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BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
IN
Original Application No. 10/2026/EZ

**IN THE MATTER OF:
SUJATA BISWAL**

...Applicant(s)

Versus

STATE OF ODISHA & ORS.

...Respondent(s)

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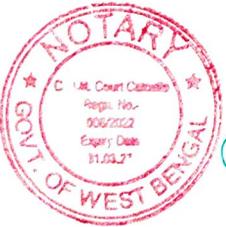
Mrinal Kanti Biswas

Mrinal Kanti Biswas
Regional Director & Scientist E
CPCB, Kolkata
Filed through

Mrinal Kanti Biswas
Counsel

Dated: 27.03. 2026

Place: Kolkata



**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
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**IN THE MATTER OF:
SUJATA BISWAL**

...Applicant(s)

Versus

STATE OF ODISHA & ORS.

...Respondent(s)

REPLY ON BEHALF OF RESPONDENT NO. 02 i.e. CENTRAL POLLUTION CONTROL BOARD

1. That the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata [hereinafter referred to as the "Hon'ble NGT(EZ)"] vide order dated 06.02.2026 in Original Application (hereinafter referred to as "OA") No. 10/2026/EZ has sought a reply from the respondents in the matter. Thereby, the reply on behalf of Central Pollution Control Board (hereinafter referred to as "CPCB") as Respondent No. 02 is made in succeeding paragraphs.
2. That at the outset, the Answering Respondent denies all claims, contentions, allegations, and averments against the Answering Respondent, CPCB, in the above OA contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the Answering Respondent for want of a specific denial or on the ground of non-traverse, save any averments which have been expressly admitted hereinafter.
3. That CPCB has been constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the "Water Act, 1974"). It performs the functions under the Water Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as the "Air Act, 1981"), and the Environment (Protection) Act, 1986 (hereinafter referred to as the "E (P) Act, 1986"). It is further submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as "SPCBs/PCCs") have been constituted in States/Union Territories under the Water Act, 1974, and the Air Act, 1981, and are empowered to implement the provisions of these Acts in respect of Territories falling in their respective Territorial Jurisdiction.



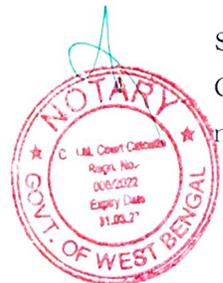
4. That the issues raised in the OA are allegations primarily against Respondent Nos. 7 & 8. It is alleged that Respondent No. 8, owning a fly ash brick manufacturing unit (Respondent No. 7) at Pipili, District Puri, is allegedly operating it within 10 metres of densely populated residential buildings, including Aastha Highway Apartment and Gopinath Nagar Colony, without boundary wall, acoustic barriers, or enclosed handling systems, and with open dumping of fly ash causing airborne dust pollution. It is also alleged by the applicant that despite these violations, the Tahsildar, Pipili issued a clean chit on the ground that the unit falls under the "White Category," and the Odisha State Pollution Control Board (hereinafter referred to as the "OSPCB") informed that no consent is required, which is stated to be contrary to the guidelines of the Central Pollution Control Board dated 26.07.2022.

PARAWISE REPLY:

5. That the averments made in paragraph nos. 1 & 2 of the OA are about the introduction of the applicant and respondents, hence, need no comment from this Answering Respondent, being a matter of record.
6. That the averments made in paragraph nos. 3 to 6 of the OA are about the violation of different CPCB/SPCB guidelines and siting criteria. With regard to the siting criteria for fly ash bricks manufacturing units, it is humbly submitted that provision about the procedure for selection of location has already been prescribed by the Central Government in "Control of Air Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025", notified vide notification no. G.S.R. 62(E), dated 23.01.2026, read with notification no. G.S.R. 84(E), dated 29.01.2025, notified under the Air (Prevention and Control of Pollution) Act, 1981. The procedure laid down under the said notification is as below:

"9. Procedure for selection of location – Specific and /or General conditions related to establishing a new industrial unit at a location along with the appropriate environment safeguards and/ or mitigation measures, in view of site condition on the ground shall be imposed, in the case of an industrial unit requiring Environment Clearance (EC), by the concerned Expert Appraisal Committee (EAC) at the Central / State level, and in other cases, by the concerned State Board."

Similar provisions have also been laid down vide notification no. G.S.R. 85(E) dated 30.01.2025, and G.S.R. 63(E) dated 23.01.2026 notified under the Water (Prevention and Control of Pollution) Act, 1974.



In view of the above, it is humbly submitted that specific and /or General conditions related to establishing fly ash bricks manufacturing units at a location, along with the appropriate environmental safeguards and/ or mitigation measures, in view of the site conditions on the ground, shall be imposed by the concerned SPCB. A Copy of the said notification is annexed as **Annexure I & II**.

7. That the averments made in paragraph no. 7 of the OA are related to the storage, handling, management, and transportation of fly ash by fly ash brick manufacturing units. In reply, it is humbly submitted that the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the "MoEF&CC") issued notification No. S.O. 5481(E) dated 31.12.2021 (as subsequently amended on 30.12.2022 and 01.01.2024) regarding utilization of ash of coal or lignite based thermal power plants in prescribed areas, ensuring compliance of 100% ash utilization in a 3-year compliance cycle starting from FY 2022-23, along with ensuring a minimum annual ash utilization target of 80% during every year. The first compliance cycle has also been prescribed of 4 or 5-year based on their ash utilization in the base year 2021-22, along with an exemption from a minimum 80% annual ash utilization target for the initial 1 or 2 years of the compliance cycle, respectively, as stipulated therein. Copy of the said notification is annexed as **Annexure-III**. As per **Para A (1) and A (2)** of the Ash Notification, 2021, every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilization of ash (fly ash and bottom ash) generated by it only for the following eco-friendly purposes as prescribed:

- a. ***Fly ash based products viz. bricks, blocks, tiles, fibre cement sheets, pipes, boards, panels,***
- b. *Cement manufacturing, ready mix concrete;*
- c. *Construction of road and fly over embankment, Ash and Geo-polymer based construction material;*
- d. *Construction of dam;*
- e. *Filling up of low lying area;*
- f. *Filling of mine voids;*
- g. *Manufacturing of sintered or cold bonded ash aggregate;*
- h. *Agriculture in a controlled manner based on soil testing;*
- i. *Construction of shoreline protection structures in coastal districts;*
- j. *Export of ash to other countries;*



k. Any other eco-friendly purpose as notified from time to time.

As per **Para A(7)** of the Ash Notification, 2021, every coal or lignite based thermal power plant need to ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned SPCB or PCC in annual Ash Compliance Report.

Further, it is humbly submitted that the CPCB has issued directions under section 18(1)(b) of the Water Act, 1974, and the Air Act, 1981, to concerned SPCBs vide dated 14.10.2024 for ensuring effective implementation and monitoring of various provisions of the Ash Notification No. S.O. 5481 (E) dated 31.12.2021 by the coal or lignite-based thermal power plants in their jurisdiction. A Copy of the said direction is annexed as **Annexure IV**.

8. That the averments made in paragraph nos. 8 and 9 of the OA are about the noise pollution at midnight due to heavy trucks' movement and loading/uploading of material. In reply, it is humbly submitted that the MoEF&CC notified the Noise Pollution (Regulation and Control) Rules, 2000 vide notification dated 14.02.2000. As per Schedule (rule 3(1) and 4(1)), Ambient Air Quality Standards w.r.t Noise are as below:

Area Code	Category of Area/Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note: -

- Day time shall mean from 6.00 a.m. to 10.00 p.m.
- Night time shall mean from 10.00 p.m. to 6.00 a.m
- *dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing. A "decibel" is a unit in which noise is measured.



As per Rule 4(1), the noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule. As per Rule 4(2), the authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise. As per Rule 2(c) of the Noise Pollution (Regulation and Control) Rules, 2000, "authority" means and includes any authority or officer authorised by the Central Government or, as the case may be, the State Government in accordance with the laws in force. It includes a District Magistrate, Police Commissioner, or any other officer not below the rank of Deputy Superintendent of Police designated for the maintenance of ambient air quality standards in respect of noise. A copy of the Noise Pollution (Regulation and Control) Rules, 2000, is annexed as **Annexure-V**.

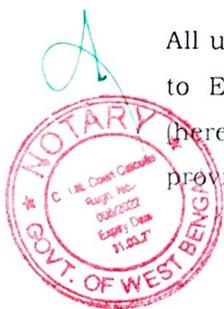
9. That the averments made in paragraph nos. 10 to 12 of the OA are regarding the categorization of the alleged unit. In reply, it is humbly submitted that industrial sectors are classified by CPCB into different colour coded categories (red, orange, green and white) based on Cumulative Pollution Index, which is calculated by evaluation of three critical environmental pollutants i.e. water, air, and waste, having potential to get generated during the operations.

During 2025, CPCB has revised the methodology for classification and prepared "Report on Classification of Sectors into Red, Orange, Green, White and Blue Categories (A tool for progressive environmental management)", hereinafter refereed as "Classification- 2025". Further, CPCB vide letter dated 12.02.2025 has issued directions under section 18(1)(b) of the Water Act, 1974 and the Air Act, 1981 to all SPCBs and PCCs for adoption and implementation of Classification-2025. A copy of the CPCB directions dated 12.02.2025 is attached as Annexure VI

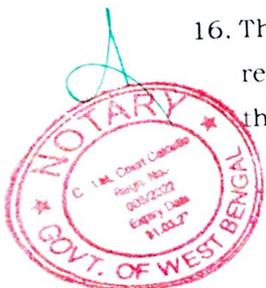
As per Classificatoon-2025, Fly ash bricks/blocks manufacturing units are classified under following categories:

- i. Fly ash bricks/ block manufacturing (with boiler): Orange Category
- ii. Fly ash bricks/block manufacturing (without boiler): Green Category

All units under Orange and Green categories are required to obtain Consent to Establish (hereinafter referred to as "CTE") and Consent to Operate (hereinafter referred to as "CTO") from the concerned SPCB/PCC, as per the provisions of the Water Act, 1974 and the Air Act, 1981.



10. That the averments made in paragraph no. 13 of the OA are about the complaint made by the applicant to the state Authorities. The averments does not refer to this Answering Respondent, hence need no comments from Answering Respondent.
11. That the averments made in paragraph no. 14 of the OA are allegations about non-following the Guidelines issued by CPCB for Brick kiln Industries by Respondent no 7. In reply, it is humbly submitted that "Brick kilns" and "Fly ash brick manufacturing" are distinct activities and are classified as separate industrial sectors under Classification-2025. Further, it is submitted that MoEF&CC Notification G.S.R. 143 (E) dated 22.02.2022 is applicable exclusively on the brick kilns sector.
12. That the averments made in paragraph no. 15 of the OA is regarding non-compliance of the environmental laws by the respondent no.7. The same may be appropriately addressed by the OSPCB, hence, need no comments from this Answering Respondent.
13. That the averments made in paragraph no. 16 of the OA are related to the permission from the Central Ground Water Authority. In this regard, it is humbly submitted that as per notification no S.O. 3289(E) dated 24.09.2020 issued by Ministry of Jal Shakti it is specified that "*All new/existing industries, industries seeking expansion, infrastructure projects and mining projects abstracting ground water, unless specifically exempted under Para 1.0 below, will be required to seek No Objection Certificate from Central Ground Water Authority or, the concerned State/ UT Ground Water Authority as the case may be. The entire process of grant of No Objection Certificate shall be online through a web based application system.*" **(Annexure VI)**
14. That the averments made in paragraph nos. 17 to 20 of the OA are about the land allocation, siting criteria, and white category industry for the alleged unit. In this regard, it is humbly submitted that the submissions made at Para No. 6 and Para 9 of the instant reply are reiterated and not repeated herein for the sake of brevity.
15. That the averments made in paragraph no. 21 of the OA are about the non-compliances noted by Odisha State Pollution Control Board, in its official record. The same may be addressed by the OSPCB, hence, need no comments from this Answering Respondent.
16. That the averments made in paragraph no. 22 of the OA are allegation regarding violation of the siting criteria Guidelines for Brick Industries. In this regard, it is humbly submitted that the submissions made at Para No.

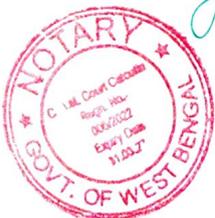


6 and 11 of the instant reply are reiterated and are not repeated herein for the sake of brevity.

17. That the averments made in paragraph nos. 23 to 24 of the OA are concern about the environmental damage due to operation of alleged unit. The same may be addressed by the Odisha SPCB, hence, need no comments from this Answering Respondent.
18. That with regard to the averments made under "Grounds" (1 to 12) of the OA, it is respectfully submitted that, the submissions made in preceding paragraphs are re-iterated and are not repeated herein for the sake of brevity.
19. That, no comments are offered over the averments contained under the Headings "Interim Prayer", "Limitation" and "Prayer" clause which may be adjudicated by the Hon'ble Tribunal.
20. In view of the above, the Answering Respondent herein craves leave of the Hon'ble NGT to file additional reply, if required, in future.
21. It is respectfully submitted that this Answering Respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble NGT in the instant OA.

Mrinal Kanti Biswas

Scientist 'E' & Regional Director,
CPCB, Kolkata



09/26

X

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
IN
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STATE OF ODISHA & ORS.

...Respondent(s)

AFFIDAVIT

I, Mrinal Kanti Biswas, Son of Saroj Kumar Biswas, aged about 44 years, having office at the Regional Directorate, Central Pollution Control Board, Southend Conclave' Block No.502, 5th& 6th Floor,1582, Rajdanga Main Road, Kolkata-700107, do hereby solemnly affirm and sincerely state as follows: -

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign, and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Identified by me

Advocate

DEPONENT

SOLEMNLY AFFIRMED
&
Declared Before me
On Identification Adv

NOTARY
N. DASGUPTA, Reg. No. 006/2027
CJMS' Court, Govt. of W.B.

27 MAR 2026



N. DASGUPTA
Notary
Regn No. 006/2027
3, Bankshal Street
Calcutta-700001

VERIFICATION

Verified at Kolkata on this day of 27th March, 2026 that the contents above are correct and true on the basis of the record of the cases as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Kolkata on this the 27th Day of March, 2026.

Identified by me



Advocate



DEPONENT

SOLEMNLY AFFIRMED
&
Declared Before me
On Identification Adv


NOTARY
N. DASGUPTA, Reg. No. 006/2022
CJMS' Court, Govt. of W.B.

N. DASGUPTA
Notary
Regn No. 006/2022
3, Bankshal Street
Calcutta-700001

27 MAR 2026





भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-27012026-269608
CG-DL-E-27012026-269608

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 61]

नई दिल्ली, मंगलवार, जनवरी 27, 2026/माघ 1947

No. 61]

NEW DELHI, TUESDAY, JANUARY 27, 2026/MAGHA 7, 1947

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 23 जनवरी, 2026

सा.का.नि. 62(अ).— केंद्रीय सरकार, वायु (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1981 (1981 का 14) की धारा 21क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रदूषण नियंत्रण बोर्ड के परामर्श के पश्चात, जो भारत के राजपत्र, असाधारण, भाग 2, खण्ड 3, उप-खण्ड (i), संख्या सा.का.नि. 84(अ) तारीख 29 जनवरी, 2025 के अनुसार प्रकाशित किए गए थे, (जिन्हें इसमें इसके पश्चात उक्त दिशा-निर्देश कहा गया है), भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के दिशा-निर्देशों में निम्नलिखित संशोधन करती है, अर्थात्:-

1. संक्षिप्त नाम और प्रारंभ.- (1) इन दिशा-निर्देशों का संक्षिप्त नाम वायु प्रदूषण नियंत्रण (सहमति प्रदान करना, अस्वीकार करना या रद्द करना) संशोधन दिशा-निर्देश, 2026 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. उक्त दिशा-निर्देशों के पैरा 2 में,-

(i) उप पैरा (1) में, खंड (ख) के पश्चात निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“(ख क) 'रजिस्ट्रीकृत पर्यावरण लेखा परीक्षक' से पर्यावरण लेखा परीक्षा नियम, 2025 के अंतर्गत परिभाषित पर्यावरण लेखा परीक्षक अभिप्रेत है;”;

(ii) खंड (ड) के पश्चात निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

"टिप्पण: - "पूँजी विनिधान" में अभिप्रेत है स्थिर आस्तियां जैसे कि ज़मीन, भवन जिममें स्टाफ क्वार्टर, गेस्ट हाउस आदि शामिल हैं, औद्योगिक परिसर (या) टाउनशिप, संयंत्र और मशीनरी या उपकरण में किया गया विनिधान, जिममें बिना अवश्यों के प्रदूषण नियंत्रण पर विनिधान की लागत शामिल है। रनिंग प्रचालन और रखरखाव लागत और दूसरे राजस्व व्यय इस हेड में शामिल नहीं होंगे। पट्टे की ज़मीन और/या भवन या किसी दूसरी आस्तियों में चलने वाले उद्योग के मामले में, वार्षिक पट्टा मूल्य का दस गुना पूँजी विनिधान में ज़मीन की लागत (या) संपत्ति/ज़मीन की गाइडेस वैल्यू, जो भी अधिक हो, के समतुल्य माना जाएगा।"

(ii) पैरा ग में, "पैरा 4(3) में दी गई सहमति के अनुसार" शब्दों, आंकड़ों और कोष्ठकों के स्थान पर, "उन दिशा-निर्देशों के पैरा 5 के उप-पैरा (1) के अनुसार" शब्द, आंकड़े और कोष्ठक रखे जाएंगे।

[फा. सं. क्यू-15012/2/2022-मीपीडब्ल्यू/ई-240803]

नीलेश कुमार साह, मयुक्त सचिव

टिप्पण:- मूल दिशानिर्देश भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में संख्या सा. का. नि. 84(अ), तारीख 29 जनवरी, 2025 द्वारा प्रकाशित हुए।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 23rd January, 2026

G.S.R. 62(E).— In exercise of the powers conferred by section 21A of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Central Government, after consultation with Central Pollution Control Board, hereby makes the following amendments in the guidelines of the Government of India, Ministry of Environment, Forest and Climate Change published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 84(E), dated 29th January, 2025, (hereinafter referred to as the said guidelines), namely:-

1. Short title and commencement. – (1) These guidelines may be called the Control of Air Pollution (Grant, Refusal or Cancellation of Consent) Amendment Guidelines, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the said guidelines, in paragraph 2,-

(i) in sub-paragraph (1), after clause (b), following clause shall be inserted, namely: -

"(ba) 'Registered Environment Auditor', means Environment Auditor as defined under the Environment Audit Rules, 2025,";

(ii) after clause (e), the following clause shall be inserted, namely: -

"(ea) 'online portal', means the unified consent and authorization management portal,";

(iii) for sub-paragraph (i), the following sub-paragraph shall be substituted, namely: -

"(2) The words and expression used but not defined in these guidelines and defined in the Act or rules shall have the meaning respectively assigned to them in Act and rules."

3. In the said guidelines, for paragraph 3, the following paragraph shall be substituted, namely: -

"3. Form of application for consent and fees. - Every application for consent to establish or operate an industrial plant under section 21 of the Act shall be made in the Form set out under the First Schedule and shall contain the particulars of the industrial plant and such other particulars as set out in the Form and also shall be accompanied by the fee as specified by state government or Union territory Administration, as the case may be in accordance with provisions of para 5 of these guidelines."

4. In the said guidelines, in paragraph 4, for sub-paragraph (3), the following sub-paragraph shall be substituted, namely:-

"(3) Once granted, the consent to operate shall continue to remain valid till it is cancelled in accordance with the provisions of paragraph 13 of these guidelines";

5. In the said guidelines, in paragraph 5, -

(i) for sub-paragraph (1), the following sub-paragraph shall be substituted, namely:-

"(1) The State Government or Union territory Administration may determine one-time fee for consent to operate for any duration of period of 5 to 25 years as may be applied for by the Project Proponent:

Provided that the Project Proponent shall have to pay such fee for further extension of period from 5 to 25 years, after the expiry of such period for which one-time fee has been paid earlier."

