

**CENTRAL GROUND WATER AUTHORITY**  
[Constituted under section 3(3) of Environment (Protection) Act, 1986]  
Gallery No. 18/11, Jamnagar House, Mansingh Road, New Delhi-110011  
• Phone:23072580; Fax:23382051; e mail: [cgwa@nic.in](mailto:cgwa@nic.in)

No.22-38/CGWB/ CWP-252/2020 -149

Dated 25.02.2020

To

✓ **Shri Mukesh Puri, IAS**  
Chairman,  
Gujarat Pollution Control Board,  
Paryavaran Bhavan, Sector-10-A,  
Gandhinagar-382 010.

Sub: Action Plan/Details regarding recharge to ground water in compliance of directions of Hon'ble NGT – reg.

Sir,

With reference to your letter No. GPCB/HO/-2-101(7)/RAP/552711 dated 28.01.2020 on the subject cited above, please find enclosed herewith a copy of the Master Plan for Artificial Recharge to Ground Water in India, prepared by Central Ground Water Board. Page 52 to 57 of the Master Plan contains the recharge management plan for the State of Gujarat. This recharge management plan was formulated after taking into consideration the areas feasible for artificial recharge to ground water in the State of Gujarat.

Your kind attention is invited to the directions of Hon'ble Supreme Court of India under its order dated 20.01.2017 and 30.01.2017 in CWP No. 252/2005(copies enclosed). The Hon'ble Supreme Court of India has directed the State of Gujarat to implement the Master Plan in the State and file Affidavit affirming implementation of Master Plan, 2013, for ground water recharge in the State. Your kind attention is invited to the D.O. Letter No. T-13012/7/2015-GW dated 2.2.2017 written by Secretary (WR,RD&GR), New Delhi to the Chief Secretary, Government of Gujarat in this connection(copy enclosed). The State of Gujarat has filed an affidavit dated 30.01.2017, before the Hon'ble Supreme Court of India affirming steps taken for Rain Water Harvesting in the State of Gujarat on the basis of model building bye laws(copy enclosed).

The Master Plan for Artificial Recharge to Ground Water was circulated to the State of Gujarat for implementation vide D.O. Letter No. CHMN/CGWB/2015 dated 02.09.2015, followed by D.O. Letter dated 02.02.2017 of D/o WR,RD&GR, New Delhi. The CGWA in exercise of powers conferred under section 5 of the Environment (Protection) Act, 1986 also has issued directions to the Chief Secretary, Government of Gujarat on 08.08.2006 to adopt Artificial Recharge/Rain Water Harvesting in the over-exploited and critical areas in the State of Gujarat(copy enclosed).

You are once again requested to kindly take up with the Chief Secretary, Government of Gujarat for implementation of Master Plan in the State of Gujarat without any further delay, because water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power is state subject and management of water resources in the State is the responsibility of the State in terms of entry 17 of list II of seventh schedule of Constitution of India.

Kindly accord priority.

Yours faithfully,

  
(V.V.Vardhan)  
Administrator

Encl: As above.

Copy to :

1. The Chief Secretary, Government of Gujarat, Gandhinagar.
2. Consultant, National Green Tribunal, New Delhi at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) .
3. The Member Secretary, Central Pollution Control Board, New Delhi.
4. The Regional Director, Central Ground Water Board, Ahmedabad.

  
(V.V.Vardhan)  
Administrator

## 8.6 GUJARAT

The State of Gujarat has a geographical area of 1,96,024 Sq.Km. with the longest coastline of 1600 km. There are 18,066 villages and 242 towns with a population of 6.03 crore (2011 census). The droughts are frequent in major part of Gujarat. The annual rainfall shows steep reduction from 2000 mm in extreme south (Dangs and Valsad districts) to 300 mm in Kutch district. Gujarat has three distinct physiographic areas namely main land Gujarat, Saurashtra and Kutch regions. Gujarat is covered by number of large and small river basins having varied nature. These basins represent varied and complex hydrogeological, agro-climatic and hydrological features.

### 8.6.1 IDENTIFICATION OF AREA

Various water bearing geological formations occurring in the State have been categorized broadly in three hydrogeological units, namely, unconsolidated alluvial deposits, consolidated rock units of igneous and meta sediments and semi consolidated units of other sedimentary rocks. The thickness of available unsaturated zone (below 6 m bgl) is computed on basis of Post monsoon (2000-09) decadal average depth to water level map and decadal water level trend map of Gujarat State. Based on the decadal average depth to water level of post monsoon period (2000-09) data and long term trend of ground water level (2000-09) four categories were identified as follows.

- (i) Area showing declining trend  $> 0.10$  m / year and water level between 6-9 m bgl.
- (ii) Area showing declining trend 0 to  $0.10$  m / year and water level between 6 -9 m bgl.
- (iii) Area showing declining trend  $> 0.10$  m / year and water level between  $> 9$  m bgl.
- (iv) Area showing declining trend 0 to  $0.10$  m / year and water level between  $> 9$  m bgl.

**Table – 8.6.1- Computation of area feasible for Artificial Recharge in Gujarat**

S. No.	District	Area: (DTW $> 9$ m; Trend 0 to 10 cm /year) (sq. km.)	Area: (DTW $> 9$ m ; Trend $> 10$ cm / year) (sq. km.)	Area: (DTW $< 9$ m; Trend 0 to 10 cm / year) (sq. km.)	Area: (DTW $< 9$ m; Trend $> 10$ cm / year) (sq. km.)	Area feasible for artificial recharge ( sq. km.)
1	Kutch	4822	1258	133		6213
2	Patan		1241	221		1462
3	Sabarkantha	89	56			145
4	Banaskantha	2608	4126	95		6829
5	Mahesana	252	363		346	961
6	Gandhinagar	468	27	218		713
7	Ahmedabad	1142	42	29	438	1651
8	Surendranagar	581		398		979
9	Bhavnagar			267		267
10	Amreli	23		71		94
11	Rajkot	51		42		93
	<b>Total</b>					<b>19407</b>

A total of 19,407 sq. km area spread over eleven district having water level & trend as above is computed (Table 8.6.1) and same is depicted as suitable areas for artificial recharge (Fig 8.6.1).

## 8.6.2 SUB-SURFACE STORAGE SPACE AND WATER REQUIREMENT

Further, while calculating the total volume of unsaturated zone available for recharge, clay & massive non porous intervening zones have been deleted from the total thickness of potential zone for recharge. Average specific yield data of above formations, as per norm of GEC, 1997 were considered to compute volume of water required for recharge to saturate dry zones. Storage space volume available in aquifers is 109,668 MCM. On the basis of specific yield factor of major aquifer system considered in 'Ground Water Resources Estimate – 2009, the volume of water required for artificial recharge to fully saturate aquifer in each district areas is around 10,708 MCM (Table 8.6.2 & 8.6.3)

**Table: 8.6.2 - Computation of volume of unsaturated zone available for recharge, Gujarat**

S. No.	District	Volume : (DTW > 9 m ; Trend 0 to 10 cm /year)  (MCM)	Volume : ( DTW > 9 m ; Trend > 10 cm / year)  (MCM)	Volume : (DTW < 9 m ; Trend 0 to 10 cm / year) (MCM)	Volume : (DTW < 9 m ; Trend > 10 cm / year) (MCM)	Volume of unsaturated zone available for artificial recharge (MCM)
	Average depth unsaturated below 6 m bgl (Excluding clay & impervious hard zones)	6 m	6 m	3 m	3 m	
1	Kutch	28932	7548	399	0	36879
2	Patan	0	7446	663	0	8109
3	Sabarkantha	534	336	0	0	870
4	Banaskantha	15648	24756	285	0	40689
5	Mahesana	1512	2178	0	1038	4728
6	Gandhinagar	2808	162	654	0	3624
7	Ahmedabad	6852	252	87	1314	8505
8	Surendranagar	3486	0	1194	0	4680
9	Bhavnagar	0	0	801	0	801
10	Amreli	138	0	213	0	351
11	Rajkot	306	0	126	0	432
	<b>Total</b>					<b>109668</b>

**Table 8.6.3: Computation of volume of water required for recharge in Gujarat**

S. No.	District	Volume of unsaturated zone available for artificial recharge (MCM)	Specific yield factor	Volume of water required for recharge (MCM)
1	Kutch	36879	0.08	2950
2	Patan	8109	0.1	811
3	Sabarkantha	870	0.08	70
4	Banaskantha	40689	0.1	4069
5	Mahesana	4728	0.12	567
6	Gandhinagar	3624	0.15	544
7	Ahmedabad	8505	0.15	1276
8	Surendranagar	4680	0.08	374
9	Bhavnagar	801	0.03	24
10	Amreli	351	0.03	11
11	Rajkot	432	0.03	13
	<b>Total</b>	<b>109668</b>		<b>10708</b>

