

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

## WEASTERN ZONE BENCH, PUNE

## ORIGINAL APPLICATION NO 54 OF 2024

## IN THE MATTER OF:

Kuldipsinh Khimji Sodha

Applicants

V E R S U S

UNION OF INDIA and others...

Respondents

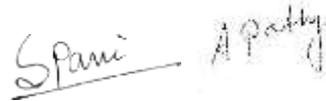
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SANKAR PRASAD PANI, ASHUTOSH PADHY

PLACE: Pune

DATE: 27/03/2025



ADVOCATES

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**BEFORE THE NATIONAL GREEN TRIBUNAL****WESTERN ZONE BENCH, PUNE****ORIGINAL APPLICATION NO: 54 OF 2024****IN THE MATTER OF**

Kuldipsinh Khimji Sodha

**APPLICANT**

Verses

Union Of India and Others

**RESPONDENTS****COMPOSITE REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT TO****THE REPLIES FILED BY RESPONDENT NO.-3,5,6,7,8&9****MOST RESPECTFULLY SHOWTH**

I, Kuldipsinh Khimji Sodha, S/o Khimji Sodha, aged about 27 years, Residing at Narayan Nagar, Opp TriMandir, Bhuj, Kutch, Gujrat do hereby solemnly affirm, and declare that I am the applicant in the above mentioned application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.

1. That the present application is being filed challenging the continuous Pollution caused by the Kutch Lignite Thermal Power Plant in terms of Air and Water Pollution and thereby polluting the Kali River and Khanot Lake, Nearby Residential area and water bodies. And also the Unit is extracting ground water using more than 38 Borewells without any permission from CGWA.

2. That none of the respondents have filed parawise reply to the averments taken in Original Application. Hence the issues not specifically denied are to be treated as admission on the part of the respondent.

**Rejoinder to the inspection report dated 07/03/2024 filed by**

**Respondent-3**

3. That pursuant to the Notice of Honble NGT, the Gujarat Pollution Control Board inspected the unit in question, on dated **07/03/2024** and observed the following non-compliances,

A. Complainers also claims that, the seepage outside the unit's premises; through natural flow meets to River Kali. During visit, stagnant water accumulation outside unit's premises is observed.

However, as mentioned in compliance submitted by unit for notice dated:11/10/2023; still seepage is observed outside unit's premises.

**B. Fly ash dumps near coal yard and outside unit's premises are observed.**

C. Source of water is through Bore-wells (38 nos. as informed). Unit is extracting ground water without CGWA Permission; earlier unit has applied for permission but was rejected by the CGWA. As informed, unit has initiated work for modelling study and impact assessment of ground water and will re-apply after the study.

D. During visit, stagnant water accumulation outside unit's premises is observed. However, as mentioned in compliance submitted by unit

for notice dated: 11/10/2023; still seepage is observed outside unit's premises.

**Rejoinder to the inspection report dated 04/04/2024 filed by Respondent-3**

**4.** It is submitted that again on dated 04/04/2024 the Gujarat Pollution Control Board inspected the unit in question and during visit the following non compliances were observed

**A.** During visit, stagnant water accumulation outside unit's premises is observed. However, as mentioned in compliance submitted by unit for notice dated:11/10/2023; **still seepage is observed outside unit's premises**

**B.** Fly ash dumps near coal yard and outside unit's premises are observed.

**C.** As per earlier observations dated: 07/03/2024; no seepage from Dyke-A was observed as TPP was observed not in operation. However, as TPP is operational accumulation of seepage water outside units premises from Dyke-A is observed.

**D.** As per earlier observations dated: 07/03/2024; Fly ash dumps near coal yard and outside unit's premises are observed. **However, portion of the ash dumps were still observed near coal yard. As per unit's submission; part of the ash was disposed to the dyke and remaining will be completed by 30/04/2024.**

E. One no. of air emission sample was taken for analysis and results are higher than the consented limits. SO<sub>x</sub> and NO<sub>x</sub> analysers are under maintenance.

5. That the subsequent report is silent about the removal of fly ash near coal dump and outside unit as well as remedial measures if any taken to restore the **Khanot lake**. The report only says about fly ash removed from Kali river. Never the less the report is also silent on death of animal being trapped in the Kali river due to ash slurry dumped in it. No mention about fly ash utilization and online continuous stack monitoring station.
6. It is humbly submitted that there is continuous violation observed in the inspection report of Gujrat Pollution Control Board from 2021 till 2024 and more particularly despite of violations and absence of NOC from CGWA, the GPCB use to renew authorisation is in violation of OM dated 2/11/2018, Hence the erring officer responsible for allowing the unit to operate may be identified and appropriate action be taken. Further on the principle of Polluters Pay, environment compensation for the period of violation be computed by the CPCB and be recovered from the violator unit.
7. It is humbly submitted that NOC from State Ground water board or Central ground water authority is mandatory prior to grant of consent to Operate and in this regard MoEFCC has issued office memorandum on 2<sup>nd</sup> November 2018. Surprisingly the Consent to Operate has been granted

from time to time in absence of NOC from central Ground Water Authority which is bad in law.

**Rejoinder to the affidavit dated 04/11/2024 filed by Respondent-5 and affidavit dated 05/11/2024 filed by Respondent -6&9**

8. That as per the affidavit filed by CGWA as well as DM Kutch it is crystal clear that the unit has not obtained any NOC from CGWA further the application for NOC has been rejected thrice. the unit has applied for NOC on dated 11/07/2017, 05/12/2017 and on 26/04/2024 and every time the application for NOC got rejected, hence it is a clear case of abstraction of ground water without NOC and same is an offence under section 15 of Environment Protection Act. Apart from computation of Environmental compensation for the quantity of water extracted the DM who is an authority under the Environment Protection Act and an authority under the notification issued by CGWA dated 24/09/2020, should have initiated prosecution against the Unit. Copy of CGWA Guideline of 2020 and 2023 is annexed here with as **ANNEXURE-1**.
9. That even though the District Magistrate on dated 25/07/2024 issued a show cause notice to the unit in question by stating *“As per Clause 10(b), 13 & 15 of the notification 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 can be taken". However as on date no coercive action has been taken against the violator.*

**Rejoinder to the affidavit dated 03/01/2025 filed by Respondent -6&9**

**10.** It is pertinent to mention here that the CGWA on dated 03/01/2025 filed one additional affidavit and in para 8 of the affidavit the deponent stated that *"The Hon'ble Tribunal has raised a question to CGWA regarding the penal actions against continued groundwater extraction by the Project proponent after the rejection of the NOC application. In this regard, it is most respectfully submitted that groundwater abstraction by the Project Proponent without a valid Noc shall be treated as illegal, and the firm is liable to pay environmental compensation for illegal abstraction of groundwater"* but as on date the environmental compensation has not been computed by the CGWA and even if the environmental compensation has been computed and demand notice has been issued by the CGWA then also copy of the demand notice has not furnished by the CGWA.