(ii) in sub-paragraph (2), for the words "the State Government", the words "the State Government in consultation with State Board" shall be substituted ;

6. In said guidelines, for paragraph 6, the following paragraph shall be substituted, namely: -

"6. **Procedure for making enquiry on application for consent.**-(1) On receipt of an application for consent, the State Board may depute any of its officers to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential or the concerned Project Proponent may engage the services of Registered Environment Auditor for visiting any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such Registered Environment Auditor are essential.

(2) The officer of the State Board referred to in sub-paragraph (1), for that purpose, may inspect any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, and such officer may require the applicant or the occupier to furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(3) The Registered Environment Auditor referred to in sub-paragraph (1), for that purpose, may visit any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, and such Registered Environment Auditor may require the applicant or the occupier to furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(4) The officer referred to in sub-paragraph (1) shall, before visiting any of the premises of the applicant, give notice to the applicant of his intention to do so.

(5) The applicant shall furnish to such officer all information and provide all facilities for inspection as reasonably may be necessary.

(6) For the purpose of enabling a State Board to perform any of its functions including the functions conferred on it by or under this guideline, the State Board may engage Registered Environment Auditor in accordance with the Environment Audit Rules, 2025, and its amendments from time to time.

(7) For Micro and Small units located in Industrial Estates or Industrial area duly notified by the State Government / Union Territory Administration or the concerned local body, consent to establish shall be deemed to be granted once the self-certified application is submitted in Form-I by the concerned Project Proponent ";

7. In the said guidelines, for paragraph 7, the following paragraph shall be substituted, namely: -

"7. **Consolidated Consent and Authorization for Hazardous and Other Wastes:** - A single-step procedure shall be adopted for granting consent under section 21 of the Act along with authorization under various Waste Management Rules notified under the Environment (Protection) Act, 1986, as may be applicable."

8. In the said guidelines, in paragraph 8, in sub-paragraph (1), in the Table, -

(i) against the Sl. No. 1, in column (2), the words "or refusal" shall be omitted;

(ii) against the Sl No. 3 and entries relating thereto, the following Sl. No. and entries shall be substituted, namely: -

(1)	(2)	(3)	(4)	(5)
"3	Grant or refusal of consent to operate for expansion or amendment	90	60	30"

9. In the said guidelines, for paragraph 9, the following paragraph shall be substituted, namely: -

"9. **Procedure for selection of location – Specific and /or General conditions** related to establishing a new industrial unit at a location along with the appropriate environment safeguards and/ or mitigation measures, in view of site condition on the ground shall be imposed, in the case of an industrial unit requiring Environment Clearance (EC), by the concerned Expert Appraisal Committee (EAC) at the Central /State level, and in other cases, by the concerned State Board."

10. In the said guidelines, in paragraph 10, -

(i) for sub-paragraph (4), the following sub-paragraph shall be substituted, namely: -

"(4) On receipt of an application for consent, the State Board may depute any of its officers to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential or the concerned Project Proponent may engage the services of Registered Environment Auditor for visiting any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such Registered Environment Auditor are essential."

(ii) in sub-paragraph (5), after the words, brackets and figure" sub-paragraph (4)", the words "by the officer deputed by the State Board or by the Registered Environment Auditor engaged by the Project Proponent, as the case may be" shall be inserted.

(iii) after sub-paragraph (6), the following sub-paragraph shall be inserted, namely: -

"(7) For Micro and Small units located in Industrial Estates or Industrial area duly notified by the State Government or Union territory Administration or the concerned local body, consent to establish shall be deemed to be granted once the self-certified application is submitted in Form-I by the concerned Project Proponent."

11. In the said guidelines, in paragraph 11, -

(i) for sub-paragraph (3), the following sub-paragraph shall be substituted, namely: -

"(3) On receipt of an application for consent, the State Board may depute any of its officers to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential or the concerned Project Proponent may engage the services of Registered Environment Auditor for visiting any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such Registered Environment Auditor are essential."

(ii) in sub-paragraph (4), after the words, brackets and figure" sub-paragraph (3)", the words "by the officer deputed by the State Board or by the Registered Environment Auditor engaged by the Project Proponent, as the case may be" shall be inserted.

(iii) sub- paragraph (6) shall be omitted.

12. In the said guidelines, paragraph 12 shall be omitted.

13. In said guidelines, in paragraph 13,-

(i) in sub-paragraph (1), the words "or refuse the renewal of the consent expiry", shall be omitted.

(ii) in sub-paragraph (2), in clause (ix), for the words "non-payment of any fee," the words "non-payment of any prescribed fee," shall be substituted.

14. In said guidelines, for paragraph 16, the following paragraph shall be substituted, namely:-

"16. Portal for implementation of these guidelines. -(1) The Central Board, in consultation with the State Boards, shall develop an online portal for the purposes of these guidelines, preferably within six months, and not later than one year from the date of notification of these guidelines.

(2) After the portal is operational, all applications for grant of consent under section 21 of the Act, verification, site inspection, refusal or cancellation, shall be processed and disposed of only through such portal, in all states and union territories.

(3) Till the portal becomes operational, applications for grant of consent under section 21 of the Act, including verification, site inspection, refusal or cancellation may be processed through the existing arrangement in accordance with these guidelines.

(4) The portal shall act as a single point data repository with respect to management and implementation of these guidelines.

(5) The Central Board may charge five per cent of the fee received with applications for consent to establish and operate, as service fee which shall be credited to the fund of the Central Pollution Control Board in accordance with the section 33 of the Act."

15. In said guidelines, in FIRST SCHEDULE,-

(i) in "FORM II", the words "or renewal of consent" shall be omitted.

(ii) in PART A: GENERAL, against S. No. 1.2, for the entries "Expansion/Renewal/ Validity Extension/ Transfer", the entries "Expansion/ Transfer", shall be substituted.

(iii) under sub-heading "Mandatory Documents to be enclosed for grant of Consent to Operate", in paragraph 3, the words " and renewal" shall be omitted.

16. In said guidelines, in THE SECOND SCHEDULE,-

(i) in paragraph A, in sub-paragraph 1, after clause (g) the following Note shall be inserted, namely: -

“Note: - “Capital Investment” means the investment made on fixed assets i.e. Land, Buildings including Staff Quarters, Guest House etc. within industrial premises (or) townships, plants and machinery or equipment including the cost of investment on pollution control without depreciation. The running Operation and Maintenance cost and other revenue expenditure shall not be included under this head. In case of an industry operating in lease land and / or building or any other assets, ten times the annual lease value is to be taken as equivalent as land cost in Capital Investment (or) Guidance Value of property / land, whichever is higher.”

(ii) in paragraph C, for the words, figures and brackets “of consent as given in para 4(3)” the words, brackets and figures “in accordance with sub-paragraph (1) of paragraph 5 of these guidelines.”

[F. No. Q-15012/2/2022-CPW/e-240803]

NEELESH KUMAR SAH, Jt. Secy.

Note:- The principal guidelines was published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R 84 (E), dated 29th January, 2025.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-27012026-269603
CG-DL-E-27012026-269603

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 62]

नई दिल्ली, मंगलवार, जनवरी 27, 2026/माघ 1947

No. 62]

NEW DELHI, TUESDAY, JANUARY 27, 2026/MAGHA 7, 1947

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 23 जनवरी, 2026

सा.का.नि. 63(अ).— केंद्रीय सरकार, जल (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1974 (1974 का 6) की धारा 27 क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रदूषण नियंत्रण बोर्ड के परामर्श के पश्चात, जो भारत के राजपत्र, असाधारण, भाग 2, खण्ड 3, उपखण्ड (i) में संख्या सा.का.नि. 85 (ई), दिनांक 30 जनवरी, 2025 के अनुसार प्रकाशित किये गये थे, (जिन्हें इसमें इसके पश्चात उक्त दिशा-निर्देश कहा गया हो), भारत सरकार, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के दिशा-निर्देशों में निम्नलिखित संशोधन करती है, अर्थात्:-

1. संक्षिप्त नाम और प्रारंभ.- (1) इन दिशा-निर्देशों का संक्षिप्त नाम जल प्रदूषण नियंत्रण (सहमति प्रदान करना, अस्वीकार करना या रद्द करना) संशोधन दिशा-निर्देश, 2026 है।

(2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. उक्त दिशा-निर्देशों के पैरा 2 में,-

(i) उप पैरा (1) में, खंड (ख) के पश्चात निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

(ख.क.) 'रजिस्ट्रीकृत पर्यावरण लेखा परीक्षक से पर्यावरण लेखा परीक्षा नियम, 2025 के अंतर्गत परिभाषित पर्यावरण लेखा परीक्षक अभिप्रेत है;'

(ii) खंड (ड) के पश्चात निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात्:-

“टिप्पण: - “पूँजी विनिधान” से अभिप्रेत है स्थिर आस्तियां जैसे कि ज़मीन, भवन जिसमें स्टाफ क्वार्टर, गेस्ट हाउस आदि शामिल हैं, औद्योगिक परिसर (या) टाउनशिप, संयंत्र और मशीनरी या उपस्कर में किया गया विनिधान, जिसमें बिना अवधियों के प्रदूषण नियंत्रण पर विनिधान की लागत शामिल है। रनिंग प्रचालन और रखरखाव लागत और दूसरे राजस्व व्यय डम हेड में शामिल नहीं होंगे। पट्टे की ज़मीन और/या भवन या किसी दूसरी आस्तियों में चलने वाले उद्योग के मामले में, वार्षिक पट्टा मूल्य का दस गुना पूँजी विनिधान में ज़मीन की लागत (या) संपत्ति/ज़मीन की गाडडेंस वैल्यू, जो भी अधिक हो, के समतुल्य माना जाएगा।”

(ii) पैरा ग में, “पैरा 4(3) में दी गई सहमति के अनुसार” शब्दों, आंकड़ों और कोष्ठकों के स्थान पर, “उन दिशा-निर्देशों के पैरा 5 के उप-पैरा (1) के अनुसार” शब्द, आंकड़े और कोष्ठक रखे जाएंगे।

[फा. सं. क्यू-15012/2/2022-सीपीडब्ल्यू/ई-240803]

नीलेश कुमार साह, संयुक्त सचिव

टिप्पण:- मूल दिशानिर्देश भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उप-खंड (i) में संख्या मा. का. नि. 85 (अ), तारीख 30 जनवरी, 2025 द्वारा प्रकाशित हुए।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 23rd January, 2026

G.S.R. 63(E).— In exercise of the powers conferred by section 27A of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the Central Government, after consultation with Central Pollution Control Board, hereby makes the following amendments in the notification of the Government of India, Ministry of Environment, Forest and Climate Change published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 85 (E), dated 30th January, 2025, (hereinafter referred to as the said guidelines), namely:-

1. Short title and commencement. – (1) These guidelines may be called the Control of Water Pollution (Grant, Refusal or Cancellation of Consent) Amendment Guidelines, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the said guidelines, in paragraph 2, -

(i) in sub-paragraph (1), after clause (b), following clause shall be inserted, namely: -

“(ba) ‘Registered Environment Auditor’, means Environment Auditor as defined under the Environment Audit Rules, 2025;”;

(ii) after clause (c), the following clause shall be inserted, namely: -

“(ea) ‘online portal’, means the unified consent and authorization management portal;”;

(iii) for sub-paragraph (i), the following sub-paragraph shall be substituted, namely: -

“(2) The words and expression used but not defined in these guidelines and defined in the Act or rules shall have the meaning respectively assigned to them in Act and rules”.

3. In the said guidelines, for paragraph 3, the following paragraph shall be substituted, namely: -

“3. Form of application for consent and fees. - Every application for consent to establish or operate an industrial plant under section 25 of the Act shall be made in the Form set out under the First Schedule and shall contain the particulars of the industrial plant and such other particulars as set out in the Form and also shall be accompanied by the fee as specified by state government or Union territory Administration, as the case may be in accordance with provisions of para 5 of these guidelines.”;

4. In the said guidelines, in paragraph 4, for sub-paragraph (3), the following sub-paragraph shall be substituted

“(3) Once granted, the consent to operate shall continue to remain valid till it is cancelled in accordance with the provisions of paragraph 13 of these guidelines”;

5. In the said guidelines, in paragraph 5, -

(i) for sub-paragraph (1), the following sub-paragraph shall be substituted, namely:-

“(1) The State Government or Union territory Administration may determine one-time fee for consent to operate for any duration of period of 5 to 25 years as may be applied for by the Project Proponent:

Provided that the Project Proponent shall have to pay such fee for further extension of period from 5 to 25 years, after the expiry of such period for which one-time fee has been paid earlier.”;

(ii) in sub-paragraph (2), for the words "the State Government", the words "the State Government in consultation with State Board" shall be substituted.;

6. In said guidelines, for paragraph 6, the following paragraph shall be substituted, namely: -

“6. **Procedure for making enquiry on application for consent.**-(1) On receipt of an application for consent, the State Board may depute any of its officers to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential or the concerned Project Proponent may engage the services of Registered Environment Auditor for visiting any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such Registered Environment Auditor are essential.

(2) The officer of the State Board referred to in sub-paragraph (1), for that purpose, may inspect any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, and such officer may require the applicant or the occupier to furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(3) The Registered Environment Auditor referred to in sub-paragraph (1), for that purpose, may visit any place or premises where solid, liquid or gaseous emission from the chimney or fugitive emissions from any location within the premises are discharged, and such Registered Environment Auditor may require the applicant or the occupier to furnish to him any plans, specifications or other data relating to control equipment or systems or any part thereof that he considers necessary.

(4) The officer referred to in sub-paragraph (1) shall, before visiting any of the premises of the applicant, give notice to the applicant of his intention to do so.

(5) The applicant shall furnish to such officer all information and provide all facilities for inspection as reasonably may be necessary.

(6) For the purpose of enabling a State Board to perform any of its functions including the functions conferred on it by or under this guideline, the State Board may engage Registered Environment Auditor in accordance with the Environment Audit Rules, 2025, and its amendments from time to time.

(7) For Micro and Small units located in Industrial Estates or Industrial area duly notified by the State Government / Union Territory Administration or the concerned local body, consent to establish shall be deemed to be granted once the self-certified application is submitted in Form-I by the concerned Project Proponent.”;

7. In the said guidelines, for paragraph 7, the following paragraph shall be substituted, namely: -

“7. **Consolidated Consent and Authorization for Hazardous and Other Wastes:** - A single-step procedure shall be adopted for granting consent under section 25 of the Act along with authorization under various Waste Management Rules notified under the Environment (Protection) Act, 1986, as may be applicable.”;

8. In the said guidelines, in paragraph 8, in sub-paragraph (1), in the Table, -

(i) against the Sl. No.1, in column (2), the words “or refusal” shall be omitted,

(ii) against the Sl No.3 and entries relating thereto, the following Sl. No. and entries shall be substituted, namely: -

(1)	(2)	(3)	(4)	(5)
"3	Grant or refusal of consent to operate for expansion or amendment	90	60	30"

9. In the said guidelines, for paragraph 9, the following paragraph shall be substituted, namely: -

“9. Procedure for selection of location – Specific and /or General conditions related to establishing a new industrial unit at a location along with the appropriate environment safeguards and/ or mitigation measures, in view of site condition on the ground shall be imposed, in the case of an industrial unit requiring Environment Clearance (EC), by the concerned Expert Appraisal Committee (EAC) at the Central /State level, and in other cases, by the concerned State Board.”

10. In the said guidelines, in paragraph 10, -

(i) for sub-paragraph (4), the following sub-paragraph shall be substituted, namely: -

“(4) On receipt of an application for consent, the State Board may depute any of its officers to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential or the concerned Project Proponent may engage the services of Registered Environment Auditor for visiting any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such Registered Environment Auditor are essential.”

(ii) in sub-paragraph (5), after the words, brackets and figure" sub-paragraph (4)", the words "by the officer deputed by the State Board or by the Registered Environment Auditor engaged by the Project Proponent, as the case may be" shall be inserted.

(iii) after sub-paragraph (6), the following sub-paragraph shall be inserted, namely: -

“(7) For Micro and Small units located in Industrial Estates or Industrial area duly notified by the State Government or Union territory Administration or the concerned local body, consent to establish shall be deemed to be granted once the self-certified application is submitted in Form-I by the concerned Project Proponent”.

11. In the said guidelines, in paragraph 11, -

(i) for sub-paragraph (3), the following sub-paragraph shall be substituted, namely: -

“(3) On receipt of an application for consent, the State Board may depute any of its officers to visit and inspect any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such officer are essential or the concerned Project Proponent may engage the services of Registered Environment Auditor for visiting any place or premises under the control of the applicant or the occupier, for verifying the correctness or otherwise of the particulars furnished in the application or for obtaining such further particulars or information, which in the opinion of such Registered Environment Auditor are essential.”;

(ii) in sub-paragraph (4), after the words, brackets and figure" sub-paragraph (3)", the words "by the officer deputed by the State Board or by the Registered Environment Auditor engaged by the Project Proponent, as the case may be" shall be inserted.

(iii) sub- paragraph (6) shall be omitted.

12. In the said guidelines. paragraph 12 shall be omitted.

13. In said guidelines, in paragraph 13,-

(i) in sub-paragraph (1), the words "or refuse the renewal of the consent expiry", shall be omitted

(ii) in sub-paragraph (2), in clause (ix), for the words "non-payment of any fee," the words "non-payment of any prescribed fee," shall be substituted.

14. In said guidelines, for paragraph 16, the following paragraph shall be substituted, namely: -

"16. Portal for implementation of these guidelines. -(1) The Central Board, in consultation with the State Boards, shall develop an online portal for the purposes of these guidelines, preferably within six months, and not later than one year from the date of notification of these guidelines.

(2) After the portal is operational, all applications for grant of consent under section 25 of the Act, verification, site inspection, refusal or cancellation, shall be processed and disposed of only through such portal, in all states and union territories.

(3) Till the portal becomes operational, applications for grant of consent under section 25 of the Act, including verification, site inspection, refusal or cancellation may be processed through the existing arrangement in accordance with these guidelines.

(4) The portal shall act as a single point data repository with respect to management and implementation of these guidelines.

(5) The Central Board may charge five per cent of the fee received with applications for consent to establish and operate, as service fee which shall be credited to the fund of the Central Pollution Control Board in accordance with the section 36 of the Act."

15. In said guidelines, in FIRST SCHEDULE, -

- (i) in "FORM II", the words "or renewal of consent" shall be omitted.
- (ii) in PART A: GENERAL, against S. No. 1.2, for the entries "Expansion/Renewal/ Validity Extension/ Transfer", the entries "Expansion/ Transfer", shall be substituted.
- (iii) under sub-heading "Mandatory Documents to be enclosed for grant of Consent to Operate", in paragraph 3, the words " and renewal" shall be omitted.

16. In said guidelines, in THE SECOND SCHEDULE, -

- (i) in paragraph A, in sub-paragraph 1, after clause (g) the following Note shall be inserted, namely: -

"Note: - " Capital Investment" means the investment made on fixed assets i.e. Land, Buildings including Staff Quarters, Guest House etc. within industrial premises (or) townships, plants and machinery or equipment including the cost of investment on pollution control without depreciation. The running Operation and Maintenance cost and other revenue expenditure shall not be included under this head. In case of an industry operating in lease land and / or building or any other assets, ten times the annual lease value is to be taken as equivalent as land cost in Capital Investment (or) Guidance Value of property / land, whichever is higher."

- (ii) in paragraph C, for the words, figures and brackets "of consent as given in para 4(3)" the words, brackets and figures "in accordance with sub-paragraph (1) of paragraph 5 of these guidelines".

[F. No. Q-15012/2022-CPW/e-240803]

NEELESH KUMAR SAH, Jt. Secy.

Note: - The principal guidelines were published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 85 (E), dated 30th January, 2025.



भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-01012022-232336
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 5075]
No. 5075]

नई दिल्ली, शुक्रवार, दिसम्बर 31, 2021/पौष 10, 1943
NEW DELHI, FRIDAY, DECEMBER 31, 2021/PAUSHA 10, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 2021

का.आ. 5481(अ).—केन्द्रीय सरकार ने भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 763 (अ) तारीख 14 सितम्बर, 1999 द्वारा कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों में तीन सौ किलोमीटर के विनिर्दिष्ट व्यास के भीतर ईंटों के विनिर्माण के लिए उपजाऊ मिट्टी के उत्खनन को प्रतिबंधित करने के लिए और भवन निर्माण सामग्री के विनिर्माण में और संनिर्माण क्रियाकलाप में फ्लार्ड-राख के उपयोग को बढ़ावा देने के लिए निदेश जारी किए हैं;

और, प्रदूषणकर्ता भुगतान सिद्धांत (पीपीपी) के आधार पर, ऐसा करके कोयला या लिग्नाइट आधारित ताप विद्युत संयंत्रों द्वारा फ्लार्ड-राख का 100 प्रतिशत उपयोग मुनिश्चित करने हुए और फ्लार्ड-राख प्रबंधन प्रणाली की संधारणीयता के लिए पूर्वोक्त अधिसूचना को और अधिक प्रभावकारी ढंग से कार्यान्वित करने हेतु, केन्द्रीय सरकार ने मौजूदा अधिसूचना की समीक्षा की;

और प्रदूषणकर्ता भुगतान सिद्धांत के आधार पर पर्यावरणीय प्रतिकर निर्धारित किए जाने की आवश्यकता है;

और, विनिर्माण को बढ़ावा देकर तथा निर्माण कार्य के क्षेत्र में राख आधारित उत्पादों तथा भवन निर्माण सामग्रियों के प्रयोग को अनिवार्य करके उपजाऊ मिट्टी को संरक्षित करने की आवश्यकता है;

	सीमेंट शीट या पाइप या बोर्ड या पैन्ल): ii. सीमेंट विनिर्माण: iii. रेडी मिक्स कंक्रीट: iv. राख और जीओ-पॉलिमर आधारित निर्माण सामग्री: v. सिंटेड या क्रोल्ड वॉन्डेड राख एग्रीगेट का निर्माण: vi. सड़कों, सड़क और फ्लाई ओवर के पृथकों का निर्माण: vii. वांधों का निर्माण: viii. निम्न भू-क्षेत्र का भराव: ix. खनिज क्षेत्रों का भराव: x. अधिभार वाले डम्पों में उपयोग: xi. कृषि: xii. तटीय जिलों में तटरेखा सुरक्षा संरचनाओं का निर्माण: xiii. अन्य देशों को राख का निर्यात xiv. अन्य (कृपया विनिर्दिष्ट करें):			
20.	सार :			
	व्यौरा	सृजित मात्रा (एमटीपी)	उपयोग की गई मात्रा (एमटीपी) और (%)	शेष मात्रा (एमटीपी)
	रिपोर्टिंग की अवधि के दौरान राख			
	पुरानी राख			
	कुल			
21.	कोई अन्य सूचना : वार्षिक अनुपालन रिपोर्ट, और विद्युत संयंत्रों और राख कुण्डों की शेष फाइलों की सॉफ्ट कॉपी ई-मेल:- moefcc-coalash@gov.in पर भेजी जाए।			
22.	प्राधिकृत हस्ताक्षरकर्ता के हस्ताक्षर			

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 31st December, 2021

S.O. 5481(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forests *vide* S.O.763 (E), dated the 14th September, 1999, as amended from time to time, the Central Government, issued directions for restricting the excavation of top soil for manufacturing of bricks and promoting the utilisation of fly ash in the manufacturing of building materials and in construction activity within a specified radius of three hundred kilometres from the coal or lignite based thermal power plants;

And whereas, to implement the aforesaid notification more effectively based on the polluter pays principle (PPP) thereby ensuring 100 per cent utilisation of fly ash by the coal or lignite based thermal power plants and for the sustainability of the fly ash management system, the Central Government reviewed the existing notification, and whereas environmental compensation needs to be introduced based on the polluter pays principle:

And whereas, there is a need to conserve top soil by promoting manufacture and mandating use of ash based products and building materials in the construction sector;

And whereas, there is a need to conserve top soil and natural resources by promoting utilisation of ash in road laying, road and flyover embankments, shoreline protection measures, low lying areas of approved projects, backfilling of mines, as an alternative for filling of earthen materials;

And whereas, it is necessary to protect the environment and prevent the dumping and disposal of fly ash discharged from coal or lignite based thermal power plants on land;

And whereas, in the said notification the phrase 'ash', has been used which includes both fly ash as well as bottom ash generated from the Coal or Lignite based thermal power plants.

And whereas, the Central Government intends to bring out a comprehensive framework for ash utilisation including system of environmental compensation based on polluter pays principle;

And whereas, a draft notification on ash utilisation by coal or lignite thermal power plants in supersession of the notification of the Government of India, Ministry of Environment and Forests published in the Gazette of India, Extra Ordinary part II, section 3, sub-section (i) *vide* S.O.763 (E), dated the 14th September, 1999, by notification in exercise of the powers conferred under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), *vide* G.S.R. 285(E), dated the 22nd April, 2021 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of sixty days from the date on which copies of the Gazette containing the said draft provisions were made available to the public;

And, whereas all the objections and suggestions received from all persons likely to be affected thereby in respect of the said draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, and in supersession of the Notification S.O.763 (E), dated the 14th September, 1999 except as respect things done or omitted to be done before such supersession, the Central Government hereby issues the following notification on ash utilisation from coal or lignite thermal power plants which shall come into force on the date of the publication of this notification, namely:-

A. Responsibilities of thermal power plants to dispose fly ash and bottom ash.—

- (1) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilisation of ash (fly ash, and bottom ash) generated by it in an eco-friendly manner as given in sub-paragraph (2).
- (2) The ash generated from coal or lignite based thermal power plants shall be utilised only for the following eco-friendly purposes, namely:-
 - (i) Fly ash based products viz. bricks, blocks, tiles, fibre cement sheets, pipes, boards, panels;
 - (ii) Cement manufacturing, ready mix concrete;
 - (iii) Construction of road and fly over embankment, Ash and Geo-polymer based construction material;
 - (iv) Construction of dam;
 - (v) Filling up of low lying area;
 - (vi) Filling of mine voids;
 - (vii) Manufacturing of sintered or cold bonded ash aggregate;
 - (viii) Agriculture in a controlled manner based on soil testing;
 - (ix) Construction of shoreline protection structures in coastal districts;



- (x) Export of ash to other countries;
- (xi) Any other eco-friendly purpose as notified from time to time.
- (3) A committee shall be constituted under the chairmanship of Chairman, Central Pollution Control Board (CPCB) and having representatives from Ministry of Environment, Forest and Climate Change (MoEFCC), Ministry of Power, Ministry of Mines, Ministry of Coal, Ministry of Road Transport and Highways, Department of Agricultural Research and Education, Institute of Road Congress, National Council for Cement and Building Materials, to examine and review and recommend the eco-friendly ways of utilisation of ash and make inclusion or exclusion or modification in the list of such ways as mentioned in Sub-paragraph (2) based on technological developments and requests received from stakeholders. The committee may invite State Pollution Control Board or Pollution Control Committee, operators of thermal power plants and mines, cement plants and other stakeholders as and when required for this purpose. Based on the recommendations of the Committee, Ministry of Environment, Forest and Climate Change (MoEFCC) may publish such eco-friendly purpose.
- (4) Every coal or lignite based thermal power plant shall be responsible to utilise 100 per cent ash (Fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 per cent in any year, and the thermal power plant shall achieve average ash utilisation of 100 per cent in a three years cycle:

Provided that the three years cycle applicable for the first time is extendable by one year for the thermal power plants where ash utilisation is in the range of 60-80 per cent, and two years where ash utilisation is below 60 per cent and for the purpose of calculation of percentage of ash utilisation, the percentage quantity of utilisation in the year 2021- 2022 shall be taken into account as per the table below:

Utilisation percentages of thermal power plants	First compliance Cycle to meet 100 per cent utilisation	Second compliance cycle onwards, to meet 100 per cent utilisation
>80 per cent	3 years	3 years
60-80 per cent	4 years	3 years
<60 per cent	5 years	3 years

Provided further that the minimum utilisation percentage of 80 per cent shall not be applicable to the first year and first two years of the first compliance cycle for the thermal power plants under the utilisation category of 60-80 per cent and <60 per cent, respectively.

Provided also that 20per cent of ash generated in the final year of compliance cycle may be carried forward to the next cycle which shall be utilised in the next three years cycle along with the ash generated during that cycle.

- (5) The unutilised accumulated ash i.e. legacy ash, which is stored before the publication of this notification, shall be utilised progressively by the thermal power plants in such a manner that the utilization of legacy ash shall be completed fully within ten years from the date of publication of this notification and this will be over and above the utilisation targets prescribed for ash generation through current operations of that particular year:

Provided that the minimum quantity of legacy ash in percentages as mentioned below shall be utilised during the corresponding year and the minimum quantity of legacy ash is to be calculated based on the annual ash generation as per installed capacity of thermal power plant.

Year from date of publication	1 st	2 nd	3 rd -10 th
Utilisation of legacy ash (in percentage of Annual ash)	At least 20 per cent	At least 35 per cent	At least 50 per cent

Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within a year from the date of publication of this notification. The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines.

Note: The obligations under sub-paragraph (4) and (5) above for achieving the ash utilisation targets shall be applicable from 1st April, 2022.

- (6) Any new as well as operational thermal power plant may be permitted an emergency or temporary ash pond with an area of 0.1 hectare per Mega Watt (MW). Technical specifications of ash ponds or dykes shall be as per the guidelines of Central Pollution Control Board (CPCB) made in consultation with Central Electricity Authority (CEA) and these guidelines shall also lay down a procedure for annual certification of the ash pond or dyke on its safety, environmental pollution, available volume, mode of disposal, water consumption or conservation in disposal, ash water recycling and greenbelt, etc., and shall be put in place within three months from the date of publication of this notification.
- (7) Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification.
- (8) Every coal or lignite based thermal power plant shall install dedicated silos for storage of dry fly ash silos for at least sixteen hours of ash based on installed capacity and it shall be reported upon to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in the Annexure and shall be inspected by Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) from time to time.
- (9) Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall provide real time data on daily basis of availability of ash with Thermal Power Plant (TPP), by providing link to Central Pollution Control Board's web portal or mobile phone App for the benefit of actual user(s).
- (10) Statutory obligation of 100 per cent utilisation of ash shall be treated as a change in law, wherever applicable.

B. For the purpose of utilisation of ash, the subsequent sub-paras shall apply.—

- (1) All agencies (Government, Semi-government and Private) engaged in construction activities such as road laying, road and flyover embankments, shoreline protection structures in coastal districts and dams within 300 kms from the lignite or coal based thermal power plants shall mandatorily utilise ash in these activities.

Provided that it is delivered at the project site free of cost and transportation cost is borne by such coal or lignite based thermal power plants.

Provided further that thermal power plant may charge for ash cost and transportation as per mutually agreed terms, in case thermal power plant is able to dispose the ash through other means and those agencies makes a request for it and the provisions of ash free of cost and free transportation shall be applicable, if thermal power plant serves a notice on the construction agency for the same.

- (2) The utilisation of ash in the said activities shall be carried out in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, Central Building Research Institute, Roorkee, Central Road Research Institute, Delhi, Central Public Works Department, State Public Works Departments and other Central and State Government Agencies.

- (3) It shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility (EPR). All mine owners or operators (Government, Public and Private Sector) within three hundred kilometres (by road) from coal or lignite based thermal power plants, shall undertake measures to mix at least 25 per cent of ash on weight to weight basis of the materials used for external dump of overburden, backfilling or stowing of mine (running or abandoned as the case may be) as per the guidelines of the Director General of Mines Safety (DGMS):

Provided that such thermal power stations shall facilitate the availability of required quantity of ash by delivering ash free of cost and bearing the cost of transportation or cost of transportation arrangement decided on mutually agreed terms and mixing of ash with overburden in mine voids and dumps shall be applicable for the overburden generated from the date of publication of this notification and the utilisation of ash in the said activities shall be carried out in accordance with guidelines laid down by the Central Pollution Control Board, Director General of Mines Safety and Indian Bureau of Mines.

Explanation.- For the purpose of this sub-paragraph, it is also clarified that the provisions of ash free of cost and free transportation shall be applicable, if thermal power plants serve a notice on the mine owner for the same and the mandate of using 25 per cent of ash for mixing with overburden dump and filling up of mine voids shall not be applicable unless a notice is served on the mine owner by thermal power plant.

- (4) (i) All mine owners shall get mine closure plans (progressive and final) to accommodate ash in the mine voids and the concerned authority shall approve mine plans for disposal of ash in mine voids and mixing of ash with overburden dumps. The Ministry of Environment, Forest and Climate Change (MoEFCC) has issued guidelines on 28th August, 2019 regarding exemption of requirement of Environmental Clearance of thermal power plants and coal mines along with the guidelines to be followed for such disposal.
- (ii) The Ministry in consultation with Central Pollution Control Board (CPCB), Director General of Mine Safety (DGMS) and Indian Bureau of Mines (IBM) may issue further guidelines time to time to facilitate ash disposal in mine voids and mixing with overburden dumps and it shall be the responsibility of mine owners to get the necessary amendments or modifications in the permissions issued by various regulatory authorities within one year from the date of identification of such mines.
- (5) (i) There shall be a committee headed by Chairperson, Central Pollution Control Board (CPCB) with representatives from Ministry of Environment, Forest and Climate Change, Ministry of Power, Ministry of Mines, Ministry of Coal, Director General of Mine Safety and Indian Bureau of Mines for identification of mines for backfilling of mine voids with ash or mixing of ash with overburden dump including examination of safety, feasibility (not economic feasibility) and aspects of environmental contamination and the committee shall get updated quarterly reports prepared regarding identified mines (both underground and opencast) for the stakeholder Ministries or Departments and the committee shall start identifying the suitable mines immediately after the publication of this notification.
- (ii) Thermal power plants or mines shall not wait for disposal of ash till the identification is done by the above mentioned committee, to meet the utilisation targets mandated as above.
- (6) Filling of low lying areas with ash shall be carried out with prior permission of the State Pollution Control Board or Pollution Control Committee for approved projects, and in accordance with guidelines laid down by Central Pollution Control Board (CPCB) and the State Pollution Control Board or Pollution Control Committee (PCC) shall publish approved sites, location, area and permitted quantity annually on its website.
- (7) Central Pollution Control Board after engaging relevant stakeholders, shall put in place the guidelines within one year for all types of activities envisaged under this notification including putting in place time bound online application process for the grant permission by State Pollution Control Boards (SPCBs) or Pollution Control Committees (PCCs).

- (8) All building construction projects (Central, State and Local authorities, Govt undertakings, other Govt agencies and all private agencies) located within a radius of three hundred kilometres from a coal or lignite based thermal power plant shall use ash bricks, tiles, sintered ash aggregate or other ash based products, provided these are made available at prices not higher than the price of alternative products.
- (9) Manufacturing of ash based products and use of ash in such products shall be in accordance with specifications and guidelines laid down by the Bureau of Indian Standards, Indian Road Congress, and Central Pollution Control Board.

C. Environmental compensation for non-compliance.—

- (1) In the first two years of a three years cycle, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved at least 80 per cent ash (fly ash and bottom ash) utilisation, then such non-compliant thermal power plants shall be imposed with an environmental compensation of Rs. 1000 per ton on unutilised ash during the end of financial year based on the annual reports submitted and if it is unable to utilise 100 per cent of ash in the third year of the three years cycle, it shall be liable to pay an environmental compensation of Rs. 1000 per ton on the unutilised quantity on which environmental compensation has not been imposed earlier.

Provided that the environmental compensation shall be estimated and imposed at the end of last year of the first compliance cycle as per the various utilisation categories as mentioned in sub-paragraph (4) of Para A.

- (2) Environmental compensation collected by the authorities shall be deposited in the designated account of Central Pollution Control Board.
- (3) In case of legacy ash, if the coal or lignite based thermal power plant (including captive or co-generating stations or both) has not achieved utilisation equivalent to at least 20 per cent (for the first year), 35 per cent (for the second year), 50 per cent (for third to tenth year) of ash generated based on installed capacity, an environmental compensation of Rs. 1000 per ton of unutilised legacy ash during that financial year shall be imposed and if the utilization of legacy ash is not completed at the end of 10 years, an environmental compensation of Rs.1000 per ton shall be imposed on the remaining unutilised quantity which has not been imposed earlier.
- (4) It shall be the responsibility of the transporters or vehicle owner to deliver ash to authorised purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as mis-delivered to unauthorised users or non- delivered to authorised users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
- (5) It is the responsibility of the purchasers or user agencies to utilise ash in an eco-friendly manner as laid down at para B of this notification and if it is not complied, then an environmental compensation of Rs. 1500 or per ton shall be imposed by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC).
- (6) If the user agencies do not utilise ash to the extent obligated under para B or the extent to which they have been intimated through Notice(s) served under sub-paragraph (1) of para D, whichever is lower, they shall be liable to pay Rs. 1500 per ton of ash for the quantity they fall short of:

Provided that the environmental compensation on building constructions shall be levied at Rs.75/- per square feet of built up area of construction.

- (7) (i) The environmental compensation collected by Central Pollution Control Board from the thermal power plants and other defaulters shall be used towards the safe disposal of the unutilised ash and the fund may also be utilised for advancing research on use of ash including ash based products.

(ii) The liability of ash utilisation shall be with thermal power plants even after imposition of environmental compensation on unutilised quantities and in case thermal power plant achieves the ash utilisation of any



particular cycle after imposition of environmental compensation in subsequent cycles, the said amount shall be returned to thermal power plant after deducting 10 per cent of the environmental compensation collected on the unutilised quantity during the next cycle and deduction of 20 per cent, 30 per cent, and so on, of the environmental compensation collected is to be made in case of utilisation of ash in subsequent cycles.

D. Procedure for supply of ash or ash based products.—

- (1) The owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate shall serve written notice to persons or agencies who are liable to utilise ash or ash based products, offering for sale, or transport or both.
- (2) Persons or user agencies who have been served notices by owner of thermal power plants or manufacturers of ash bricks or tiles or sintered ash aggregate, if they have already tied up with other agencies for the purpose of utilisation of ash or ash products, shall inform the thermal power plant accordingly, if they cannot use any ash or ash products or use reduced quantity.

E. Enforcement, Monitoring, Audit and Reporting —

- (1) The Central Pollution Control Board (CPCB) and the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be the enforcing and monitoring authority for ensuring compliance of the provisions and shall monitor the utilisation of ash on quarterly basis. Central Pollution Control Board shall develop a portal for the purpose within six months of date of publication of the notification. The concerned District Magistrate shall have concurrent jurisdiction for enforcement and monitoring of the provisions of this notification.
- (2) (i) Thermal power plants shall upload monthly information regarding ash generation and utilisation by 5th of the next month on the web portal. Annual implementation report (for the period 1st April to 31st March) providing information about the compliance of provisions in this notification shall be submitted by the 30th day of April, every year to the Central Pollution Control Board, concerned State Pollution Control Board or Pollution Control Committee (PCC), Central Electricity Authority (CEA), and concerned Integrated Regional Office of Ministry of Environment, Forest and Climate Change by the coal or lignite based thermal power plants. Central Pollution Control Board and Central Electricity Authority shall compile the annual reports submitted by all the thermal power plants and submit to Ministry of Environment, Forest and Climate Change by 31st May.

(ii) All other user agencies shall submit consumption or utilisation or disposal of ash and use of ash based products as mandated in this notification in the compliance report of Environmental Clearance (EC) issued by Ministry of Environment, Forest and Climate Change or State Level Environment Impact Assessment Authority (SEIAA) or Consent to Operate (CTO) issued by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC), whichever is applicable. The Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall publish annual report of ash utilisation of all other agencies except thermal power plants to review the effective implementation of the provisions of the notification.
- (3) For the purpose of monitoring the implementation of the provisions of this notification, a committee shall be constituted under the Chairperson, Central Pollution Control Board (CPCB), with members from Ministry of Power, Ministry of Coal, Ministry of Mines, Ministry of Environment, Forest and Climate Change, Ministry Road Transportation and Highways, Department of Heavy Industry as well as any concerned stakeholder(s), to be nominated by the Chairman of the committee. The committee may make recommendations for effective and efficient implementation of the provisions of the notification. The committee shall meet at least once in six months and review annual implementation reports and the committee shall also hold stakeholder consultations for monitoring of ash utilisation as mandated by this notification by inviting relevant stakeholder(s) at least once in six months. The committee shall submit the six monthly report to Ministry of Environment, Forest and Climate Change (MoEFCC).

