

**No.C.31011/2/2020-TOUR
GOVERNMENT OF MIZORAM
TOURISM DEPARTMENT**

Aizawl, the 15th January 2021

NOTIFICATION

In exercise of the powers conferred by section 55 of the Mizoram Registration of Tourist Trade Act 2020, the Government of Mizoram is pleased to make the following rules for carrying out the purposes adventure tourism of the aforesaid Act, namely:

**Chapter-I
Preliminary**

1. Short title, extent and Commencement:

- 1) These rules may be called the Mizoram River Rafting Rules, 2021
- 2) These rules shall extend to the whole of the State Mizoram
- 3) They shall come into force from the date of publication in the Official Gazette.

2. Definitions:

1) In these Rules, unless there is anything repugnant in the subject or context:-

- a) "Act" means the Mizoram Registration of Tourist Trade Act, 2020;
- b) "association" means a society registered under the Mizoram Societies Registration Act, 2005 or Mizoram State Sports Council;
- c) "crew member " means the persons who conduct the river rafting operation including the guides accompanying the operation;
- d) "guide" means a person who the purpose of these rules are registered as such and accompany the operation for guiding it's smooth and safe completion;
- e) "operator" means a travel agent(s) whether individual company or an association or a society who is registered as such under the Act for carrying out the river rafting;
- f) "operation" means a river rafting trip to be undertaken or undertaken under these rules;
- g) "participant" means the person(s)who participates in an operation;

h) "raft" means a floated structure as a substitute for a boat to be floated down on a river;

i) "recognized agency" means any training institutes or agencies of adventure courses other than the Government institutes recognized and approved by the Government

j) "season" for the purposes of these rules means the period of fair weather suitable for river rafting which shall be notified by the Government from time to time;

k) "section" means a section of the Act;

l) "travel agent" for the purpose of these rules means a person who is registered and engaged in the business of river rafting operation rearrangements for monitory considerations; and

1) "Technical Committee" means committee constituted by the State Government under rules-6.

2) Word and expression used in these rules but not defined in these rules shall have the same meaning assigned to them in the Act.

Chapter –II Registration

3. Procedure for Application for river rafting:

1) Application for river rafting operation during the ensuring season shall be received in the office of Prescribed Authority, from the registered tour operator from 1st of October to 1st April each year in **Form A** along with bio-data of Guide in **Form B**. The concerned Prescribed Authority, as the case may be shall scrutinize their applications initially and put up the same before the Technical Committee, which shall hold the meeting and fix date, time and venue for the scrutiny/inspection of the documents, equipments, conducting practical, physical tests of guides and final approval by giving at least 15 days clear notice to all the qualified operators.

2) No operator shall be permitted to operate river rafting in the off season. All operators shall follow the procedure as laid down in sub rule(1)

3) The operator(s) or Associations, as the case maybe shall be registered association or firm with the Tourism Department, Mizoram and have a local office for at least one year.

4) River rafting expeditions conducted by the Sports & Youth Services Department shall be exempted from obtaining permission from the Tourism Department

4. Registration and qualifications of operator for river rafting:

1) A qualified person intending to operate river rafting shall apply for registration to the concerned Prescribed Authority in **Form 14 of the Mizoram Registration of Tourist Trade Rules 2020**, along with a prescribed fee which shall be fixed by the Government from time to time by notification in favour of concerned Prescribed Authority. The Prescribed Authority shall issue a certificate of registration to the concerned operator after the approval of the Technical Committee. The license so issued shall be valid for a period of three years from the date of issue.

2) No person other than an operator registered for carrying out the river rafting operations shall be permitted to carry on any operation either directly himself or through his employees unless, the Technical Committee is satisfied that the operator has all the equipments and he/she fulfils other requirements under these rules and his/her proposal has been duly approved cleared by the technical committee.

3) No operator shall be permitted to operate the river rafting unless he/she has trained and qualified guides with at least experience of 3 or 5 years in river rafting of the required standard with good track records.

4) An operator intending to operate river rafting shall possess certificate on watermanship or canoeing or kayaking and shall hold certificate of expedition issued by the Government or recognized agencies.

5. Registration and qualification of the guide:

A person intending to participate in an operation as a guide shall possess certificate on watermanship or canoeing or kayaking and shall hold certificate of expedition issued by the Government or recognized agencies and shall apply to the concerned Prescribed Authority in **Form 10 of the Mizoram Registration of Tourist Trade Rules 2020**, as case may be, in an application along with application fee fixed by the Government from to time, who on being satisfied that the person applying for registration fulfils the requisite qualifications and standard for registration with approval of Technical Committee shall issue a certificate to the person applying for registration. The certificate so issued shall be valid for a period of three years.