### 8.6.3 SOURCE WATER AVAILABILITY

The availability of source water, one of the prime requisites of artificial recharge has been worked out based on basin approach by the Ground Water Department of Gujarat State. Considering monsoon rainfall as main source of water, basin wise source water availability is computed. Broadly, the data of each basin takes in to account of committed runoff, provision for future planning and surplus water available. The quantity considered available for artificial recharge includes provisions for future planning with surplus water available. This availability so worked out is for entire basin has been further redistributed on prorata basis for different districts for planning of Artificial Recharge. The Gujarat Government is planning to take-up ambitious project of Kalpasar in the Gulf of Cambay by creating a fresh water reservoir by conserving fresh water of Sabarmati, Mahi, Dadhar, and Narmada rivers of mainland Gujarat and other minor rivers of Saurashtra Region flowing into Gulf of Cambay. The surplus water of all these rivers is accounted for Kalpasar Project and therefore, different district covered by these river basins are not considered in present proposal of artificial recharge. The total surplus water available for planning of artificial recharge in the state is 2058 MCM/yr. (Table 8.6.4.). Taking in to consideration of various types of artificial recharge structures constructed up to year 2008 & the quantity of surplus runoff accounted for artificial recharge through these structures, the balance volume of surplus available is 1483.54 MCM (table 8.6.4).

**Table 8.6.4- District-wise Artificial Recharge Structures considered for Ground Water Estimation, 2009 in Gujarat**

S. No.	District Name	Tanks as on 2008	Percolation Tanks as on 2008	Check Dams as on 2008	Total Quantity of Recharge due to all AR structure 2009	Volume of surplus local / distant source available for recharge (MCM)	Balance Volume of surplus local / distant source available for recharge (MCM)
1	Ahmedabad	211	261	546	7.67	101.19	93.52
2	Amreli	549	488	7215	70.18	122.53	52.35
3	Anand	461	13	136	3.76	-	-
4	Banaskantha	697	292	1401	21.29	240.33	219.04
5	Bharuch	59	53	410	4.81	-	-
6	Bhavnagar	639	920	13389	131.74	133.07	1.33
7	Dahod	603	98	3745	36.47	-	-
8	Dangs	0	0	823	37.24	-	-
9	Gandhinagar	181	16	110	2.62	14.79	12.17
10	Jamnagar	595	864	6374	66.02	263.72	197.70
11	Junagadh	824	377	8867	85.00	143.91	58.91
12	Kutch	377	650	2488	29.30	292.35	263.05
13	Kheda	778	20	406	7.86	-	-
14	Mahesana	462	180	387	9.60	103.00	93.40
15	Narmada	26	0	357	3.00	-	-
16	Navsari	276	0	227	3.51	-	-
17	Panchamahals	1219	98	5173	51.73	-	-
18	Patan	78	92	310	5.28	162.00	156.72
19	Porbandar	100	199	307	4.89	37.02	32.13
20	Rajkot	860	1290	13037	129.87	247.74	117.87
21	Sabarkantha	1089	708	5514	38.42	-	-
22	Surat	314	1	254	4.00	-	-
23	Surendranagar	145	629	549	11.00	196.35	185.35
24	Tapi	122	7	251	2.57	-	-
25	Vadodara	612	551	1475	21.56	-	-
26	Valsad	304	20	1837	17.68	-	-
	<b>Total</b>	<b>11581</b>	<b>7827</b>	<b>75588</b>	<b>807.07</b>	<b>2058.00</b>	<b>1483.54</b>

#### 8.6.4 RECHARGE STRUCTURES AND COST ESTIMATES

In hard rock areas with moderate relief, weirs/check dams are considered feasible, whereas, in plateau and plain areas occupied by hard rock, percolation tanks are considered appropriate. In semi-consolidated formation weirs/check dams are considered feasible. In the areas occupied by alluvium percolation tanks are considered appropriate. A percolation tank generally has a capacity of 0.09 MCM and receives three fillings in two years, hence, on an average 1.5 times capacity utilization (0.140 MCM) has been considered on an annual basis. A weir/check dam of 0.017 MCM capacities will actually store 300% of its capacity due to multiple filling. Thus gross storage capacity of weir/check dam has been considered as 0.05 MCM/yr. Taking into consideration of existing artificial recharge structures suitable in the district area, it is worked out that additional 1800 percolation tanks and 16,975 check dams / weirs are feasible in the State (Table 8.6.5). Based on the experience gained from recharge studies in the past, it is observed that cost of

structure depends upon local situation. For the present planning average cost of structure has been adopted from the guidelines laid down by Govt. of Gujarat. A percolation tank may cost around Rs.5 Lakh. Similarly a weir/check dam may cost around Rs. 4 lakh. Thus the total cost of project is estimated to be Rs.769 crores for constructing various structures as indicated in table 8.6.5.

#### **8.6.5 ROOF TOP RAIN WATER HARVESTING**

It has been assessed that roof top rainwater harvesting can be adopted in 5 lakh houses, govt buildings, institutes etc. in urban and municipal area of the state suitable for artificial recharge in the first phase. It will harness 110.4 MCM rain water to augment groundwater resources considering normal rainfall for the state and 80% efficiency of the system. The cost of roof top rain water harvesting of a buildings having roof and paved areas of ~ 200 sq.m has been assessed to be Rs. 10,000/- and for bigger building having more than 1000 sq.m will be Rs. 1.0 lakh. The total cost for the roof top rain water harvesting for the state has been estimated to be Rs. 725 crore in the first phase considering 5% of the total buildings having larger roofs.

#### **8.6.6 TOTAL COST**

The total cost of artificial recharge structures and roof top rain water harvesting is estimated as Rs. 1494 crores for the state of Gujarat.

**Table – 8.6.5 District wise details of Artificial Recharge Structures in Gujarat**

S.No	District Name	Area of District (sq.km)	Average post monsoon depth to water (2000-09) (mbgl)	Area feasible for artificial recharge (sq km)	Volume of unsaturated zone available for recharge (MCM)	Volume of water required for recharge (MCM)	Balance Volume of surplus local / distant source available for recharge (MCM)	Additional Percolation Tank Structures Proposed capacity@0.1 4 MCM	Additional Check Dam / Weir Structures Proposed Recharge capacity@ 0.05 MCM	Unit Cost		Total Cost
										(Rs in crores)	(Rs in crores)	
1	Amedabad	8100	8.74	1651	8505	1276	93.52	215	1200	0.05	0.04	58.75
2	Banaskantha	10800	22.00	6829	40689	4069	219.04	250	3500	0.05	0.04	152.50
3	Bhavnagar	10000	8.31	267	801	24.03	1.33	0	2.5	0.05	0.04	1.00
4	Gandhinagar	2200	10.86	713	3624	544	12.17	10	200	0.05	0.04	8.50
5	Kutch	45700	12.83	6213	3679	2950	263.05	300	4000	0.05	0.04	175.00
6	Mahesana	4400	11.16	961	4728	567	93.4	200	1200	0.05	0.04	58.00
7	Patan	5700	10.60	1462	8109	811	156.72	250	2250	0.05	0.04	102.50
8	Rajkot	11200	7.01	94	351	13	117.87	75	2000	0.05	0.04	83.75
9	Surendranagar	10500	6.79	979	4680	374	185.35	480	1700	0.05	0.04	93.00
10	Amreli	7400	10.29	93	432	11	52.35	20	900	0.05	0.04	37.00
11	Jamnagar	14100	6.89				197.7	Additional Artificial Recharge Structures are not recommended ; Most of the areas post monsoon water level are above 6 m bgl and there is rising water level trend				
12	Junagadh	8800	9.67				58.91					
13	Porbandar	2300	6.77				32.13					
14	Sabarkantha	7400	11.63	145	870	70						
15	Anand	2900	9.68					No surplus runoff available for AR structures.				
16	Dohad	3600	6.25					Additional Artificial Recharge Structures are not recommended ; Surplus runoff is accounted for Kalpasar Project				
17	Kheda	4200	7.65									
18	Panchmahal	5200	5.76									
19	Bharuch	6500	5.35					Additional Artificial Recharge Structures are not recommended ; Most of the areas post monsoon water level are above 6 m bgl and there is rising water level trend ; No surplus runoff				
20	Dangs	1800	2.36									
21	Narmada	2800	9.64									
22	Navsari	2200	5.58									
23	Surat	4400	5.20									
24	Tapi	3300										
25	Vadodara	7600	8.67									
26	Valsad	3000	4.61									
<b>Total</b>				<b>19407</b>	<b>109668</b>	<b>10708</b>	<b>1483.54</b>	<b>1800</b>	<b>16975</b>	<b>-</b>	<b>-</b>	<b>769.0</b>