- (4) For the purpose of resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, the State Governments or Union territory administration constitute a Committee within three months from the date of publication of this notification under the Chairman, State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) with representatives from Department of Power, and one representative from the Department which deals with the subject of concerned agency with which dispute is made.
- (5) The compliance audit for ash disposal by the thermal power plants and the user agency shall be conducted by auditors, authorised by Central Pollution Control Board (CPCB) and audit report shall be submitted to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 30th November every year. Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall initiate action against non-compliant thermal power plants within fifteen days of receipt of audit report.

[F. No. HSM-9/1/2019-HSM]

NARESH PAL GANGWAR, Jt. Secy.

Annexure

Ash Compliance Report (for the period 1st April-31st March) to be submitted on or before 31st May.

Sl. No.	Details	
1.	Name of Power Plant	
2.	Name of the company	
3.	District	
4.	State	
5.	Postal address for communication.	
6.	E-mail:	
7.	Power Plant installed capacity (MW):	
8.	Plant Load Factor (PLF):	
9.	No. of units generated (MWh):	
10.	Total area under power plant (ha): (including area under ash ponds)	
11.	Quantity of coal consumption during reporting period (Metric Tons per Annum):	
12.	Average ash content in percentage (per cent):	
13.	Quantity of current ash generation during reporting period (Metric Tons per Annum): Fly ash (Metric Tons per Annum): Bottom ash (Metric Tons per Annum):	
14.	Capacity of dry fly ash storage silo(s) (Metric Tons):	
15.	Details of utilisation of current ash generated during reporting period (a) Total quantity of current ash utilised (MTPA) during reporting period: (b) Quantity of fly ash utilised (MTPA): (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels) (ii) Cement manufacturing.	

	<ul style="list-style-type: none"> (iii) Ready mix concrete: (iv) Ash and Geo-polymer based construction material: (v) Manufacturing of sintered or cold bonded ash aggregate: (vi) Construction of roads, road and fly over embankment: (vii) Construction of dams: (viii) Filling up of low lying area: (ix) Filling of mine voids: (x) Use in overburden dumps: (xi) Agriculture: (xii) Construction of shoreline protection structures in coastal districts. (xiii) Export of ash to other countries: (xiv) Others (please specify): <p>(c) Quantity of bottom ash utilised (MTPA):</p> <ul style="list-style-type: none"> (i) Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels): (ii) Cement manufacturing: (iii) Ready mix concrete: (iv) Ash and Geo-polymer based construction material: (v) Manufacturing of sintered or cold bonded ash aggregate: (vi) Construction of roads, road and flyover embankment: (vii) Construction of dams: (viii) Filling up of low lying area: (ix) Filling of mine voids: (x) Use in overburden dumps: (xi) Agriculture: (xii) Construction of shoreline protection structures in coastal districts: (xiii) Export of ash to other countries: (xiv) Others (please specify): <p>Total quantity of current ash unutilised (MTPA) during reporting period:</p>	
16.	Percentage utilisation of current ash generated during reporting period (per cent):	
17.	<p>Details of disposal of ash in ash ponds</p> <ul style="list-style-type: none"> (a) Total quantity of ash disposed in ash pond(s) (Metric Tons) as on 31st March (excluding reporting period): (b) Quantity of ash disposed in ash pond(s) during reporting period (Metric Tons): (c) Total quantity of water consumption for slurry discharge into ash ponds during reporting period (m³): (d) Total number of ash ponds: <ul style="list-style-type: none"> (i) Active: (ii) Exhausted (yet to be reclaimed): (iii) Reclaimed: (e) total area under ash ponds (ha): 	
18.	<p>Individual ash pond details</p> <p><i>Ash pond-1,2, etc (please provide below mentioned details separately, if number of ash ponds is more than one)</i></p> <ul style="list-style-type: none"> (a) Status: Under construction or Active or Exhausted or 	



	<p>Reclaimed</p> <p>(b) Date of start of ash disposal in ash pond (DD/MM/YYYY or MMYYYY):</p> <p>(c) Date of stoppage of ash disposal in ash pond after completing its capacity (DD/MM/YYYY or MM/YYYY): (Not applicable for active ash ponds)</p> <p>(c) area (hectares):</p> <p>(d) dyke height (m):</p> <p>(d) volume (m³):</p> <p>(e) quantity of ash disposed as on 31st March (Metric Tons):</p> <p>(f) available volume in percentage (per cent) and quantity of ash can be further disposed (Metric Tons):</p> <p>(g) expected life of ash pond (number of years and months):</p> <p>(e) co-ordinates (Lat and Long): (please specify minimum 4 co-ordinates)</p> <p>(f) type of lining carried in ash pond: HDPE lining or LDPE lining or clay lining or No lining</p> <p>g) mode of disposal: Dry disposal or wet slurry (in case of wet slurry please specify whether HCSD or MCSD or LCSD)</p> <p>(h) Ratio of ash: water in slurry mix (1: __):</p> <p>(i) Ash water recycling system (AWRS) installed and functioning: Yes or No</p> <p>(j) Quantity of wastewater from ash pond discharged into land or water body (m³):</p> <p>(k) Last date when the dyke stability study was conducted and name of the organisation who conducted the study:</p> <p>(l) Last date when the audit was conducted and name of the organisation who conducted the audit:</p>									
19.	<p>Quantity of legacy ash utilised (MTPA):</p> <ol style="list-style-type: none"> i. Fly ash based products (bricks or blocks or tiles or fibre cement sheets or pipes or boards or panels): ii. Cement manufacturing: iii. Ready mix concrete: iv. Ash and Geo-polymer based construction material: v. Manufacturing of sintered or cold bonded ash aggregate: vi. Construction of roads, road and flyover embankment: vii. Construction of dams: viii. Filling up of low lying area: ix. Filling of mine voids: x. Use in overburden dumps: xi. Agriculture: xii. Construction of shoreline protection structures in coastal districts: xiii. Export of ash to other countries: xiv. Others (please specify): 									
20.	<p>Summary:</p> <table border="1" data-bbox="259 1709 1214 1782"> <thead> <tr> <th data-bbox="259 1709 506 1782">Details</th> <th data-bbox="506 1709 751 1782">Quantity generated (MTP)</th> <th data-bbox="751 1709 981 1782">Quantity utilised (MTP) and (per cent)</th> <th data-bbox="981 1709 1214 1782">Balance quantity (MTP)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)					
Details	Quantity generated (MTP)	Quantity utilised (MTP) and (per cent)	Balance quantity (MTP)							



	Current ash during reporting period			
	Legacy ash			
	Total			
21.	Any other information: Soft copy of the annual compliance report, and shape files of power plant and ash ponds may be e-mailed to:- moefcc-coalash@gov.in			
22.	Signature of Authorised Signatory			



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

EMAIL & SPEED POST

IPC-H/TPP/CP-11/76/2022/ 5520-5550

October 14, 2024

To,

The Member Secretary
State Pollution Control Board
(As per the list enclosed)

Sub: Directions under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for ensuring effective implementation and monitoring of the Ash Notification No. S.O. 5481 (E) dated 31.12.2021 by the coal or lignite-based thermal power plants (including captive or co-generating stations or both).

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs), constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to plan a comprehensive program for prevention, control and abatement of pollution of streams and wells located in the State/U.T. and to secure the execution thereof; and

WHEREAS, amongst others, under Section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs), constituted under Water (Prevention and Control of Pollution) Act, 1974, is to plan a comprehensive program for prevention, control and abatement of air pollution in the State/U.T. and to secure the execution thereof; and

WHEREAS, by notification of the Government of India in the erstwhile Ministry of Environment and Forests vide S.O.763 (E), dated the 14.09.1999, as amended from time to time, the Central Government, issued directions for promoting the utilisation of fly ash in the manufacturing of building materials and in construction activity within a specified radius of three hundred kilometres from the coal or lignite based thermal power plants; and

WHEREAS, in super-session of the aforesaid notification the Central Government has issued Notification No. S.O. 5481 (E) dated 31.12.2021, which has been subsequently amended on 30.12.2022 and 01.01.2024, to ensure more effective implementation of 100 percent fly ash utilisation/disposal by the coal or lignite-based thermal power plants in various permitted avenues/uses. In this regard, Central Pollution Control Board (CPCB) vide **letter dated 09.11.2022** requested all SPCBs to take necessary action for enforcement of the provisions of the Ash Notification by the coal or lignite based thermal power plants and monitoring of compliance by the SPCBs (**copy enclosed** for ready reference); and

WHEREAS, as per Para A(1) of the Ash Notification dated 31.12.2021, "Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilisation of ash (fly ash, and bottom ash) generated by it in an eco-friendly manner as given in sub-paragraph (2)"; and

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS, as per Para A(2) of the Ash Notification dated 31.12.2021, the ash generated from coal or lignite based thermal power plants shall be utilised only for the eco-friendly purposes prescribed at A(2) (i) to (xi) (it doesn't include "ash dyke raising" or "disposal of ash into the operational ash ponds/dykes"). Further, the utilization avenue mentioned under Para A(2)(xi) of the notification i.e. "Any other eco-friendly purpose as notified from time to time" is not applicable as of now, as any additional avenue has not been notified by the Central Government; and

WHEREAS, as per Para A(4) of the Ash Notification dated 31.12.2021, "Every coal or lignite based thermal power plant shall be responsible to utilise 100 per cent ash (fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 per cent in any year, and the thermal power plant shall achieve average ash utilisation of 100 per cent in a three years cycle (first compliance cycle of four/five year is prescribed for specific cases with exemption from minimum 80 per cent annual ash utilization target for initial 1/2 years). In this regard, CPCB vide **letter dated 20.02.2024** circulated the status of compliance of the Ash Notification dated 31.12.2021 by the independent thermal power plants across the country during the first compliance cycle i.e. FY 2022-23 to the concerned SPCBs requesting to take appropriate action in the matter (**copy enclosed** for ready reference); and

WHEREAS, as per Para A(5) of the Ash Notification dated 31.12.2021, "... Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation or solar power plant or wind power plant as per the guidelines issued by the Central Pollution Control Board (CPCB) as specified in sub-para (6) and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within three years from 1st April, 2022 (i.e. by **31st March 2025**). The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines. Provided that ash stored in all ash ponds or dykes other than operational ash pond or dyke designated for temporary storage of ash as specified in sub-para (6) shall constitute the legacy ash and either to be reclaimed or stabilised or utilised"; and

WHEREAS, as per Para A(6) of the Ash Notification dated 31.12.2021, "... Provided that up to two operational ash ponds or dykes for thermal power plants commissioned before 31st December, 2021, having installed capacity less than or equal to 1600 MW, and up to four operational ash ponds or dykes for thermal power plants having installed capacity more than 1600 MW, having multiple lagoons, within the specified area from the existing ash ponds or dykes, may be designated with clear demarcation along with coordinates, and shall inform to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 31st March, 2023". In this regard, Central Pollution Control Board (CPCB) and Central Electricity Authority (CEA) have issued "Guidelines on Design, Construction, O&M and Annual Certification of Coal Ash Ponds, June 2023" for coal or lignite based thermal power plant (**copy enclosed** for reference); and

WHEREAS, as per Para A(7) of the Ash Notification dated 31.12.2021, "Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage

and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification"; and

WHEREAS, as per Para A(8) of the Ash Notification dated 31.12.2021, "Every coal or lignite based thermal power plant shall install dedicated silos for storage of dry fly ash silos for at least sixteen hours of ash based on installed capacity and it shall be reported upon to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in the Annexure and shall be inspected by Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) from time to time". In this regard, the aforesaid CPCB's letter dated 20.02.2024 to the concerned SPCBs also highlighted the non-compliance of the said provision of the Ash Notification dated 31.12.2021 by a large number of thermal power plants; and

WHEREAS, as per Paras A(9) and E(2) of the Ash Notification dated 31.12.2021, all coal or lignite-based thermal power plants shall upload monthly information regarding ash generation and utilisation by 5th of the next month and ash pond details on yearly basis on the web portal developed by the CPCB for the benefit of actual user(s). In this regard, CPCB in association with NTPC and CEA, has developed Ash Portal (<https://coalash.cpcb.gov.in/>) for this purpose; and

WHEREAS, CPCB vide letters dated 18.07.2023, 02.08.2023 and 25.08.2023 requested all concerned SPCBs to obtain the SPCB's login credentials for the Ash Portal and to issue necessary directions/instructions to all Captive Power Plants (CPPs) in the State to ensure immediate registration and regular uploading of ash data on the Ash Portal, along with ensuring regular uploading of ash data on the Ash Portal by all coal or lignite-based thermal power plants (including captive or co-generating plants or both) in the State; and

WHEREAS, CPCB issued directions under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, to all concerned SPCBs vide dated 13.09.2023 a) To issue necessary directions/instructions to coal or lignite-based CPPs (including co-generating plants) in the State to ensure registration on the Ash Portal developed by CPCB (<https://coalash.cpcb.gov.in/>) immediately and uploading monthly information regarding ash generation and utilisation by 5th of the next month, and ash pond details on yearly basis, and b) To ensure regular uploading of ash data on the Ash Portal by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State; and

WHEREAS, CPCB vide letters dated 19.01.2024 and 29.08.2024 circulated to all concerned SPCBs the status of registration of the coal or lignite-based CPPs on the Ash Portal along with the state-wise lists with further instructions to SPCBs to ensure compliance of the directions dated 13.09.2023 (copies enclosed for ready reference); and

WHEREAS, as per Para B(5)(ii) of the Ash Notification dated 31.12.2021, "Thermal power plants or mines shall not wait for disposal of ash till the identification is done by the above mentioned committee [under Para B(5)(i)], to meet the utilisation targets mandated as above [under Para A(4) and A(5)]". In this regard, as per the decisions of the committee constituted under Para B(5)(i) taken during 1st and 3rd meeting held on 01.08.2022 and 06.10.2023, CPCB vide letter dated 08.09.2022 (and 20.10.2023) and has requested all

SPCBs/PCCs to constitute District Level Working Groups for deciding allocation of non-coal mines (major and minor minerals) for ash disposal to the coal or lignite based power plants, with Regional Officers, SPCB as the nodal agency (**copies enclosed** for ready reference); and

WHEREAS, as per Para B(6) of the Ash Notification dated 31.12.2021, "*Filling of low lying areas with ash shall be carried out with prior permission of the State Pollution Control Board or Pollution Control Committee for approved projects, and in accordance with guidelines laid down by Central Pollution Control Board (CPCB) and the State Pollution Control Board or Pollution Control Committee (PCC) shall publish approved sites, location, area and permitted quantity annually on its website*". In this regard, CPCB has laid down "**Guidelines for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and in stowing of Abandoned mines/Quarries, 2019**" which were issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India vide O.M. dated 28.08.2019; and

WHEREAS, as per Para C(4) of the Ash Notification dated 31.12.2021, "*It shall be the responsibility of the transporters or vehicle owner to deliver ash to authorised purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as mis-delivered to unauthorised users or non-delivered to authorised users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC)*"; and.

WHEREAS, as per Para C(5) of the Ash Notification dated 31.12.2021, "*It is the responsibility of the purchasers or user agencies to utilise ash in an eco-friendly manner as laid down at para B of this notification and if it is not complied, then an environmental compensation of Rs. 1500 or per ton shall be imposed by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC)*"; and

WHEREAS, as per Para D(4) of the Ash Notification dated 31.12.2021, "*The coal or lignite based thermal power plants, while utilising ash under this notification shall reserve certain percentage of ash for supply to all micro and small enterprises engaged in ash-based product manufacturing namely, bricks, blocks, tiles, sintered or cold bonded ash aggregates, fibre cement sheets, pipes, boards, panels for sale at concessional price or through limited auction in accordance with the guidelines issued by the Central Government in the Ministry of Power*". In this regard, the Ministry of Power, Government of India has issued **guidelines** on the aforesaid subject vide dated 15.03.2024 to all coal or lignite based thermal power plants and concerned State Governments (**copy enclosed** for reference); and

WHEREAS, as per Para E(4) of the Ash Notification dated 31.12.2021, "*For the purpose of resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, the State Governments or Union territory administration constitute a Committee within three months from the date of publication of this notification under the Chairman, State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) with representatives from Department of Power, and one representative from the Department which deals with the subject of concerned agency with which dispute is made*"; and

WHEREAS, as per Para E(5) of the Ash Notification dated 31.12.2021, "*The compliance audit for ash disposal by the thermal power plants and the user agency shall be conducted by auditors, authorised by Central Pollution Control Board (CPCB) and audit*

report shall be submitted to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 30th November every year. Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall initiate action against non-compliant thermal power plants within fifteen days of receipt of audit report". In this regard, CPCB vide O.M. dated 09.09.2024 (earlier O.M. dated 06.03.2023 and 17.07.2023) has issued the list of authorized auditors to undertake the compliance audit for ash disposal by the coal or lignite based thermal power plants and the users as per Ash Notification No. 5481(F) dated 31.12.2021 (copy enclosed for ready reference); and

WHEREAS, the Ash Notification dated 31.12.2021 designates SPCBs as the enforcing and monitoring authority in their States for ensuring compliance of various provisions of the Ash Notification on quarterly basis [Para E(1)];

NOW, THEREFORE, in exercise of the powers under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, and with the approval of the Chairman, Central Pollution Control Board (CPCB), the (as per list enclosed) State Pollution Control Board is hereby directed as follows:

- a) To ensure effective enforcement and monitoring of compliance of the various provisions of the Ash Notification by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State on quarterly basis.
- b) To ensure immediate registration and regular uploading of monthly ash generation and utilisation data by 5th of the next month, and ash pond details on yearly basis on the Ash Portal by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State,
- c) To ensure that the ash generated from coal or lignite based thermal power plants (including captive or co-generating stations or both) shall be utilised only for the eco-friendly purposes prescribed at A(2) (i) to (x) of the Ash Notification.
- d) To ensure stabilisation, reclamation and certification of un-operational ash ponds/dykes and operational ash ponds/dykes beyond the permitted numbers (two for plants with installed capacity up to 1600 MW and four for plants with installed capacity above 1600 MW) by 31.03.2025 if the plant has not decided to utilise ash from such ash ponds/dykes in a progressive manner within 10 years as per the Ash Notification.
- e) To ensure and periodically monitor the compliance of the "Guidelines on Design, Construction, O&M and Annual Certification of Coal Ash Ponds, June 2023" (issued by CPCB and CEA) by the coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State.
- f) To ensure that the loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State,
- g) To ensure the installation of dedicated dry fly ash silos for storage of at least 16 hours of ash based on installed capacity by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State and periodic inspection of the same.

- h) To ensure that the filling of low lying areas with ash shall be carried out only with prior permission of the SPCB and for approved projects complying with the CPCB's guidelines and the SPCB shall publish approved sites, location, area and permitted quantity annually on its website,
- i) To ensure that the transporters or vehicle owner deliver ash to authorised purchaser or user agency only, and take appropriate action for the non-compliant cases as per the provisions of the Ash Notification, which include imposition of environmental compensation and prosecution of such non-compliant transporters by SPCB,
- j) To ensure compliance of the guidelines dated 15.03.2024 issued by the Ministry of Power, Government of India regarding reserving certain percentage of ash for supply to all micro and small enterprises engaged in ash-based product manufacturing namely, bricks, blocks, tiles, sintered or cold bonded ash aggregates, fibre cement sheets, pipes, boards, panels for sale at concessional price or through limited auction.
- k) To ensure effective mechanism for resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, through the State Level Committee under the Chairman, SPCB, and
- l) To ensure submission of the annual implementation report and annual compliance audit report by 30th April and 30th November every year, respectively, by the coal or lignite based thermal power plants in the State to the concerned authorities and take appropriate action against the non-compliant thermal power plants as per the provisions of the Ash Notification dated 31.12.2021.

