

REPORT OF THE OVERSIGHT COMMITTEE, NGT, U.P, LUCKNOW

IN THE MATTER OF:-

ORIGINAL APPLICATION NO. 176/2015

SHAILESH SINGH

VERSUS

HOTEL HOLIDAY REGENCY, MORADABAD & ORS.

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**SUPPLEMENTARY REPORT OF OVERSIGHT COMMITTEE, NGT, UP LUCKNOW IN OA
NO.176/2015: IN RE: SHAILESH SINGH VS. HOTEL HOLIDAY REGENCY, MORADABAD & ORS**

I. BACKGROUND

The issue of groundwater depletion was considered by the Hon'ble Supreme Court vide its order dated 05.12.1996 and judgment dated 10.12.1996 on the basis of news item published in Indian Express dated 18.03.1996 under the caption "Falling Groundwater Level threatens City". The Central Ground Water Board (CGWB) had filed an affidavit before the Hon'ble Supreme Court that from 1962 onwards the water levels were declining on account of enhanced pumpage. The Ministry of Water Resources (MoWR) ("Now, Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, MoJS, since 2019) had filed its affidavit dated 24.10.1996 that there was over exploitation of the groundwater in certain areas. The Government of India circulated a model bill to States/UTs in the year 1970 to remedy the situation. It was for the States to take further steps as water is state subject.

II. ORDERS PASSED BY HON'BLE NATIONAL GREEN TRIBUNAL IN O.A 176/2015

On 10.12.1996, the Hon'ble Supreme Court held that *The Central Government in the Ministry of Environment and Forest shall constitute the Central Groundwater Board as an Authority under Section 3(3) of the Act. The Authority so constituted shall exercise all the powers under the Act necessary for the purpose of regulation and control of groundwater management and development.* Several petitions have been filed before the Tribunal since 2012 with the grievance of rampant illegal drawal of groundwater by hotels, industries and builders for commercial purposes with no effective check by the CGWA as per mandate of law laid down by the Hon'ble Supreme Court.

On 26.07.2018 (in OA 59/2012) it was noted that the problem was not confined to NOIDA, Greater NOIDA, Delhi and NCR. The situation in Over exploited, critical and semi critical (OCS) regions throughout India called for stringent regulation for ground water extraction. The Tribunal thus took up the issue of effective enforcement of regulatory measures pan India in all OCS areas.

Vide order dated 28.08.2018, the Tribunal noted the CGWA stand that it was regulating only some areas notified by it and its notification did not include all the OCS areas which had already been identified and notified by the CGWA, having regard to the depletion of groundwater level.

Vide order dated 22.11.2018 The Tribunal noted the following issues:

- i. *CGWA repeatedly disowned its responsibility on the plea that regulation of ground water was a State subject, contrary to the mandate in the judgment of the Hon'ble Supreme Court in M.C Mehta (Supra).*

ii. CGWA was failing to regulate drawal of ground water in OCS on the ground that it had not issued a notification except for some areas, and without such notification, there was no need for regulating extraction of ground water even in OCS.

iii. Extraction of ground water for commercial purposes was being allowed in OCS just by a mechanical condition that the ground water will be recharged, without ensuring compliance of such condition.

iv. Underground water was being illegally allowed to be extracted for constructions, bottling plants, swimming pools etc. without any impact study or effective steps for rain water harvesting for recharge of the ground water in OCS areas.

v. CGWA was repeatedly taking the plea that charges were being collected for permitting drawal of underground water for commercial purposes in OCS against the Precautionary Principle, Sustainable Development as well as Intergenerational Equity Principles. The charges were too less compared to the cost to the environment.

vi. While the use by agriculturists needed to be appropriately addressed, extraction for commercial purpose in OCS areas stood on different footing in law from extraction for drinking purposes and agriculture.