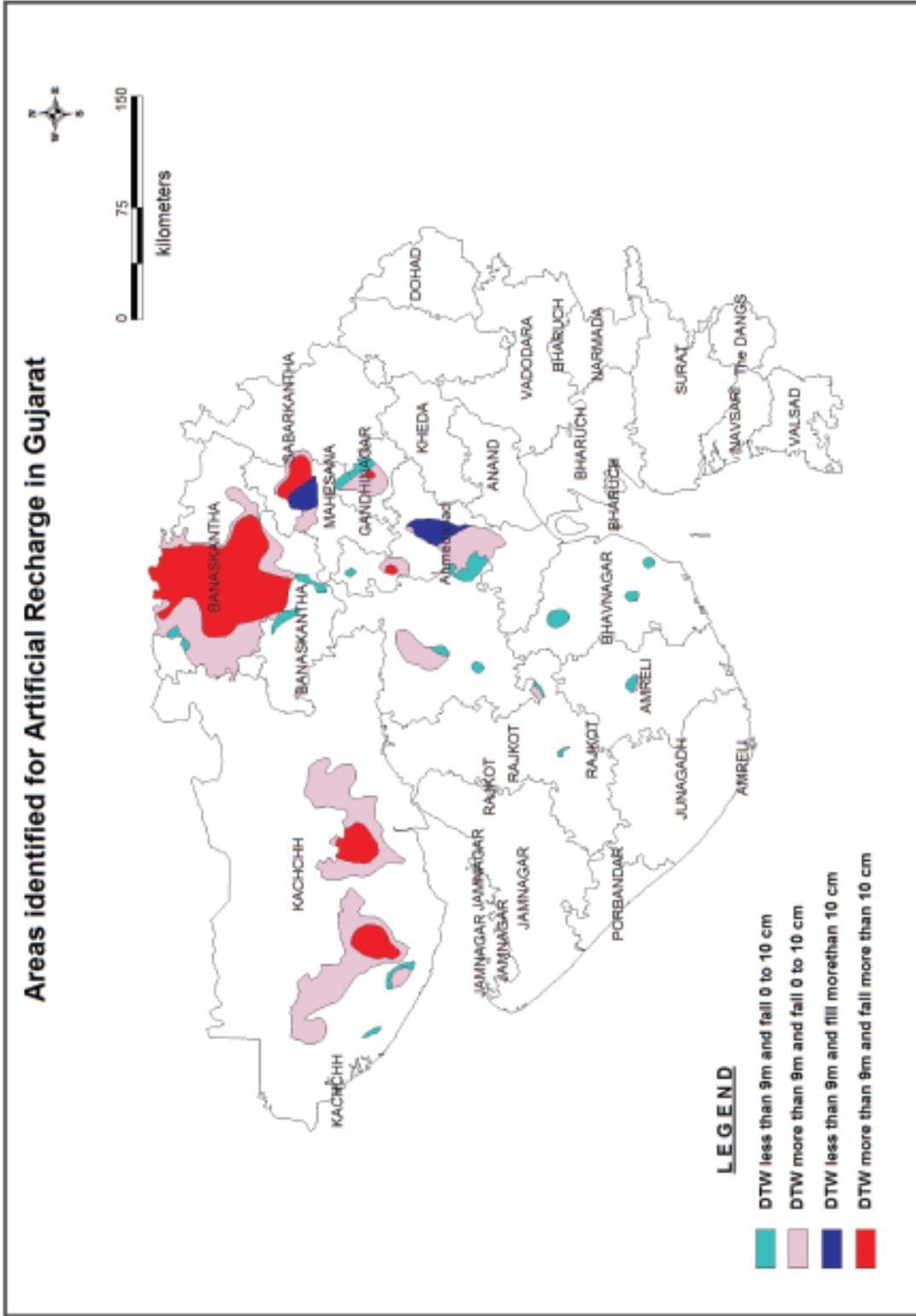


Fig. 8.6.1: Areas identified for Artificial Recharge in Gujarat

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION© NO.252 OF 2005

IN THE MATTER OF:

TREE & ANR.

...PETITIONER(S)

//VERSUS//

UNION OF INDIA &ORS.

...RESPONDENT(S)

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 8/  
STATE OF GUJARAT

I, Amrutlal P. Makwana, Section Officer, Urban Development and Urban Housing Department, Government of Gujarat, having office at Block No.14, 9<sup>th</sup> floor, Saradar Bhavan, Sachivalaya, Gandhinagar, Gujarat, presently at New Delhi do hereby solemnly affirm and state as under:

1. That the above mentioned matter came up for hearing before this Hon'ble Court on 20.1.2017 where in this Hon'ble Court was pleased to pass the following order:

“This Master Plan for Artificial Recharge to Ground Water in India, prepared by the Ministry of Water Resources, Central Ground Water Board, Government of India, and published in 2013, has been handed over to us in Court today. The Administrator of Central Ground Authority-Mr. V. Vijay Vardhan is present in Court in person today. He undertakes to furnish a copy of Master Plan to the learned counsel for the petitioners, as also, two copies of the same to this Court within the course of the day. The State Governments are granted liberty to file their affidavits of compliance within one week from today. Post for hearing on 30.01.2017.”

2. The Ministry of Urban Development, Government of India had circulated model Building bye laws and by letter No. D.O.No.K-14011/83/2009-ud-11(pt.) dated 18.03.2016 directed the State Governments to consider the same and adopt them. The Government of Gujarat has incorporated the relevant parts of model building byelaws, 2016 in the GDCR notified on 03.10.2016. Various steps for Rain Water Harvesting are notified vide this notification. Copy of the relevant sections of the GDCR notified on 03.10.2016 is annexed hereto and marked as **Annexure GJ/1**.

3. That no facts which were not pleaded before the Courts below have been pleaded in this affidavit.

*A.P. Myyana*  
DEPONENT

VERIFICATION:

I, the deponent above named do hereby verify that the contents of the above affidavit are true to the best of my knowledge and belief and nothing material has been concealed therefrom.

Verified at New Delhi on this 30<sup>th</sup> day of January, 2017.

*A.P. Myyana*  
DEPONENT

GOVERNMENT OF GUJARAT  
URBAN DEVELOPMENT AND URBAN HOUSING DEPARTMENT  
SACHIVALAYA, GANDHINAGAR.

NOTIFICATION

Dated. 03 OCT 2016

THE GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT, 1976.

NO.GH/V/162 of 2016/ EDB-102016-3629-L: WHEREAS the Government of Gujarat is of the opinion that it is necessary, in the public interest, to make variations in the General Development Control Regulation of the Final Development Plan of the Appropriate Authority specified in the Schedule-1 sanctioned under the respective Government Notifications.

NOW THEREFORE, in exercise of the power conferred by sub-section (1) of section 116A of the Gujarat Town Planning and Urban Development Act, 1976 (President's Act No. 27 of 1976), (hereinafter referred to as "the said Act") the Government of Gujarat hereby: -

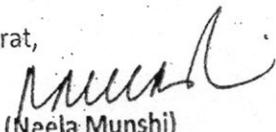
1. Proposes to modify the aforesaid development plan by way of variation in the manner specified in the Schedule appended hereto, and;
2. Calls upon any person to submit suggestion or objection, if any, with respect to the proposed variations to the Additional Chief Secretary to Government of Gujarat, Urban Development and Urban Housing Department, Sachivalaya, Gandhinagar, in writing, within a period of two months from the date of the publication of this notification in the Official Gazette.

SCHEDULE

Proposed variations in the General Development Control Regulation of the Final Development Plan of the Appropriate Authority specified in Annexure-A sanctioned under the respective Government Notifications of Urban Development and Urban Housing Department.

The provisions of the sanctioned the General Development Control Regulation stands replaced by the Annexure-A.