The SPCB shall submit the latest status/action taken report on the above mentioned directions within one month from the receipt of these directions, and ensure regular compliance of the above mentioned directions and submission of annual status report by 31st December every year from December 2024 onward.

(Bharat Kumar Sharma)
Member Secretary

Copy to:

1. Additional Secretary (HSM Division)
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Aliganj,
Jor Bagh Road, New Delhi – 110 003
2. The Joint Secretary (Thermal)
Ministry of Power,
Shram Shakti Bhawan, Rafi Marg,
New Delhi
3. The Regional Directors
Central Pollution Control Board,
(As per the list enclosed) : For follow-up with the concerned SPCBs.
4. The Divisional Head - IT, CPCB, Delhi : For uploading the directions on the website.


(Bharat Kumar Sharma)
Member Secretary



List of State Pollution Control Boards

1. The Member Secretary,
Andhra Pradesh Pollution Control Board
D. No. 33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamalavari Street,
Kasturibaipet, **Vijayawada – 520 010**
2. The Member Secretary,
Pollution Control Board- Assam,
Bamunimaidam, **Guwahati – 781 021**, Assam
3. The Member Secretary,
Bihar State Pollution Control Board
Parivesh Bhawan, Plot No. NS-B/2,
Paliputra Industrial Area, Patliputra,
Patna – 800 023, Bihar
4. The Member Secretary,
Chhattisgarh Environment Conservation Board,
Paryavas Bhavan, North Block Sector-19,
Atal Nagar, **Raipur – 492 002**, Chhattisgarh
5. The Member Secretary,
Gujarat Pollution Control Board
Paryavaran Bhavan, Sector 10-A,
Gandhi Nagar - 382 010, Gujarat
6. The Member Secretary,
Goa State Pollution Control Board
Nr. Pilerne Industrial Estate, Opp. Saligao
Seminary, Saligao – Bardez, **Goa – 403 511**
7. The Member Secretary,
Haryana State Pollution Control Board
C-11, Sector-6, **Panchkula- 134109**, Haryana
8. The Member Secretary,
Jharkhand State Pollution Control Board,
T.A. Bldg., HEC, P. O. Dhurwa,
Ranchi – 834 004, Jharkhand
9. The Member Secretary,
Karnataka State Pollution Control Board
"Parisara Bhavan", #49,4th & 5th Floor,
Church Street, **Bangalore 560 001**
10. The Member Secretary,
Madhya Pradesh Pollution Control Board,
Paryavaran Parisar, E-5, Arera Colony,
Bhopal – 462 016, Madhya Pradesh

11. The Member Secretary,
Maharashtra Pollution Control Board,
Kalpataru Points, 3rd & 4th Floor,
Road No. 8, Sion Circle, Opp. PVR Theatre,
Mumbai – 400 022, Maharashtra
12. The Member Secretary,
Meghalaya State Pollution Control Board,
“ARDEN”, Lumpyngad,
Shillong – 793 014, Meghalaya
13. The Member Secretary,
Odisha State Pollution Control Board,
Paribesh Bhawan, A-118, Nilakantha Nagar,
Unit - VIII, **Bhubaneswar – 751 012, Odisha**
14. The Member Secretary,
Punjab Pollution Control Board
Vatavaran Bhawan, Nabha Road
Patiala 147 001, Punjab
15. The Member Secretary,
Rajasthan Pollution Control Board,
A-4, Institutional Area, Jalana Dungri,
Jaipur 302 004, Rajasthan
16. The Member Secretary,
Tamil Nadu Pollution Control Board
76, Anna Salai, Guindy Industrial Estate,
Race View Colony, Guindy.
Chennai – 600 032, Tamil Nadu
17. The Member Secretary,
Telangana State Pollution Control Board,
Paryavaran Bhawan, A-III, Industrial Estate,
Sanathnagar, **Hyderabad – 500 018**
18. The Member Secretary,
Uttar Pradesh Pollution Control Board,
H. No. TC-12 V, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010, Uttar Pradesh
19. The Member Secretary,
Uttarakhand Pollution Control Board,
Gaura Devi Bhawan, 46 B, FF Park,
Sahastradhara, **Dehradun – 248 001, Uttarakhand**
20. The Member Secretary,
West Bengal Pollution Control Board,
Paribesh Bhawan, 10A, Block-I.A, Sector-III,
Bidhannagar, **Kolkata 700 106, West Bengal**

List of CPCB Regional Directorates

1. The Regional Director,
Central Pollution Control Board,
1st & 2nd Floors, Nisarga Bhawan, A-Block,
Thimmaiah Main Road, 7th D Cross,
Shivanagar, **Bengaluru - 560 079**
2. The Regional Director,
Central Pollution Control Board,
Parivesh Bhawan, Paryavaran Parisar,
E-5, Arera Colony, **Bhopal - 462 016**,
Madhya Pradesh
3. The Regional Director,
Central Pollution Control Board,
BSNL Telephone Exchange, 2nd Floor,
Sector -49 C, **Chandigarh - 160 059**
4. The Regional Director,
Central Pollution Control Board,
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate,
Chennai - 600 058, Tamil Nadu
5. The Regional Director,
Central Pollution Control Board,
South End Conclave, Block 502, 5th & 6th Floor
1582, Rajdanga Main Road, **Kolkata - 700 107**
6. The Regional Director,
Central Pollution Control Board,
Survey No. 110, Dhankude Multi-Purpose Hall,
Baner Road, Baner, **Pune - 411 045**, Maharashtra
7. The Regional Director,
Central Pollution Control Board,
Parivesh Bhawan, Opp. VMC Ward No. 10 Office
Subhanpura, **Vadodara - 390 023**
8. The Regional Director,
Central Pollution Control Board,
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
9. The Regional Director,
Central Pollution Control Board,
Opp. Government Press, BSNL NE-I,
Ground Floor, CTO Building,
Shillong - 793 001

**THE NOISE POLLUTION
(REGULATION AND CONTROL)
RULES, 2000**

(AS AMENDED TO DATE)

**THE NOISE POLLUTION
(REGULATION AND CONTROL) RULES, 2000**

MINISTRY OF ENVIRONMENT & FORESTS

NOTIFICATION

¹[S.O.123(E) Whereas, the increasing ambient noise level in public places from various sources, inter-alia, industrial activity, construction activity, ²[fire crackers, sound producing instruments], generator sets, loud speakers, public address systems, music systems, vehicular horns and other mechanical devices have deleterious effects on human health and the psychological well being of the people; it is considered necessary to regulate and control of noise producing and generating sources with the objective of maintaining the ambient air quality standards in respect of noise:

Whereas, a draft of Noise Pollution (Regulation and Control) Rule, 1999 was published under the notification of the Government of India in the Ministry of Environment and Forests vide number S.O.528 (E), dated the 28th June, 1999 inviting objections and suggestions from all the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Gazette containing the said notification are made available to the public:

And, whereas, copies of the said Gazette were made available to the public on the 1st day of July, 1999;

And, whereas the objections and suggestions received from the public in respect of the said draft rules have been duly considered by the Central Government.

Now, therefore, in exercise of the powers conferred by clause (ii) of sub-section (2) of section 3, sub-section (1) and clause (b) of sub-section (2) of section 6 and section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules for the regulation and control of noise producing and generating sources, namely:-

The Noise Pollution (Regulation and Control) Rules, 2000

¹ As published in the Gazette of India, Extraordinary, Part II, Section 3 and vide S.O. 123(E) dated 11.01.2000 under the Ministry of Environment and Forests, Government of India.

² Inserted by Rule 2 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 (G.O. No. 123(E) dated 11.01.2000)

1. SHORT-TITLE AND COMMENCEMENT.-

- (1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS.-

In these rules, unless the context otherwise requires,-

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "area/zone" means all areas which fall in either of the four categories given in the Schedule annexed to these rules;
- ¹[(c) "authority" means and includes any authority or officer authorized by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer not below the rank of the Deputy Superintendent of Police designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force];
- ²[(d) "court" means a governmental body consisting of one or more judges who sit to adjudicate disputes and administer justice and includes any court of law presided over by judge, judges or a magistrate and acting as a tribunal in civil, taxation and criminal cases;
- (e) "educational institution" means a school, seminary, college, university, professional academies, training institutes or other educational establishment, not necessarily a chartered institution and includes not only buildings, but also all grounds necessary for the accomplishment of the full scope of educational instruction, including those things essential to mental, moral and physical development;

¹ Substituted by Rule 2(i) of the Noise Pollution (Regulation and Control) Amendment Rules, 2000 notified vide S.O. 10461-I, dated 22.11.2000, w.e.f. 22.11.2000.

² Inserted by Rule 2(ii), of the Noise Pollution (Regulation and Control) Amendment Rules, 2000 notified vide S.O. 10461-I, dated 22.11.2000, w.e.f. 22.11.2000)

- (f) "hospital" means an institution for the reception and care of sick, wounded, infirm or aged persons, and includes government or private hospitals, nursing homes and clinics;]
- ¹[(g) "person" shall include any company or association or body of individuals, whether incorporated or not;]
- ²[(h) "State Government" in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution;]
- ³[(i) "public place" means any place to which the public have access, whether as of right or not, and includes auditorium, hotels, public waiting rooms, convention centres, public offices, shopping malls, cinema halls, educational institutions, libraries, open grounds and the like which are visited by general public; and
- (j) "night time" means the period between 10.00 p.m. and 6.00 a.m.]

3. AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE FOR DIFFERENT AREAS/ZONES.-

- (1) The ambient air quality standards in respect of Noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.
- (2) The State Government ⁴[shall categorize] the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.
- (3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements, ⁵[blowing of horns, bursting of sound emitting fire crackers, use of loud speakers or public address system and sound producing instruments] and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.
- (4) All development authorities, local bodies and other concerned authorities while planning developmental activity or carrying out functions relating to town

¹ Re-numbered and substituted by Rule 2(n) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O. 1046(E), dated 22.11.2000 w.e.f. 22.11.2000.

Re-numbered by Rule 2(m) ibid.

² Inserted by Rule 3 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50(E), dated 11.01.2010.

³ Substituted by Rule 3 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O. 1046(E) dated 22.11.2000 w.e.f. 22.11.2000.

⁴ Inserted by Rule 4 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50(E), dated 11.01.2010.

and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and to achieve the objective of maintaining the ambient air quality standards in respect of noise.

(5) An area comprising not less than 100 meters around hospitals, educational institutions and courts may be declared as silence area/zone for the purpose of these rules.

4. RESPONSIBILITY AS TO ENFORCEMENT OF NOISE POLLUTION CONTROL MEASURES.-

(1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.

(2) The authority shall be responsible for the enforcement of noise pollution control measures and the due compliance of the ambient air quality standards in respect of noise.

¹[(3) The respective State Pollution Control Boards or Pollution Control Committees in consultation with the Central Pollution Control Board shall collect, compile and publish technical and statistical data relating to noise pollution and measures devised for its effective prevention, control and abatement.]

5. RESTRICTIONS ON THE USE OF LOUD SPEAKERS/PUBLIC ADDRESS SYSTEM ²[AND SOUND PRODUCING INSTRUMENTS].-

(1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.

³[(2) A loud speaker or a public address system or any sound producing instrument or a musical instrument or a sound amplifier shall not be used at night time except in closed premises for communication within, like auditoria, conference rooms, community halls, banquet halls or during a public emergency.]

¹ Inserted by Rule 2 (i) of the Noise Pollution (Regulation and Control) Amendment Rules, 2006 notified vide S.O.1569(F), dated 19.9.2006.

² Inserted by Rule 5(i) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O.50 (F), dated 11.01.2010.

³ Substituted by Rule 5(ii) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O.50 (F), dated 11.01.2010.

¹[(3) Notwithstanding anything contained in sub-rule (2), the State Government may subject to such terms and conditions as are necessary to reduce noise pollution, permit use of loud speakers or ²[public address systems and the like during night hours] (between 10.00 p.m. to 12.00 midnight) on or during any cultural or religious festive occasion of a limited duration not exceeding fifteen days in all during a calendar year.] ³[The Concerned State Government shall generally specify in advance, the number and particulars of the days on which such exemption would be operative].

⁴[(4) The noise level at the boundary of the public place, where loudspeaker or public address system or any other noise source is being used shall not exceed 10 dB(A) above the ambient noise standards for the area or 75 dB(A) whichever is lower.

(5) The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5 dB(A) the ambient noise standards specified for the area in which it is used].

5A.RESTRICTIONS ON THE USE OF HORNS, SOUND EMITTING CONSTRUCTION EQUIPMENTS AND BURSTING OF FIRE CRACKERS.-

- (1) No horn shall be used in silence zones or during night time in residential areas except during a public emergency.
- (2) Sound emitting fire crackers shall not be burst in silence zone or during night time.
- (3) Sound emitting construction equipments shall not be used or operated during night time in residential areas and silence zones.]

¹ Inserted by Rule 2 of the Noise Pollution (Regulation and Control) Amendment Rules, 2002 notified vide Notification S.O. 1088(E), dated 11.10.2002

² Substituted by Rule 5(i)(a) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50 (E), dated 11.01.2010

³ Inserted by Rule 5(i)(b) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50 (E), dated 11.01.2010

⁴ Inserted by Rule 5(iv) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50 (E), dated 11.01.2010

⁵ Inserted by Rule 6 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50 (E), dated 11.01.2010

6. CONSEQUENCES OF ANY VIOLATION IN SILENCE ZONE/AREA.-

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:-

- (i) whoever, plays any music or uses any sound amplifiers.
- (ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument.
- (iii) whoever, exhibits any mimetic, musical or other performances of a nature to attract crowds,
- ¹[(iv) whoever, bursts sound emitting fire crackers; or
- (v) whoever, uses a loud speaker or a public address system.]

7. COMPLAINTS TO BE MADE TO THE AUTHORITY.-

(1) A person may, if the noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone ²[or, if there is a violation of any provision of these rules regarding restrictions imposed during night time], make a complaint to the authority.

(2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

8. POWER TO PROHIBIT ETC. CONTINUANCE OF MUSIC SOUND OR NOISE.-

(1) If the authority is satisfied from the report of an officer incharge of a police station or other information received by him ³[including from the complainant] that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any person for preventing, prohibiting, controlling or regulating :-

¹ Inserted by Rule 7 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O.50(E), dated 11.01.2010

² Inserted by Rule 8 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O.50(E), dated 11.01.2010

³ Inserted by Rule 2(ii)(a) of the Noise Pollution (Regulation and Control) Amendment Rules, 2006 notified vide S.O.1569 (E), dated 19.9.2006

(a) The incidence or continuance in or upon, any premises of

(i) Any vocal or instrumental music.

(ii) sounds caused by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers,¹[public address systems, horn, construction equipment, appliance or apparatus] or contrivance which is capable of producing or re-producing sound,

²[(iii) sound caused by bursting of sound emitting fire crackers, or]

(b) The carrying on in or upon, any premises of any trade, a vocation or operation or process resulting in or attended with noise.

(2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

provided that before any such application is disposed of, the said authority shall afford to the applicant ³[and to the original complainant, as the case may be] an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it rejects any such application either wholly or in part, record its reasons for such rejection.

¹ Substituted by Rule 9(i) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50(E), dated 11.01.2010.

² Inserted by Rule 9(ii) of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2010 notified vide S.O. 50(E), dated 11.01.2010.

³ Inserted vide Rule 2(ii)(b) of the Noise Pollution (Regulation and Control) Amendment Rules, 2006 notified vide S.O. 1569(E), dated 19.9.2006.



SCHEDULE

see rule 3(1) and 4(1)

Ambient Air Quality Standards in respect of Noise

Area Code	Category of Area/Zone	Limits in dB(A) Leq*	
		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Note:- 1. Day time shall mean from 6.00 a.m. to 10.00 p.m.

2. Night time shall mean from 10.00 p.m. to 6.00 a.m.

3. Silence zone is an area comprising not less than 100 metres around hospitals, educational institutions, courts, religious places or any other area which is declared as such by the competent authority].

4. Mixed categories of areas may be declared as one of the four above mentioned categories by the competent authority.

*dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

A "decibel" is a unit in which noise is measured.

"A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leq: It is an energy mean of the noise level over a specific period.

Note: The principal rules were published in the Gazette of India vide number, S.O.123(E), dated 14th February, 2000 and subsequently amended vide S.O.1046(E), dated 22nd November, 2000, S.O. 1088(E), dated 11th October, 2002, S.O. 1569(E), dated the 19th September, 2006 and S.O.50(E), dated 11th January, 2010.

Substituted by Rules 4 of the Noise Pollution (Regulation and Control) (Amendment) Rules, 2000 notified vide S.O. 1046 (E), dated 22.11.2000



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PART II—Section 3—Sub-section (ii)

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जल संसाधन, नदी विकास और गंगा संरक्षण विभाग

(केंद्रीय भूमि जल प्राधिकरण)

अधिसूचना

नई दिल्ली, 24 सितम्बर, 2020

का.आ. 3289(अ).—जबकि, 1985 की सिविल रिट याचिका 4677, एमसी. मेहता बनाम भारत संघ में पारित दिनांक 10 दिसंबर, 1996 के माननीय उच्चतम न्यायालय के आदेश के माध्यम से इसके दिशा-निर्देशों पर केंद्र सरकार ने भूमि जल प्रबंधन और विकास के विनियमन और नियंत्रण के उद्देश्यों से और कतिपय शक्तियों का प्रयोग करने और उसमें संबंधित कतिपय कार्यों को करने के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 5 के तहत शक्तियों का प्रयोग करने के लिए दिनांक 14 जनवरी, 1997 की अधिसूचना सं.का.आ. 38(अ) के माध्यम से केंद्रीय भूमि जल प्राधिकरण (इसके बाद इसे "प्राधिकरण" के रूप में कहा गया है) गठित किया है।

और जबकि प्राधिकरण उद्योगों, अथवा आधारभूत परियोजनाओं अथवा खनन परियोजनाओं इत्यादि के लिए भूजल निष्कर्षण के लिए "अनापत्ति प्रमाणपत्र" जारी करके भूजल विकास और प्रबंधन को विनियमित करता रहा है और वाइस राज्यों और दो संबंधित संघ शासित क्षेत्रों में, जहां पर भूजल विकास संबंधित राज्य सरकारों तथा संघ शासित प्रशासनों द्वारा विनियमित नहीं किया जा रहा है, समय-समय पर इस संबंध में इसने दिशा-निर्देश तैयार किये थे।

और जबकि, कुछ राज्य सरकारों अथवा, संघ शासित क्षेत्रों ने विधान अधिनियमित किए हैं और भूजल विकास और प्रबंधन को विनियमित करनेकेलिए विनियामक दिशा-निर्देश अथवा आदेश जारी किए हैं।

और जबकि, माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली ने 2014 की ओ.ए. सं. 204/205/206 में दिनांक 15 अप्रैल 2015 के आदेश के माध्यम से प्राधिकरण को निर्देश जारी किए हैं कि वह सुनिश्चित करें कि ऐसे किसी भी व्यक्ति जो भूजल निष्कर्षण के लिए ट्यूबवेल, अथवा कोई अन्य साधन संचालित कर रहा है, को प्राधिकरण से अनुमति प्राप्त करनी

MINISTRY OF JAL SHAKTI
(Department Of Water Resources, River Development And Ganga Rejuvenation)
(CENTRAL GROUND WATER AUTHORITY)

NOTIFICATION

New Delhi, the 24th September, 2020

S.O. 3289(E).—WHEREAS, on the directions of Hon'ble Supreme Court vide its order dated the 10th December, 1996 passed in Civil writ Petition No 4677 of 1985, MC Mehta Vs Union of India, the Central Government constituted the Central Ground Water Authority (hereafter referred to as the 'Authority') vide notification number S.O. 38 (E), dated the 14th January, 1997 to exercise powers under Section 5 of the Environment (Protection) act, 1986 (29 of 1986) for the purposes of regulation and control of Ground Water management and development and to exercise certain powers and perform certain functions relating thereto;

