

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SITTING
AT NEW DELHI
MEMORADUM OF APPLICATION

OA No- 1357/2024

(Under Section 18(1) read with section 14 And 15, 17, 19 & 20 of the
National Green Tribunal Act, 2010)

IN THE MATTER OF:

Rashi Sharma

...Applicant

Versus

Harmeet Singh & Ors

...Respondents

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RESPONDENT NO. 2

THROUGH



Advocate Roshan Santhalia [D/556/2011]
Advocate Aayush Mishra [D/12751/2024]
Advocate Kavya Arora [MAH/9001/2024]
Advocate Nipun Maheshwari [MAH/11260/2024]
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Place: New Delhi
Date: 19.01.2026

**REPLY ON BEHALF OF RESPONDENT NO. 2 TO APPLICATION
FOR RECALCULATION AND ENHANCEMENT OF
ENVIRONMENTAL COMPENSATION**

MOST RESPECTFULLY SHOWETH:

1. That the Application has solely been filed to harass the Respondent No. 2, and is factually and legally misplaced, unsupported by evidence and extremely presumptive. Therefore, it must be dismissed at the threshold, without any consideration by this Hon'ble Tribunal. All averments and submissions within the Applications are vehemently denied, and nothing shall be deemed to be admitted for a specific lack of non-traverse.

A. APPLICATION PURPOSEFULLY EXCLUDES THE FACT THAT ENVIRONMENTAL COMPENSATION HAS ALREADY BEEN LEVIED BY THE DPCC (DELHI POLLUTION CONTROL COMMITTEE), AND, THEREFORE, THIS APPLICATION IS BARRED BY *CONSTRUCTIVE RES JUDICATA*

2. The Application has, throughout its contentions, very conveniently ignored that the Delhi Pollution Control Committee (DPCC), who is the Respondent No. 6 in the current OA, has, on the basis of a private complaint, already inspected the premises and levied an Environmental Compensation of Rs. 3,00,000/-.

3. The premises in question, being 42A, Bungalow Road, Kamla Nagar, Delhi-110007 owned by Respondent no. 2 was inspected by the DPCC on the 25th of October 2014. On the basis of such inspection, the following observations were made by the DPCC, in their show cause notice dated 13.11.2024 (hereinafter "SCN"):

"(b) M/s Spectrum Construction, C/o Sh. R.D. Singh & Sh. Anil Bagai, 42A, Bungalow Road, Kamla Nagar:



- *Dust/wind breaking walls of appropriate height around the periphery of the construction site was not compliance.*
- *Tarpaulin or green-net on scaffolding around the area under-construction and the building was not compliance.*
- *No wheel washing arrangement of vehicles was observed.*
- *All construction debris and construction material of any kind should be stored on the site and not dumped on public roads or pavements were not compliance.*
- *No loose soil or sand or Construction & Demolition waste or any other construction material that causes dust shall be left uncovered were not compliance.*
- *Unpaved surfaces and areas had not been adequately sprinkling with water to suppress dust.*
- *No dust-mask on workers working in construction site.*
- *No Arrangement for Medical Help present on site.*
- *No dust mitigation measure had been displayed prominently at the construction site for easy public viewing.*
- *Illegal Ground water extraction for Commercial usage.*
- *C&D site was not registered on DPCC dust portal."*

The Respondent No. 2 in no way admits the observations for the DPCC, or any of the allegations made therein.

4. Based on the following observations, and the show cause notice, the DPCC then levied an Environmental Compensation of Rupees 3,00,000/- for all the above captioned violations, in the *Direction for imposition of Environmental Compensation*" dated 30.12.2024. The Respondent No. 2, had significant material and procedural objections to such directions, including the observations themselves, and the quantum of EC levied. However, in the spirit of full compliance, the Respondent No. 2 has already deposited Rs. 3 Lakhs with the DPCC on the 5th of August 2025, in lieu of such environmental compensation, via RTGS bearing UTR No. HDFCR52025080598079949. The same has been deposited under protest, i.e. "*without prejudice to my rights, remedies, any contentions of law or equity and without admitting any liability whatsoever*". Therefore, the EC for the alleged violation of Section 15 of the National Green Tribunal Act,

2010 has already been fixed by the DPCC, and paid by the Respondent No. 2.

5. Under the SOP (Standard Operating Procedure) titled the Regulation of Extraction of Ground Water, closure, prohibition of illegal activities relating to use of borewells/tubewells, issued by the Department of Environment of the Govt. of NCT of Delhi, in 2020 (which was the precursor to the notification issued by the Ministry of Jal Shakti bearing no. SO. 3289(E)) at clause 8, it has been clearly stated that the DPCC is the relevant authority for levying EC, in the complex SOP developed for dealing with illegal borewells and different steps to be taken against them. Clause 8 of the SOP is unequivocally clear on this aspect, and states the following:

"8) The DPCC will assess EC as per the methodology devised by the CPCB in its report dated 26.06.2019, After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue."

Copy of the SOP issued in 2020 by the Department of Environment has been annexed hereto as **Annexure A**.

Therefore, the relevant authority has already assessed the EC to be levied, and the Respondent No. 2 has already deposited the same, albeit under protest. The Applicant cannot seek to reagitate the issue without any change of circumstances and seek to enforce its own guesswork, through a fresh application, without any independent challenge to the direction of the DPCC.

6. The DPCC (Respondents No. 6 in the OA) in their reply dated 7th February 2024, clearly state that their role with respect to regulation of borewells is only calculation and levying of EC. The DPCC has also acknowledged that an EC of Rupees 3 lakhs has already been levied on the Respondent No. 2 for the allegedly illegal borewell. It is also clear that the same has been levied keeping in mind all the alleged violations, including the borewell. The sole role of the DPCC was to calculate and impose EC, which it has done. The Applicant cannot come before this court and ask for an enhancement of EC, when the same has already been levied by the DPCC, using established procedures.

7. The current application, is, therefore, barred by constructive res judicata, since it is attempting to force the parties to relitigate an issue which has already been determined by the relevant authority, being the DPCC. Allowing such an application would open the floodgates for other unscrupulous litigants to force third parties to pay enormous amounts of EC, which have been arbitrarily calculated, as opposed to those assessed by a government authority using established standards. If the applicant believes that the EC levied was inadequate, it should have appealed the direction passed by the DPCC. The current application has been filed after almost a year of such direction being in operation, and is extremely belated, with the sole objective of further harassing a senior citizen.