Vide order dated 3.01.2019 in purported compliance of order of this Tribunal, MoJS issued Notification dated 12.12.2018. The notification was far from bringing forward an effective model of regulation as mandated in the Supreme Court and Tribunal orders. It rather liberalized drawal of ground water in OCS areas. Vide order dated 11.09.2019 the Tribunal noted MoEF stand that in OCS areas, ground water extraction could be allowed only for drinking and domestic purposes. However, regulatory regime suggested was not effective. The CPCB report regarding compensation was accepted as interim arrangement and directions were issued for further examination to lay down stringent regulatory regime.

Order dated 20.7.2020 focused upon the issues and the directions given in few related cases viz. O.A. 496 of 2016, O.A.681 of 2018, O.A. 1038 of 2018, O.A. 325 of 2015 and O.A. 148 of 2016. Moreover, a recent judgment of Madras High Court in case M/S. Sarooja Agro Foods v. The Chief Engineer was also considered. Taking into account the seriousness of matter and reviewing the earlier orders as well as the compliance, the Tribunal passed the following directions:

a. MoJS may ensure requisite manning and effective functioning of CGWA so as to ensure sustainable ground water management in terms of the Hon'ble Supreme Court mandate by which CGWA was created.

b. Let CGWA and MoJS comply with the directions of this Tribunal in orders dated 3.1.2019, 7.5.2019 and 11.9.2019, to have a meaningful regulatory regime and institutional mechanisms for ensuring prevention of depletion and unauthorized extraction of ground water and sustainable management of groundwater in OCS areas.

c. As per orders dated 3.1.2019, undertaking an impact study in light of projected data for the next 50 years (in phased manner with action plan decade-wise).

d. There must be no general permission for withdrawal of ground water, particularly to any commercial entity, without environment impact assessment of such activity on individual Assessment units in cumulative terms covering carrying capacity aspects by an expert committee. Such permission should as per Water Management Plans to be prepared in terms of this order based on mapping of individual assessment units. Any permission should be for specified times and for specified quantity of water and not in perpetuity, and be necessarily subject to digital flow meters which cannot be accessed by proponents, with mandatory annual calibration by authorized agency at proponents' cost. An annual review by independent and expert evaluation must audit and record ground water levels as well as compliance with the conditions of the permission. Such audits must be published online for transparency and to track compliance and year-on-year change in ground water levels, and swift action taken against those who fail audit, including withdrawal of permission, blacklisting, initiation of prosecution and recovery of deterrent compensation as per CPCB regime. Records must be maintained online and for a sufficient and reasonable time.

e. All OCS assessment units must undergo water mapping. Water Management Plans need to be prepared for all OCS assessment units in the country based on the mapping data, starting with Overexploited blocks. The Water Management Plans, data on water availability or scarcity and policy of CGWA must be uploaded on its website for transparency and public involvement. Such exercise may be done expeditiously, preferably within next three months.

III. MONITORING BY OVERSIGHT COMMITTEE, NGT

In view of the directions passed by Hon'ble NGT, the Oversight Committee reviewed the compliance status vide meeting dated **15.08.2020**. The minutes of meeting are presented below:

1. Total number of over-exploited, critical, semi-critical and safe blocks in the State: Shri P.K. Tripathi from CGWA/CGWB informed that as per the Dynamic Ground Water Resources Assessment Report of year 2017 published in year 2019, there are at present 91 over exploited areas, 48 critical areas, 151 semi-critical areas and 540 in safe category out of a total of 830 assessment units in the State of Uttar Pradesh.