By order and in the name of the Governor of Gujarat,

  
(Neela Munshi)

Officer on Special Duty & Ex-Officio Joint Secretary  
to the Govt. of Gujarat

Urban Development and Urban Housing Department

Copy forwarded with compliments to :

- ❖ Municipal Commissioner, All Municipal Corporations.
- ❖ Chief Executive Authority, All Urban/AREA Development Authorities.
- ❖ Director Municipalities, Gujarat State, Gandhinagar.
- ❖ Chief Officer, All Municipalities
- ❖ Chief Officer, All Gram-Nagar Panchayats
- ❖ Chief Town Planner, Gujarat State, Gandhinagar.

- ❖ Senior Town Planner, All Region Office of Town Planning and Valuation Department.
- ❖ District Development Officer, All District Offices.
- ❖ Manager, Government Central Press, Gandhinagar - With a request to publish the aforesaid notification in Part IV-B central Section, in the Gujarat Government Extra Ordinary Gazette of Dated. 03.10.16 and forward 10 printed copies of the same to this department. The Gujarati version of the Notification will be forwarded shortly to you by the Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar.
- ❖ Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar - with request to send Gujarati version of the said Notification directly to the Manager, Government Central Press, Gandhinagar for its publication in the official gazette urgently.
- ❖ Director of Information, Gandhinagar- with request to issue suitable presses note.
- ❖ The Revenue Department, New Sachivalaya, Gandhinagar.
- ❖ P.S. to Hon'ble Deputy Chief Minister (U.D. & U. H. Deptt.) New Sachivalaya, Gandhinagar.
- ❖ System Manager, Urban Development and Urban Housing Department, Gandhinagar- with request to publish in the department web site.
- ❖ The Select file of ' L ' Branch, U. D. & U. H. Deptt.
- ❖ The personal file of Dy. Section Officer, L-Branch, U. D. & U. H. Deptt.

# GENERAL DEVELOPMENT CONTROL REGULATIONS - A

GUJARAT TOWN PLANNING AND URBAN DEVELOPMENT ACT-1976

Government of Gujarat Notification No:GH/V/162 of 2016/EDB – 102016 – 3629- L Dated 3-10-2016

## 1. PREAMBLE

In pursuance of the Provisions contained in Clause (m) of sub-section of (2) of Section 12 Section 116A of the Gujarat Town Planning and Urban Development Act, 1976, the Urban Housing and Urban Development Department hereby makes variations in the following Regulations:

### 1.1. Short Title

These regulations may be called the Draft General Development Control Regulations of the Development Plan of the Development Authority for which it is applicable.

### 1.2. Commencement

These Regulations shall come into force from the date as prescribed in the Act.

### 1.3. Applicability

Subject to the provisions of The Gujarat Town Planning and Urban Development Act-1976, these Regulations shall apply to all development within the development area including concern Municipal Corporation /Nagarpalika area/Gram Panchayat area notified under Section 3 and sub section (1) of section 6 and sub section (1),(2) and (4) of section 22 of The Gujarat Town Planning and Urban Development Act-1976 as may be notified or development area amended from time to time and read in conjunction with development plan in force, if any, and notifications, if any, with regard to the same and as amended from time to time and shall be applicable for a period of ten years or d.p. revised, whichever is earlier after which they shall be reviewed. Till such time the reviewed General Development Control Regulations are notified, this General Development Control Regulation will continue to be in force. This shall be applicable to all the development plan sanctioned or submitted to government for sanction.

<b>Urban Development Authority:</b>
Ahmedabad, Rajkot, Surat, Vadodara, Gandhinagar, Junagadh, Anand-Vallabh-Vidhyanagar-Karamasad, Bharuch-Ankaleshwar, Morbi-Wankaner, Surendranagar-Wadhvan, Navasari, Bardoli, Himatnagar
<b>Area Development Authority:</b>
Bhavanagar, Jamanagar, Mahesana, Patan, Palanpur, Nadiad, Godhra, Jetpur-Navagadh, Botad, Veraval-Patan, Porbandar, Vapi, Valsad, Ahawa (Dang), Alang, Ambaji, Amreli, Anjar, Anklav, Bagasara, Balasinor, Barwara, Bavla, Becharaji, Bhachau, Bhayavada, Bhuj, Bilimora, Borsad, Chansma, Chhaya, Chhotaudepur Chorwad, Dabhoi, Dahod, Dakor,

Deesa, Devgadbaria, Dhandhuka, Dhangadhra, Dharampur, Dharmaj, Dholka, Dhoraji, Dwarka, Gandevi, Gondal, Halol, Halwad, Idar, Jagadiya-Sultanpura, Jambusar, Jamjodhpur, Kadi, Kalawad, Kalol(Godhara), Kapadvanj, Karjan, Kathor, Kayavarohan, Keshod, Kevadia, Khambhaliya, Khambhat, Kheda, Khedbrahma, Kodinar, Kosamba, Limbdi, Lunawada ,Mahuva ,Manavadar ,Mandal ,Mandvi (Kutchh) ,Mandvi(Surat) ,Mangrol ,Mansa ,Matar ,Modasa ,Okha ,Palitana ,Pardi ,Petlad ,Prantij Radhanpur ,Rajpipla ,Ranpur ,Rapar ,Sankheda, Santarampura, Savali, Savarkundala, Shamlaji, Shihor, Siddhapur ,Sojitra ,Talod ,Tarsadi ,Thangadh ,Udwada,Umargam ,Umreth ,Una ,Unjha ,Upleta ,Vadinar ,Vadnagar ,Vaghodia ,Vaso ,Vijapur ,Viramgam ,Visnagar ,Vyara , Waghai (Dang)

For whatever provisions which are not covered under this regulations, for them the provision of the relevant sanctioned GDCR and GDCR notified under notification no.GH/V/127 of 2016/MIS-102016-1174-I dated 15/06/2016 are applicable.

**1.4. Existing approved building**

Nothing in these GDCR shall require the removal, alteration or abandonment, nor prevent continuance of the lawfully established use or occupancy of an existing approved building unless, in the opinion of the Authority such a building is unsafe or constitutes a hazard to the safety of adjacent property or to the occupants of the building itself, or endanger to any premises or person adjoining to it.

**1.5. Repeal**

The sanctioned General Development Control Regulations of concerned appropriate authority are hereby Modified, Revised and Replaced by these Regulations.

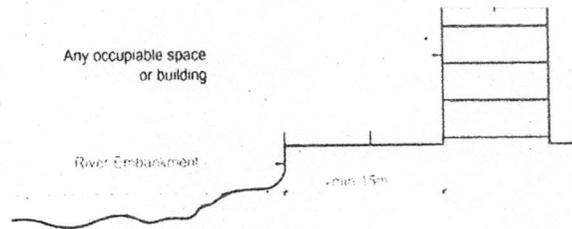
**1.6. Saving**

Notwithstanding such modifications and revision, anything done or any action taken under the regulations in force prior to such modification shall be deemed to be valid and continue to be so valid, unless otherwise specified.

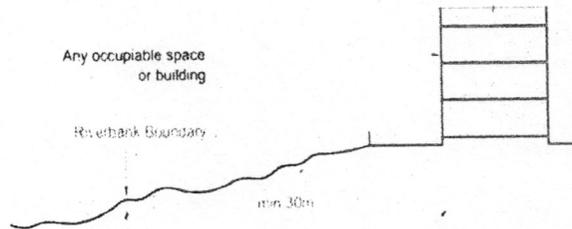
## 7. ENVIRONMENTAL MANAGEMENT

### 7.1. Minimum Distance from Water body

1. Minimum clearance of 30mts shall be provided between the boundary of the bank of a river where there is no embankment and any development work or part thereof.



2. Minimum clearances of 15mts to be provided between the embankment of a river and any building or part thereof or any other clearance as may be prescribed under any other general or specific orders of



Government and appropriate Authority whichever is more.

3. Minimum clearances of 9mts shall be provided between the boundary of any other water body such as lake (talav), canal or nala and any building or part thereof.
4. Where a water course passes through a low lying land without any well defined bank, the applicant may be permitted by the Competent Authority to restrict or re-direct the water course to an alignment and cross-section determined by the Competent Authority.

### 7.2. Rain Water Management

#### 7.2.1. Rain Water Disposal

1. The roof (terrace) of a building and the remaining area of the building-unit shall be provided with an effective rain water drainage system so as to ensure that the rain water is not discharged into adjacent building units and no dampness is caused in any walls or foundation of adjacent buildings.