8. The Applicant is also barred from claiming that there is a continuing cause of action. The borewell has been sealed since the 20th of August 2024, by virtue of a sealing order issued by the SDM, which is even prior to the SCN as issued by the DPCC. The sealing order has been in operation since that date, and the Respondent No. 2 has not violated the same in anyway shape or form, and therefore, no continuing cause of action is in existence. The application filed by the Applicant is belated, barred by res judicata, and only an afterthought to further harass the Respondent No. 2, who is a senior citizen.

9. There is also no provision of law which allows the Applicant to challenge the compensation levied by the DPCC through a fresh application to the NGT. Hence, this application is not maintainable as such. If the current application is even remotely entertained, it would be against the well settled principle of judicial finality. It would also open the floodgates for unscrupulous litigants to needlessly harass law abiding citizens of society, by filing repeated applications for enhancements of EC, in contravention to what has already been calculated by a statutory body.

B. THE RELIEFS PRAYED FOR IN THE IA ARE SUBSTANTIVELY THE SAME AS THE OA, AND LEVYING SUCH EXCESSIVE EC SOLELY BASED ON THE IA WOULD BE PREMATURE



8. The OA has been filed precisely for the relief being asked for through this Application. For convenience, the relevant prayers in the OA and this Application have been reproduced in the table below:

Sl No.	Original Application	Current Application
1.	<p><i>"a. pass an order with due respect to this Hon'ble Tribunal thereby directing the respondent No.1 and 2 stopping immediately the using of ground water and directing the respondents No.3 to 9 to make a survey report and direct the respondent No.1 and 2 to stop the ground water usage immediately"</i></p>	<p><i>"a)Direct the Respondents No. 1 ,2 and K.K. Bagai to immediately stop the illegal extraction and use of clean groundwater for any commercial purpose including construction, washing, and PG operations at all the sites under their ownership or control;</i></p>
2.	<p><i>c) pass an order with due respect to this Hon ble Tribunal thereby directing the respondent No.3 and 4 to make a survey report on the amount of water used in the construction of the building in present and charge should be compensated imposing the penalty on extraction of ground water over the charge;"</i></p>	<p><i>b) Impose environmental compensation and penalty on the respondents for illegal extraction and use of clean groundwater for more than 15 years, in accordance with Section 15 & 17 of the NGT Act, 2010, and the CGWA 2019 Guidelines, as per the formula adopted in OA No. 176/2015 ~ Shailesh Singh v. Hotel Holiday Regency & Ors.;</i></p> <p><i>c) Direct the Central Ground Water Authority (CGWA), Delhi Jal. Board (DJB), and District Magistrate to conduct a joint inspection and file a report assessing:</i></p> <p><i>(i) quantity of groundwater extracted;</i></p>

		<p><i>(ii) environmental damage caused;</i></p> <p><i>(iii) total compensation amount payable;”</i></p>
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A bare perusal of the above will demonstrate how the IA is merely an attempt at improving the OA, with certain additional precedents and refining the prayers. It also contains more factual averments towards the properties being commercial in an attempt to cloud the Tribunal's opinion, but the same have again been presented without any supporting evidence. In any case, it is clear that the current IA is only being used as a tool to harass a senior citizen, without any genuine concern for the environment. The prayers are almost identical, and such an attempt to subvert the full adjudication process of the court must be dealt with seriously by this tribunal.

9. The matter is currently being argued before this tribunal, and the tribunal has not issued any final decision on the legality/lack thereof, of the borewell. Imposing a compensation in Crores would be severely prejudicial to the Respondent No. 2, especially considering that the legality of the borewell and the relevant permissions are currently in issue before this court. The Respondent No. 2 has also complied with all orders/directions of this court and imposing such a harsh penalty when the preliminary issue is still in question would needlessly serve to punish the Respondent No. 2.

10. Even the legality of the EC of Rs. 3 Lakhs can only be determined Hon'ble Tribunal comes to a conclusive determination that it lacked the relevant permissions and is thus illegal. An enhancement therefore, is an exceptional remedy which cannot be granted at this stage, in any case. The current application, thus, is nothing but an attempt of the Applicant to force this tribunal to predetermine the illegality of the borewell, and not let the law take its due course. There can be no EC if this tribunal determines that the borewell is infact, legal and has all requisite permissions. Therefore, absent a conclusive factual determination by this court, there can be no EC which can be levied on the Respondent No. 2.

C. RESPONDENT NO. 2 HAS SUBSTANTIALLY COMPLIED WITH THE REQUIREMENTS FOR A LEGAL BOREWELL

11. The Respondent No. 2 has a validly registered borewell with the CGWA, who was responsible for regulation of borewells prior to 2010 when the license was issued. The same is also clear from the reply of the CGWA, who is the Respondent No. 7 in the current OA, and has unequivocally stated that the Respondent No. 2 does indeed possess a valid license issued by CGWA, bearing No. DLOFAL/67703. The CGWA has also stated that the Delhi Jal Board (hereinafter “**DJB**”) is the competent authority for the NCT of Delhi, and they are, thus, unaware of whether such license is sufficient to deem the borewell legal. The DJB has to date, not filed a reply before this Hon’ble Tribunal, and therefore, it must be assumed that the license held by the Respondent No. 2 for the borewell is sufficient proof of its legality. Whatever ambiguity exists is a result of confusion and non-communication between the CGWA and the DJB, and penalizing the Respondent No. 2, especially at such a high quantum, would lead to an inequitable outcome.

12. Further, the MOJS notification bearing No. SO. 3289(E) (hereinafter “**MoJS Notification**”) dated 24.09.2020, read with the amendment dated 29.03.2023 squarely carves out an exception for domestic users of water, in the following words:

“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.”

Therefore, since the Respondent No. 2 in the current case is only utilising the water from the borewell for domestic uses, the NOC from the CGWA is not required in the first place.