**11.** That the CGWA in its affidavit dated 03/01/2025 in para 10 has stated that *"Thus, in the light of the above facts and submissions, it is submitted that the fresh application dated 26.04.2024 of the applicant is under process and the Demand Note for Environmental compensation on account of illegal groundwater extraction and penalty is being issued against the Project Proponent. Upon receipt of the payments, i.e,*

*Abstraction Charges, Penalty, Environmental compensation, etc., the NoC will be issued to the applicant.”* But copy of the demand note has not furnished by the CGWA.

**Rejoinder to the affidavit dated 05/11/2024 filed by Respondent -7**

**12.** That the Respondent-7 i.e. CPCB on dated 05/11/2024 has filed one affidavit wherein in the paragraph 5 it is stated that *“That, the Para No. 18 of the Original Application is about CPCB's Direction dated 23.07.2015 regarding the installation of Online Continuous Emission and Effluent Monitoring Systems (OCEMS) for emission parameters PM, NOx, and SO2 and effluent parameters pH, TSS, and flow. In this regard, it is stated by CPCB that M/s KLTPS, Gujarat has installed OCEMS for prescribed emission parameters PM, NOx, and SO2 and effluent parameters pH, TSS, and Temperature, which are connected to CPCB's central server i.e. OCEMS Portal since July 2017. As per CPCB's central server, the last data is available for station Stack\_3\_Unit 3 up to 21-03-2024, for station Stack\_4\_Unit\_4 up to 20-09-2023 and for EQMS station ETP\_1\_Outlet\_1 up to 02-11-2024. Besides, the status of data transmission by M/s KLTPS, Gujarat to the OCEMS portal of Gujarat SPCB, if different from the CPCB's central server, pertains to Respondent No. 3.”* That from this paragraph of the CPCB's affidavit it is admitted that the *last data is available for station Stack\_3\_Unit 3 up to 21-03-2024, for station Stack\_4\_Unit\_4 up to 20-09-2023 and for EQMS*

*station ETP\_1\_Outlet\_1 up to 02-11-2024 and there is no data available for the prescribed emission parameters PM, NOx, and SO2 on 27th March 2025 and no past data also available and effluent parameters are limited to pH, TSS, and Temperature and not other parameters like COD and BOD. The link provided by Gujarat PCB is password protected and data is not available in public domain.*

- 13.** That the Respondent-7 i.e. CPCB on dated 05/11/2024 has filed one affidavit wherein in the paragraph-6 it is stated that *“That, the Para Nos. 19 to 33 of the Original Application are about the purported issues of non-compliance of the environmental regulations causing environmental pollution around M/s KLTPS, Gujarat, which mainly includes improper disposal/open dumping of fly ash, inadequate i.e. < 33% greenbelt area, discharge of untreated effluent outside the plant area including into River Kali and adjacent agricultural fields, fugitive emissions from coal and ash handling and transportation, etc. In this regard, it is respectfully submitted that these Paras pertain to Respondent No. 3 i.e. Gujarat Pollution Control Board. However, as per the Annual Ash Generation and Utilization Reports submitted by M/s KLTPS, Gujarat to CPCB during the last three financial years i.e. FYs 2021-22, 2022-23, and 2023-24, M/s KLTPS, Gujarat has achieved more than 100% utilization every year, with major ash utilization by disposal in abandoned mine voids of M/s GMDC Limited. Further, as per the*

*quarterly specific water consumption data submitted by M/s KLTPS, Gujarat to CPCB, the Plant has claimed to be re-circulating/reusing complete effluent to make ash slurry in the ash plant, water sprinkling, dust suppression, etc. It is further submitted that the actual status of compliances claimed by M/s KLTPS” that the CPCB is saying that the KLTPS has achieved more than 100% utilization of flyash as per the report submitted by them but as per the inspection report 07/03/2024 of GPCB during the inspection Fly ash dumps near coal yard and outside unit’s premises are observed, and also during the inspection of GPCB on dated 04/04/2024 Fly ash dumps near coal yard and outside unit’s premises are observed.*

**Rejoinder to the affidavit dated 05/11/2024 filed by Respondent -8**

- 14.** That on dated 05/11/2024 the Respondent-8 has filed one affidavit and in that affidavit the Respondent-8 has attached one Office Memorandum dated 12/03/2024 issued by Government of India, Ministry of Jal Shakti, that the said OM is applicable to the industries coming under the MSME projects but the present respondent is coming under the scheme of MSME as the thermal plant is a large scale industry and nowhere the respondent have claimed if they are covered under this OM.
- 15.** It is further submitted that since the unit has never made application to the authority with necessary document and the test report of ground water

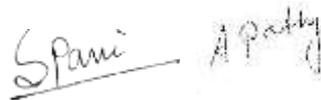
quality hence there is no provision for any kind of exemption even for extraction of saline water in this case.

**16.** As per CGWA notification dated 18/01/2024, only Gandhidham Block in Kachh District is declared as Saline Area. Hence there is no question of applicability of leniency in respect of the present unit. Further the applicant could not find any exemption to industry from 2024 till 2025 as recorded in the Order dated 7/11/2024 as per the submission of the CGWA Counsel. As such no such notification is filed by the CGWA. Copy of notification dated 18/01/2024 is annexed here with as **ANNEXURE-2**

**17.** In view of the aforementioned paras the Honorable Tribunal may pass appropriate order to restrain the industry from extracting ground water and computation of environment compensation, prosecution against the director of the unit responsible for lapses.

DATE- 27/03/2025

By the Applicant Through



**ADVOCATE**

Sr. No. 216  
Book No. 01  
Page No. 21  
Date : 27 MAR 2025



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO -54 OF 2024/WZ

IN THE MATTER OF:

KULDIPSINH KHIMJI SODHA

APPLICANT

VERSUS

UNION OF INDIA AND Others ...

RESPONDENTS

AFFIDAVIT

I, **Kuldipsinh Khimji Sodha**, S/o Khimji Sodha, aged about 27 years, At-Narayan Nagar, Opp TriMandir, Bhuj,Kutch, Gujrat, do hereby solemnly affirm, and declare as under:

1. That I am the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.

That I have read over the contents of the accompanying rejoinder affidavit and the same is true and correct and is drafted on my instruction.

