

In The Hon'ble National Green Tribunal, Central Zone, At Bhopal

Original Application No. 71/2024 (CZ)

In the matter of –

Tahir Hussain

.....Applicant

Versus

Ministry of Jal Shakti & Ors.

.....Respondent

**ACTION TAKEN REPORT ON BEHALF OF MINISTRY OF JAL SHAKTI (R-1) &
CENTRAL GROUND WATER AUTHORITY (R-2)**

The Hon'ble National Green Tribunal, Central Zone Bench, Bhopal vide its order dated 19-09-2024 directed CGWA "to enforce the rule of law, finalize the pending application within the reasonable time, in case of violation of rules the environmental compensation must be assessed and realized according to rules. Further action taken report may be filed within one month." Copy of The National Green Tribunal, Central Zone Bench, Bhopal order dated 19-09-2024 is enclosed as **Annexure-I**.

In compliance to the directions of Hon'ble Tribunal, it is most respectfully submitted that – As per the records of the CGWA, out of the total 409 Industrial Areas as listed by the applicant, RIICO is supplying water to the industries in only 112 Industrial Areas for Drinking and Domestic uses. RIICO has applied for No Objection Certificate (NOC) 112 Industrial Areas through 108 Applications (List enclosed as **Annexure-II**). Current Status of 108 applications is appended below:

No. of application rejected due to non-payment of charges imposed for Groundwater Abstraction, Environmental Compensation and Penalty	No. of applications rejected due to non-submission of mandatory documents	No. of applications rejected due to non-submission of application processing fees	No. of applications rejected for which NOCs were issued earlier and charges were recalculated at later stage	No. of applications at processing stage
80	11	01	08	08

1. Due to non-payment of charges imposed for Groundwater Abstraction, Environmental Compensation and Penalty, **80** applications have already been rejected. The list of applications is enclosed as **Annexure-III**.
2. **10** applications were rejected due to non-submission of mandatory documents and **01** application was rejected due to non-submission of application processing fees at the time of submission of the application. Applications rejected due to non-submission of mandatory documents or processing fees as per MoJS Guidelines 24-09-2024 have also not applied again for obtaining NOC from CGWA. The list of applications is enclosed as **Annexure-IV**.
3. In compliance to enforce the rule of law action taken against the RIICO for non-compliance:
 - i. Show Cause Notices (SCNs) were issued to different RIICO Industrial area after the rejection of the applications at various processing stage due to Non-Submission/Non Payment of Mandatory Documents, Groundwater Abstraction, Environmental Compensation and Penalty Charges. The list of the applications and copy of the SCNs issued is enclosed as **Annexure-V**.
 - ii. Letters are being sent to District Collectors of concerned districts (as per Section 13.0 of Notified MoJS guidelines issued on 24.09.2020 vide (S.O.3289)(E) after no reply was received for show cause notices issued to different RIICO Industrial areas to take legal action against the RIICO for illegal ground water withdrawal without valid NOC. The list of the applications and copy of the letters issued is enclosed as **Annexure - VI**.
 - iii. Reminder letter have been sent to District Collectors of concerned districts to whom letter were sent during August-2024 and September-2024 (as per Annexure-VI) when no

intimation of any legal action taken against the RIICO from appointed authority was received by CGWA. List of reminder letters is enclosed as **Annexure-VII**

- iv. As per the Notified MoJS Guidelines dated 24-09-2024:
- "All new/existing industries, industries seeking expansion, infrastructure projects and mining projects abstracting ground water, unless specifically exempted, 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.
 - Rural drinking water supply schemes are exempted from seeking NOC from CGWA.

In view of above letter have been sent to Secretary (PHED & GWD) for directing PHED units to obtain NOC from CGWA as per the notified guidelines for supply of water. Reminder for the same has been sent to Secretary when no application for seeking NOC pertaining to PHED units was received. Enclosed copy of Letter to Secretary and its Reminder as **Annexure-VIII**.

- v. A Revised demand note was sent to **08 RIICO Industrial** areas for which NOCs were issued earlier and charges were recalculated at later stage. The revised charges were not paid by RIICO against these applications; therefore their issued NOC's have been cancelled. The list of the applications and their cancelled NOC is enclosed as **Annexure -IX**.
- vi. A Show Cause Notice was issued to RIICO Industrial Area, Bikaner via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/कारणबताओनोटिस/2022-179**, on 03.10.2022 for **not having valid NOC/ illegal ground water withdrawal**. Copy of Show Cause Notice is enclosed as **Annexure -X**.
- vii. A Show cause notice was issued to RIICO Industrial Area, Barmer via Letter No. **सीजीडब्ल्यूए/कारणबताओनोटिस/डब्ल्यूआर/2023--2078**, on 20.11.2023 for **not having valid NOC/ illegal ground water withdrawal**. Copy of Show Cause Notice is enclosed as **Annexure - XI**.
- viii. A Letter was send to District Collector, Bikaner via Letter No. **CGWA/WR/SHOW-CAUSE/2022-290**, on 07.11.2022 for taking legal action against the RIICO for **illegal groundwater withdrawal without valid NOC**. Copy of the Letter is enclosed as **Annexure - XII**.
- ix. A Letter was send to District Collector, Bikaner via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/एनजीटी/407/2022-384**, on 23.01.2023 for taking legal action against the RIICO for **illegal ground water withdrawal without valid NOC** in compliance to NGT OA No 407/2022. Copy of the Letter is enclosed as **Annexure - XIII**.
- x. A Letter was send to District Collector, Bikaner via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/एनजीटी/407/2022-575**, on 17.07.2023 for taking legal action against the RIICO for **illegal ground water withdrawal without valid NOC** in compliance to NGT OA No 407/2022. Copy of the Letter is enclosed as **Annexure - XIV**.
- xi. A Letter was send to District Collector, Bikaner via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/एनजीटी/407/2022-656**, on 10.08.2023 for taking legal action against the RIICO for **illegal ground water withdrawal without valid NOC** in compliance to NGT OA No 407/2022. Copy of the Letter is enclosed as **Annexure - XV**.
- xii. A Letter was send to District Collectors of all the Districts of Rajasthan State via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/शिकायत/2023-2057**, on 09.11.2023 for taking legal action against the RIICO Industrial Areas of their respective Districts for **illegal ground water withdrawal without valid NOC**. Copy of the Letter is enclosed as **Annexure - XVI**.
- xiii. A Letter was send to District Collector, Alwar via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/शिकायत/2023-01**, on 08.01.2024 for taking legal action against the RIICO for **illegal ground water withdrawal without valid NOC**. Copy of the Letter is enclosed as **Annexure - XVII**.
- xiv. A Letter was send to District Collector, Bikaner via Letter No. **सीजीडब्ल्यूए/डब्ल्यूआर/शिकायत/2023-08**, on 05.02.2024 for taking legal action against the RIICO for **illegal ground water withdrawal without valid NOC**. Copy of the Letter is enclosed and **Annexure - XVIII**.