A Copy of the Consolidated MoJS Guidelines to Regulate and Control Ground Water Extraction in India have been annexed hereto as **Annexure B.**

13. Therefore, Respondent No. 2 has substantially complied with the requirements for a legal borewell, for domestic use. If this Hon'ble tribunal does indeed come to the conclusion that there has been some non-compliance, the same would only have been as a result of inadvertence, rather than any *mala fide* intent.

D. AVERMENTS IN THE APPLICATION ARE ENTIRELY UNSUPPORTED BY FACT, AND THE CALCULATION METRIC HAS BEEN IMPROPERLY APPLIED IN THE CURRENT CASE

14. The averments in the IA, such as the allegation of the water being used to construct a PG, or one portion of the land being sold to a certain Malabar, are entirely unsupported by any evidence. The applicant has only made bald averments in the IA regarding there being a commercial complex within the property, and that the ground water has been used for such construction, or supply of water to such PG or otherwise, but has not attached any evidence documentary, or otherwise to support this claim. The construction if any has been done through water tankers and not through borewell water. The Applicant has throughout the proceedings of this court, only made bald averments without discharging the burden of proof of proving alleged facts. This Hon'ble Tribunal cannot entertain an application which has been filed without any supporting evidence. The same will be dealt with in more detail in the para wise reply, however, it bears repeating at this juncture that the Applicant's only purpose for filing such application is to harass the Respondent No. 2, without an ounce of actual concern for the environment.

13. The reliance of the Applicant on *Prasoon Pant* (Principal Bench-OA No. 392/2022), apart from being misplaced, is also an attempt at misleading this court. The observations of the NGT in *Prasoon Pant* related to large scale apartments, housing thousands of people, with hundreds of flats. For example, in the Order dated 29th of July 2025, the following listed as the answering respondents:

“



<i>Sl. No.</i>	<i>Name and address of Project</i>	<i>Representation received on date</i>
1	<i>Paramount Emotions (Promoter M/s Paramount Propbuild Pvt. Ltd.), GH-05A, Sector-01, Greater Noida.</i>	16.04.2025
2	<i>Trident Embassy (Promoter M/s Trident Infrahomes Pvt. Ltd.), GH-05B, Sector-01, Greater Noida.</i>	16.06.2025
3	<i>Nirala Estate (Promoter M/s Nirala Infratech Pvt. Ltd.), GH-04, Sector Techzone-04, Greater Noida.</i>	20.06.2025
4	<i>ATS Homekraft Nobility Happy trails (Promoter M/s Shridhara Infratech Pvt. Ltd.), GH-02A, Sector-10, Greater Noida.</i>	24.06.2025
5	<i>ATS kabana High (Promoter M/s DAR Infraventures Pvt. Ltd.), C-1, Sector-04, Greater Noida.</i>	24.06.2025
6	<i>ATS dolce (Promoter M/s Domus greens Pvt. Ltd.), GH-12A, Sector Zeta-1, Greater Noida.</i>	24.06.2025
7	<i>Eros sampoorarm (Promoter M/s Ajay Enterprises Pvt. Ltd.), GH-01, Sector-02, Greater Noida.</i>	19.06.2025
8	<i>Amatra Homes (Promoter M/s Nandi Infratech Pvt. Ltd.), GH-02C, Sector-10, Greater Noida</i>	30.05.2025

It is clearly seen how the violators in the cited case were large builders with multi crore projects, as compared to the current case, where the alleged violation has been done by ordinary residents for their domestic use.

13. Further, the suggestion/assumption for penalty calculation as provided by the Applicant is a definite proof of the *mala fides* of the applicant. The case of *Prasoon Pant* is still ongoing, with the last order dated 30.10.2025 and therefore, it is wholly unclear as to what methodology is being referred to by the Applicant. Further, 0.5% of the Project cost was directed to be deposited by the NGT in the interim order dated 15.11.2022, as can be seen from the status report of the UPPCB in compliance with such order. Nowhere in the order has it been stated that the higher compensation between the two, arrived at using the two different metrics should be levied. The same is a deliberate misreading of the order so as to misdirect this Hon'ble tribunal.

14. There is also no basis for the figures adopted by the Applicant in the suggestion/assumption for penalty, as to how the daily extraction figures, or the number of rooms have been arrived at. The entire Application is based on an exercise of guesswork and unscientific assumptions. The same is entirely unnecessary when a statutory body, being the DPCC has already determined the compensation to be paid, which has already been deposited, albeit under protest.

15. The reliance of the Applicant on *Shailesh Singh vs Hotel Holiday Regency & Ors.* MANU/GT/0062/2022 is also entirely misplaced, and another attempt at misdirecting this Hon'ble Tribunal. The Respondents in the cited case were as follows:

Sr. No.	Name of Hotel	Observations/deficiencies
1.	Hotel Holiday Regency	i. 01 No. of Borewell with meter ii. No permission for installation of borewell



Sr. No.	Name of Hotel	Observations/deficiencies
2.	Hotel Clark Awadh	i. 3 Nos. of borewells ii. No permission from CGWA
3.	Hotel Country Inn & Suits by Carlson	i. 02 Nos. of borewell ii. CGWA permission for 01 borewell only
4.	Hotel Radisson Blu	i. Water supply from Ghaziabad Nagar Nigam ii. 01 borewell iii. No permission from CGWA iv. The borewell was found disconnected at the time of inspection and report says that as per the information of hotel authorities, borewell was not in use
5.	Hotel Sunshine Park	i. Water supply line of Ghaziabad Nagar Nigam ii. No borewell

“

It is clearly seen how the Respondents in *Shailesh Singh* as well, were large hotels with daily requirements of water running up to 650-700 Kilo Litres per day. The same is entirely distinguishable from the current factual scenario, where the Respondent No. 2 is using the borewell solely for domestic purposes.

16. It is submitted that the DPCC has a fixed monetary compensation which it levies, if there is no information on pump capacity, pumping duration, diameter of the pump, etc. The same is duly enshrined in the Circular bearing No. DPCC/MS/OA/25/2020/2070. From the circular, the EDC to be levied

in the absence of usage data is a lumpsum of Rs. 30,000/- (Rupees Thirty thousand only) for domestic usage. The DPCC has already levied a compensation of Rs. 3,00,000/- which is already ten times the lumpsum amount prescribed in the circular. The values adopted by the Applicant have been assumed without any evidence, regarding the capacity of the pump, or the duration of pumping. The applicant has simply sought to somehow manufacture the calculation in such a way so as to come up with the highest possible figure, to unnecessarily harass the Respondent No. 2. Therefore, any adjudication on the application will only end up wasting important judicial time and must be dismissed at the threshold.