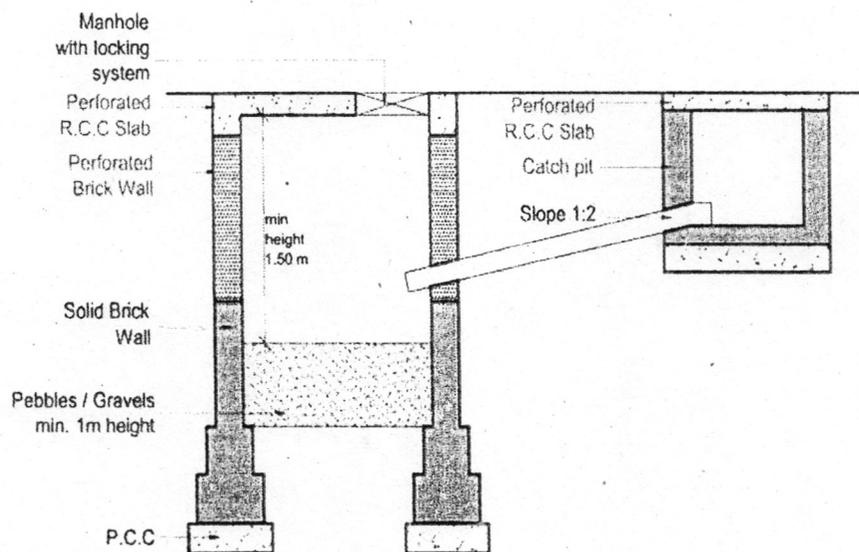
2. Rain water pipes shall be affixed to the outside of the walls of the building or in recesses or formed in such walls or in such other manner as may be approved by the Competent Authority.
3. No roof or terrace abutting on a public street shall be constructed without providing sufficient number of down take pipes and such pipes shall be so fixed as to discharge the rain water at a level not higher than 0.6 metre above the street level.
4. The manner of channelling rain water discharge from a building-unit to a public storm water drain, if available, shall be determined by the Competent Authority.

**7.2.2 Rain Water Harvesting**

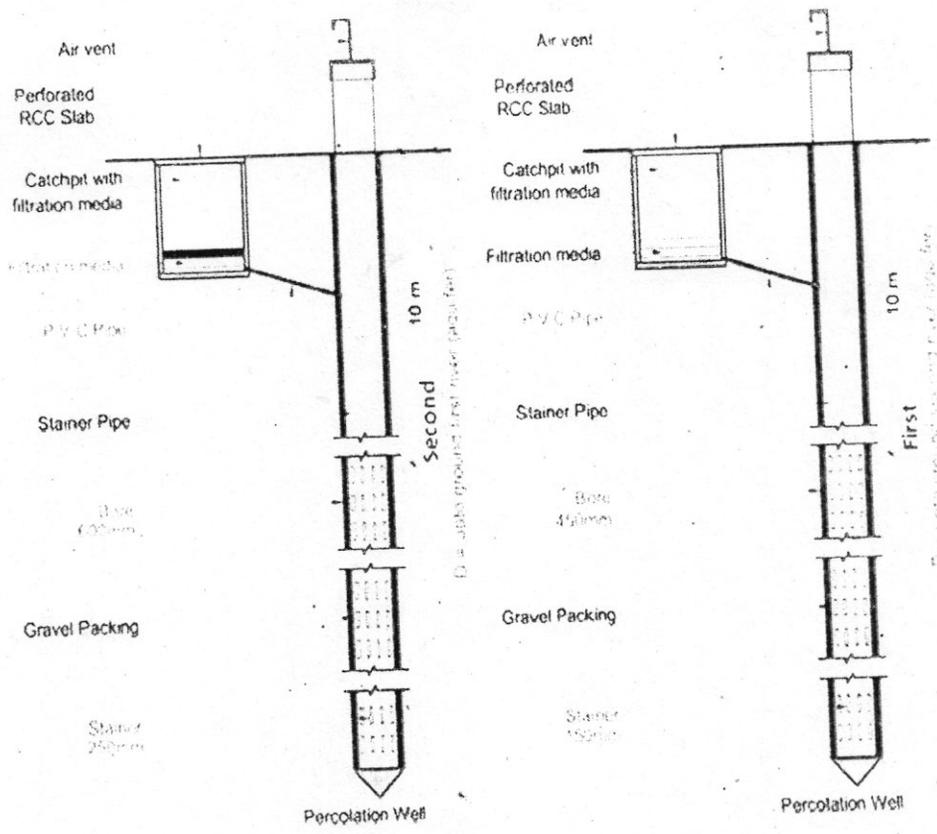
Rain water harvesting is mandatory for all buildings with ground coverage 80 sq.mts and above. The system of storm water drainage and storage in reservoirs and recharge should conform to one of the following specifications:

**a. For Buildings with ground coverage above 80 sq.mts and below 500sq.mts:**

Percolation Pit or Bore Recharge shall be provided in the marginal space around the building. Such pits shall be filled with small pebbles, brick jelly or river sand and covered with perforated concrete slabs as illustrated below:



**b. For Buildings with building-unit area above 500sq.mts and up to 1500 sq.mts:**  
Percolating Well with Rain Water Harvesting System shall be provided as illustrated below (up to ground first river):



c. For Buildings with building-unit area above 1500 sq.mts and up to 4000 sq.mts:

Percolating Well with Rain Water Harvesting System shall be provided for every 4000sq.mts as illustrated above (up to ground second river).

d. For Buildings with building-unit area above 4000 sq.mts:

One Percolating Well shall be provided as per Regulation 27.2.2(c) for every 4000sq.mts land area. As an alternative to providing multiple percolating wells, a Water Retention Pond with minimum capacity of 300,000 litres with a percolating well for every five percolating wells or part thereof shall be permitted as an alternative.

7.2.3 Rain Water Storage

For all building-units with area more than 1000sq.mts, Rain water storage tank shall be mandatory with adequate storage capacity.

7.3. Solid Waste Management

All buildings shall provide facilities for solid waste management. Standards and specifications of facilities shall conform to the following requirements:

7.3.1 Solid Waste Bin for Residential Use

1. Community bin shall be provided in the road-side marginal open space.
2. The size of the bin container shall be calculated at the rate of 10 litres capacity per dwelling unit with a maximum size of bin of 80 litres. The numbers of bins shall be calculated on the basis of total no. of dwelling units/tenements.

7.3.2 Solid Waste Bin for Non-Residential Use

1. Community bin shall be provided in the road-side marginal open space.
2. The size of the bin container shall be calculated at the rate of 20 litres capacity per 100sq.mts of floor area with a maximum size of bin of 80 litres.
3. The bin shall be provided with an air-tight lid.
4. For Hospitals, Hotels and Restaurants- disposal of solid waste shall be carried out as per the norms decided by the Competent Authority from time to time.
5. For Clubs, Community Halls and Party Plots- garbage container shall be provided with a minimum capacity of 4 tonnes. Such a container shall be placed along a paved area abutting the road of minimum dimensions of 6mt by 7.5mt. For such a place, used according to provision of this regulation, Competent Authority can collect security deposit from the plot owner as may be decided time to time.

7.4. Grey water Recycling

7.4.1 Applicability

Any owner applying for approval for construction of a new set of buildings of category and total built-up area mentioned below shall make provision for reuse of recycled water:

No.	Building Use	Built-up Area (sq.mts)
1	Hospitals and Nursing Homes	
2	Hospitality: Hotels, Lodges, Guest houses	More than 5,000
3	Hostels for Schools, Colleges, Training Centres	
4	Community Centre, Banquet Halls, and similar uses	
5	Commercial	
6	All hazardous, water-polluting, chemical industries	

**7.4.2 Provisions of Recycling System**

The applicant shall along with his application submit the designs, plans, calculations and the references used for the calculations etc to provide the system to recycle the grey water. Such system shall include the provisions to facilitate the following:

1. Treated grey water is pumped to a separate tank on the roof from where grey water will be supplied to water closets, garden taps, car washing taps etc.
2. Only water from water closets should be let in to sewerage system.
3. Wherever arrangements from reuse of recycled water is provided additional arrangements for carrying the excess grey water to the sewerage system may also be provided.
4. In a nature or manner or in a way that shall not constitute a nuisance of foul gases or cause a public hazard or otherwise in compliance of these regulations.
5. The recycled water shall be used for non potable, no contact purposes within premises and shall not be connected to sewage/waste water system of local authority. However the waste generated by the recycle plant can be connected to local authority sewer network if it is of the accepted quality as mentioned in competent authority GDCR
6. Separation of grey water:
  - a. The wastes from toilets in the premises will be separated from grey water that is of bath room and kitchen wastes by means of separate down take discharge system.
  - b. The grey water shall be recycled by providing recycling plant and shall be reused for nonpotable purposes after storing the same in distinctly separate tank by means of purple colored down take pipes.