*[Signature]*  
DEPONENT

VERIFICATION

Verified on this 27 day of March...2025 at Madhapur that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By

Advocate

*[Signature]*  
DEPONENT

The Notary Public does not assume any responsibility / liability for legality of any contents of documents, identity of executors/witnesses / identifiers and fulfilment of any legal requirements



SOLEMNLY AFFIRMED  
BEFORE ME

27 MAR 2025 *[Signature]*  
P. N. MAHESHWARI  
NOTARY  
GOVT. OF INDIA

**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 14<sup>th</sup> 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 15<sup>th</sup> 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 09<sup>th</sup> 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 13<sup>th</sup> 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 28<sup>th</sup> 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 11<sup>th</sup> 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 12<sup>th</sup> December, 2018;

AND WHEREAS, the aforesaid Hon'ble Tribunal vide order dated the 03<sup>rd</sup> January 2019 in the OA No. 176 of 2015 directed that the above mentioned notification dated the 12<sup>th</sup> 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 11<sup>th</sup> 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 16<sup>th</sup> March, 2020;

AND WHEREAS, the above said Hon'ble Tribunal vide order dated the 20<sup>th</sup> 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 12<sup>th</sup> 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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- Annexure X : Annual water audits by the industries

**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 14<sup>th</sup> 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 m<sup>3</sup>/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 non/ inadequate availability of public water supply in case of users requiring ground water up to 10 m<sup>3</sup>/ 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 m<sup>3</sup>/ 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 m<sup>3</sup>/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 m<sup>3</sup>/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 m<sup>3</sup>/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 m<sup>3</sup>/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 m<sup>3</sup>/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 m<sup>3</sup>/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 m<sup>3</sup>/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 <sup>3</sup> /month)	Rate of ground water abstraction charges (Rs. per m <sup>3</sup> )
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 m<sup>3</sup>.

#### 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 m<sup>3</sup>)**

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal				
		Up to 50m <sup>3</sup> /day	51 to <200 m <sup>3</sup> /day	200 to <1000 m <sup>3</sup> /day	1000 to <5000 m <sup>3</sup> /day	5000 m <sup>3</sup> /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 m<sup>3</sup>)**

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal				
		Up to 50 m <sup>3</sup> /day	51 to <200 m <sup>3</sup> /day	200 to <1000 m <sup>3</sup> /day	1000 to <5000 m <sup>3</sup> /day	5000 m <sup>3</sup> /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 m<sup>3</sup>)**

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m <sup>3</sup> /day	200 to <1000 m <sup>3</sup> /day	1000 to <5000 m <sup>3</sup> /day	5000 m <sup>3</sup> /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 m<sup>3</sup>)**

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m <sup>3</sup> /day	200 to <1000 m <sup>3</sup> /day	1000 to <5000 m <sup>3</sup> /day	5000 m <sup>3</sup> /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 m<sup>3</sup>)**

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m <sup>3</sup> /day	200 to <1000 m <sup>3</sup> /day	1000 to <5000 m <sup>3</sup> /day	5000 m <sup>3</sup> /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 m<sup>3</sup>)**

S.No.	Category of area ↓ Ground water use →	Quantum of ground water withdrawal			
		< 200 m <sup>3</sup> /day	200 to <1000 m <sup>3</sup> /day	1000 to <5000 m <sup>3</sup> /day	5000 m <sup>3</sup> /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 <sup>3</sup> (in Rs.)
Safe	<b>10</b>
Semi Critical	<b>20</b>
Critical	<b>25</b>

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

Category	Rate per m <sup>3</sup> (in Rs.)
Over Exploited	<b>35</b>

### 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.

**Table 14.1 No. of Piezometers to be constructed & Type of Water Level Monitoring Mechanism**

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 m<sup>3</sup>/day and ECR<sub>GW</sub> in Rs./ cum

##### 15.1 Rates of Environmental Compensation:

Rates of Environmental Compensation (ECR<sub>GW</sub>) for various types of users in different categories of assessment units are given in Table 15.1 to 15.3.

**Table 15.1 : ECR<sub>GW</sub> 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 <sub>GW</sub> ) in Rs./m <sup>3</sup>			
	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<sub>GW</sub> shall not be less than Rs 1,00,000/-

**Table 15.2: ECR<sub>GW</sub> 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 <sub>GW</sub> ) in Rs./m <sup>3</sup>			
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 EC<sub>GW</sub> shall not be less than Rs 1,00,000/-

**Table 15.3: ECR<sub>GW</sub> for Industrial units**

S.No.	Area Category	Water Consumption (cum/day)			
		<200	200 to <1000	1000 to <5000	5000 & above
		Environmental Compensation Rate (ECR <sub>GW</sub> ) in Rs./m <sup>3</sup>			
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 EC<sub>GW</sub> 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

12.	Cinemas, concert halls and theatres and multiplex	5 per seat	10 per seat	15 per seat
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

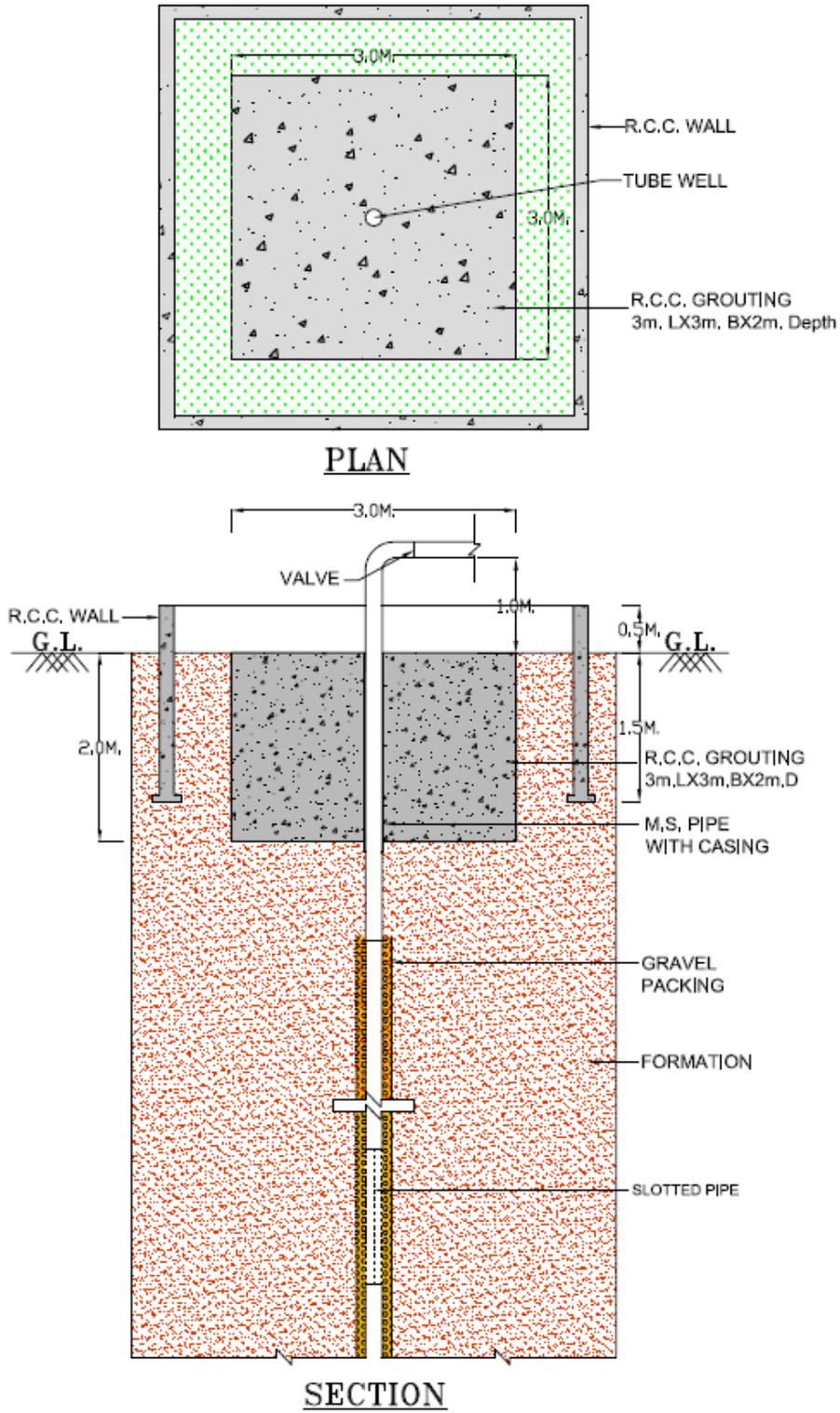
#### **Measures to be adopted to ensure prevention from pollution in the plant premises of polluting industries/ projects**