A copy of the Circular issued by the DPCC dated 9th July 2020 has been annexed hereto as **Annexure C**.

17. PARA-WISE REPLY ON MERITS:

Para 1: The contents of Para 1 are a matter of record and merit no specific reply.

Para 2: The contents of Para 2 are wrong and denied. It is denied that the Respondents are part of a "builder lobby" or acting in collusion for illegal purposes. It is submitted that the groundwater from the borewell is being solely and exclusively used for domestic purposes. The allegations regarding the water being used for construction of any complex are denied in their entirety, and the Applicant is put to strict proof of the same.

Para 3: The contents of Para 3 are wrong and denied. It is specifically denied that the extraction was done "without any permission or authorization." As established by the Joint Committee Report dated 25.01.2025, the Respondent No. 2 has held a valid registration certificate bearing no. DLOFAL/67703 from the CGWA before 1999, which is when the borewell was constructed. It is also denied that there has been any continued violation of any directions issued by this Hon'ble Tribunal, or any statutory authority. The SDM had issued a sealing order dated 20th August 2024, which was prior to the institution of this OA. Hence, there has been no continuous violation by the Respondent No. 2 of any law in force. The Respondents have always been



law-abiding citizens and have not violated the directions of this Hon'ble Tribunal or the Hon'ble Supreme Court.

Para 4: The contents of Para 4 are denied in their entirety. It is denied that illegal activity has continued for more than 15 years. The Applicant has come up with this timelines of their own volition, and without any supporting evidence. The borewell has, since its construction, only ever been used for domestic purposes. The valuation of the project at "300 crores" is a figment of the Applicant's imagination, invented solely to inflate the claim for environmental compensation.

Para 5: The contents of Para 5 are wrong and denied. It is denied that the Respondents' activities have caused severe depletion, contamination, or loss in availability of ground water. The water from the borewell has only ever been used for domestic purposes, and has had no adverse impact on the environment whatsoever. The extraction was within the ambit of the registration granted.

- That there has been a violation of Rule 7(3) of the CGWA Guidelines (2019) is vehemently denied, since there are only five rules in the guidelines, and no such Rule 7(3) is in existence in the first place.
- It is denied that there is any requirement for domestic users to retain monitoring results and records under any law currently in force.
- It is admitted that Rule 9.0 (i) of the MoJS Notifications require a digital water flow meter in the manner propounded by the Applicant. However, it is vehemently denied that the Respondent No. 2 is in violation of the rule, since they fall under the exemption, explicitly provided for in the same notification:

“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”

- Since the Respondent No. 2 did not need an NOC in the first place, none of the requirements for obtaining an NOC are applicable to them.

- It is vehemently denied that the Respondent No. 2 is in violation of the Order dated 21.07.2021 of the NGT in *Paryavaran Suraksha Samiti v Union of India*.
- It is vehemently denied that the Respondent No. 2 is in violation of the directions issued by this Hon'ble tribunal in *Shailesh Singh*, since the factual scenario at hand is completely distinguishable from that in *Shailesh Singh*.
- It is denied that the DPCC has levied the compensation only on the basis of dust. It is submitted that the lumpsum compensation of Rs. 3,00,000/- has been levied in excess of existing norms and procedures. It includes the total compensation for all violations, including the dust and usage of ground water
- It is denied that the water from the borewell is being used till date, since the borewell has been sealed since 20th August 2024. It is also denied that there has been no proper calculation of ground water, since the DPCC has already levied the EC based on the alleged violations of norms, including those related to ground water.

Para 6: The contents of Para 6 are denied in toto. It is denied that the Respondents fall under the definition of "polluter" in the context of this case. The Respondent No. 2 has a valid license for the borewell, and has only used the borewell for domestic purposes. It is denied that there has been any damage to the environment, people, or otherwise, for which the Respondent No.2 has been held liable.

Para 7: The contents of Para 7 are denied. The "Polluter Pays" principle is completely inapplicable to the current factual matrix, since there has been no damage to the environment by the conduct of the Respondent No. 2, and neither has the same been sought to be proved. It is applicable where environmental damage is quantified and proven. The Applicant has failed to prove any environmental damage and is merely relying on assumptions. It is denied that the Respondent No. 2 has utilised the groundwater for any construction activity, and obtained any commercial benefit from the use of the groundwater.



Para 8: The contents of Para 8 regarding the powers of this Tribunal are matters of law and admitted to that extent. However, it bears repeating that the DPCC has already calculated the EC to be paid, in the event that groundwater extraction is held to be illegal. Repeating the exercise would only waste valuable state resources and time.

Para 9: The contents of Para 9 regarding the powers of this Tribunal are matters of law and admitted to that extent. However, the averments relating to the Respondent No. 2 violating any principles are vehemently denied.

Para 10: The contents of Para 10 are denied. The prayer for "immediate assessment" is redundant as the Joint Committee has already inspected the site. The DPCC has also already assessed the EC, which is already in excess of that prescribed in the circular bearing no. No. DPCC/MS/OA/25/2020/2070. The Applicant, rather than praying for calculation based on established principles, wants to import her own calculations, with the sole view to harass the Respondents.

REPLY TO GROUNDS:

Ground A (Violation of NGT Orders): Denied. The Respondent No. 2 have a duly obtained license from the CGWA. Further, as domestic users, they are exempt from the NOC paradigm, and as such, the two cited precedents are completely distinguishable on facts from the present scenario.

Ground B (Liability under Section 17): Denied. The liability under Section 17 requires proof of damage, which the Applicant has squarely failed to discharge. There has been no illegal extraction of groundwater for any commercial purpose, the ground water has only been utilised for domestic purposes by the Respondent No. 2, and no monetary profit has accrued to Respondent No.2 as a result of the borewell.

Ground C (Sustainable Development): Denied. The Respondents are committed to sustainable development and have not violated any of its principles. There has been no continued use for commercial purpose, as has been alleged, without an iota of evidence.