- c. The water quality shall conform to standards of non potable water. The recycled water shall be tested once in six months and results shall be made available to competent authority whenever demanded.
  - d. The make-up connection to the system will be done at the collection tank of the treated water, through a free fall if from Municipal water connection.
7. Separate plumbing for grey water:
- a. Every developer/owner shall provide the newly constructed building with the provision of down take plumbing for grey water, recycling water plant, storage and reuse fitting before selling the building.
8. Reuse of water strictly for not potable non-contact use.
- a. The reuse of water will be strictly for not potable use by means of providing a distinctly separate reuse system coloured in purple. The non-contact uses shall be restricted to toilet flushing, drip irrigation of trees/shrubs, sub surface irrigation of lawns and recharge of ground water.
  - b. There shall not be cross-connection of fitting of the potable and not potable water at any point. The recycled water system shall be maintained at a lower operating pressure than that of the potable water system. Precautions should be taken to prevent cross contamination.

#### 7.4.3 Quality of Water and Treatment

1. The water generated after treatment should be safe for its use for flushing toilets, gardening etc.
2. The company or the agency engaged for installation of system for recycling of waste water shall preferably confirm ISO:14000.
3. Provision may be made for checking the quality of recycled water with Water testing laboratory with Municipal Corporation or Water Supply and Sewerage Board.
4. The testing of wastes and the submission of the results shall be done in a manner in accordance with the terms and conditions prescribed by the Municipal Commissioner or Gujarat Pollution Control Board (GPCB) / Competent authority.

#### 7.4.4 General Provisions

1. Mandatory disclosure: regarding changes: An occupier of premises shall inform the competent authority of any change in the quality, nature or quality of the wastes discharged from his plant or premises the manner of their discharge of water immediately if the change is likely to cause discharge of water in variation or violation of license under these regulations.
2. Corrective action. In the event it is found any person violating the provisions of these regulations, the competent authority or Gujarat Pollution Control Board shall issue notice and after inquiry and personal hearing take necessary corrective action.
3. Dispute Resolution All the disputes arising in the enforcement of this by these rules shall be referred to Municipal Commissioner who in turn will resolve the disputes in advise with his authorized technical officer or any experts and intimate to the occupier / owner / developer. The decision of the Municipal Commissioner will be final and binding on the occupier.
4. List of Authorized Laboratories shall be as authorised by Gujarat State Pollution Control board or the Municipal corporation
5. Characteristics of effluent water quality from the Grey Water Recycling plants shall be as approved by the Gujarat Pollution Control Board.

#### 7.4.5 Enforcement of Regulations

1. In case of proposed/intending /under redevelopment properties, the occupier/ developer/ owner will submit an application to the competent authority with details of proposed 'grey water reuse system ' along with the application for demand of water permission to connect the Grey Water/sewage to municipal sewage system.
2. Conditional Waste Discharge Permission waste discharges of the conditional type plant will be allowed on the issue of a conditional permission provided the conditional type plant has recycling and reuse of water facility and not exceeding limits given in as per GPCB norms.

#### 7.5. Tree Plantation

1. All buildings shall provide tree plantations conforming to the following:
2. Building unit having area of more than 100sq.mts shall be provided with minimum three

trees for every 200sq.mts area or part thereof.

3. The Trees shall preferably be shade-giving and from the species listed in Schedule 24.
4. The requirement of trees shall be reduced on the basis of the number of grown existing trees that are conserved and not affected by the proposed development.
5. Trees shall be planted on site and guarded by the tree guards and shall be maintained Properly
6. Trees shall be planted without causing obstruction to the easy movement of fire fighting vehicles in case of fire emergency.
7. A person applying for permission to carry out any development shall have to pay tree plantation deposit along with his application to the Competent Authority at the rates decided by the Competent Authority time to time. This deposit shall be refundable after the period of five years with the condition that trees planted on the site shall be grown-up and maintained properly, otherwise the deposit shall be forfeited and shall be utilised only for tree plantation and maintenance by the Competent Authority.
8. Competent Authority may consult Forest and Environment Department for tree typology, plantation and maintenance, etc. if required.

7.6. Solar Water Heating System

All buildings in the following categories of buildings shall provide solar-assisted water heating system:

No.	Building Use	Built-up Area
1	Bedded Hospitals and Nursing Homes	
2	Hospitality: Hotels, Lodges, Guest houses	
3	Hostels for Schools, Colleges, Training Centres	
4	Community Centre, Banquet Halls, and similar uses	
5	Residential – detached and semi-detached dwelling units	More than 200 sq.mts of individual dwelling unit area

7.7. Energy Efficient Buildings

Any owner or developer, construct an Energy Efficient Buildings and produce a certificate from GRIHA (Green Rating for Integrated Habitat Assessment) or any other Government recognised Institute, showing the rating for the building, According to that rating certificate, The Competent

Authority shall offer some incentives in the rate of chargeable FSI for the energy efficient buildings (Green Building) as 5% discount in the total payable amount.

Owner shall have to apply prior to commencement of the project to GRIHA for the rating certificate and registration.

### 7.8. Environment Impact Assessment

1. No development permission shall be given to the Building and Construction projects, Townships and Area Development project having built up area mention in the table below, until getting Environment Clearance from SEIAA (State Level Environment Impact Assessment Authority) as required under the Environmental Impact Assessment notification-2006.

2. Table:

No	Project or Activity	Area	Remark
1	Building and Construction projects	Having Built-up area 20,000 sq.mts or more and less than 1,50,000 sq.mts	Built-up area is for covered construction; in the case of facilities provided open-to-sky, then activity area shall be considered
2	Townships and Area Development project.	Having area of building-unit 50Ha. or more OR	

3. Any Building and Construction projects, Townships and Area Development project falling under the category as mention in the table in 2. above and if the developer split the project in to phases, developer has to produce Environment Clearance from SEIAA, as required under the Environmental Impact Assessment notification-2006, prior to the approval of first phase of the project.

ITEM NO.18

COURT NO.1

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).252/2005

TREE & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With office report)

Date : 20/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

Mr. Dinesh Kumar Garg, Adv.  
Mr. Abhishek Garg, Adv.  
Mr. Dhananjay Garg, Adv.  
Mr. Deepak Mishra, Adv.  
Mr. Ashok Kumar Bhardwaj, Adv.

For Respondent(s)  
For UOI

Mr. P.S. Patwalia, ASG  
Ms. Jyotika Kalra, Adv.  
Mr. Rajat Singh, Adv.  
Ms. Sunita Sharma, Adv.  
Mr. Ankul C. Pradhan, Adv.  
Mr. Rajat Sinha, Adv.  
Mr. M.K. Maroria, Adv.

Mr. Aman Sinha, Sr. Adv.  
Mr. Amol Chitale, Adv.  
Ms. Sunita Sharma, Adv.  
Mr. B.K. Prasad, Adv.

Mr. A.C. Pradhan, Sr. Adv.  
Mr. Rahul Baid, Adv.

Mr. Ashok Agarwal, Sr. Adv.  
Mr. Ajay Bansal, AAG  
Mr. Kuldip Singh, Adv.  
Ms. Veena Bansal, Adv.  
Mr. Gaurav Yadava, Adv.

Mr. Ram Kishore Singh Yadav, AAG  
Mr. Ardhendumauli Kumar Prasad, Adv.  
Mr. Manoj Kumar, Adv.

Mr.S.S.Shamshery, AAG  
Mr.Amit Sharma, Adv.  
Mr.Prateek Yadav, Adv.  
Mr.Ankit Raj, Adv.  
Mr.Milind Kumar, Adv.

Mr. Abhijit Sengupta, Adv.

Mr. Ajay Pal, Adv.

Mr. Anil Shrivastav, Adv.  
Mr.Rituraj Biswas, Adv.

Mr. C. D. Singh, Adv.

Mr.Atul Jha, Adv.  
Mr.Sandeep Jha, Adv.  
Mr. Dharmendra Kumar Sinha, Adv.

Mr. D. S. Mahra, Adv.