2. Permissions to industries for groundwater withdrawal: Shri P.K. Tripathi reported that the CGWA/CGWB is granting NOCs in OCS areas for drinking and domestic use or green belt use only as per the directions of orders dated 15.4.2015, 13.7.2017, 3.1.2019 and 20.07.2020. New industrial units are not being granted permissions. Moreover, no fresh NOC as well as renewal NOC is being granted to industrial units in OCS areas. In other areas for giving NOCs upto 10 KLD in the State of Uttar Pradesh, the CGWA has appointed the Regional Director, CGWB/CGWA, Lucknow as authorized officer under section 4 of the Environment (Protection) Act, 1986. The Regional Office of CGWB/CGWA, Lucknow had been receiving online applications for NOC and granting NOCs in accordance with law. The applications for NOC beyond 10 KLD are processed and recommended by CGWB, Lucknow to CGWA, New Delhi for grant of NOCs.

3. Mandatory conditions: With due regard to directions, the CGWA had been granting NOCs as per the guidelines of year 2015. Where ever violations of illegal ground water extraction or conditions of NOC are reported coercive measures are being taken as per water extraction for commercial purpose in some cases could be on the basis of consent to operate granted by Pollution Control Board or on the basis of BIS Certificate or FSSAI clearance. The applicants are required to submit recharge proposals along with the NOC application. Quantum of recharge is based on catchment area, rain fall (long term) and design of rain water harvesting structure at the time of site inspection. If it is observed that the recharge structures have been constructed as per the design provided in the application then the firm is considered to be compliant otherwise the firm is considered to be non-compliant and show cause notices are issued to firm and penalty under section 15 of the Environment (Protection) Act, 1986 is imposed in case of no satisfactory compliance. No application is renewed if any of the stated conditions (in the guidelines) are not being complied with. The Pollution Control Board, CGWA, CPCB also carries out inspections from time to time as per directions of the Hon'ble NGT. The Committee directed the CGWA/CGWB to submit the copy of list of NOC issued in Uttar Pradesh.

4. New guidelines for evaluation of proposals/requests for ground water abstraction: Shri P.K. Tripathi, CGWB/CGWA, stated that new guidelines were formulated in 2015. Copy of the same provided to the Committee.

5. Enforcement by District Magistrate: Official from CGWB informed that CGWA in exercise of powers conferred under Section 4 of Environment Protection Act, 1986 had appointed District Magistrate as Authorised Officers for the purpose of enforcement of directions of CGWA in the respective revenue areas under his/her jurisdiction and conditions laid down in the No Objections Certificates for ground water withdrawal by the Authority. However, till date no such enforcement reported in Uttar Pradesh. The Committee was of the view that said manner of enforcement suggests that nothing is being monitored at ground level and illegal extraction is prevalent.

6. State Ground Water Act,2019: Official from CGWA/CGWB informed that after notification of the Uttar Pradesh Ground Water (Management and Regulation) Act, 2019(UP Act No. 13 of 2019) on 07.08.2019 and the Uttar Pradesh Ground Water (Management and Regulation) Rules, 2020 on 25.02.2020, and constitution of State Ground Water Management and Regulatory Authority with Chief Secretary, Govt. of Uttar Pradesh as Chairman and Director, State Ground Water Department as Member Secretary, under section 7 of the Uttar Pradesh Ground Water (Management and Regulation) Act, 2019, now the Ground Water Regulation and Management (including grant of NOCs for ground water extraction) in the State of Uttar Pradesh is to be done in accordance with the aforementioned Act and Rules. However, till date it is not clear who will regulate and monitor the various aspects related to groundwater extraction in the state. In the new Act, in notified areas the existing consumer shall have to apply for registration and in other areas consumers will have to apply for authorization. New Act has also introduced fee for ground water extraction. The Committee noted that it is grey area and needs attention whether CGWA shall continue to grant permissions and monitoring work as before or it will be done as per the new ACT in the State of U P.

7. Water mapping in the State: Shri PK Tripathi from CGWA/CGWB informed that the State is being covered in phased manner. Most of the western UP has been covered. Some of the reports have already been uploaded on CGWA/CGWB web site. In some of the districts, data generation is still going on and the reports will be prepared after its completion.

8. Impact Study: No Impact Study had been undertaken. However, a study was undertaken in Ghaziabad Municipal Area in 2015 to assess the changes over time.