REPLY TO "SUGGESTION/ASSUMPTION FOR PENALTY":

- The tables and calculations provided by the Applicant are vehemently denied, for the reason of being baseless and unsupported by evidence.
- All the entries in the table, i.e. Area, Duration, Total Water, Daily Extraction and Compensation provided by the Applicant are entirely based on assumptions, without any supporting scientific evidence.
- The entire calculation is merely a calculated and manufactured attempt at coming up with the highest possible number, so as to harass the Respondent No. 2.
- There is no indication as to how the numerical compensation has been arrived at.
- The assumption of "Scenario A/B" regarding rooms is hypothetical.

It is humbly submitted that even presenting such a bogus calculation before this court must merit strict censure and heavy costs. The entire application has been filed *prima facie*, only to harass the Respondent No. 2 and is completely vitiated by the *mala fides* of the Applicant.

PRAYER

In view of the above-mentioned position of law and factual matrix, as well as the *mala fides* of the Applicant, it is respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) Dismiss the misplaced application of the Applicant with heavy costs
- b) Pass such further orders or directions which it may see fit in the interests of justice

RESPONDENT NO. 2

THROUGH



Advocate Roshan Santhalia [D/556/2011]
Advocate Aayush Mishra [D/12751/2024]
Advocate Kavya Arora [MAH/9001/2024]

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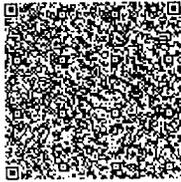
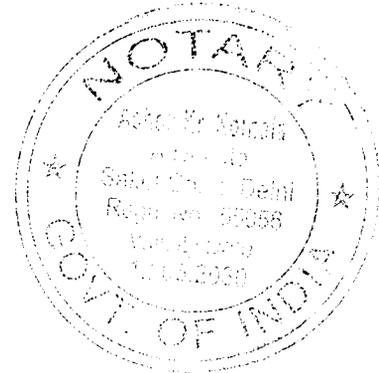
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SITTING AT
NEW DELHI
MEMORADUM OF APPLICATION

OA No- 1357/2024

(Under Section 18(1) read with section 14 And 15, 17, 19 & 20 of the National
Green Tribunal Act, 2010)

IN THE MATTER OF:

Rashi Sharma

...Applicant

Versus

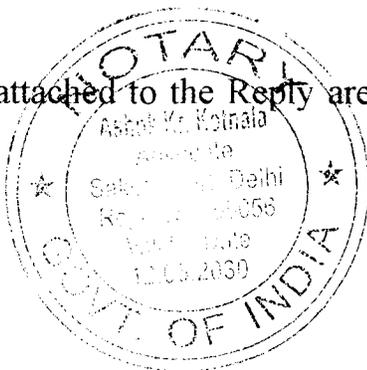
Harmeet Singh & Ors

...Respondents

AFFIDAVIT

I, Anil Bagai, S/o Late Sita Ram Bagai, aged about 70 years, R/o 42, Bungalow Road, Kamla Nagar, Delhi-110007, do hereby solemnly affirm and declare as under:

1. That I am the Respondent No. 2 in the above-titled matter and am well-acquainted with the facts and circumstances of the case, and as such, am competent to swear this affidavit.
2. That the accompanying Reply to the Application for Recalculation and Enhancement of Environmental Compensation has been drafted by my counsel under my instructions.
3. That the contents of the accompanying Reply from Paragraphs 1 to 17 are true and correct to my knowledge based on the records of the case. The legal submissions made therein are based on the advice of my counsel, which I believe to be true.
4. That the annexures attached to the Reply are true copies of their respective originals.



5. That no part of this affidavit is false, and nothing material has been concealed therefrom.

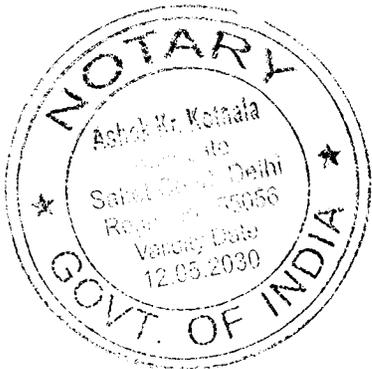
DEPONENT

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I solemnly affirm the contents of this affidavit to be true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

VERIFICATION

Verified at New Delhi on ~~17th~~ **17th JAN 2026** of January 2026, that the contents of the above affidavit are true and correct to the best of my knowledge and belief, and no part of it is false and nothing material has been concealed therefrom.

DEPONENT



ATTESTED
A. Kumar
NOTARY PUBLIC
GOVT. OF INDIA

17 JAN 2026

Annexure-R-5/2 (6)

**Department of Environment
Govt. of NCT of Delhi****Standard Operating Procedure**

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon'ble National Green Tribunal in Original Application No. 685/2019 entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi vide its order dated 15.05.2020 directed as under:

"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure /prohibition of illegal activities regarding operation of

(7)

borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued with the approval of Hon'ble Lt. Governor on 18th May, 2010 and on 10th January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. Standard Operating Procedure (SOP):

- 1) Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.
- 2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.
- 3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for



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taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

- 4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.
- 5) In case the illegal borewell/tubewell is already constructed/operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

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- 6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.
- 7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.
- 8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.
- 9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.
- 10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

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- 11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

- 12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

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ANNEXURE B

**CONSOLIDATED MoJS
GUIDELINES TO REGULATE
AND CONTROL GROUND
WATER EXTRACTION IN INDIA**

**[MoJS Notification dated 24.09.2020 with
Amendment Notification dated 29.03.2023]**

**Central Ground Water Authority
18/11, Jamnagar House, New Delhi**

Disclaimer: Consolidated Guidelines are compilation of MoJS Guidelines dated 24.09.2020 published in the Gazette of India vide Notification number S.O. 3289 (E) or its Amendment Notification dated 29.03.2023 published in the Gazette of India vide Notification number S.O. 1509 (E), and are for ready reference only. Guidelines dated 24.09.2020 are in **Black** colour font and amendments (insertions/substitutions) dated 29.03.2023 typed in **Blue** colour font. Discrepancy observed in this document if any, may be inadvertent and such case the provisions in original documents i.e. Notified Guidelines dated 24.09.2020 (including annexure therein) and Notified Amendment dated 29.03.2023 including (annexures therein) shall prevail.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE

Guidelines to regulate and control ground water extraction in India

(with immediate effect)

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- Annexure II: Guidelines for construction of piezometers and monitoring of groundwater levels and quality.
- Annexure III: Measures to be adopted to ensure prevention from pollution in the plant premises of polluting industries/ projects.
- Annexure IV: Outline of hydro-geological report for obtaining No Objection Certificate for industries.
- Annexure V: Format of the Report on ground water conditions (for mining projects).
- Annexure VI: Indicative list of location specific Infrastructure projects.
- 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.
- Annexure VIII: List of States/ Union territories where ground water extraction is being regulated by Central Ground Water Authority (CGWA)
- Annexure IX: Glossary of technical terms used
- Annexure X : 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 14th January, 1997 to exercise powers under sub section (3) of section 3 of the Environment (Protection) act, 1986 (29 of 1986) for the purposes of regulation and control of Ground Water Management and Development and to exercise certain powers and perform certain functions as per the said Act.

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

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

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

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

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

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

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

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

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.
- (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 m³/day subject to the conditions mentioned in Para 2.0 of the guidelines.
 - (b) Dwelling units for Economically Weaker Sections (EWS) under Government schemes.

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.

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.

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

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

Documents to be submitted with the application

- a) Details of water requirement computed as per National Building Code, 2016 (Annexure I), taking

into account recycling/ reuse of treated water for flushing etc.

- b) Affidavit on non-judicial stamp paper of Rs. 10/- by the applicant, confirming non/ inadequate availability of public water supply in case of users requiring ground water up to 10 m³/ day for drinking/ domestic use.
- c) Certificate of non-availability of water from local government water supply agency in cases requiring ground water in excess of 10 m³/ day for drinking/ domestic use. Government water supply agencies applying for No Objection Certificate shall submit copy of government approval of the scheme/ project proposed to be implemented.
- d) 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.

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

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 water audit report including an audit of water use as mentioned in the relevant sections. CGWA/ State Ground Water Authority (SGWA) shall publish all such audit reports online.

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

4.1 Industrial Use

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

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

- i) No Objection Certificate shall be granted only in such cases where local government water supply

agencies are not able to supply the desired quantity of water.

- ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
- iii) All industries abstracting ground water in excess of 100 m³/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.

- 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 m³ /day of ground water for Hard rock aquifer type and more than 500 m³ /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.

- v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
- vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
- vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution (Annexure III).
- viii) All industries drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Tables 5.2 A and 5.3 A.
- ix) All existing industries drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as applicable as per Tables 5.2 B and 5.3 B.

Documents to be submitted with the application

- (a) An affidavit on non judicial stamp paper of Rs. 10/- regarding non availability of water supply from local government agencies in cases where ground water requirement is up to 10 m³/day.
- (b) Certificate regarding non/ partial availability of fresh water/ treated waste water supply from the local government water supply agency in cases where requirement of ground water is more than 10 m³/day.
- (c) 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.

- (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.
- (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.
- (f) **Impact Assessment report:** All projects extracting/proposing to extract ground water in excess of

100 m³/day in Over-exploited, Critical and Semi-critical areas and in excess of 500 m³/day in areas underlain by non-alluvium and 2000 m³/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**.

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 100 m³/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.**
- 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) 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.
- (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**.
- (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.

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.

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**.

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

- i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data through the web portal to CGWA/SGWA as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by CGWA/SGWA.
- ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³/day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc.
- iii) For infrastructure dewatering/ construction activity, No Objection Certificate shall be valid for specific period as per the detailed proposal submitted by the project proponent.
- iv) All infrastructure projects drawing ground water in safe, semi-critical and critical assessment units shall be required to pay ground water abstraction charges as applicable as per Table 5.3 A.
- v) All infrastructure projects (new/ existing) drawing ground water in over-exploited assessment units shall be liable to pay ground water restoration charges as per Table 5.3 B.
- 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.

Documents to be submitted with the application

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

5.0 Ground water abstraction/ restoration charges

All residential apartments/ group housing societies/ Government water supply agencies in urban areas shall

be required to pay ground water abstraction charges.

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

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

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

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

5.1 Rates of Ground water abstraction /restoration charges

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

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

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

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

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

II. Packaged Drinking Water units

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

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

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

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

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

III. Other Industries & infrastructure projects

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

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

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

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

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

IV. Mining projects

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

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

S.No.	Category	Quantum of ground water withdrawal
↓		

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	of area Ground water use	< 200 m ³ /day	200 to <1000 m ³ /day	1000 to <5000 m ³ /day	5000 m ³ /day and above
1.	Safe	1.00	2.00	2.50	3.00
2.	Semi-critical	2.00	2.50	3.00	4.00
3.	Critical	3.00	4.00	5.00	6.00

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

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

6.0 Bulk Water Supply

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

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.

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

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

7.0 Abstraction of Saline ground water

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

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

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.

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

9.0 General compliance conditions in No Objection Certificate

- 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. 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 5.
- 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.
- 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 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.

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.

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- 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

In other than industrial areas as mentioned hereafter, all the project proponents (drawing ground water more than 100 m³ /day of ground water for Hard rock aquifer type and more than 500 m³ /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.

S. 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

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

15.0 Environmental Compensation

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

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

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

Rates of Environmental Compensation:

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

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

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

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

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

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

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

Table 15.3: EC_{GW} for Industrial units

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

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

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.

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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) Functional / 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 water conservation structures/ recharge structure	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

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.

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

S. No.	Items	Charges in Rs.
1	Change in recharge quantum (Now Deleted)	40000
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 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.
- 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.