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.

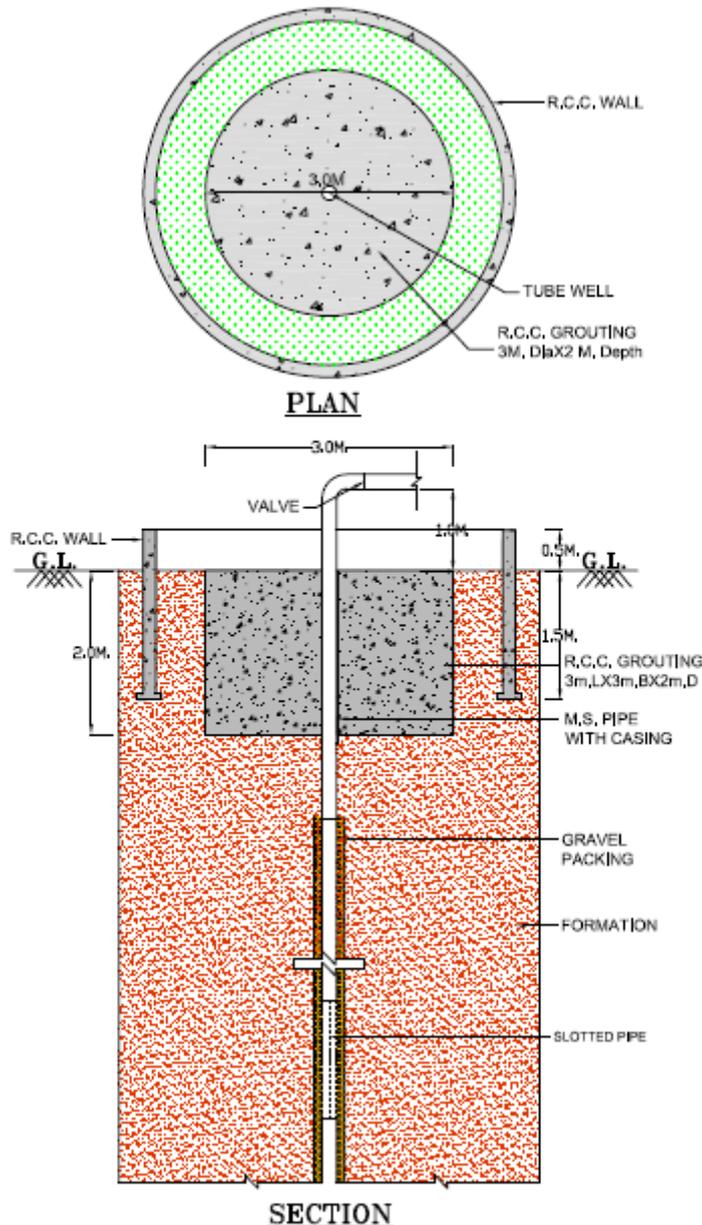
1. No tube well/ bore well / dug well should be constructed in the vicinity of the processing unit. Tube well/ bore well should be constructed at the place which is hygienically maintained.
2. Only Mild Steel pipe should be used for assembly/ casing and PVC (Poly Vinyl Chloride) or similar pipes should 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

## Annexure VI

**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.

.....CJL.  
[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  $\mu$ siemens/cm at 25<sup>0</sup>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<sub>GW</sub>** - Environmental compensation for drawing illegal ground water.
31. **EC<sub>GWR</sub>** - 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.

स्टेशन, रेलवे स्टेशन, हवाई अड्डा, बंदरगाह, स्टेडियम आदि औद्योगिक प्रक्रिया के लिए आवश्यक जल नहीं बल्कि औद्योगिक के पेय जरूरतों को कवर करेगी" प्रतिस्थापित किया जाएगा।

19. अनुलग्नक X में, शीर्षक के अंतर्गत, "उद्योगों द्वारा वार्षिक वाटर ऑडिट (स्रोत-CII)" शब्दों के स्थान पर, "उद्योगों द्वारा जल ऑडिट" शब्दों को प्रतिस्थापित किया जाएगा। "

[फा. सं. 23014/29/2021-समन्वय अनुभाग-भाग(2)]

आशीष कुमार, निदेशक

नोट: 'भारत के भूजल निकासी को विनियमित और नियंत्रित करने के दिशानिर्देश' भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii) में एस.ओ. 3289 (ई) द्वारा दिनांक 24 सितंबर, 2020 को प्रकाशित किए गए थे।

## MINISTRY OF JAL SHAKTI

(Department of Water Resources, River Development and Ganga Rejuvenation)

(CENTRAL GROUND WATER AUTHORITY)

### NOTIFICATION

New Delhi, the 29th March, 2023

**S.O. 1509(E).**— In exercise of 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 makes the following amendments to the guidelines to regulate and control groundwater extraction in India, published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii), vide Notification number S.O. 3289 (E) 24<sup>th</sup> September, 2020, namely:-

In the said notification, for the Schedule, the following changes in the Schedule shall be substituted/added, namely:-

#### “Schedule

1. In the Guidelines to regulate and control groundwater extraction in India, 2020 -

(a) in the Index, Item no. 16.0, for the words “Provisions of Penalty” the words “Provision of Penalty and Charges for correction/modifications in NOCs” shall be substituted.

(b) in the index, in the Annexures, for the words, “Annexure VI : Indicative list of Infrastructure projects”, the words, “Annexure VI : Indicative list of location specific Infrastructure projects” shall be substituted.

(c) in the index, in the Annexures, for the words, “Annexure X : Annual water audits by the industries” , the words, “Annexure X : Water audits by the industries” shall be substituted.