Mr. Gopal Singh, Adv.  
Mr.Rituraj Biswas, Adv.  
Ms.Varsha Poddar, Adv.

Mr.Gopal Singh, Adv.  
Mr.Shreyas Jain, Adv.  
Mr.Vikram Singh Chauhan, Adv.  
Mr.Advitiya Awasthi, Adv.

Mr. Jatinder Kumar Bhatia, Adv.

Mr. Javed Mahmud Rao, Adv.

Mr. Krishnanand Pandeya, Adv.  
Mr.Y.Lokesh, Adv.  
Mr.Suryanarayana Patro, Adv.

Mr. K. R. Sasiprabhu, Adv.

Mr. Naresh K. Sharma, Adv.

Mr. P. V. Dinesh, Adv.

Mr.Pragyan Sharma, Adv.  
Mr.Shikhar Garg, Adv.  
Mr.Ganesh Bapu, Adv.  
Mr. P. V. Yogeswaran, Adv.

Mr. Ranjan Mukherjee, Adv.  
Mr.Subhro Sanyal, Adv.

Mr. Shibashish Misra, Adv.

Mr. V. G. Pragasam, Adv.  
Mr. Prabu Ramasurbrmanian, Adv.

Ms. Aruna Mathru, Adv.  
Mr. Yusuf Khan, Adv.  
Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
Mr. Amit Arora, Adv.  
For M/s Arputham Aruna & Co., Adv.

Ms. Asha Gopalan Nair, Adv.

M/s Corporate Law Group, Adv.

Ms. Hemantika Wahi, Adv.  
Ms. Puja Singh, Adv.  
Ms. Mamta Singh, Adv.

Mr. Z. H. Isaac Haiding, Adv.  
Ms. K. Enatoli Sema, Adv.  
Mr. Edward Belho, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mr. K. Luikang Michael, Adv.

Ms. Sumita Hazarika, Adv.

Mr. Shirish K. Deshpande, Adv.  
Mr. Nishant Katneshwarkar, Adv.

Mr. Sapam Biswajit Meitei, Adv.  
Ms. B. Khushbansi, Adv.

Mr. Debojit Borkakati, Adv.

Mr. Bhupesh Narula, Adv.  
Mr. K. V. Jagdishvaran, Adv.  
Mrs. G. Indira, Adv.

Ms. Minati Rani Mohapatra, Adv.

Upon hearing the counsel the Court made the following

O R D E R

1. The Master Plan for Artificial Recharge to Ground Water in India, prepared by the Ministry of Water Resources, Central Ground Water Board, Government of India, and published in 2013, has been handed over to us in Court today. The Administrator of the

Central Ground Water Authority - Mr.V.Vijay Vardhan is present in Court in person today. He undertakes to furnish a copy of the Master Plan to the learned counsel for the petitioners, as also, two copies of the same to this Court within the course of the day. The State Governments are granted liberty to file their affidavits of compliance within one week from today.

2. Post for hearing on 30.01.2017.

(SATISH KUMAR YADAV)  
AR-CUM-PS

(RENUKA SADANA)  
ASSISTANT REGISTRAR

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition (C) No(s).252/2005

TREE & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.  
(With office report)

Respondent(s)

Date : 30/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s)      Mr. Dinesh Kumar Garg,Adv.  
                                 Mr. Abhishek Garg,Adv.  
                                 Mr. Dhananjay Garg,Adv.  
                                 Mr. Deepak Mishra,Adv.  
                                 Mr. Ashok Kumar Bhardwaj,Adv.

For Respondent(s)      Mr. P.S. Patwalia,ASG  
UOI                              Ms. Sunita Sharma,Adv.  
                                 Mr. Rajat Singh,Adv.  
                                 Ms. Jyotika Kalra,Adv.  
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                                 Mr. B.K. Prasad,Adv.  
                                 Mr. Aman Chitle,Adv.  
                                 Mr. A.C. Pradhan,Adv.  
  
                                 Ms. V. Mohna,Sr.Adv.  
                                 Ms. Sushma Verma,Adv.  
                                 For Mr. D.S. Mahra,Adv.

NCT of Delhi              Mr. Aman Sinha,Sr.Adv.  
                                 Ms. Sunita Sharma,Adv.  
                                 Mr. Amol Chiley,Adv.  
                                 For Mr. B.K. Prasad,Adv.

State of Arunachal      Mr. Anil Shrivastav,Adv.  
Pradesh                      Mr. Rituraj Biswas,Adv.

State of                      Mr. Atul Jha,Adv.  
Jharkhand                      Mr. Sandeep Jha,Adv.  
                                 Mr. Dharmendra Kumar Sinha,Adv.

State of Guj.	Ms. Hemantika Wahi, Adv. Ms. Puja Singh, Adv. Mr. Krishna Kumar, Adv.
State of Jharkhand	Mr. Ajit Kr. Sinha, Sr. Adv. Mr. Krishnanand Pandey, Adv.
State of Karnataka	Mr. V.N. Raghupathy, Adv. Mr. Parikshit P. Angadi, Adv.
State of MP	Mr. C.D. Singh, Adv. Mr. Udit Arora, Adv.
State of Maharashtra	Mr. Shirish K. Deshpande, Adv. Mr. Nishant R. Katneshwarkar, Adv.
State of Manipur	Mr. Sapam Biswajit Meitei, Adv. Ms. B. Khushbansi, Adv. Mr. Ashok Kumar, Adv.
State of Meghalaya	Mr. Ranjan Mukherjee, Adv. Mr. K.V. Kharlyngdoh, Adv. Mr. Daniel Shone, Adv.
State of Mizoram	Mr. Pragyan Sharma, Adv. Mr. Shikhar Garg, Adv. Mr. Anandini Kumar, Adv.
State of Nagaland	Mr. Z.H. Isaac Haiding, Adv. Ms. K. Enatoli Sema, Adv. Mr. Edward Belho, Adv. Mr. Amit Kumar Singh, Adv. Mr. K. Luikang Michael, Adv.
State of Punjab	Mr. Ajay Bansal, AAG Mr. Gaurav Yadav, Adv. Ms. Veena Bansal, Adv. For Mr. Kuldip Singh, Adv.
State of Raj.	Mr. S.S. Shamsbery, AAG Mr. Amit Sharma, Adv. Mr. Prateek Yadav, Adv. Mr. Ankit Raj, Adv. Mr. Milind Kumar, Adv.
State of Sikkim	Ms. Aruna Mathur, Adv. Mr. Yusuf Khan, Adv. Mr. Avneesh Arputham, Adv. Ms. Anuradha Arputham, Adv. Mr. Amit Arora, Adv. For M/s. Arputham, Aruna & Co., Advs.

State of TN	Mr. M. Yogesh Kanna,Adv. Ms. Nithya,Adv.
State of Tripura	Mr. Gopal Singh,Adv. Mr. Rituraj Biswas,Adv. Ms. Varsha Poddar,Adv.
State of UP	Mr. Ram Kishore Singh Yadav,AAG Mr. Ardhendumauli Kumar Prasad,Adv.
State of Uttarakhand	Mr. Jatinder Kumar Bhatia,Adv. Mr. Atif Suhrawardy,Adv.
State of WB	Mr. Soumitra G. Chaudhuri,Adv. Mr. Parijat Sinha,Adv.
Andaman & Nicobar Admn.	Mr. Bhupesh Narula,Adv. Mr. K.V. Jagdishvaran,Adv. Ms. G. Indira,Adv.
Govt. of Puducherry	Mr. V.G. Pragasam,Adv. Mr. Prabhu Ramasubramanian,Adv.  Mr. A.C. Pradhan,Sr.Adv. Mr. Rahul Baid,Adv.  Mr. Gopal Singh,Adv. Mr. Manish Kumar,Adv. Ms. Varsha Poddar,Adv.  Mr. Abhijit Sengupta,Adv.  Mr. Ajay Pal,Adv.  Mr. Javed Mahmud Rao,Adv.  Mr. Krishnanand Pandeya,Adv.  Mr. K.R. Sasiprabhu,Adv.  Mr. Naresh K. Sharma,Adv.  Mr. P.V. Dinesh,Adv.  Mr. P.V. Yogeswaran,Adv.  Mr. Shibashish Misra,Adv.  Ms. Asha Gopalan Nair,Adv.

For M/s. Corporate Law Group,Adv.s.