9. Action against defaulters: The CGWB submitted that EC had been imposed on 5 units and amount has been realised from all. The details were as follows:

Date	Paid by	Paid to	Amount
17.2.2017	C.L.Gupta Exports Pvt. Ltd, Jivai, JP Nagar, UP	CGWA	20,00,000.00
30.3.2017	M/s Beltech Canadian Water Ltd, NOIDA UP	CGWA	10,00,000.00
10.8.2018	M/s Fast Food Pvt. Ltd, Rajapur,UP	CGWA	4,20,607.00
10.9.2018	CISF, Delhi/NBCC	CGWA	1,00,000.00
10.9.2018	BPRD, Delhi/NBCC	CGWA	1,00,000.00

The above list revealed that after September 2018 no EC was imposed/ realized. UPPCB informed that it had also taken coercive action against units that were not complying the NOC conditions. The Committee directed UPPCB to submit the complete list of defaulters and the details of action taken against them.

10. Mandatory condition of water flow meters/ digital flow meters: Shri P.K. Tripathi reported that wherever NOCs are granted by CGWA, the authorized officers of CGWA are ensuring compliances of conditions of NOC including installation of digital water flow meters in compliance of Hon'ble NGT directions. In the revised guidelines submitted by the committee constituted by Hon'ble NGT in March, 2020, there is provision for annual calibration of flow meters. This provision shall be applicable as and when the revised guidelines are adopted. These guidelines were further under revision in the ministry of Jal Shakti based on the orders dated 20.07.2020 of Hon'ble NGT, New Delhi.

11. Effective functioning of CGWA: The CGWB official stated that they lack adequate manpower to analyse and monitor the status of groundwater resources of the entire state. Office of Central Ground Water Authority is in New Delhi. At CGWB Regional Office, Lucknow, 2-4 officers from the total strength of around 15 are generally designated part-time for processing of NOC applications/ other Authority related matters and they work as per directions/ instructions received from CGWA, Delhi. This assignment is in addition to the routine scientific work assigned to these officers. However, at times, services of other officers are also taken as and when required, especially for inspection of industries. There is no office of CGWB/ CGWA at district level.

12. General perspective about status of groundwater in the State highlighting NOIDA/NCR region (with data): Shri Tripathi informed that decline in water table has been witnessed in the area. Details of the same are available in Ground Water Year Book-2019.

13. Classification of water intensive industries: Officer from CGWB informed that total 14 industries have been classified as water-intensive industries. The list is as follows:

- Packaged drinking water
- Mineral water plant
- Tannery
- Distillery
- Brewery
- Soft drink
- Paper & pulp & Fertilizer,
- Textile dyeing
- Textile printing
- Textile spinning
- Sugar
- Dairy Product

- Water park & amusement center

As per 2015 Guidelines, industries using ground water as raw material/water intensive industries shall not be granted NOC for ground water withdrawal in Over Exploited areas. In Safe, Semi-Critical & Critical areas NOC for ground water withdrawal is mandatory for these industries as per Section 3.1. However, ground water withdrawal is also limited as follows:

Category	Ground Water Withdrawal Limit
Safe	Withdrawal limited to 200% of ground water recharge
Semi-Critical	Withdrawal limited to 100% of ground water recharge
Critical	Withdrawal limited to 50% of ground water recharge
Over-Exploited	No permission for Industries under this category

The complete list of mandatory conditions for obtaining NOC by both water-intensive and non-water intensive is detailed out in the Guidelines, 2015.

14. Use of treated water: Officer from CGWB mentioned that industries are required to promote reuse of treated water and reused water is deducted from the total water requirement of industry to work out the actual ground water requirement. Process flow chart of the units is treated water are to be followed by the units. The Committee noted that proper use of treated water was not being made which needs to be corrected.