2. In the said guidelines, in the paragraph 1.0, after clause (v), clauses (vi),(vii) shall be added namely:-

“(vi) All industries/ mining projects/ infrastructure projects drawing ground water only for drinking/ domestic purposes up to 5 Cum /day in all assessment units.

(vii) Residential Apartments and Group Housing Societies:

(a) For drinking water and domestic uses, drawing ground water upto 20 m<sup>3</sup>/day subject to the conditions mentioned in Para 2.0 of the guidelines.

(b) Dwelling units for Economically Weaker Sections (EWS) under Government schemes.”.

3. In the said guidelines, in the paragraph 2.0:-

(i). Sub-para 2 shall be added namely:-

“Installation of digital water flow meter (conforming to BIS/ IS standards) in all abstraction structure(s) shall be mandatory for all Residential Apartments and Group Housing Societies. All Residential Apartments and Group Housing Societies having swimming pools drawing ground water shall be mandatorily required to seek No Objection Certificate.”

(ii). for the clause (d), the following clause shall be substituted, namely:-

“d) In case of saline ground water extraction, 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.

**Note:** In case of new projects, water quality data/report of nearby existing wells from above-mentioned laboratories may be submitted for saline ground water extraction.”.

(iii). for the clause (e), the following clause shall be substituted, namely:-

“e) Copy of Rain Water Harvesting Plan submitted to Government agency by the applicant or a proposal for rain water harvesting/ recharge in the project premises as per the prevailing Model Building Bye Laws issued by Ministry of Housing & Urban Affairs, Government of India.”.

(iv). in the paragraph 2.0, after the clause (e), one more clause (f), shall be inserted/added, namely:-

“f) For all New projects, a self declaration/ affidavit (duly notarized) indicating date of completion of project shall be required.”.

**4.** In the paragraph 4.0, for sub para 3, the following sub para shall be substituted, namely:-

“Commercial entities extracting ground water shall be required to submit online 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.”.

**5.** In the paragraph 4.1:-

(i). for clause (iii), the following clause shall be substituted, namely:-

“(iii). All industries abstracting ground water in excess of 100 m<sup>3</sup>/day shall be required to undertake biennial (once in two years) water audit through certified auditors of agencies as approved by CGWA and submit audit reports within three months of completion of the same to CGWA. Compliance of the earlier given reports may be checked by certified water auditors after one year and the report in this regard may be shared with 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.”.

(ii). for clause (iv), the following clause shall be substituted, namely:-

“(iv). In industrial areas (as designated or, notified by Central/State Government), Central Ground Water Board (CGWB) shall construct need-based piezometers as per local hydro-geological conditions and further monitor water levels.

In other than industrial areas as mentioned above, construction of observation well(s)/(piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in Section 14 shall be mandatory for industries/Infrastructure drawing/ proposing to draw more than 100 m<sup>3</sup> /day of ground water for Hard rock aquifer type and more than 500 m<sup>3</sup> /day of ground water for Alluvium aquifer type. Monitoring of water levels in these areas shall be done by the project proponents. Minimum distance between the abstraction structure and piezometer will be 15 m if the aquifer tapped is hard rock and 50 m if the aquifer is alluvium. 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.”.

(iii). for clause (c), the following clause shall be substituted, namely:-

“(c). In case of saline ground water extraction, ground water quality data of existing bore well/ tube well/ dug well from any NABL accredited laboratory or Government approved laboratory.

**Note:** In case of new projects, water quality data / report of nearby existing wells from above-mentioned laboratories may be submitted for saline ground water extraction.”.

(iv). for clause (d), the following clause shall be substituted, namely:-

“(d). For all new projects, document as proof of new establishment / commencement of operation i.e. Consent to Establish/ Environmental Clearance/ any other document from a statutory agency.”.

(v). for clause (e), the following clause shall be substituted, namely:-

“(e). Copy of Rain Water Harvesting Plan submitted to Government agency by the applicant or a proposal for rain water harvesting/ recharge in the project premises as per the prevailing Model Building Bye Laws issued by Ministry of Housing & Urban Affairs, Government of India.”.

(vi). for clause (f), the following clause shall be substituted, namely:-

“(f). **Impact Assessment report:** All projects extracting/proposing to extract ground water in excess of 100 m<sup>3</sup>/day in Over-exploited, Critical and Semi-critical areas and in excess of 500 m<sup>3</sup>/day in areas underlain by non-alluvium and 2000 m<sup>3</sup>/day in areas underlain by alluvium in Safe assessment units shall have to mandatorily submit impact assessment report and ground water modeling study of existing/ proposed ground water withdrawal on the ground water regime covering 5 KM radius area around the project site prepared by accredited consultants. Pro-forma for the report is given in Annexure IV.”.

6. In the paragraph 4.2,

(i). for clause (ii), the following clause shall be substituted, namely:-

“(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 100 m<sup>3</sup>/day of ground water. Depth and aquifer zone tapped in the piezometer shall be commensurate with aquifer used for irrigation/drinking water in the buffer area. Detailed guidelines for design and construction of piezometers are given in Annexure II.”.

(ii). for clause (b), the following clause shall be substituted, namely:-

“(b) Copy of Rain Water Harvesting Plan submitted to Government agency by the applicant or a proposal for rain water harvesting/ recharge in the project premises as per the prevailing Model Building Bye Laws issued by Ministry of Housing & Urban Affairs, Government of India or as feasible in the mine premises and as approved by CGWA/State agencies”.

(iii). after clause (c), one more clause (d) shall be inserted, namely:-

“(d) For all New projects, document as proof of new project / commencement of operation i.e. Consent to Establish/ Environmental Clearance / any other document from a statutory agency.”.

7. In the paragraph 4.3:-

(i). in the sub para 3, for the words “Indicative list of Infrastructure projects is given in Annexure VI”, the words “Commercial infrastructure projects requiring ground water for drinking /domestic use shall also be covered under this category. Further, the Indicative list of location specific Infrastructure projects is given in Annexure VI” shall be substituted by revised Annexure VI given hereafter.

(ii). after clause (v), one more clause (vi) shall be inserted, namely:-

“(vi) All stadiums, cricket grounds, and other sports grounds/courts, golf courses etc shall construct/install appropriate mechanism for artificial recharge of ground water / rain water harvesting.

(iii). for clause (a), the following clause shall be substituted, namely:-

“(a) In cases where dewatering is involved, submission of impact assessment report along with groundwater modelling in 5 km radius 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.”.

(iv). for clause (e), the following clause shall be substituted, namely:-

“(e) Copy of Rain Water Harvesting Plan submitted to Government agency by the applicant or a proposal for rain water harvesting/ recharge in the project premises as per the prevailing Model Building Bye Laws issued by Ministry of Housing & Urban Affairs, Government of India.”.

(v). after clause (g), one more clause (h) shall be inserted, namely:-

“(h) For all New projects, building plan approval or any other relevant document as proof of new project from a statutory agency.”.