Ms. Sumita Hazarika,Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Mr. P.S. Patwalia, learned Additional Solicitor General, has handed over to us the Master Plan for Artificial Recharge to Ground Water in India, for the year 2013. He states, that all individual State Governments, must implement the same, for recharge of ground water in India, as suggested in the Master Plan.

In view of the above, all the State Governments shall file affidavits in this Court within two weeks from today, with copies to the Additional Solicitor General, as also, to the learned counsel for the petitioners, affirming whether or not they would implement the Master Plan, 2013.

Post for hearing after four weeks.

(Sarita Purohit)  
Court Master

(Renuka Sadana)  
Assistant Registrar

CENTRAL GROUND WATER AUTHORITY  
A-2/W-3, K.G. Marg, New Delhi-110001  
Ph - 23385620/23384973 Fax -23388310

No. 32-1/CGWA/2005 - 219

Dated the 7<sup>th</sup> August.2006

08 AUG 2006

**SUB: DECLARATION OF "OVER-EXPLOITED AREAS" FOR ADOPTING  
ARTIFICIAL RECHARGE TO GROUND WATER/RAIN WATER  
HARVESTING AND FOR PROMOTION OF OTHER GROUND WATER  
CONSERVATION MEASURES**

Whereas the Central Government constituted the Central Ground Water Authority (hereinafter referred to as the Authority) vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 38 (E) dated the 14<sup>th</sup> January, 1997, as amended from time to time, for the purpose of regulation and control of ground water development and management in the whole of India;

And whereas the Central Ground Water Board, in consultation with the State Government departments dealing with ground water of respective States, has assessed ground water resources in each State and 1065 units i.e. blocks/basins/ talukas/ and watersheds as specified in the Schedule appended to this direction have been identified and categorized as "Critical and Over-Exploited areas" where ground water abstraction is more than average annual replenishment of ground water resources and the ground water levels in these areas have also shown continuous decline over the years;

And whereas the Authority considers it necessary and expedient to take up artificial recharge to ground water/ rain water harvesting in these blocks/basins/talukas/watersheds to augment ground water resources and to save it from further depletion.

Now, therefore, the Authority, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with paragraph 2 of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 38 (E) dated the 14<sup>th</sup> January, 1997 hereby issues the following directions, namely:-

**Directions**

1. The Chief Secretaries of the respective States and the Administrators of the respective Union Territories under whose jurisdiction the critical and over-exploited blocks, basins, talukas, watersheds as specified in the Schedule appended to this direction falls, shall take up all measures to adopt artificial recharge to ground water/ promote rain water harvesting in these areas and direct all concerned agencies to take up artificial recharge to ground water/rain water harvesting projects on priority.
2. The said Authorities shall ensure inclusion of Roof Top Rain Water Harvesting in the building bye-laws.
3. They shall also promote conservation of ground water in these areas through mass awareness, water management training or by issuing necessary orders etc.

4. The Chief Secretaries of respective States and the Administrators of the respective Union territories shall submit action taken report annually to the Authority for necessary action.

7/8/02  
(A.K.SINHA)  
MEMBER SECRETARY

To

1. The Chief Secretary, Government of Andhra Pradesh, Hyderabad.
  2. The Chief Secretary, Government of Haryana, Chandigarh.
  3. The Chief Secretary, Government of Gujarat, Gandhinagar.
  4. The Chief Secretary, Government of Punjab, Chandigarh.
  5. The Chief Secretary, Government of Madhya Pradesh, Bhopal.
  6. The Chief Secretary, Government of Maharashtra, Mumbai.
  7. The Chief Secretary, Government of Rajasthan, Jaipur.
  8. The Chief Secretary, Government of Tamil Nadu, Chennai.
  9. The Chief Secretary, Government of Kerala, Thiruvananthapuram.
  10. The Chief Secretary, Government of Karnataka, Bangalore.
  11. The Chief Secretary, Government of Uttar Pradesh, Lucknow.
  12. The Chief Secretary, Government of Uttaranchal, Dehradun.
  13. The Administrator, Union Territory of Daman and Diu, Diu.
  14. The Administrator, Union Territory of Pondicherry, Pondicherry.
- Copy for information to:

1. Secretary, Ministry of Water Resources, Shram Shakthi Bhavan, New Delhi.
2. T.S. to Chairman, CGWB, NH-IV, Bhujal Bhavan, Faridabad.

डॉ अमरजीत सिंह  
Dr. AMARJIT SINGH  
सचिव  
SECRETARY  
Tel. : 23710305  
Fax : 23731553  
E-mail : secy-mowr@nic.in



भारत सरकार  
जल संसाधन, नदी विकास और  
गंगा संरक्षण मंत्रालय  
श्रम शक्ति भवन,  
रफी मार्ग, नई दिल्ली-110 001  
GOVERNMENT OF INDIA  
MINISTRY OF WATER RESOURCES,  
RIVER DEVELOPMENT &  
GANGA REJUVENATION  
SHRAM SHAKTI BHAWAN,  
RAFI MARG, NEW DELHI-110 001  
<http://www.wrmin.nic.in>

D.O. No. T-13012/7/2015-GW

2<sup>nd</sup> February, 2017

Dear

I write this in connection with the Writ Petition (Civil) No. 252/2005 filed by TREE (Tap-Rejuvenate Earth's ecology & Environment) and Another in the Hon'ble Supreme Court of India in the year 2005, seeking directions to Respondents (Union of India represented by Ministry of WR,RD&GR, States and Union Territories), Authorities, Local Bodies, Farmers and Urban/Rural Residents for taking effective steps for water conservation and harvesting. All the States including your State is respondent in the matter. The matter was heard on 13.7.05, 29.9.06, 4.12.06, 2.2.07, 22.2.07, 11.8.08, 21.1.11, 15.7.13, 20.1.17 and on 30.1.17.

In the hearing held on 20.01.2017, the Hon'ble Court has passed the following directions on implementation of Master Plan for Artificial Recharge to Ground Water:

**"The State Governments are granted Liberty to file their affidavits for compliance within one week from today".**

In the hearing held on 30.01.2017 the Hon'ble Court has issued the following directions:

**"All the State Governments shall file affidavits in this Court within two weeks from today, with copies to the Additional Solicitor General, as also, to the learned counsel for the petitioners, affirming whether or not they would implement the Master Plan, 2013."**

As you may be aware, CGWB has prepared a conceptual document entitled "Master Plan for Artificial Recharge to Ground Water in India" which was circulated to the States/UTs and is also available on the website of CGWB, ([www.cgwb.gov.in/documents/masterplan-2013.pdf](http://www.cgwb.gov.in/documents/masterplan-2013.pdf)). The Master Plan envisages construction of 1.11 crore rain water harvesting and artificial recharge structures in the country at an estimated cost of Rs.79,178 crores to harness 85 BCM (Billion Cubic Metre) of water. The funding for implementing the Master Plan for Artificial Recharge is available from MGNREGA Funds or under the Watershed Development Component of PMKSY or any other similar scheme in your State. In fact, the recharge of over-exploited blocks is part of the Master Plan of Ministry of Rural

Development. Further, in the States of Haryana, Gujarat, Uttar Pradesh, Madhya Pradesh, Rajasthan, Maharashtra and Karnataka, funds would also be made available through the National Ground Water Management Improvement Scheme.

The Standing Counsels of a few States were present for hearing on 20.1.17 and on 30.01.2017. As per the directions of Hon'ble Court I request you to kindly file an affidavit with the stand of the State Government on implementation of Master Plan and a copy of the affidavit may kindly be made available to this Ministry for compliance of directions of Hon'ble Court. Since the Hon'ble Court has granted only two weeks time to file the Affidavit from the date of last hearing i.e. 30.01.2017, the affidavit may have to be filed by the State Government by or before 14.02.2017. In this connection your kind attention is also invited to my D.O. Letter No. T-13012/7/2015-GW dated 02.09.2015.

The copies of the orders dated 20.1.17 and 30.1.17 of Hon'ble Supreme Court are enclosed for reference and needful compliance.

With regards,

Yours sincerely,

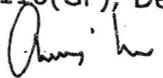
**(Amarjit Singh)**

To

Chief Secretaries and Administrators (By Name) of  
Andhra Pradesh, Chhattisgarh, Delhi, Gujarat, Haryana,  
Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra,  
Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh,  
Daman & Diu and Puducherry.

Copy to :

- ✓ 1. Shri P.S.Patwalia, Additional Solicitor General of India, B-110(GF), Defence Colony, New Delhi-110024.

  
**(Amarjit Singh)**  
Secretary (WR,RD&GR)