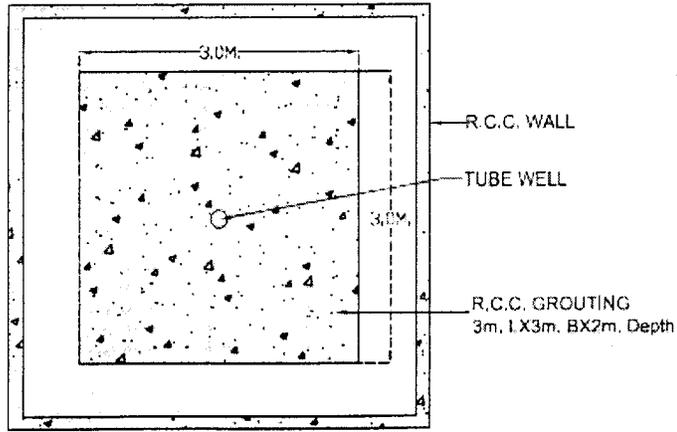
Annexure III

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

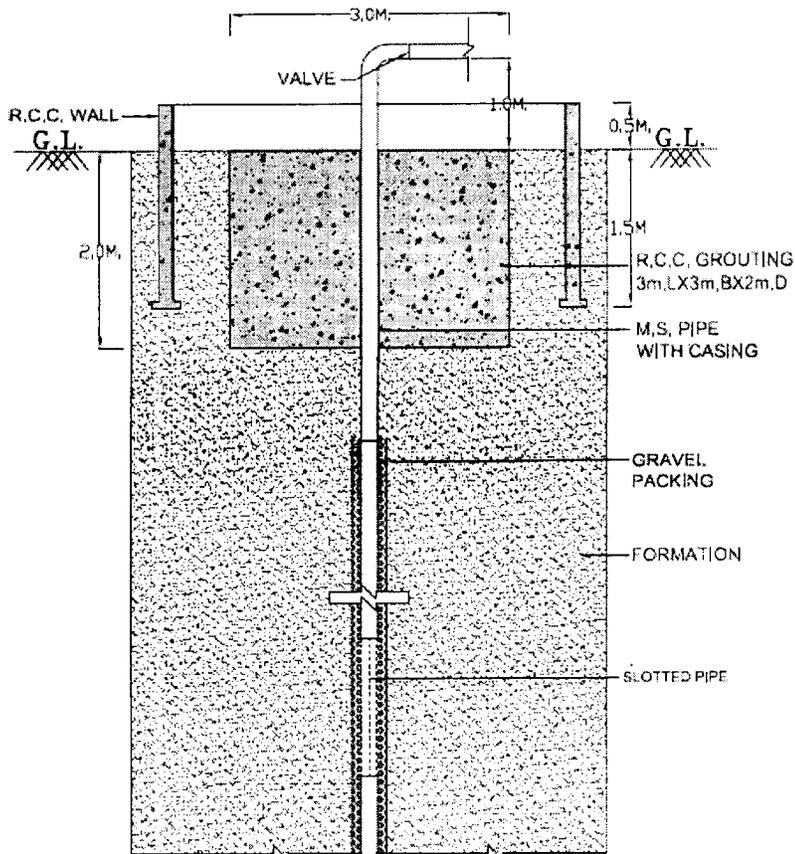
It has been observed that ground water in and around polluting industries like Tannery, Slaughter Houses, Dye, Chemical, Coalwashery, other hazardous units, etc., is polluted. In order to prevent further deterioration of ground water quality, it is essential to take all necessary measures for well head 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.

Plan/ Sectional diagram showing well head protection



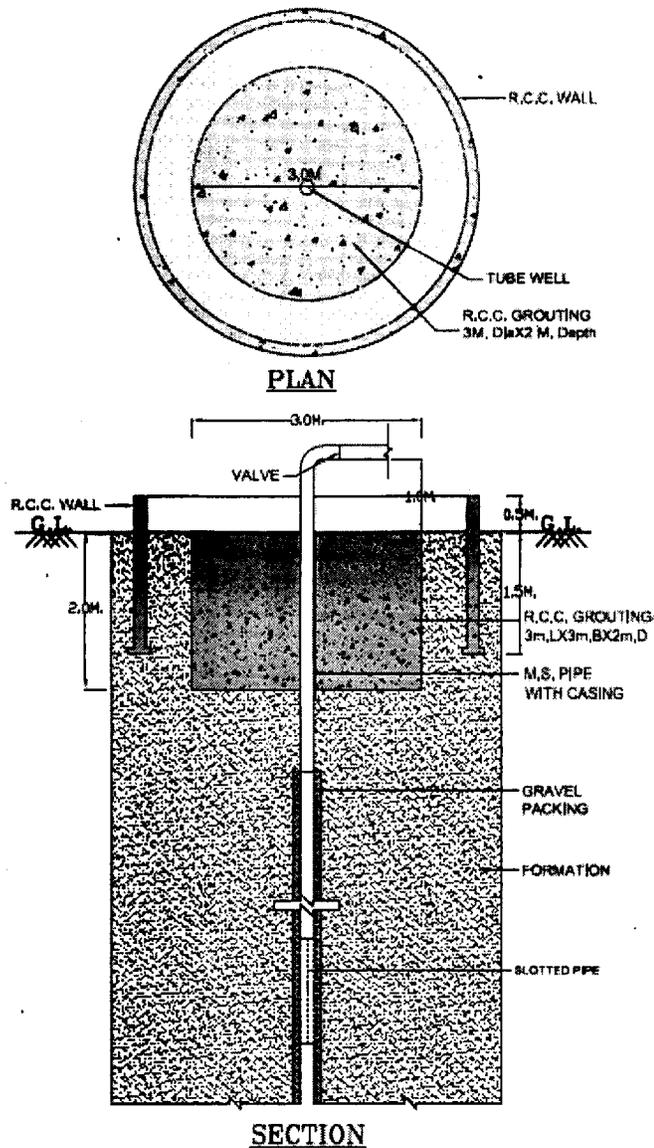
PLAN



SECTION

2

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.

DM

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 location specific Infrastructure projects

Special Economic Zone
Metro Station/Railway Station & Bus Depot
Airport, Seaport, Logistics, Cargo & Warehouse
Highway Infrastructure
Fire station
Hospitals & Nursing Homes
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.

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.

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- (xi) District Collector should be empowered to verify that the above guidelines are being followed and proper monitoring check about the status of bore holes/ tube wells are being taken care through the concerned state/ Central Government agencies.
- (xii) District/ Block/ Village wise status of bore wells/tube wells drilled viz. No. of wells in use, No. of abandoned bore wells/ tube wells found open, No. of abandoned bore wells/ tube wells properly filled up to ground level and balance number of abandoned bore wells/ tube wells to be filled up to ground level is to be maintained at District Level.