8. In the Section I under paragraph 5.1, for the table 5.1, the following table 5.1 shall be substituted, namely:-

**“Table 5.1 Ground Water Abstraction charges for Drinking & Domestic use**

Quantum of Groundwater withdrawal (m <sup>3</sup> /day)	Rate of ground water abstraction charges (Rs. per m <sup>3</sup> )
0-25	No Charge
> 25- < 200	1.00
200 and above	2.00

Government/ Government authorized agencies supplying water for drinking/ domestic use and Government infrastructure projects shall pay ground water abstraction charges @ Rs. 0.50 per m<sup>3</sup> irrespective of quantum of ground water abstraction.”.

9. In the paragraph 6.0, sub para 2, the following shall be substituted, namely:-

“All those users abstracting ground water and using it for supply as bulk water supplies through private tankers shall mandatorily seek No Objection Certificate for ground water abstraction as per Guidelines for Bulk water suppliers as issued and updated by CGWA from time to time.”.

10. In the paragraph 7.0, sub para 3, the following shall be substituted, namely:-

“Abstraction of saline ground water shall be according to the Guidelines for Saline Ground Water Abstraction as issued and updated by CGWA from time to time.”.

11. In the paragraph 8.0,

In the sub para 2, the following shall be substituted, namely:-

“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 Authority/ State Authority or any other appropriate local government authority to establish their projects in the area.”.

12. In the paragraph 9.0:-

(i). for clause (i), the following clause shall be substituted, namely:-

“(i). Installation of tamper proof digital water flow meter/ Pre Paid Meter (s) (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.

In case the ground water extraction is from multiple bore/tube wells within the same premises, tamper-proof digital water flow meter(s)/Pre Paid Meter (s) with telemetry can be installed at common outlet point(s).”.

(ii). for clause (iv), the following clause shall be substituted, namely:-

“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 5.”.

(iii). for clause (v), the following clause shall be substituted, namely:-

“v. Purpose-built observation wells (piezometers) for ground water level monitoring shall be installed as per Section 14. Water level data shall be made available to CGWA through web portal. Detailed guidelines for construction of piezometers are given in Annexure-II.”.

(iv). for clause ix, the following clause shall be substituted, namely:-

“ix. In case of change of ownership, new owner of the premises 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.”.

13. In the paragraph 14.0,

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

“In other than industrial areas as mentioned hereafter, all the project proponents (drawing ground water more than 100 m<sup>3</sup> /day of ground water for Hard rock aquifer type and more than 500 m<sup>3</sup> /day of ground water for Alluvium aquifer type have to mandatorily construct Piezometers (observation wells) within their premises for monitoring of the ground water levels. Further, in industrial areas (as designated or notified by Central/State Government), Central Ground Water Board (CGWB) shall construct need-based piezometers as per local hydro-geological conditions and further monitor water levels. Such a mechanism of compliance conditions has been made to ensure regular monitoring of ground water level in the project area. In this regard the necessary criteria for monitoring of water levels through piezometers by the project proponents is given in Table 14.1.”.

(ii). for Table 14.1, the following Table shall be substituted, namely:-

<b>Table 14.1 No. of Piezometers with Digital Water Level Recorder (DWLR) and telemetry to be constructed &amp; Type of Water Level Monitoring Mechanism</b>		
Sl. No.	Quantum of Ground water withdrawal (cum/day)	No. of piezometer(s) (with DWLR and telemetry required)
1.	0-100	0
2.	>100 (Hard rock aquifer type in other than industrial areas)	1
3.	>500 (Alluvium aquifer type in other than industrial areas)	1

14. In the paragraph 16.0, in the Table 16.1,

(i). Serial no. 2, i.e. “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”,

shall be substituted with

“Non disclosure/ construction of additional groundwater abstraction structures

a) Functional / Non-functional Structures.

b) Defunct / Abandoned

Note: Given rates are for unit Functional/non-functional/ defunct/ abandoned structures. This shall be multiplied with total such structures to arrive at consolidated penalty.”

(ii). under the serial no. 7, for the words, “Non maintenance of Recharge structures”, the words “Non maintenance of water conservation structures/ recharge structures” shall be substituted.

(iii). in the paragraph 16.0, the sub para 2 shall be substituted, namely:-

“Application fee for fresh/ renewal of NOC shall be charged as per the rates prescribed by CGWA from time to time and intimated through the official web portal. Fee shall also be payable for correction/ modification in the existing issued No Objection Certificate letter.”.

(iv). in the Table 16.2,

- i. under the heading/heading of the table, for the words “Proposed Charges” the words “Charges” shall be substituted.
- ii. the serial no. 1 ( i.e the words " Change in recharge quantum including applicable charges" ) shall be deleted.

15. In the Annexure II, for bullet point 1, the following bullet point shall be substituted, namely:-

“The piezometer is to be installed / constructed at the minimum distance of 15 m if the aquifer tapped is hard rock and 50 m if the aquifer is alluvium from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about four inches to six inches.”.

16. In the said guidelines, **Annexure VI** shall be substituted as given hereafter:

“Annexure VI

**Indicative list of location specific Infrastructure Projects**

Sl. No.	Infrastructure Projects
1.	Special Economic Zone
2.	Metro Station/Railway Station & Bus Depot
3.	Airport, Seaport, Logistics, Cargo & Warehouse
4.	Highway Infrastructure
5.	Fire station
6.	Hospitals & Nursing Homes
7.	Educational Institutions including schools, colleges, universities, coaching institutes, Training Centres/ Skill development centres

**Note:-** The requirement of NOC for Groundwater use may include the water requirement for drinking water/domestic uses also.

17. In the said guidelines, **Annexure VIII** shall be substituted as given hereafter:

“Annexure VIII

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

1.	Andaman & Nicobar
2.	Assam
3.	Arunachal Pradesh
4.	Bihar
5.	Chhattisgarh
6.	Dadra and Nagar Haveli and Daman & Diu
7.	Gujarat
8.	Jharkhand
9.	Madhya Pradesh
10.	Maharashtra

11.	Manipur
12.	Meghalaya
13.	Mizoram
14.	Nagaland
15.	Odisha
16.	Rajasthan
17.	Sikkim
18.	Tripura
19.	Uttarakhand

**Note:** The above list is dynamic in nature and any addition/deletion in this regard shall be communicated to the States/UTs, project proponents including industries by CGWA through its official web portal.”

**18.** In the **Annexure IX (Glossary of technical terms used)**, under the serial no. 17, for the words “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.”, the words, “**Drinking and domestic use:** Water required for daily household activities including hygienic purposes, such as cooking food, bathing, cleaning / washing, sanitation etc. 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.” shall be substituted.”

**19.** In the **Annexure X**, under the heading, for the words “Annual water audits by the industries (Source-CII)”, the words, “Water audits by the industries” shall be substituted.”

[F. No. 23014/29/2021-Coordination Section- Part(2)]

ASHISH KUMAR, Director

**Note:** he ‘Guidelines to control and regulate ground water extraction in India’ were published in Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide S.O. 3289 (E) dated 24<sup>th</sup> September, 2020.