AND WHEREAS, the Authority has been regulating ground water development and management by way of issuing 'No Objection Certificates' for ground water extraction to industries or infrastructure projects or Mining Projects etc., and framed guidelines in this connection from time to time in twenty two States and two Union territories, where ground water development is not being regulated by the State Government Union Territory administration concerned;

AND WHEREAS, some of the State Governments or, Union territories enacted legislations and issued regulatory directions or orders for regulating ground water development and management;

AND WHEREAS, the Hon'ble National Green Tribunal, New Delhi vide order dated the 15th April 2015 in OA Nos. 204/205/206 of 2014 has issued directions to the Authority to ensure that any person operating tube-well, or any means to extract ground water shall obtain permission from the Authority and shall operate the same subject to the law in force, even if such unit is existing unit or the unit is yet to be established;

AND WHEREAS, the said Hon'ble Tribunal vide its order dated the 09th July, 2015 in OA Nos. 34 and 37 of 2014 directed all industrial units which are members of the Common Effluent Treatment Plants (CETPs) to approach the Authority through State Pollution Control Board for obtaining 'No Objection Certificate' in accordance with the law;

AND WHEREAS, the aforesaid Hon'ble Tribunal vide order dated the 13th July, 2017 in OA No 200- of 2014 directed that every industry should be directed to pay for extraction of such water, that too, subject to the conditions stated in the order permitting such extraction;

AND WHEREAS, the said Hon'ble Tribunal vide its order dated the 28th August, 2018 in O.A. Nos. 176 of 2015 and 59 of 2012 respectively directed the Ministry of Water Resources, River Development and Ganga Rejuvenation to forthwith review the existing mechanism so as to ensure effective steps for conserving the groundwater resources;

AND WHEREAS, in pursuance of the directions of the Hon'ble National Green Tribunal and powers conferred by sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986 the Authority, with a view to protect the ground water resources had circulated the draft guidelines for grant of 'No Objection Certificate' on the 11th October, 2017 inviting comments and suggestions from all the stakeholders;

AND WHEREAS, all objections and suggestions received in response to the said draft guideline have been duly considered by the Central Government, the Authority notified the guidelines to regulate groundwater over-exploitation and to conserve the groundwater resources in the country vide notification number S.O. 6140 (E), dated the 12th December, 2018;

AND WHEREAS, the aforesaid Hon'ble Tribunal vide order dated the 03rd January 2019 in the OA No. 176 of 2015 directed that the above mentioned notification dated the 12th December, 2018 may not be given effect to as it is unsustainable if tested on 'Precautionary Principle, Sustainable development as well as Inter-generational Equity Principles' and if implemented, will result in fast depletion of groundwater and damage to water bodies and will be destructive of the fundamental right to life under Article 21 of the Constitution of India;

AND WHEREAS, the said Hon'ble Tribunal vide order dated the 11th September, 2019 constituted a committee to deliberate on steps for preventing depletion of groundwater, robust monitoring mechanism



against unauthorised extractions and fulfillment of 'No Objection Certificate' conditions, environment compensation etc and to submit a report;

AND WHEREAS, the aforesaid committee submitted the report along-with draft guidelines to regulate groundwater extraction and groundwater conservation in Hon'ble Tribunal on the 16th March, 2020;

AND WHEREAS, the above said Hon'ble Tribunal vide order dated the 20th July, 2020 directed to comply with certain points for sustainable groundwater management while issuing 'No Objection Certificates' to commercial establishments by the Authority;

Now therefore, in pursuance of the directions of Hon'ble National Green Tribunal and the powers conferred by sub-section (3) of Section 3 read with Section 5 of the Environment (Protection) Act, 1986 (29 of 1986), the Department of Water Resources, River Development & Ganga Rejuvenation, hereby notifies the guidelines to regulate and control groundwater extraction in the country in supersession to this Ministry notification vide S.O. 6140 (E), dated the 12th December, 2018 as per the Schedule below:

SCHEDULE

Guidelines to regulate and control ground water extraction in India

(with immediate effect)

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[F. No. CGWA-21/4/2020-CGWA]

ASHISH KUMAR, Director

ANNEXURES

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Guidelines to regulate and control groundwater extraction in India**Preamble and Background:**

On the directions of Hon'ble Supreme Court vide its order dated 10th December, 1996 passed in Civil writ Petition No 4677 of 1985, MC Mehta Vs Union of India, the Central Government had constituted the Central Ground Water Board as Authority vide notification number S.O. 38 (E), dated the 14th January, 1997 to exercise powers under sub section (3) of section 3 of the Environment (Protection) act, 1986 (29 of 1986) for the purposes of regulation and control of Ground Water Management and Development and to exercise certain powers and perform certain functions as per the said Act.

The Authority has been regulating ground water development and management by way of issuing 'No Objection Certificates' for ground water extraction to industries or infrastructure projects or Mining Projects etc., and framed guidelines in this connection from time to time applicable in twenty two States and two Union territories, where ground water development is not being regulated by the State Government and Union territory administration concerned.

To have sustainable management of water resources in the country groundwater abstraction guidelines have been prepared to regulate groundwater extraction and conserve the scarce groundwater resources in the country.

These guidelines will come into force with immediate effect from the date of Gazette Notification and will supersede all earlier guidelines issued by the Central Ground Water Authority (CGWA).

These guidelines will have pan India applicability. Ground water abstraction in States/ Uts (which are not regulating ground water abstraction) shall continue to be regulated by Central Ground Water Authority.

Further, wherever States/ Uts have come out with their own groundwater abstraction guidelines, which are inconsistent with the CGWA guidelines, the provisions of CGWA guidelines will prevail. However, in case the guidelines followed by such States/ Uts contain some more stringent provisions than CGWA guidelines, such provisions may also be given effect to by the States/ Uts Authorities in addition to those contained in the CGWA guidelines. States may be at liberty to suggest additional conditions/ criteria based on the local hydro-geological situations which shall be reviewed by CGWA/Ministry of Jal Shakti, Government of India before acceptance.

All new/existing industries, industries seeking expansion, infrastructure projects and mining projects abstracting ground water, unless specifically exempted under Para 1.0 below, will be required to seek No Objection Certificate from Central Ground Water Authority or, the concerned State/ UT Ground Water

Authority as the case may be. The entire process of grant of No Objection Certificate shall be online through a web based application system.

Water management plans shall be prepared by all the State Ground Water Authorities/ Organizations for all Over-exploited, Critical and Semi-critical assessment units starting with Over-exploited units. Water management plans shall be reviewed and updated periodically. Water management plans, data on water availability and scarcity and policy framed in this regard shall be placed on the websites of Central Ground Water Authority/ State Ground Water Authority.

1.0 Exemptions from seeking No Objection Certificate:

Following categories of consumers shall be exempted from seeking No Objection Certificate for ground water extraction:

- (i) Individual domestic consumers in both rural and urban areas for drinking water and domestic uses.
- (ii) Rural drinking water supply schemes.
- (iii) Armed Forces Establishments and Central Armed Police Forces establishments in both rural and urban areas.
- (iv) Agricultural activities.
- (v) Micro and small Enterprises drawing ground water less than 10 cum/day.

1.1 Registration of Drilling Rigs

State / Ut Governments shall be responsible for registering drilling rigs operating within their jurisdiction and for maintaining the database of wells drilled by them. Appropriate link shall be provided in CGWA portal for making the data available to CGWA.

2.0 Drinking & Domestic use for Residential apartments/ Group Housing Societies/ Government water supply agencies in urban areas

For grant of No Objection Certificate for ground water extraction, the project proponent has to furnish the details as per the guidelines issued by the CGWA in proper format as available in CGWA website. No Objection Certificate for new /existing wells shall be granted only in such cases where the local Government water supply agency is unable to supply requisite amount of water in the area.

No Objection Certificate shall be granted subject to the following specific conditions:

- i) Installation of Sewage Treatment Plants shall be mandatory for all residential apartments/ Group Housing Societies where ground water requirement is more than 20 m³/day. The water from Sewage Treatment Plants shall be utilized for toilet flushing, car washing, gardening etc.
- ii) The No Objection Certificate shall be valid for a period of five years from the date of issue or till such time local Government water supply is provided to the project area, whichever is earlier. In case the project proponent receives water supply from the concerned local Government Water Supply Agency during the validity of the No Objection Certificate, intimation regarding availability of public water supply shall be sent by the project proponent to CGWA and No Objection Certificate will be cancelled by the Authority. In other cases, the project proponent will apply for renewal of No Objection Certificate, ninety days before the expiry of No Objection Certificate.
- iii) Proponents shall be liable to pay ground water abstraction charges for the quantum of ground water proposed to be extracted, as per rates mentioned in Table 5.1.

Documents to be submitted with the application

- a) Details of water requirement computed as per National Building Code, 2016 (Annexure I), taking into account recycling/ reuse of treated water for flushing etc.
- b) Affidavit on non-judicial stamp paper of Rs. 10/- by the applicant, confirming not/ inadequate availability of public water supply in case of users requiring ground water up to 10 m³/ day for drinking/ domestic use.
- c) Certificate of non-availability of water from local government water supply agency in cases requiring ground water in excess of 10 m³/ day for drinking/ domestic use. Government water supply agencies

applying for No Objection Certificate shall submit copy of government approval of the scheme/project proposed to be implemented.

- d) Ground water quality data of existing bore well/ tube well/ dug well from any National Accreditation Board for Testing and Calibration Laboratories (NABL) accredited laboratory or Govt. approved laboratory (in case of existing projects applying for no objection certificate)
- e) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.

3.0 Agriculture Sector

Agriculture sector is the backbone of the Indian economy. As per Minor Irrigation Census 2013-14, 87.86% of wells are owned by marginal, small and semi-medium farmers having land holding up to 4 hectares (ha). Around 9.18 % of wells are owned by medium farmers having land holding 4 – 10 ha and 2.96% of the wells are owned by big farmers having land holding more than 10 ha.

Considering the number of ground water abstraction structures, regulation of ground water in agriculture sector through a 'command and control' strategy will prove to be an arduous task. Therefore, a participatory approach for sustainable ground water management would be more productive.

States/UTs are advised to review their free/subsidized electricity policy to farmers, bring suitable water pricing policy and may work further towards crop rotation/diversification/other initiatives to reduce over-dependence on groundwater.

Agriculture sector shall be exempted from obtaining No Objection Certificate for ground water extraction.

4.0 Commercial Use

No new major industries shall be granted No Objection Certificate in over-exploited assessment areas except as per the policy guidelines.

Availability of ground water resources shall be given due regard while considering applications for grant of No Objection Certificate for commercial use.

Commercial entities extracting ground water shall be required to submit online annual water audit report including an audit of water use as mentioned in the relevant sections. CGWA/ State Ground Water Authority (SGWA) shall publish all such audit reports online.

CGWA/ SGWAs shall engage independent agencies to verify the compliance of No Objection Certificate conditions periodically.

4.1 Industrial Use

In Over-exploited assessment units, No Objection Certificate shall not be granted for ground water abstraction to any new industry except those falling in the category of Micro, Small and Medium Enterprises (MSME). However, No Objection Certificate for drinking/ domestic use for work force, green belt use by these new industries shall be permitted. Expansion of existing industries involving increase in quantum of ground water abstraction in over-exploited assessment units shall not be permitted. No Objection Certificate shall not be granted to new packaged water industries in Overexploited areas, even if they belong to MSME category.

No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:

- i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
- ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
- iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be



- required to reduce their ground water use by at least 20% over the next three years through appropriate means.
- iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in Section 15 shall be mandatory for industries drawing/ proposing to draw more than 10 m³/day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Detailed guidelines for design and construction of piezometers are given in **Annexure II**. Monthly water level data shall be submitted to the CGWA through the web portal.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution (**Annexure III**).
 - viii) All industries drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Tables 5.2 A and 5.3 A.
 - ix) All existing industries drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as applicable as per Tables 5.2 B and 5.3 B.

Documents to be submitted with the application

- (a) An affidavit on non judicial stamp paper of Rs. 10/- regarding non availability of water supply from local government agencies in cases where ground water requirement is up to 10 m³/day.
- (b) Certificate regarding non/ partial availability of fresh water/ treated waste water supply from the local government water supply agency in cases where requirement of ground water is more than 10 m³/day.
- (c) Ground water quality data of existing bore well/ tube well/ dug well from any NABL accredited laboratory or Govt. approved laboratory (in case of existing projects applying for No Objection Certificate)
- (d) Water quality data of bore well/ tube well/ dug well in respect of existing industries from NABL accredited laboratories/Government approved laboratories.
- (e) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.
- (f) **Impact Assessment report:** All projects extracting/proposing to extract ground water in excess of 100 m³/day in Over-exploited, Critical and Semi-critical areas shall have to mandatorily submit impact assessment report of existing/ proposed ground water withdrawal on the ground water regime and also socio-economic impacts report prepared by accredited consultants. Pro-forma for the report is given in **Annexure IV**.

4.2 Mining Projects

All existing as well as new mining projects will be required to obtain No Objection Certificate for ground water abstraction. Since mining projects are location specific, there will be no ban on grant of No Objection Certificate for abstraction of ground water for such projects in over-exploited assessment units.

No Objection Certificate for mining projects shall be granted subject to the following specific conditions:

- i) It shall be mandatory for all the mining industries to ensure that water available from de-watering operations is properly treated and should be gainfully utilized for supply for irrigation, dust

- suppression, mining process, recharge in downstream and for maintaining e-flows in the river system.
- ii) Construction of observation well(s) (piezometers) along the periphery in the premises, for monthly ground water level monitoring, shall be mandatory for mines drawing/ proposing to draw more than 10 m³/day of ground water. Depth and aquifer zone tapped in the piezometer shall be commensurate with that of pumping well/ wells.
 - iii) In addition, the proponent shall monitor ground water levels by establishing observation wells (piezometers) in the core and buffer zones as specified in the No Objection Certificate.
 - iv) In case of coal and other base metal mining the project proponent shall use the advance dewatering technology (by construction of series of dewatering abstraction structures) to avoid contamination of surface water.
 - v) In addition to this, all mining units shall also monitor the water quality of mine seepage and mine discharge through NABL accredited/ Govt. approved laboratories and the same shall be submitted at the time of self compliance.
 - vi) All mining projects drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Tables 5.4 A.
 - vii) All mining projects drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as per Table 5.4 B.

Documents to be submitted with the application

- (a) Mining plan approved by the concerned Govt. agency/ department.
- (b) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.
- (c) Comprehensive report prepared by accredited consultant on ground water conditions in both core and buffer zones of the mine, depth wise and year wise mine seepage calculations, impact assessment of mining and dewatering on ground water regime and its socio-economic impact, details of recycling, reuse and recharge, reduction of pumping with use of technology for mining and water management to minimize and mitigate the adverse impact on ground water, based on local conditions. Format for report is given in **Annexure V**.

4.3 Infrastructure projects:

Since infrastructure projects are location specific, grant of No Objection Certificate to such projects located in over-exploited assessment units shall not be banned. New infrastructure projects/ residential buildings may require dewatering during construction activity and/ or use ground water for construction. In both cases, applicants shall seek No Objection Certificate from CGWA before commencement of work. However, in over-exploited assessment units, use of ground water for construction activity shall be permitted only if no treated sewage water is available within 10 km radius of the site. New as well as existing Infrastructure projects shall also be required to seek No Objection Certificate for abstraction of ground water.

No 'No Objection Certificate' shall be granted for extraction of groundwater for Water Parks, Theme Parks and Amusement Parks in over-exploited assessment units.

Indicative list of Infrastructure projects is given in Annexure VI.

The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:

- i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data through the web portal to CGWA/SGWA as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by CGWA/SGWA.

- ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³/day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc.
- iii) For infrastructure dewatering/ construction activity, No Objection Certificate shall be valid for specific period as per the detailed proposal submitted by the project proponent.
- iv) All infrastructure projects drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Table 5.3 A.
- v) All infrastructure projects (new/ existing) drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as per Table 5.3 B.

Documents to be submitted with the application

- (a) In cases where dewatering is involved, submission of impact assessment report prepared by an accredited consultant on the ground water situation in the area giving detailed plan of pumping, proposed usage of pumped water and comprehensive impact assessment of the same on the ground water regime shall be mandatory. The report should highlight environmental risks and proposed management strategies to overcome any significant environmental issues such as ground water level decline, land subsidence etc.
- (b) An affidavit on non judicial stamp paper of Rs. 10/- regarding non availability of water from any other source in case water is required for construction in safe and semi critical areas.
- (c) Certificate from a government agency regarding non availability of treated sewage water for construction within 10 km radius of the site in critical and over-exploited areas.
- (d) Certificate of non-availability of water from local government water supply agency in respect of all categories of assessments units for commercial use.
- (e) Proposal for rain water harvesting/ recharge within the premises as per Model Building Bye Laws issued by Ministry of Housing & Urban Affairs.
- (f) Details of water requirement computed as per National Building Code, 2016 (Annexure I), taking into account recycling/ reuse of treated water for flushing etc. (in case of completed infrastructure projects for commercial use).
- (g) Completion certificate from the concerned agency for infrastructure projects requiring water for commercial use.

5.0 Ground water abstraction/ restoration charges

All residential apartments/ group housing societies/ Government water supply agencies in urban areas shall be required to pay ground water abstraction charges.

All industries/mining/ infrastructure projects drawing ground water in safe, semi-critical and critical assessment units will have to pay ground water abstraction charges based on quantum of ground water extraction and category of assessment unit as per details given in this guideline.

All existing mining/ infrastructure projects and existing industries including MSME drawing ground water in over-exploited assessment units will have to pay ground water restoration charges based on quantum of ground water extraction. Further, new MSME, new infrastructure and new Mining projects in over exploited areas shall also be required to pay ground water restoration charges.

Existing industries, infrastructure units and mining projects which have installed/constructed artificial recharge structures in compliance of the conditions prescribed in the groundwater guidelines prevailing at the time of grant of No Objection Certificate or its renewal shall be eligible for a rebate of 50% (fifty percent) in the ground water abstraction charges/ground water restoration charges, subject to their satisfactory performance and verification.

The revenue generated from the proposed water abstraction/ restoration charges shall be kept in a separate fund for implementation of site specific suitable demand/ supply side interventions.

5.1 Rates of Ground water abstraction /restoration charges

I. Drinking and domestic use for residential apartments/ group housing societies/ Government water supply agencies in Urban areas

All residential apartments/ Group Housing Societies requiring water only for drinking/domestic use requiring No Objection Certificate would pay ground water abstraction charges as per rates given below in Table 5.1.

Table 5.1 Ground Water Abstraction charges for Drinking & Domestic use.

Quantum of Groundwater withdrawal (m ³ /month)	Rate of ground water abstraction charges (Rs. per m ³)
0-25	No charge
26-50	1.00
>50	2.00

Government water supply agencies and Government infrastructure projects shall pay Ground water abstraction Charges @ Rs. 0.50 per m³.

II. Packaged Drinking Water units

Rates of ground water abstraction charges for packaged drinking water units in safe, semi-critical and critical assessment units are given in Table 5.2 A and those for ground water restoration charges in over-exploited assessment units are given in Table 5.2 B.

Table 5.2 A: Rates of ground water abstraction charges for packaged drinking water units (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal				
		Up to 50m ³ /day	51 to <200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	3.00	5.00	8.00	10.00
2.	Semi-critical	2.00	5.00	10.00	15.00	20.00
3.	Critical	4.00	10.00	20.00	40.00	60.00

Table 5.2 B: Rates of ground water restoration charges for packaged drinking water units (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal				
		Up to 50 m ³ /day	51 to <200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Over-exploited (existing industries only)	8.00	20.00	40.00	80.00	120.00

III. Other Industries & infrastructure projects

Rates of ground water abstraction charges for other industries and infrastructure projects in safe, semi-critical and critical assessment units are given in Table 5.3 A and those for ground water restoration charges in over-exploited assessment units are given in Table 5.3 B.