6. Constitution of the Technical Committee:

The Government shall, by notification constitute a Technical Committee for river rafting which shall be consisted of the following members, namely:-

- | | |
|--------------|--|
| 1. Chairman | :Secretary, Tourism Department |
| 2. Members | :Deputy Commissioner of the concerned District
Superintendent of Police of the concerned District
Director, Sports & Youth Affairs
Secretary, Mizoram State Sports Council
Chief Medical Officer of the concerned District
Senior Water Sports Instructor
Two member of the local Rafting Associations |
| 3. Secretary | :Director, Tourism Department |

7. Functions of the Technical Committee:

The Technical Committee shall meet at least twice a year, once before the start of season and the second in the last week of financial year. The Committee shall be responsible for the following:-

a) to inspect and certify the equipments with the operator from safety point of view;

b) to scrutinize the bio-data of the operator(s) and guide(s) and conduct their physical test in order to ascertain their expertise and by doing so to approve the issue of license both to the operators as well as their guides;

c) to ensure that the operator(s) and the guide (s) shall follow all safety procedures indicated in their rules;

d) to identify new river and areas for river rafting in the State apart from those already mentioned in rule 15;

e) to notify the exact stretches on the identified rivers where operation can be safely conducted ; and

f) to determine the river capacity of each river every year before the start of any operation;

g) To determine the medical fitness of the guide.

8. Establishment of the Regulatory Committee and its function:

1) The Government shall by notification constitute a Regulatory Committee for river rafting at the District level consisting of the following:-

- | | | |
|----------------------|---|--|
| a) Chairman | : | Deputy Commissioner |
| b) Members | : | Superintendent of Police
Chief Medical Officer
District Sports & Youth Services Officer
Senior Water Sports Instructor
Representative of Tourism Department
Village Council concerned |
| c) Member Secretary: | | Sub Divisional Officer (Sadar/Civil) |

2) The Regulatory Committee shall have the overall control for regulating the operations taking place in the area with the assistance of the concerned Association.

3) The Regulatory Committee may conduct surprise inspection during the operation to ascertain that these rules are being implemented properly.

4) The Regulatory Committee may be entrusted with any other function in relation to river rafting operation by the Government.

Chapter –III Safety Measures

9. Equipments required for carrying out operation:

Each operator shall have to arrange for the following equipments before he is permitted to carry out the operation and at the time of inspection the Technical Committee shall check each equipment and shall get the same stamped through the Tourism Department, Mizoram, namely:-

1. Two rafts with no leaks;
2. Hard body lifejackets – (depending upon capacity of a boat)
3. 7 Paddles and 2 guide paddles per boat;
4. Two frames;
5. Six oars, preferably wooden oars (optional)
6. Helmets depending upon capacity;
7. Three throw bags;
8. Two Pumps;
9. Two Flip Lines;
10. Two repair Kits;
11. Two First Aid Kits;
12. Wetsuits during winter i.e during November to February (optional);
13. Garbage bags to be carried at all times;
14. Insurance Cover for crew members;
15. Straps;
16. Bowline;
17. Dry Bags;
18. Communication set up for rescue;
19. Any other thing decided by the Technical Committee;
20. Special inflatable raft minimum 10ft and maximum 14ft which are compartmentalized and unsinkable. They should be manoeuvred by an oar or paddle combination;
21. Sufficient ration;
22. Carrying capacity of a raft shall limit to 7-10 persons per boat.

10. Medical facilities and other facilities to be available during operation

1) The operator during each operation shall carry two well-equipped first aid kits consisting of triangular bandages, sterile pads, gauze roller, bandages, pressure bandages, first aid adhesive tape, splints, scissors, as a bare minimum.

2) The operator during an operation shall carry two repair kits, which shall contain half a meter of repair material, sufficient amount of glue and accelerator, sand paper or rouging tool and water proof tape, duck tape. A raft shall also carry an oar; safety lines around all the rafts; a bow line and preferably a stern line as well. All parts shall have a throw bag, two flip lines and a bailing bucket.