E-file no. CGWA-NOCA/1/2020-CGWA-Part (1)

Government of India

Ministry of Jal Shakti

Department of Water Resources, River Development & Ganga Rejuvenation  
Central Ground Water Authority

Date:18.01.2024

As per GWRE 2023 total 127 blocks of various districts of India categorized as saline assessment unit.

List of saline assessment units as per GWRE 2023

Sl.No.	Name of the state	Name of the District	Name of Assessment Units affected by Salinity
1	ANDHRA PRADESH	Bapatla	Karamchedu
2	ANDHRA PRADESH	Eluru	Ganapavaram
3	ANDHRA PRADESH	Eluru	Kaikalur
4	ANDHRA PRADESH	Eluru	Kalidindi
5	ANDHRA PRADESH	Eluru	Mandavalli
6	ANDHRA PRADESH	Eluru	Mudinapalle
7	ANDHRA PRADESH	Eluru	Nidamarru
8	ANDHRA PRADESH	Guntur	Pedanandipadu
9	ANDHRA PRADESH	Guntur	Vatticherukuru
10	ANDHRA PRADESH	Kakinada	Karapa
11	ANDHRA PRADESH	Kakinada	Thallarevu
12	ANDHRA PRADESH	Konaseema	Allavaram
13	ANDHRA PRADESH	Konaseema	I Polavaram
14	ANDHRA PRADESH	Konaseema	Katrenikona
15	ANDHRA PRADESH	Konaseema	Malikipuram
16	ANDHRA PRADESH	Konaseema	Mamidikuduru
17	ANDHRA PRADESH	Konaseema	Sakhinetipalle
18	ANDHRA PRADESH	Konaseema	Uppalaguptam
19	ANDHRA PRADESH	Krishna	Bantumilli
20	ANDHRA PRADESH	Krishna	Gudlavalleru
21	ANDHRA PRADESH	Krishna	Gudur (Krishna)
22	ANDHRA PRADESH	Krishna	Koduru
23	ANDHRA PRADESH	Krishna	Kruthivennu
24	ANDHRA PRADESH	Krishna	Machilipatnam
25	ANDHRA PRADESH	Krishna	Nagayalanka
26	ANDHRA PRADESH	Krishna	Nandivada
27	ANDHRA PRADESH	Krishna	Pedana
28	ANDHRA PRADESH	West Godavari	Akiveedu
29	ANDHRA PRADESH	West Godavari	Bheemavaram
30	ANDHRA PRADESH	West Godavari	Kalla
31	ANDHRA PRADESH	West Godavari	Mogalthur
32	ANDHRA PRADESH	West Godavari	Narasapuram
33	ANDHRA PRADESH	West Godavari	Palacole
34	ANDHRA PRADESH	West Godavari	Palakoderu

Sl.No.	Name of the state	Name of the District	Name of Assessment Units affected by Salinity
35	ANDHRA PRADESH	West Godavari	Pentapadu
36	ANDHRA PRADESH	West Godavari	Poduru
37	ANDHRA PRADESH	West Godavari	Undi
38	ANDHRA PRADESH	West Godavari	Veeravasaram
39	ANDHRA PRADESH	West Godavari	Yelamanchili
40	GUJARAT	Ahmedabad	Dhandhuka
41	GUJARAT	Ahmedabad	Dholera
42	GUJARAT	Banaskantha	Bhabhar
43	GUJARAT	Banaskantha	Suigam
44	GUJARAT	Banaskantha	Vav
45	GUJARAT	Kachchh	Gandhidham
46	GUJARAT	Morbi	Maliya
47	GUJARAT	Patan	Harij
48	GUJARAT	Patan	Sami
49	GUJARAT	Patan	Santalpur
50	GUJARAT	Patan	Radhanpur
51	GUJARAT	Patan	Sankheswar
52	MAHARASHTRA	Ahmednagar	Daryapur
53	ODISHA	Bhadrak	Chandbali
54	ODISHA	Jagatsinghpur	Ersama
55	ODISHA	Kendrapara	Mahakalpada
56	ODISHA	Kendrapara	Marshaghai
57	ODISHA	Kendrapara	Rajkanika
58	ODISHA	Kendrapara	Rajnagar
59	RAJASTHAN	Bikaner	Khajuwala
60	RAJASTHAN	Churu	Taranagar
61	RAJASTHAN	Hanumangarh	Rawatsar
62	TAMIL NADU	Nagapattinam	Nagappattinam
63	TAMIL NADU	Nagapattinam	Thirukkuvalai
64	TAMIL NADU	Nagapattinam	Kilvelur
65	TAMIL NADU	Nagapattinam	Vedaranyam
66	TAMIL NADU	Thiruvarur	Thiruthuraipoondi
67	WEST BENGAL	Haora	Sankrail
68	WEST BENGAL	Haora	Uluberia-I
69	WEST BENGAL	Haora	Bagnan-II
70	WEST BENGAL	Haora	Uluberia-II
71	WEST BENGAL	Haora	Bally Jagachha
72	WEST BENGAL	Haora	Bagnan-I
73	WEST BENGAL	Haora	Shyampur-II
74	WEST BENGAL	Haora	Panchla
75	WEST BENGAL	Haora	Shyampur-I
76	WEST BENGAL	Kolkatta	Kmc
77	WEST BENGAL	North 24 Parganas	Minakhan
78	WEST BENGAL	North 24 Parganas	Sandeshkhali-I
79	WEST BENGAL	North 24 Parganas	Hingalganj