- xv. A Letter was send to District Collector, Alwar via Letter No. सीजीडब्ल्यूए/डब्ल्यूआर/शिकायत/2024-17, on 28.02.2024 for taking legal action against the RIICO for **illegal ground water withdrawal without valid NOC**. Copy of the Letter is enclosed as **Annexure - XIX**.
- xvi. A Letter was send to Chairman, RIICO, Jaipur via Letter No. **NGT/OA 71/2024-354**, on 19.08.2024 for **following the directions of Hon'ble NGT order dated 12.08.2024**. The Copy of the Letter is enclosed as **Annexure – XX**.
- A meeting of Regional Director, CGWB, Western region, Jaipur was also held with Managing Director, RIICO, Jaipur in their office on dated **20.08.2024** for following up the compliances of the directions of Hon'ble NGT order dated **12.08.2024**.

No intimation of any legal action taken by the appointed authorities (as per MoJS Notified Guidelines 24-09-2020) against the RIICO industrial areas have been received by this Office even after several reminders and letters. A copy of all the letters issued was also sent to the Chairman/MD of the Rajasthan State Industrial Development and Investment Corporation Ltd, but RIICO applied for NOC from CGWA on the NOCAP Portal for Ground Water Extraction after the Notice received from Hon'ble NGT in the listed manner.


 29/10/24
 REGIONAL DIRECTOR / Regional Director
 जल संचयन, नदी विकास और गंगा संरक्षण विभाग
 Department of WICER
 केंद्रीय भूजल बोर्ड / Central Ground Water Board
 पश्चिमी क्षेत्र, जयपुर / Western Region, Jaipur
 THROUGH

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 STANDING COUNSEL (UOI)
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.....Applicant

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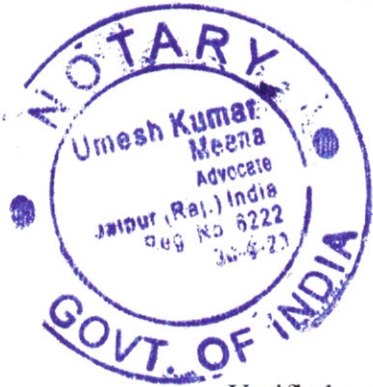
Ministry of Jal Shakti & Ors.

.....Respondent

AFFIDAVIT

I, Manohar Singh Rathore, aged about 59 years S/o Shri Doongar Singh Rathore working as Regional Director Having office at Central Ground Water Board, Western Region, 6-A, Jhalana Doongari, Jaipur - 302004, do hereby make solemnly affirm and declare as under:-

1. That I have going through the official record. I have made myself conversant with the facts and circumstances of the present case and therefore, I am competent to depose this affidavit.
2. That the accompanying reply has been drafted under my instructions. I have read the contents thereof, the same are true and correct and may kindly be read as part and parcel of this affidavit as the same not being repeated herein for the sake of brevity.



(Handwritten Signature)

DEPONENT

• क्षेत्रीय निदेशक / Regional Director
जल संचयन / Government of India
जल संचयन विभाग / Ministry of Jal Shakti
जल संचयन, नदी विकास और मृदा संरक्षण विभाग
Department of WR, RD & GR
केंद्रीय भूमि जल बोर्ड / Central Ground Water Board
पश्चिमी क्षेत्र, जयपुर / Western Region, Jaipur

VERIFICATION

Verified on this ----- day of October 2024 that the contents of the above affidavit are true and correct to my knowledge derived from the official records, nothing material has been concealed therefrom.

ATTESTED
(Handwritten Signature)
NOTARY PUBLIC JAIPUR
(RAJ.) INDIA
29 OCT 2024

(Handwritten Signature)

DEPONENT

• क्षेत्रीय निदेशक / Regional Director
जल संचयन / Government of India
जल संचयन विभाग / Ministry of Jal Shakti
जल संचयन, नदी विकास और मृदा संरक्षण विभाग
Department of WR, RD & GR
केंद्रीय भूमि जल बोर्ड / Central Ground Water Board
पश्चिमी क्षेत्र, जयपुर / Western Region, Jaipur