11. Safety measures for operators

No operators shall be permitted to operate an operation unless:

a) He has two guides for the guidance of participants and the persons operating the raft having the requisite qualifications and experience prescribed under these rules and have equipment individually for safety measures on the same lines as are required for participants;

b) He has at least one rescue canoe for the safety of the participants. The rescue rafts should also carry emergency equipments and first aid kit;

c) He has guides not less than 18 years of age and guides are swimmers and are well-trained in watermanship or canoeing/kayaking course in recognized institutes. A guide shall be deemed to be qualified if he has certificate of expedition and course certificate from the Government or recognized institutes. The guide shall have the basic knowledge of the currents on the river grades of rapids, should be well versed with use of flip drills, rescue and proper use of the throw bag raft etc. Every guide must be qualified in first aid CPR and he/she should have successfully completed the basic course in first aid from Government hospital or any recognized hospital or institute;

d) He has rafter's instructors and guides who are to accompany the trip quipped with personal lifejackets and a helmet at all time on the water. The life jackets must have a minimum buoyancy of 22.5 lbs a sq. inch with a provision of ensuring a snug fit by straps. The life jackets must be worn correctly. Inflated lifejackets and keyholes-type lifejackets shall not be permitted. All river guides shall ensure that all the lifejackets and helmets are snug on the participants before start of the trip. The list of the equipments and accessories recommended must be displayed and available at all times at the rafting site and with the guide instructor respectively;

e) He has ensured that the guides shall cover all safety details for the trip as given to the participants before start of every trip. The operator shall ensure that all the participants are in suitable attire (bulky clothes, long clothing, turbans, neck ties, long skirts and three piece suits shall be avoided). Non swimmers shall not be allowed to body surf. Wet suits shall be worn during winters and in rainy season with cold air temperatures;

f) He maintains a log book of each raft, which shall be a record of usage, inspection, repairs and safety measures to be undertaken by them. This shall be countersigned by the member of the Association on duty. The inspecting authorities shall also countersign the log book on the date of the visit and record his remarks;

g) He has displayed the capacity of the rafts at the rafting site and made visible to the user along with a warning that to carry more person than the capacity shall be dangerous;

h) The Government develops and allots the operation site for staging camps on the banks of the rivers in Mizoram on charging fees for the same, income of which shall accrue to the Mizoram Tourism Development Authority;

i) The Technical Committee in consultation with the Association, if any, shall notify a roaster indicating on fortnight basis the operation for the season. The operator shall be responsible for ensuring the strict adherence to safety standards for the fortnight on the river course;

12. Duties of the “operator on duty” and other operators:

1) The operator shall report all incident/accident immediately to the Association/ District Administration/Chairman of the Technical Committee.

2) The operator shall ensure that maximum carrying capacity to 7-10 persons per boat.

3) The operator shall ensure that the river rafting shall finish before 3:00 PM. Operators shall, before commencing operations for the season inform the respective SDO(Sadar/Civil)/Police Station concerned/Tourism Department regarding the duration, timings and nature of operations for the season.

4) The operator shall keep the environment clean. In case, if any operator or participants or guides is found not adhering to the environment guidelines, his license will be suspended and a fine shall be charged which shall be fixed by the Government.

5) The operator shall display the laminated license or ID Card and safety guidelines on the raft for the knowledge of the visitors and participants and he shall have to produce the same when asked by any authority to do so.

6) The tour operator shall give monthly report to the Director, Tourism Department in as per **Form 27 of the Mizoram Registration of Tourist Trade Rules 2020**.

13. Claim on account of any mishap:

The State Government shall in no way be responsible for any claims on account of any mishap.

14. Other safety measures for operator:

1) The operator shall ensure that:-

a) Children below 12 years or less than 40 kg shall not be permitted beyond Class 2 river;

b) All participants and crew member shall be provided with full safety gear, specified lifejackets, helmets, water proof dry bags and camping gear;

c) Complete safety briefing to all the participants at the start of each trip shall be made mandatory;

d) Person suffering from the weak heart conditions, epilepsy, lung disorder, asthma and pregnant women shall not be allowed to participate in the operation;

e) The right to alter or cancel any trip depending on the prevailing conditions vests with the Technical Committee or the Tourism Department;

f) Each participant shall give an undertaking as per **Form C** before the start of operation;

g) It shall be the responsibility of the operator that the participants shall strictly adhere to the norms laid down in these rules;

h) Non swimmers shall not be allowed to go beyond rapid Class 2;

i) Any person consuming alcohol in any form or quantity or illicit drugs at least 8 hours prior to the operation shall not be permitted to participate in the operation and;

j) No foreign guide shall be permitted to participate as such in an operation unless he/she has adequate experience and equipments.

Chapter –IV

Miscellaneous

15. Areas for river rafting:

- 1) Areas for river rafting shall be:
 - a) Tlawng River;
 - b) Chhimtuipui River.

2) The Technical Committee shall designate more areas for river rafting and shall constitute joint inspection or verification team with the Sports & Youth Services Department and adventure association if any.

3) The Technical Committee shall give recommendation to the Government for designation of rivers for rafting purposes. Such areas for river rafting shall be notified by the Government.