Table 5.3 A: Rates of Ground Water abstraction charges for other industries & infrastructure projects (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	2.00	3.00	5.00
2.	Semi-critical	2.00	3.00	5.00	8.00
3.	Critical	4.00	6.00	8.00	10.00

Table 5.3 B: Rates of ground water restoration charges for other industries & infrastructure projects (Rs per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Over-exploited (existing industries / new Industries as per the present Guidelines)	6.00	10.00	16.00	20.00

IV. Mining projects

Rates of ground water abstraction charges for mining, which are drawing ground water in safe, semi-critical and critical assessment units are given in Table 5.4 A and those for ground water restoration charges in case of projects drawing ground water in over-exploited assessment units are given in Table 5.4 B.

Table 5.4 A: Rates of ground water abstraction charges for mining (Rs. per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	2.00	2.50	3.00
2.	Semi-critical	2.00	2.50	3.00	4.00
3.	Critical	3.00	4.00	5.00	6.00

Table 5.4 B: Rates of ground water restoration charges for mining (Rs. per m³)

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Over-exploited	4.00	5.00	6.00	7.00

6.0 Bulk Water Supply

All private tankers abstracting ground water and use it for supply as bulk water suppliers will now mandatorily seek No Objection Certificate for ground water abstraction. The bulk water suppliers through tankers drawing ground water in safe, semi-critical and critical assessment units shall pay groundwater abstraction charges as per the **Table-6.1 A**. The bulk water suppliers drawing ground water in over-exploited assessment units shall pay the groundwater restoration charges as per the **Table-6.1 B**. All tankers will have to install GPS based system for their monitoring of movement/area of operation.

Modalities for issue of No Objection Certificate for bulk/tanker water supplies shall be worked out in consultation with States/Uts and suitable guidelines in this regard will be framed and issued separately for the same.

Table-6.1A: Groundwater abstraction charges for Bulk/Tanker water supplies

Category	Rate per m ³ (in Rs.)
Safe	10
Semi Critical	20
Critical	25

Table-6.1B: Groundwater abstraction charges for Bulk/Tanker water supplies

Category	Rate per m ³ (in Rs.)
Over Exploited	35

7.0 Abstraction of Saline ground water

Abstraction of saline ground water in areas having either saline ground water at all depths or pockets of saline ground water in an otherwise fresh water area for use by industries/ dewatering by infrastructure/ mining projects including those located in over-exploited areas would be encouraged. Such industries shall be exempted from paying ground water abstraction charges.

The list of such assessment units having saline ground water at all depths as per the latest assessment of dynamic ground water resources will be made available by the CGWA in their website. However, due care shall be taken in respect of disposal of effluents by the units so as to protect the water bodies and the aquifers from pollution.

Detailed guidelines in this regard shall be prepared and issued separately.

8.0 Protection of Wetland Areas

The wet land areas in the country are very crucial as they are direct reflection of the presence of ground water in such areas. The protection of the wetland areas is being separately handled by the Wetland Authorities. Since ground water is very crucial for the survival of the wetland area, any excessive ground water development within the zone of wetland area would affect the volume of water in that wetland.

Projects falling within 500 m. from the periphery of demarcated wetland areas shall mandatorily submit a detailed proposal indicating that any ground water abstraction by the project proponent does not affect the protected wetland areas. Furthermore, before seeking permission from CGWA, the projects shall take consent/approval from the appropriate Wetland Authorities to establish their projects in the area.

9.0 General compliance conditions in No Objection Certificate

- i. Installation of digital water flow meter (conforming to BIS/ IS standards) having telemetry system in the abstraction structure(s) shall be mandatory for all users seeking No Objection Certificate and intimation regarding their installation shall be communicated to the CGWA within 30 days of grant of No Objection Certificate through the web-portal.
- ii. Proponents shall mandatorily get water flow meter calibrated on from an authorized agency once in a year.
- iii. Proponents shall install roof top rain water harvesting & recharge systems in the project area.
- iv. Proponents shall pay Ground Water Abstraction/ Restoration Charges based on quantum of ground water extraction as applicable as per the rates given in Section 6.
- v. Construction of purpose-built observation wells (piezometers) for ground water level monitoring shall be mandatory as per Section 15. Water level data shall be made available to CGWA through web portal. Detailed guidelines for construction of piezometers are given in **Annexure-II**.
- vi. Proponents shall monitor quality of ground water from the abstraction structure(s) once in a year. Water samples from bore wells/ tube wells / dug wells shall be collected during April/May every year and analysed in NABL accredited laboratories for basic parameters (cations and anions), heavy metals, pesticides/ organic compounds etc. Water quality data shall be made available to CGWA through the web portal.
- vii. If the existing well becomes defunct due to mechanical failure within the validity period of No Objection Certificate, the user can construct a replacement well under intimation to CGWA on web portal. The defunct well shall be properly sealed (**Refer Annexure VII**). The user will be required to submit documentary proof in this regard. However, if the existing abstraction structures fails to yield water and he proponent desires to drill another tubewell in the same premises, prior permission of the Authority shall be required. If the replacement well is to be drilled in some different place, the proponent shall obtain fresh No Objection Certificate.
- viii. Wherever feasible, requirement of water for greenbelt (horticulture) shall be met from recycled / treated waste water.
- ix. In case of change of ownership, new owner of the industry will have to apply for incorporation of necessary changes in the No Objection Certificate with documentary proof within 60 days of taking over possession of the premises.

10.0 Monitoring of compliance of No Objection Certificate Conditions

To monitor the compliance of No Objection Certificate conditions, Central Ground Water Authority and State/ UT Ground Water Authorities shall take the following steps:

- a. Suitable MIS will be developed for compliance monitoring.
- b. District Collectors/Deputy Commissioners (DCs) /District Magistrates (DMs) are authorized to take enforcement measures like sealing of unauthorized ground water abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.
- c. Technical officers of CGWB/ CGWA and State groundwater organizations are authorized to take actions with respect to monitoring and periodic inspections with the approval of competent authority.
- d. In case of violation of any of the No Objection Certificate conditions, the proponents shall be liable to pay the penalties as per **Section 16**.

11.0 Renewal of No Objection Certificate

No objection certificate shall be renewed periodically, subject to the compliance of the conditions mentioned therein:

- i. The applicant shall apply for renewal of No Objection Certificate at least ninety days prior to expiry of its validity.
- ii. Application for renewal of No Objection Certificate shall be accompanied by the Compliance Report.
- iii. Before granting renewal, Central Ground Water Authority or State/ Ut Authority shall satisfy itself that the conditions of No Objection Certificate have been complied with.
- iv. In case of change in category of the assessment unit, renewals would be granted with conditions as laid down for new category.
- v. No Objection Certificate will be renewed for the terms specified for various uses as follows:

Category	Use	Term of renewal
Critical, Semi-critical and safe	Infrastructure projects for drinking & domestic use and urban Water Supply Agencies	5 years
	Industries	3 years
	Mines	2 years
Over exploited	All users in 'Over-exploited areas'	2 years

- vi. If the application for renewal is submitted in time and the CGWA/ the respective State/ Ut Authority is unable to process the application in time. No Objection Certificate shall be deemed to be extended till the date of renewal of No Objection Certificate.
- vii. If the proponent fails to apply for renewal within 3 months from the date of expiry of No Objection Certificate, the proponent shall be liable to pay Environmental Compensation for the period starting from the date of expiry of No Objection Certificate till No Objection Certificate is renewed by the competent authority.

12.0 Extension of No Objection Certificate

If the proponent is unable to construct the well(s) during the validity period of No Objection Certificate for genuine reasons, the proponent will have to apply for extension of No Objection Certificate. Application for extension should be supported by documents justifying the reasons for delay. Other conditions for grant of extension of No Objection Certificate will be the same as that for fresh No Objection Certificate.

Extension of No Objection Certificate will be granted for a maximum period of two years. No further extension will be granted after the expiry of the extended period. In that case, the applicant will have to apply afresh for grant of No Objection Certificate.

13.0 Delegation of powers against illegal groundwater withdrawal

Central Ground Water Authority has appointed the District Magistrate/ District Collector/ Sub Divisional Magistrates of each Revenue District/Sub division as Authorized Officers, who have been delegated the power to seal illegal wells, disconnect electricity supply to the energised well, launch prosecution against offenders etc. including grievance redressal related to ground water in their respective jurisdictions.

In order to further decentralise and strengthen the monitoring and compliance mechanism as per the guidelines, officials of concerned Departments of Revenue and Industries of the States/ Uts shall be appointed as Authorised Officers in consultation with the State/ Ut Governments.

A copy of the No Objection Certificate issued by the CGWA in the No Objection Certificate Application Portal (NOCAP) will be forwarded to the respective District Magistrate/ District Collector. In case of any violation of the directions of Central Ground Water Authority and non-fulfilment of the conditions laid



down in the No Objection Certificate, the Authorised Officers will file appropriate Petition/Original Application etc under sections 15 to 21 of the Environment (Protection) Act, 1986 in appropriate Courts.

14.0 Ground Water Level Monitoring

All the project proponents (drawing ground water more than 10 cum/d) have to mandatorily construct Piezometers (observation wells) within their premises for monitoring of the ground water levels. Such a mechanism of compliance conditions has been made to ensure that every month the ground water level in the project area can be monitored and observed. In this regard the necessary criteria for monitoring of water levels through piezometers by the project proponents is given in Table 14.1.

S.No.	Quantum of Ground water withdrawal (cum/d)	No. of piezometer required	Monitoring mechanism		
			Manual	DWLR	DWLR with Telemetry
1	<10	0	0	0	0
2	11-50	1	1	0	0
3	51-500	1	0	1	0
4	>500	2	0	1	1

The piezometer shall be suitably located to ensure that zone of aquifer tapped in the piezometer is the same as that of the pumping well.

15.0 Environmental Compensation

Extraction of ground water for commercial use by industries, infrastructure units and mining projects without a valid No Objection Certificate from appropriate authority shall be considered illegal and such entities shall be liable to pay Environmental Compensation for the quantum of ground water so extracted. The norms prescribed by Central Pollution Control Board (CPCB) shall be utilized for calculating the environmental compensation as mentioned below:

$$EC_{GW} = \text{Ground water consumption per day} \times \text{Environmental Compensation rate (ECR}_{GW}) \times \text{No. of days} \times \text{Deterrence factor}$$

where ground water consumption is in m³/day and ECR_{GW} in Rs./ cum

15.1 Rates of Environmental Compensation:

Rates of Environmental Compensation (ECR_{GW}) for various types of users in different categories of assessment units are given in Table 15.1 to 15.3.

Table 15.1 : ECR_{GW} for Packaged Drinking Water units

S.No.	Area Category	Water Consumption (cum/day)			
		<200/	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR _{GW}) in Rs./m ³			
	Safe	12	18	24	30
2	Semi critical	24	36	48	60
3	Critical	36	48	66	90
4	Over- exploited	48	72	96	120

Note :-Minimum EC_{GW} shall not be less than Rs 1,00,000/-

Table 15.2: ECR_{GW} for Mining/ infrastructure dewatering projects

S.No.	Area Category	Water Consumption (cum/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR _{GW}) in Rs./m ³			
1	Safe	15	21	30	40
2	Semi critical	30	45	60	75
3	Critical	45	60	85	115
4	Over-exploited	60	90	120	150

Note :-Minimum ECR_{GW} shall not be less than Rs 1,00,000/-

Table 15.3: ECR_{GW} for Industrial units

S.No.	Area Category	Water Consumption (cum/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR _{GW}) in Rs./m ³			
1	Safe	20	30	40	50
2	Semi critical	40	60	80	100
3	Critical	60	80	110	150
4	Over-exploited	80	120	160	200

Note :-Minimum ECR_{GW} shall not be less than Rs 1,00,000/-

15.2 Deterrent Factors to compensate losses and environmental damage (for packaged drinking water units, mining, industries and infrastructural dewatering projects)

The following deterrent factors based on the duration of illegal ground water extraction shall be levied to compensate for the losses and environmental damages as detailed in Table 15.4.

Table 15.4: Deterrent factor based on quantum of ground water withdrawal and number of years of illegal withdrawal

S.No.	Water Consumption	Deterrence Factor		
		< 2 years	2-5 years	>5 years
1	<1000 KLD	1.00	1.00	1.25
2	1000-5000 KLD	1.00	1.00	1.50
3	>5000 KLD	1.00	1.25	2.00

Note: KLD – Kilolitre per day

16.0 Provision of Penalty

Penalty shall be imposed on the proponents for non-compliance of No Objection Certificate conditions issued by the appropriate authority. Rates of penalty proposed for non-compliance of various conditions of No Objection Certificate are given in Table 16.1. The rates of the penalty shall be reviewed periodically with the approval of competent authority in Ministry of Jal Shakti.

**Table 16.1: Penalty provision for non Compliance of No Objection Certificate conditions**

S. No.	Items	Charges in Rs.
1	Non installation/faulty Digital water Flow meter with telemetry system.	200000
2	Non disclosure/ construction of additional groundwater abstraction structures a) Non-functional Structures. b) Defunct/Abandoned Note: Given rates are for unit non-functional/defunct/abandoned structures. This shall be multiplied with total such structures to arrive at consolidated penalty.	200000 100000
3	Reporting of fresh water zones as Brackish / Saline zones in application.	200000
4	Non Installation of Piezometer.	200000
5	Non Installation/faulty DWLR/Telemetry system	100000
6	Non Construction/Inadequate capacity of Recharge / Water conservation structures.	500000
7	Non maintenance of Recharge structures.	200000
8	Injection of treated/untreated water into the aquifer system. Note: In addition to penalty, the proponent shall bear the cost of aquifer remediation as per the provisions of Environment (Protection) Act, 1986.	1000000
9	Non Submission of Water level/Water quality Data.	50000
10	Non-maintenance of log book of daily withdrawal/non submission of Groundwater abstraction data.	50000
11	Non submission of photograph of recharge structure(s).	50000
12	Non Submission of Self Compliance report.	100000
13	Construction of groundwater abstraction structures by un authorized/unregistered Drilling Rigs (per structures).	100000
14	Non registration of water supply tankers.	500000
15	Submission of false information/ undertaking.	100000

Charges shall also be payable for correction/modification in the existing issued No Objection Certificate letter. The details of such charges are given in [Table 16.2](#).

Table 16.2: Proposed Charges for correction/Modification in the existing issued No Objection Certificate

S. No.	Items	Charges in Rs.
1	Change in recharge quantum	10000
2	Change in User ID.	5000
3	Change in firm Name	5000
4	Extension of No Objection Certificate	5000
5	Issuance of duplicate No Objection Certificate	5000
6	Issuance of corrigendum to No Objection Certificate	5000
7	Any other items/corrections etc	5000

**17.0 Other important Conditions (Applicable to all):**

- i. Sale of ground water by a person/ agency not having valid no objection certificate from CGWA/State Ground Water Authority is not permitted.
- ii. In infrastructure projects, paved/parking area must be covered with interlocking/perforated tiles or other suitable measures to ensure groundwater infiltration/harvesting.
- iii. In case of Infrastructure projects, the firm/entity shall ensure implementation of dual water supply system in the projects. Compliance of the same shall be submitted through the web portal.
- iv. Non-compliance of conditions mentioned in the No Objection Certificate may be taken as sufficient reason for cancellation of no objection certificate accorded/ non-renewal of No Objection Certificate.
- v. No application shall be entertained without supporting documents as specified in relevant sections.
- vi. Abstraction structure(s) should be located inside the premises of project property.
- vii. Self compliance of conditions laid down in the no objection certificate shall be reported by the users online in the web portal of Central Ground Water Authority/state Ground Water Authority.
- viii. Processing fee prescribed, if any, from time to time shall be charged for various services.

Note:

1. Guidelines are subject to modification from time to time.
2. In case of any discrepancy between Hindi and English versions of this document including the annexures, the English version shall prevail.

Annexure I**Estimation of Water Requirements for drinking and domestic use****(Source: National Building Code 2016, BIS)**

a) Residential Buildings:

Accommodations	Population
1 Bedroom dwelling unit	4
2 Bedroom dwelling unit	5
3 Bedroom dwelling unit	6
4 Bedroom dwelling unit and above	7

Notes:

- 1) The above figures consider a domestic household including support personnel, wherever applicable.
- 2) For plotted development, the population may be arrived at after due consideration of the expected number and type of domestic household units.
- 3) Dwelling unit under EWS category shall have population requirement of 4 and studio apartment shall have population requirement of 2.

As a general rule the following rates per capita per day may be considered for domestic and non-domestic needs:

a) For communities with populations up to 20,000:

1)	Water supply through stand post:	40 lphd (Min)
2)	Water supply through house service connection	70 to 100 lphd

- b) For communities with: 100 to 135 lphd
population 20,000 to 100,00 together with
full flushing system
- c) For communities with population: 150 to 200 lphd
above 100,000 together with
full flushing system

Note—The value of water supply given as 150 to 200 litre per head per day may be reduced to 135 litre per head per day for houses for Medium Income Group (MIG) and Low Income Groups (LIG) and Economically Weaker Section of Society (EWS), depending upon prevailing conditions and availability of water.

Out of the 150 to 200 litre per head per day, 45 litre per head per day may be taken for flushing requirements and the remaining quantity for other domestic purposes.

A. Water Requirements for Buildings Other than Residences

Sl No.	Type of Building	Domestic litres per head/ day	Flushing Litres per head/ day	Total Consumption Litres per head/ day
1.	Factories including canteen where bath rooms are required to be provided	30	15	45
2.	Factories including canteen where no bath rooms are required to be provided	20	10	30
3.	Hospital (excluding laundry and kitchen):			
	a) Number of beds not exceeding 100	230	110	340
	b) Number of beds exceeding 100	300	150	450
	c) Out Patient Department (OPD)	10	5	15
4.	Nurses' homes and medical quarters	90	45	135
5.	Hostels	90	45	135
6.	Hotels (up to 3 star) excluding laundry, kitchen, staff and water bodies	120	60	180
7.	Hotels (4 star and above) excluding laundry, kitchen, staff and water bodies	260	60	320
8.	Offices (including canteen)	25	20	45
9.	Restaurants and food court including water requirement for kitchen:			
	a) Restaurants	55 per seat	15 per seat	70 per seat
	b) Food Court	25 per seat	10 per seat	35 per seat
10.	Clubhouse	25	20	45
11.	Stadiums	4	6	10

		5 per seat	10 per seat	15 per seat
12.	Cinemas, concert halls and theatres and multiplex			
13.	Schools/Educational institutions:			
	a) Without boarding facilities	25	20	45
	b) With boarding facilities	90	45	135
14.	Shopping and retail (mall)			
	a) Staff	25	20	45
	b) Visitors	5	10	15
15.	Traffic Terminal stations			
	a) Airports	40	30	70
	b) Railway stations (Junction) with bathing facility	40	30	70
	c) Railway stations (Junction) without bathing facility	30	15	45
	d) Railway stations (Intermediate) with bathing facility	25	20	45
	e) Railway stations (Intermediate) without bathing facility	15	10	25
	f) Interstate bus terminals	25	20	45
	g) Intrastate Bus Terminals/Metro Stations	10	5	15

Notes:

1. For calculating water demand for visitors, consumption of 15 litre per head per day may be taken.
2. The water demand includes requirement of patients, attendants, visitors and staff. Additional water demand for kitchen, laundry and clinical water shall be computed as per actual requirements.
3. The number of persons shall be determined by average number of passengers handled by stations, with due considerations given to the staff and vendors who are using these facilities.
4. Consideration should be given for seasonal average peak requirements.
5. The hospitals may be categorized as Category A (25 to 50 beds), Category B(51 to 100 beds), Category C (101 to 300 beds), Category D (301 to 500) and Category E (501 to 750 beds).

Annexure II**Guidelines for construction of Piezometers and monitoring of Ground Water Levels and Quality**

Piezometer is a borewell/tubewell used only for measuring the water level by lowering a tape/sounder or automatic / digital water level measuring equipment. It is also used to take water sample for water quality testing whenever needed. General guidelines for installation of piezometers are as follows:

- The piezometer is to be installed/constructed at the minimum distance of 50 m from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about four inches to six inches.
- The depth of the piezometer should be the same as that of the pumping well from which ground water is being abstracted. If, more than one pumping wells are constructed tapping aquifers at different depths, more than one piezometers shall be required to be constructed tapping different aquifers as in the pumping wells.

- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tubewells has been stopped for about four to six hours.
- The ground water quality has to be monitored once in a year during pre-monsoon (April/ May) period by industries and mines drawing ground water. Samples of ground water should be analyzed from NABL accredited laboratory.
- A permanent display board should be installed at Piezometer/ Tubewell site for providing the location, piezometer/ tubewell number, depth and zone tapped of piezometer/tubewell for standard referencing and identification.
- Any other site specific requirement regarding safety and access for measurement may be taken care off.

Annexure III

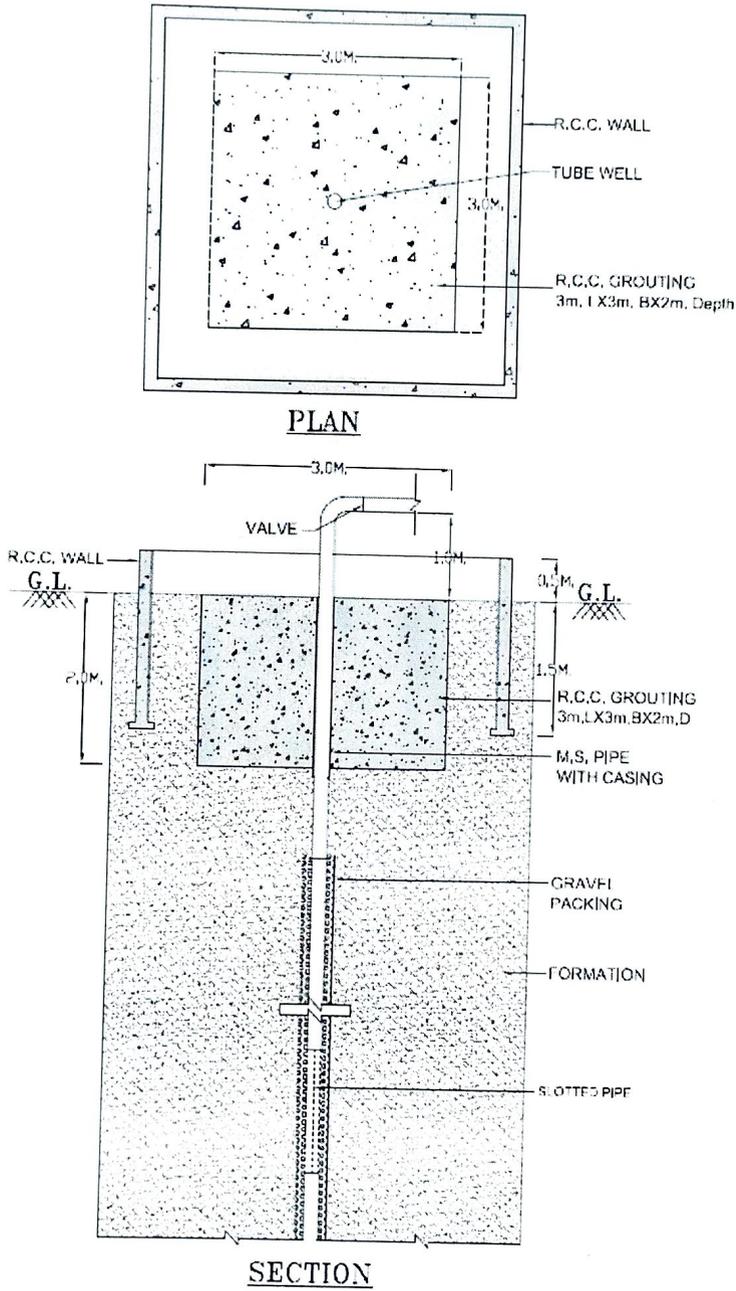
Measures to be adopted to ensure prevention from pollution in the plant premises of polluting industries/ projects

It has been observed that ground water in and around polluting industries like Tannery, Slaughter Houses, Dye, Chemical, Coalwashery, other hazardous units, etc., is polluted. In order to prevent further deterioration of ground water quality, it is essential to take all necessary measures for well head protection. All industries/ projects falling under this category are hereby directed to follow the under mentioned procedure both for existing and new category.

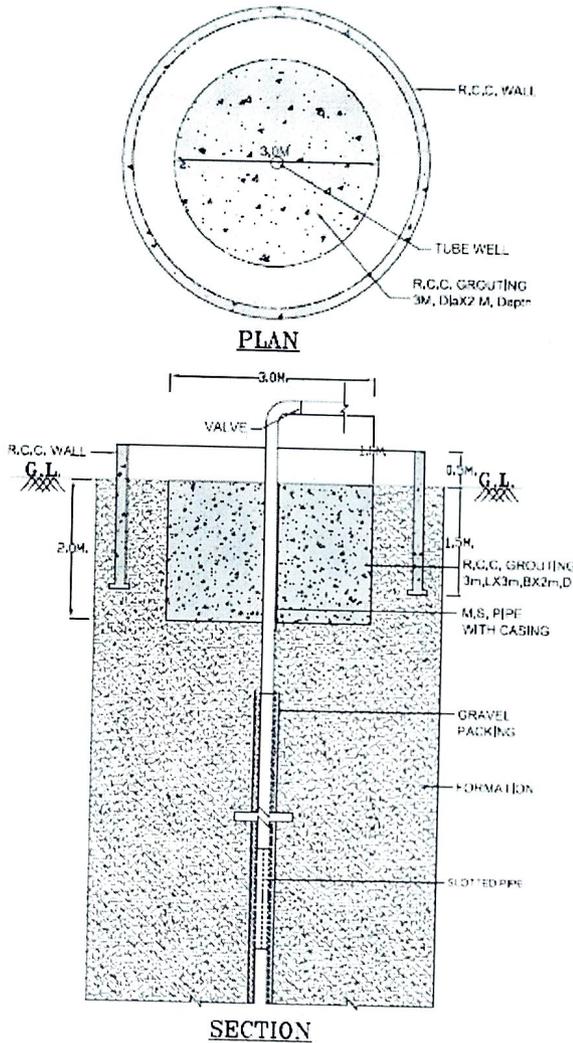
1. No tube well/ bore well / dug well should be constructed in the vicinity of the processing unit. Tube well/ bore well should be constructed at the place which is hygienically maintained.
2. Only Mild Steel pipe should be used for assembly/ casing and PVC (Poly Vinyl Chloride) or similar pipes should not be used. The tube well/ bore well having PVC or similar pipes should be abandoned and filled back.
3. Around the tube well/ bore well, RCC (Reinforced Concrete Cement) grouting of 3 meters (length) x 3 meters (width) x 2 meters (depth) must be provided. The pipe of the tube well/ bore well must be raised 1 meter above ground level (1 magl). The tube well/ bore well must be surrounded by RCC wall of 0.5 meter height and 1.5 meter depth to prevent any surface contamination to enter the constructed tube well/ bore well. Plan/Sectional diagram is enclosed for reference (Appendix 1 and 2).
3. The tube well/ bore well must be fitted with NRV (Non Return Valve) in order to ensure that the constructed tube well/ bore well is exclusively used for abstraction of ground water only.
4. At no point of time there should be any injection of any water or fluid into the constructed tube well/ bore well/ Piezometer.
5. The industries/ projects under this category should not implement any recharge measures within the plant premises.
6. Any tube well/ bore well located/ constructed in the vicinity of STP (Sewage Treatment Plant) or ETP (Effluent Treatment Plant) should be abandoned and filled back.
7. The piezometer to be constructed for monitoring purpose should follow the same procedure as that for tube well/ bore well for such industries/ projects.

Appendix 1

Plan/ Sectional diagram showing well head protection



Plan/ Sectional diagram showing well head protection



Annexure-IV

Outline of hydro-geological Report for obtaining No Objection Certificate for industries

1. Brief about the proposed project giving location details, coordinates, google/ toposheet maps, etc. demarcating the project area.
2. Ground water situation in and around the project area including water level and quality data and maps along with quality issues, if any. In case of mines, ground water conditions in both core and buffer zone should be described.
3. Details of the tubewells/ borewells proposed to be constructed. This includes the drilling depth, diameter, tentative lithological log, details of pump to be lowered, H.P. of pump, tentative discharge of tubewells/ borewells, etc. Locations to be marked on the site plan/ map. Location of proposed piezometers.

4. Details of Geophysical studies carried out in and around the project area. Ground water resources computation of the block in which the project falls.
5. Approved Mine plan in case of mines and detailed dewatering plan in case of mine/ infrastructure dewatering projects.
6. Proposed usage of pumped water in case of mining/ infrastructure dewatering projects.
7. Comprehensive assessment of the impact on the ground water regime in and around the project area highlighting the risks and proposed management strategies proposed to overcome any significant environmental issues.
8. Proposed measures for disposal of waste water by industries drawing saline water.
9. Measures to be adopted for water conservation which include recycling, reuse, treatment, etc. This includes the water balance chart being adopted by the firm along with details of water conservation methods to be adopted.
 - Brief write up along with capacity and flow chart of Sewage Treatment Plants / Effluent Treatment Plants / Combined Effluent Treatment Plants existing/ proposed within the project.
 - Details of water conservation measures to be adopted to reduce/ save the ground water.
 - Total water balance chart showing the usage of water for various processes.
10. Any other details pertaining to the project.

Annexure V

Format of the Report on ground water conditions (for mining projects)

Introduction

Project description

Background

Objectives and scope

Regional setting

Location

Landuse

Climate

Topography and drainage

Geology –Regional and Local

General Hydrogeology (aquifer types, aquifer depth, zone tapped etc.)

Groundwater condition (In core and buffer zones)

Spatial and temporal variations in water levels Groundwater quality (Shallow and deep aquifer)

Impact of groundwater extraction on local groundwater

Hydrograph of water level/piezometer in monitoring wells

Trend analysis of historical water levels Flow net analysis (groundwater flow direction)

Year wise/ bench wise mine dewatering computation as per approved mine plan

Conclusions

Indicative list of Infrastructure projects

Residential townships including commercial buildings
Office building
School
College
University
Special Economic Zone
Metro Station
Railway Station
Bus Depot
Airport
Seaport
Highway infrastructure
Fire station
Warehouse
Business Plaza
Malls & Multiplex
Hospitals
Nursing Homes
Resort
Hotel/ Restaurant/ Food Plaza
Holiday home/Guest house/ Hostels
Banquet Hall/Marriage Gardens
IT Complex
Logistics & Cargo
Clubs
Trade Centre

Annexure -VII

Supreme Court Order in Civil Writ petition 36 of 2009 regarding measures for prevention of fatal accidents of small children due to their falling into abandoned bore wells and tube wells

In Re: Measures for prevention of fatal accidents of small children due to their falling into abandoned bore wells and tube wells

Union of India and Ors.

Respondents(s)

ORDER

With this Court issuing requisite guidelines vide order dated 11th February, 2010, subject to slight modifications, nothing survives in the present writ petition

That modification is as follows:

- (i) The owner of the land/ premises, before taking any steps for constructing bore well/ tube well must inform in writing to the concerned authorities in the area, i.e., District Collector/ District Magistrate/ Sarpanch of the Gram Panchayat/ any other Statutory Authority/ concerned officers of the Department of Ground Water/ Public Health/ Municipal Corporation, as the case may be, about the construction of bore well/ tube well.
- (ii) Registration of all the drilling agencies, namely, Government/ Semi Government, Private etc. should be mandatory with the district administration/ Statutory Authority wherever applicable.
- (iii) Erection of signboard at the time of construction near the well with the following details: -
 - (a) Complete address of the drilling agency at the time of construction/ rehabilitation of well.
 - (b) Complete address of the user agency/owner of the well.
- (iv) Erection of barbed wire fencing or any other suitable barrier around the well during construction.
- (v) Construction of cement/ concrete platform measuring 0.50x0.50x0.60 meter (0.30 meter above ground level and 0.30 meter below ground level) around the well casing.
- (vi) Capping of well assembly by welding steel plate or by providing a strong cap to be fixed to the casing pipe with bolts & nuts.
- (vii) In case of pump repair, the tube well should not be left uncovered.
- (viii) Filling of mud pits and channels after completion of works.
- (ix) Filling up abandoned bore wells by clay/sand/boulders/pebbles/drill cuttings etc. from bottom to ground level.
- (x) On completion of the drilling operations at a particular location, the ground conditions are to be restored as before the start of drilling.
- (xi) District Collector should be empowered to verify that the above guidelines are being followed and proper monitoring check about the status of bore holes/ tube wells are being taken care through the concerned state/ Central Government agencies.
- (xii) District/ Block/ Village wise status of bore wells/tube wells drilled viz. No. of wells in use, No. of abandoned bore wells/ tube wells found open, No. of abandoned bore wells/ tube wells properly filled up to ground level and balance number of abandoned bore wells/ tube wells to be filled up to ground level is to be maintained at District Level.

In rural areas, the monitoring of the above is to be done through Village Sarpanch and the Executive from the Agriculture Department.

In case of urban areas, the monitoring of the above is to be done through Junior Engineer and the Executive from the concerned Department of Ground Water/Public Health/ Municipal Corporation etc.

- (xiii) If a bore well/ tube well is 'Abandoned' at any stage, a certificate from the concerned department of Ground Water/ Public Health/ Municipal Corporation/ Private Contractor etc. must be obtained by the aforesaid agencies that the 'Abandoned' bore well/tube well is properly filled upto the ground level. Random inspection of the abandoned wells is also to be done by the Executive of the concerned agency/ department. Information on all such data on the above are to be maintained in the District Collector/ Block Development Office of the State.

We are informed that the last paragraph of the earlier order dated 11th February, 2010, concerning publicity has been duly complied with.

Subject to the above, the writ petition is disposed of.

.....CJI.
[S.H. KAPADIA]

.....J.
[K.S. RADHAKRISHNANA]

.....J.
[SWATANTER KUMAR]

New Delhi,

August 6, 2010

ANNEXURE VIII

List of States/Union territories where ground water extraction is being regulated by Central Ground Water Authority

1. Andaman and Nicobar Islands
2. Assam
3. Arunachal Pradesh
4. Bihar
5. Chhattisgarh
6. Dadra and Nagar Haveli and Daman and Diu
7. Gujarat
8. Haryana
9. Jharkhand
10. Madhya Pradesh
11. Maharashtra
12. Manipur
13. Meghalaya
14. Mizoram
15. Nagaland
16. Odisha
17. Punjab
18. Rajasthan
19. Sikkim
20. Tripura
21. Uttar Pradesh
22. Uttarakhand
23. Andhra Pradesh (only mining projects)
24. Telangana (only mining projects)

Glossary of technical terms used

1. **Safe area:** Area categorized as SAFE from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organizations. Details available on the websites of NOCAP and CGWB.
2. **Semi-critical area:** Area categorized as SEMI-CRITICAL from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organizations. Details available on the websites of NOCAP and CGWB.
3. **Critical area:** Area categorized as CRITICAL from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organisations. Details available on the websites of NOCAP and CGWB.
4. **Over-exploited area:** Area categorized as OVER-EXPLOITED from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organisations. Details available on the websites of NOCAP and CGWB.
5. **Aquifer:** Geological formation capable of storing and transmitting ground water.
6. **Deeper Aquifer:** In areas having multiple aquifer system, the aquifer(s) occurring below the uppermost aquifer.
7. **Well:** Any structure used for the extraction of groundwater, including open wells, dug wells, bore wells, dug-cum-bore wells, tube wells, filter points, collector wells, infiltration galleries, recharge wells, or any of their combinations or variations.
8. **Government Agency:** May be Central or State Government body.
9. **Supplier:** Government/ Government approved Water Supply Agency.
10. **Mine:** Area where mining activity is taking place, or area abandoned after mining.
11. **Illegal Ground Water abstraction Structure:** Any energized abstraction structure viz. dugwell, tubewell, borewell which is being used to withdraw ground water without valid No Objection Certificate from Central Ground Water Authority.
12. **Rainwater Harvesting:** The technique or system of collection and storage of rainwater, at micro watershed scale, including roof-top harvesting, for future use or for recharge of groundwater.
13. **Mining Project:** Project which involves mining activity either open cast or underground or both.
14. **Ground Water Draft:** Quantum of ground water withdrawal.
15. **Saline Water:** Water having salinity in excess of 2500 μ siemens/cm at 25°C.
16. **Water Table Intersection:** Intersection of the water table on excavation of the overlying material due to mining or other activities.
17. **Drinking and domestic use:** Besides drinking & domestic use of households, this category will cover drinking requirement of industries not requiring water for industrial process; drinking, washing, cleaning use etc. in case of hospitals, hotels, malls & multiplexes, institutions, offices, banquet halls, fire stations, metro stations, railway stations, airports, sea ports, stadia etc.
18. **Recycle/Reuse:** Using treated waste water for various purposes/ putting water to multiple uses.
19. **Government Department:** Either Central Government or State Government.
20. **Municipality:** Municipality, a Municipal Corporation or similar body of local urban governance by any other name.
21. **Groundwater:** Water, which exists below the surface in the zone of saturation and can be extracted through wells or any other means or emerges as springs and base flows in streams and rivers;
22. **Bgl :** Below Ground Level.
23. **BCM :** Billion cubic metres.

24. **Groundwater Abstraction structure:** Structure used to withdraw groundwater like bore well / tube well / dug well/dug cum bore well/tunnel well.
25. **Observation well or Piezometer:** A bore well/tube well used only for measuring the water level/piezometric head and to take water sample periodically but not used for groundwater abstraction.
26. **Water Audit:** A method of quantifying water use in simple or complex systems, with a view to reducing water usage and often saving money on otherwise unnecessary water use.
27. **Ground water pollution:** If concentration of any parameter in ground water exceeds the maximum permissible limit for drinking water prescribed by the Bureau of Indian Standards.
28. **Cooperative Group Housing Societies/ Builder flats:** A Housing Society is a society formed by house owners within a residential complex. The housing society formed must be formally registered with registrar of co-operatives.
29. **KLD – Kilo Litre per day**
30. EC_{GW} - Environmental compensation for drawing illegal ground water.
31. EC_{GWR} - Environmental compensation rates for drawing illegal ground water.

ANNEXURE X

Annual water audits by the industries (Source – CII)

Water audit is a systematic process of objectively obtaining a water balance by measuring flow of water from the site of water withdrawal or treatment, through the distribution system, and into areas where it is used and finally discharged. Conducting a water audit involves calculating water balance, water use and identifying ways for saving water.

Water audit involves preliminary water survey and detailed water audit. Preliminary water survey is conducted to collect background information regarding plant activities, water consumption and water discharge pattern and water billing, rates and water cess. After the analysis of the secondary data collected from the industry, detailed water audit is conducted, which involves the following steps:

- On site training and discussion with facility manager and personnel
- Water system analysis
- Quantification of baseline water map
- Monitoring and measurements using pressure and flow meters and various other devices
- Quantification of inefficiencies and leaks
- Quantification of water quality loads and discharges
- Quantification of variability in flows and quality parameters
- Strategies for water treatment and reuse or direct use

A detailed water balance is finally developed. Water quality requirement at various user areas is mapped, which helps in developing 'recycle' and 'reuse' opportunities.

The detailed water audit report contains the following:

- Water consumption and wastewater generation pattern
- Specific water use and conservation
- Complete water balance of the facility
- Water saving opportunities
- Method of implementing the proposals
- Full description and figures
- Investment required

Industries can undertake following measures for water conservation:

- Setting up of norms for water budgeting
- Modernization of industrial process to reduce water consumption
- Recycling water with a re-circulating cooling system
- Ozonation cooling water approach which can result in five fold reduction in blow down when compared to traditional chemical treatment
- Reduction in reuse of de-ionized water by eliminating some plenum flushes, converting from a continuous flow to an intermittent flow system and improving control on the use
- Use of waste water for gardening
- Proper processing of effluents to adhere to the norms of disposal.