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

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

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

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

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

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

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

.....J.
[SWATANTER KUMAR]

New Delhi,

August 6, 2010

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

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

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.

Annexure IX

Glossary of technical terms used

1. **Safe area:** Area categorized as SAFE from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organizations. Details available on the websites of NOCAP and CGWB.
2. **Semi-critical area:** Area categorized as SEMI-CRITICAL from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organizations. Details available on the websites of NOCAP and CGWB.
3. **Critical area:** Area categorized as CRITICAL from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organisations. Details available on the websites of NOCAP and CGWB.
4. **Over-exploited area:** Area categorized as OVER-EXPLOITED from the ground water resources point of view, based on the latest ground water resources assessment carried out jointly by CGWB and State ground water organisations. Details available on the websites of NOCAP and CGWB.

5. **Aquifer:** Geological formation capable of storing and transmitting ground water.
6. **Deeper Aquifer:** In areas having multiple aquifer system, the aquifer(s) occurring below the uppermost aquifer.
7. **Well:** Any structure used for the extraction of groundwater, including open wells, dug wells, bore wells, dug-cum-bore wells, tube wells, filter points, collector wells, infiltration galleries, recharge wells, or any of their combinations or variations.
8. **Government Agency:** May be Central or State Government body.
9. **Supplier:** Government/ Government approved Water Supply Agency.
10. **Mine:** Area where mining activity is taking place, or area abandoned after mining.
11. **Illegal Ground Water abstraction Structure:** Any energized abstraction structure viz. dugwell, tubewell, borewell which is being used to withdraw ground water without valid No Objection Certificate from Central Ground Water Authority.
12. **Rainwater Harvesting:** The technique or system of collection and storage of rainwater, at micro watershed scale, including roof-top harvesting, for future use or for recharge of groundwater.
13. **Mining Project:** Project which involves mining activity either open cast or underground or both.
14. **Ground Water Draft:** Quantum of ground water withdrawal.
15. **Saline Water:** Water having salinity in excess of 2500 μ siemens/cm at 25°C.
16. **Water Table Intersection:** Intersection of the water table on excavation of the overlying material due to mining or other activities.
17. **Drinking and domestic use:** 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.
18. **Recycle/Reuse:** Using treated waste water for various purposes/ putting water to multiple uses.
19. **Government Department:** Either Central Government or State Government.
20. **Municipality:** Municipality, a Municipal Corporation or similar body of local urban governance by any other name.
21. **Groundwater:** Water, which exists below the surface in the zone of saturation and can be extracted through wells or any other means or emerges as springs and base flows in streams and rivers;
22. **Bgl :** Below Ground Level.
23. **BCM :** Billion cubic metres.
24. **Groundwater Abstraction structure:** Structure used to withdraw groundwater like bore well / tube well / dug well/dug cum bore well/tunnel well.
25. **Observation well or Piezometer:** A bore well/tube well used only for measuring the water level/piezometric head and to take water sample periodically but not used for groundwater abstraction.
26. **Water Audit:** A method of quantifying water use in simple or complex systems, with a view to reducing water usage and often saving money on otherwise unnecessary water use.
27. **Ground water pollution:** If concentration of any parameter in ground water exceeds the maximum permissible limit for drinking water prescribed by the Bureau of Indian Standards.
28. **Cooperative Group Housing Societies/ Builder flats:** A Housing Society is a society formed by house owners within a residential complex. The housing society formed must be formally registered with registrar of co-operatives.
29. **KLD –** Kilo Litre per day
30. **EC_{GW}** - Environmental compensation for drawing illegal ground water.
31. **EC_{GWR}** - Environmental compensation rates for drawing illegal ground water.

ANNEXURE X**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.



ANNEXURE C

DELHI POLLUTION CONTROL COMMITTEE
4th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
Website: <http://dpcc.delhigovt.nic.in>

F.No. DPCC/MS/OA No.25/2020/270

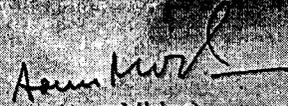
Dated: 09 July 2020

Circular

Hon'ble NGT in OA No. 25/2019 (Abdul Farukh Vs Govt of NCT of Delhi) wrt illegal extraction of ground water has issued number of directions. Chief Secretary, NCTD in the meeting dated 15.11.2019 has directed DPCC to levy Environmental Compensation (EC) on the violators. As details of pump capacity, pumping duration diameter of the pump etc are not available in the lists provided by DJB, following EDC slabs are to be levied depending on the purpose for which the extracted ground water was/is being used.

1. Lump sum EDC of Rs. 30,000/- (Rupees thirty thousand only) for domestic usage.
2. Lump sum EDC of Rs. 1,00,000/- (Rupees one lakh only) for commercial/institutional usage.
3. Lump sum EDC of Rs. 2,00,000/- (Rupees two lakhs only) for industrial usage.
4. Wherever details of water consumption are available, EDC shall be calculated based on the actual water consumption and as per the formula devised by CPCB and accepted by Hon'ble NGT.

Environmental Compensation (EC) be taken as interim compensation and can be levied on violators for arriving at EC are made available by District


(Arun Mishra)
Member Secretary

Copy to:

1. All the CMCs
2. EIA Cell
3. WMC-I, II and III
4. PS to the Chairman, DPCC for information of the Chairman, DPCC

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ANNEXURE C



DELHI POLLUTION CONTROL COMMITTEE
4th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
Website: <http://dpcc.delhigovt.nic.in>

F.No. DPCC/MS/OA No.25/2020/270

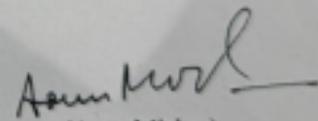
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4. Wherever details of water consumption are available, EDC shall be calculated based on the actual water consumption and as per the formula devised by CPCB and accepted by Hon'ble NGT.

The above amounts of lump sum EC be taken as interim compensation and can be altered whenever further details crucial for arriving at EC are made available by District authorities/DJB.


(Arun Mishra)
Member Secretary

Copy to:

1. All the CMCs
2. EIA Cell
3. WMC-I, II and III
4. PS to the Chairman, DPCC for information of the Chairman, DPCC