16. Classification of rapid grading

1) The Technical Committee shall grade all the areas of rivers identified for rafting purpose in following manner namely:-

Class 1: Easy moving water, small waves, no obstacles. This shall include Lengpui Kai to Sairang and Sairang to Durlui Chhuah on Tlawng River.

Class 2: Moderate, difficulty with clear passage. This shall include Darzokai to Saibuchhuah on Chhimtuipui River, Reiek Kai to Sairang on Tlawng River and Hortoki to Bairabi respectively.

Class 3: Difficult, High irregular waves, narrow, clean passage, require precise maneuvering. This shall include Saisichhuah to Darzo Kai and Darzokai to Kawlchaw kai on Chhimtuipui River. However, Darzokai to Kawlchaw kai shall be undertaken by highly experienced and hardcore rafters only.

Class 4: Very difficult long rapid, powerful irregular waves and hydraulics require precise manoeuvring. This shall not be permitted in Mizoram.

Class 5: Extremely difficult, long, violent, and highly congested rapid. This shall not be permitted in Mizoram.

2) Classification or grading of rapids and rivers shall be done by the Government as per international standards as and when necessary.

17. Collection Registration Fees and user fee:

The operator shall, pay the following fees before commencing the operations:-

a) User Fee per raft per year and fee per guide per year which shall be fixed by the Government from time to time;

b) Facility fee shall be charged at such rate as may be determined by the Prescribed Authority in consultation with the Association in case facilities have been created out of Government funds at the boarding and landing site;

c) The funds collected from the above sources shall be deposited in the bank account of the Mizoram Tourism Development Authority;

d) Funds shall be used only for the promotion for river rafting, repair and maintenance of common facilities connected with the sport.

18. Association to be formed:

The Government shall form associations for each of the major river for the purpose of river rafting in which there shall be at least two nominees of the Government and other members of the association shall be taken from amongst the local people who have interest in the river rafting.

19. Functions of the association:

- 1) The Association shall collaborate with the Government for the safe and convenient conduct of rafting.
- 2) The Association may extend assistance to the operator when asked for.
- 3) The Association may manage the carrying lodging and boarding of the participants of the operation and the crew members.
- 4) The Association may conduct the operation on its own.
- 5) The Association shall conduct any other functions that may be assigned by the Government.

20. Training and refresher courses

Training and refresher courses for the operators and guides shall be conducted by the Tourism Department in collaboration of the Sports & Youth Services Department or any other recognized institutes specializing in the water sports etc.

21. Disciplinary Committee of Association:

The Association shall form a Disciplinary Committee comprising of three to five members to regulate the safety and cleanliness aspects.

22. Responsible Tourism

River Rafting Operator shall perform a pledge on Mizoram Responsible Tourism to act and take action responsibly and sustainably for preservation, conservation and protection of local culture and bio-diversity as below:

-----Responsible Travel Pledge-----

I pledge to be a responsible traveller

When I explore new places,
I will leave nothing but footprints
and take away only memories

I shall not harm,
what does not harm me

I shall travel clean and green
I shall respect the local culture,

And I shall promote sustainable tourism

23. Show Cause Notice:

If any tour operator or individual service provider is found to be removed from the Register under section 30 of the said Act, the Prescribed Authority shall cause notice to individuals or business owners under section 31(5) of the said Act in **Form 30 of the Mizoram Registration of Tourist Trade Rules 2020**.

24. Penalty:

Whoever in contravention of the provisions of the said Act or the Rules framed under the said Act is punishable under relevant provisions of the Rules and any other rules in the country and the state as the case may be.

Sd/-ESTHER LALRUATKIMI
Commissioner & Secretary
Govt. of Mizoram
Tourism Department

Memo No. C. 31012/2/2019-TOUR : Aizawl the 15th January, 2021

Copy to :

1. Secretary to Governor of Mizoram.
2. PS to Chief Minister, Govt. of Mizoram.
3. Speaker/ Dy. Speaker, Mizoram Legislative Assembly.
4. All Ministers/Minister of State, Govt. of Mizoram.
5. All members of Legislative Assembly, Mizoram.
6. Sr. PPS to Chief Secretary, Govt. of Mizoram.
7. All Administrative Heads/All Heads of Department.
8. Controller, Printing & Stationery Department with 6 spare copies for publication in the Official Gazette.
9. Director, Tourism Department for information & necessary action.
10. All Tourist Lodges/Facilities under Tourism Department.
11. Guard File.