Sl.No.	Name of the state	Name of the District	Name of Assessment Units affected by Salinity
80	WEST BENGAL	North 24 Parganas	Sandeshkhali-II
81	WEST BENGAL	North 24 Parganas	Hasnabad
82	WEST BENGAL	Purba Medinipur	Ramnagar-I
83	WEST BENGAL	Purba Medinipur	Contai-II
84	WEST BENGAL	Purba Medinipur	Tamluk
85	WEST BENGAL	Purba Medinipur	Nandigram-I
86	WEST BENGAL	Purba Medinipur	Mahisadal
87	WEST BENGAL	Purba Medinipur	Ramnagar-II
88	WEST BENGAL	Purba Medinipur	Contai-III
89	WEST BENGAL	Purba Medinipur	Sutahata
90	WEST BENGAL	Purba Medinipur	Contai-I
91	WEST BENGAL	Purba Medinipur	Nandigram-II
92	WEST BENGAL	Purba Medinipur	Haldia
93	WEST BENGAL	Purba Medinipur	Sahid Matangini
94	WEST BENGAL	Purba Medinipur	Nanda Kumar
95	WEST BENGAL	Purba Medinipur	Khejuri-II
96	WEST BENGAL	Purba Medinipur	Nandigram-III
97	WEST BENGAL	Purba Medinipur	Khejuri-I
98	WEST BENGAL	South 24 Parganas	Bhangar-I
99	WEST BENGAL	South 24 Parganas	Kultali
100	WEST BENGAL	South 24 Parganas	Bishnupur-I
101	WEST BENGAL	South 24 Parganas	Magrahat-I
102	WEST BENGAL	South 24 Parganas	Budge Budge-II
103	WEST BENGAL	South 24 Parganas	Canning-II
104	WEST BENGAL	South 24 Parganas	Gosaba
105	WEST BENGAL	South 24 Parganas	Kakdwip
106	WEST BENGAL	South 24 Parganas	Mathurapur-I
107	WEST BENGAL	South 24 Parganas	Kulpi
108	WEST BENGAL	South 24 Parganas	Mathurapur-II
109	WEST BENGAL	South 24 Parganas	Namkhana
110	WEST BENGAL	South 24 Parganas	Diamond Harbour-II
111	WEST BENGAL	South 24 Parganas	Sagar
112	WEST BENGAL	South 24 Parganas	Thakurpukur Mahestala
113	WEST BENGAL	South 24 Parganas	Bhangar-II
114	WEST BENGAL	South 24 Parganas	Budge Budge-I
115	WEST BENGAL	South 24 Parganas	Jaynagar-II
116	WEST BENGAL	South 24 Parganas	Mandirbazar
117	WEST BENGAL	South 24 Parganas	Diamond Harbour-I
118	WEST BENGAL	South 24 Parganas	Basanti
119	WEST BENGAL	South 24 Parganas	Bishnupur-II
120	WEST BENGAL	South 24 Parganas	Patharpratima
121	WEST BENGAL	South 24 Parganas	Jaynagar-I
122	WEST BENGAL	South 24 Parganas	Sonarpur
123	WEST BENGAL	South 24 Parganas	Magrahat-II
124	WEST BENGAL	South 24 Parganas	Baruipur

Sl.No.	Name of the state	Name of the District	Name of Assessment Units affected by Salinity
125	WEST BENGAL	South 24 Parganas	Canning-I
126	WEST BENGAL	South 24 Parganas	Falta
127	PUDUCHERRY	Puducherry	Yanam

**GOVERNMENT OF INDIA**  
**MINISTRY OF JAL SHAKTI**  
**DEPARTMENT OF WATER RESOURCES, RD & GR**  
**CENTRAL GROUND WATER AUTHORITY**

**Guidelines for Saline Ground water abstraction**

**Jamnagar House,**  
**Man Singh Road, New Delhi-110011**

**Preamble**

As per the guidelines to regulate and control groundwater extraction in India notified vide S.O. 3289 dated 24.09.2020, it is mentioned that detailed guidelines for abstraction of saline ground water shall be issued by the Central Ground Water Authority separately. The detailed draft guideline for saline groundwater abstraction was placed on 45<sup>th</sup> CGWA board meeting and after incorporating few modifications the same was approved.

**Detailed Guidelines for Abstraction of Saline Ground Water**

Water having above EC above 5000  $\mu$  siemens/cm at 25<sup>0</sup>C is saline water. Any user desirous of utilizing saline groundwater is permitted to extract saline ground water and will be exempted from payment of ground water abstraction / restoration charges. However, all such users need to have proper effluent water disposal plan to avoid degrading of environment/ surroundings.

Further, NOC shall not be granted to new major industries in over-exploited assessment units.

**No Objection Certificate (NOC) for saline ground water extraction shall be granted subject to the following specific conditions:**

**1. Completely Saline Assessment Units**

- a) Piezometer shall be constructed and regular monitoring of piezometric level shall be undertaken.
- b) All the users shall ensure real time monitoring of groundwater quality especially electrical conductivity.
- c) All the users' need to adopt rain water harvesting as per prevailing building bye laws of state/UTs within the premises.

**2. Partially Saline Assessment Units**

In areas where saline water occurs in lenses or fresh, overlies/underlies saline water zones , NOC shall be granted subject to following conditions:

- (a) The saline water withdrawal shall avoid up coning of saline water into fresh water, mixing or sea water ingress towards land.
- (b) Piezometer shall be constructed and regular monitoring of piezometric level shall be undertaken.
- (c) All the users shall ensure real time monitoring of groundwater quality especially electrical conductivity.
- (d) All the users' need to adopt rain water harvesting as per prevailing building bye laws of state/UTs within the premises.
- (e) In case well starts yielding fresh water instead of saline water, project proponent shall immediately inform the Regional Office, CGWB. The project proponent shall have to pay groundwater abstraction /restoration charges as per the guidelines notified vide S.O. 3289 dated 24.09.2020.

### **3. Document to be submitted with the application**

- (i) An affidavit on non judicial stamp paper of Rs. 10/- regarding saline groundwater extraction and its source (as per the pro-forma available on NOCAP portal).
- (ii) Ground water quality data of existing well from any NABL accredited laboratory or Govt. approved laboratory.
- (iii) All projects extracting saline groundwater in excess of 500 m<sup>3</sup>/d in complete saline assessment units and 100 m<sup>3</sup>/d in partial saline assessment units shall have to submit Impact Assessment Report along with groundwater modeling studies indicating saline - fresh water interface (in case of saline water aquifer overlies/underlies fresh water aquifers), impact of saline ground water abstraction on the ground water regime or impact of saline water pumping on saline water ingress in coastal areas .
- (iv) Oil and mining companies to submit approved plan by the concerned Govt. agency/department in case of abstraction/dewatering or injection.

#### 4. Groundwater Abstraction /Restoration Charges

Such industries are exempted from paying groundwater abstraction/restoration charges.

#### 5. Renewal of NOC:

No objection Certificate (NOC) shall be renewed periodically as per the criteria mentioned in the guidelines to regulate and control groundwater extraction in India notified vide S.O.3289 dated 24.09.2020.

#### 6. Other Conditions

- 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. 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.
- iii. No application shall be entertained without supporting documents as specified in relevant section.
- iv. Abstraction structure(s) should be located inside the premises of project property.
- v. 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.
- vi. Extraction of ground water for commercial use 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, as per Section 15 of S.O. 3289(E) dated 24.09.2020.
- vii. Penalty provision for non Compliance of No Objection Certificate conditions shall be applicable as per Section 16 of S.O. 3289(E) dated 24.09.2020.

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Sankar Pani &lt;sankarprasadpani@gmail.com&gt;

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**Rejoinder affidavit dated 27/03/2025 on behalf applicant in OA 54/2024/WZ**

1 message

**Sankar Pani** <sankarprasadpani@gmail.com>

Fri, Mar 28, 2025 at 1:36 PM

To: maulik@nanavatiko.com, aniruddha1488@gmail.com, anilsoni1961.ash@gmail.com, collector-kut@gujarat.gov.in, gigicgeorge.adv42@yahoo.in

Dear Sir/Madam, please find the attachment.

--

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**rejoinder final-merged.pdf**

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