 (No. 1 of 1994), Government may by notification in the official gazette empower the Mela Officer or any other officer to exercise all or any of the powers and to perform all or any of the functions of any local self government institution in the whole or any part of the Mela Area for the duration of the Mela Season or any part thereof.
 - (2) So long as and to the extent to which these powers are so vested in an officer empowered under this section, the local self government institution will cease to exercise those powers and to perform those functions in the area so notified and the area shall be deemed to be temporarily excluded from area of such local self government institution.