(ZONUNTHARI)

Deputy Secretary to the Govt. of Mizoram

FORM A

APPLICATION FORM FOR RIVER RAFTING PERMIT

To

Prescribed Authority
Tourism Department
Mizoram

PHOTO OF
THE
APPLICANT

Sl.No	Particulars	
1	a) Name of the applicant or firm and its registered address	
	b) Contact No	
	c) Email Address	
2	Date & Year of Establishment	
3	Whether the firm is a proprietary/partnership/private or public limited concern (enclose)	
4	Month and date when the firm was registered with concerned Federation or Association in India	
5	Registration No under MRTT Rules	
6	Experiences in activity (Attach proof)	
7	Name of rivers for which rafting permit is required	
8	Details of Fees paid	
13	List of equipments possessed in separate sheet	
14	Certificates/Qualification possessed on river rafting or aeroports with proof	
15	Name of Guides approved by the Directorate of Tourism having been employee with their address	

I shall abide by the provisions under the Mizoram (Registration of Tourist Trade Act) 2020 and its Rules.

Name & Signature of applicant.

Date:

FORM B

BIO DATA OF GUIDES

To

Prescribed Authority
Tourist Department
Government of Mizoram

PHOTO OF
THE
APPLICANT

Sl.No	Particulars	
1	Name of the person with full address with Contact No & Email	
2	Date of Birth (attach document)	
3	Nationality	
4	Qualification (attach document)	
5	Whether the applicant is a permanent resident of Mizoram (Attach EPIC/Aadhar)	
6	Whether ST/SC/OBC? Attach Certificate	
7	Name of firm if any	
8	Details of certificate possessed or training records (in separate sheet)	
9	Experiences in Aerosports/ River Rafting (attach document)	
10	Medical Fitness (From Medical Practitioner)	
11	Details of aerosports/river rafting equipments (attach list in separate sheet)	
12	Blood Group	

Date:

Name & Signature of the applicant.

FORM C

UNDERTAKING

I have been informed and I am aware that river rafting can be dangerous and includes many risks, and dangers, including but not limited to the hazard of travelling by raft accident or illness in remote places, without medical facilities, force of nature, acts of God, extreme weather conditions, physical exertion for which I may not be prepared and evacuation difficulties, should I be injured or disabled I have been informed and am aware of these and other inherent risks, and of the proposed trip and acknowledge that the enjoyment of adventuring beyond normal safety of home and work is in part the reason for my participation of this trip.

In full recognition of the foregoing and in consideration of being granted a reservation and acceptance for my participation in an adventure vacation under the auspices of name of operator who is registered travel agent under the Mizoram Registration of Tourist Trade Act, 2020, operator his agents associates, assigns, employees and guides and successors in interest hereinafter referred as "the operator", I hereby agree as follows:

I hereby release, waive, indemnify and agree not to sue the operator or Government of Mizoram for full or any liability to me, my personal representatives, heirs, assigns and next of kin, for any and all losses, damages, or injuries or any claim or demand on account of any injury to my person or property, or on account of my death resulting from any cause, including negligence of operator, or others, while I am participating in adventure, I further agree that I will assume the risk and will release operator of any liability for any injury or damage to my body or property or my death due to any negative failure to obtain or administer appropriate rescue operations in the event of injury or mishap, including failure to obtain adequate medical services, or to supply treatment, medicine, or trained rescue personnel;

I further agree that if I am injured or fall ill, operator may at my cost, arrange, or supply medical treatment, evacuation, or any other emergency services on my behalf as operator deems necessary or appropriate for my safety and well being.

I expressly acknowledge and agree that adventure travel, including the operators adventure trip in which I am participating can be dangerous and involves serious and unprecedented of bodily injury, property damage and death and I intend the foregoing waiver and release of operator to be as broad and inclusive as permitted by law that I am not relying on oral or written representation of operator regarding safety, that I am entering this agreement at my own free will.

I have read and agree to the policy on cancellation and refunds as stated in the general information elsewhere in the operator brochure. I am aware that should I choose not to purchase insurance cover as put forth under the Insurance sub head of general information. I will be liable for all costs in the case of cancellations, trip delays, damage or loss of baggage and medical emergency howsoever caused.

I further agree that any controversy or claim arising out of or relating to my participation in the river rafting and or this agreement or making preference or interpretation thereof shall be settled by binding arbitration in Aizawl, Mizoram in accordance with the Arbitration and Conciliation Act, 1996.

I further agree that I will have no liquor or illegal drugs in my possession when participating in the river rafting trip.

I have read and understood all of the terms of this liability and assumption of risk and agree to it of my own free will and without reservation.

Participant's Name:.....

Address:.....

Date:.....

By Order
Secretary to the Government
Tourism Department
Government of Mizoram