Another meeting was conducted by the Committee on 28.01.2021 through video conferencing. The minutes of meeting are presented below:

1. **Providing NOC to industrial units:** Shri PK Tripathi, Central Ground Water Authority (CGWA) informed that now NOCs are being given by State Government and CGWA is not the designated authority for providing NOCs anymore.
2. **Manpower requirement:** Shri VK Upadhayay, Director, State Ground Water Authority (SGWA) informed that there is currently no manpower shortage in their department. They have at least one field level officer (Ex-en/AE level) either from Department of Groundwater or Minor Irrigation Department in each district. At 18 Divisional Headquarters, their officers from Groundwater Department are present. 26 new officers have recently been appointed who shall be sent to selected districts.

Furthermore, in districts where their officers are not present groundwater issues are being addressed by officers from Minor Irrigation Dept. The SGWA is working in close coordination with Minor Irrigation Dept. Each District has a Groundwater Council under the Chairmanship of District Collector with Distt Development Officer as Secretary. They have proposed to replace the DDO with CDO as Secretary of this Council. All the NOCs are issued by the District Council.

3. **Groundwater regulation issues:** Shri VK Upadhayay, SGWA mentioned in the meeting that there are few differences between the guidelines published by CGWA and State Ground Water Act. The main differential points are:
 - MSMEs, new or existing, consuming groundwater more than 10 KLD shall be provided NOCs even in Over exploited and critical areas.
 - Micro and Small units consuming less than 10 KLD water are not required to seek permission for groundwater extraction even in OCS blocks.
 - Micro and Small units consuming less than 10 KLD water are not required to take NOC but will be charged user fee.

These are major changes from the existing State guidelines which prohibit any new/renewal licences in OCS Blocks. The above guidelines are present in the gazette published by CGWA. The State Groundwater Authority on the recommendation of Oversight Committee, flagged these issues in a meeting held at Chief Secretary level on 20.1.2021. It was stated that these points be assessed and changes be done accordingly to adopt them.

4. **Impact assessment study:** Shri VK Upadhayay reported that till date no impact assessment study has been done. He apprised the Committee that District Groundwater Management Council will conduct the same every six months and send the report to the SGWA.
5. **Water Management Plan:** SGWA was liable to prepare Water Management Plan. Shri P.K Tripathi, CGWA apprised the Committee that an email had been sent to SGWA regarding preparation of Water Management Plan along with the format to be compiled by 31.1.2021. However, till date, no action taken report has been filed. It was also informed that the format provided by CGWA necessitates involvement of some other departments also, so it will take some time to finalise it. The Committee directed SGWA to complete the same and submit it to NGT by 31.03.2021.
6. **Ground Water Assessment Report:** Shri VK Upadhayay, SGWA, informed that the last report regarding groundwater assessment of the State was published in the year 2017. The latest assessment was done in March,2020, the data for which is being compiled and shall be published in March,2021.
7. **Total number of registered units:** The Committee directed SGWA to ensure that all the units extracting groundwater in the State be registered on their Portal in the next 3 months. They should accordingly monitor the progress with District level Committees. The latest list of the units registered with it be sent to the Committee.

The Oversight Committee reviewed the progress of remedial action against contamination of groundwater and soil acidification, in OA No. 176 of 2015 on 12.04.2021. Point wise compliance status is presented below:

1. **Providing NOC to industrial units:** Shri VK Upadhyay, Director, State Ground Water Authority informed that till date they have received 908 applications for granting NOC. Out of these, 215 industrial units have been given NOC while 184 applications were incomplete, so these 184 applications were either disqualified or query has been raised against them. Rest of the applications are under process. The committee desired that all applications be reviewed in a time bound manner. Also, a copy of the list of NOCs granted in OCS category may be given to the Committee.
2. **Manpower requirement:** Shri VK Upadhyay informed that in 25 districts the officers of SGWA are designated as nodal while in rest of the districts the officers from micro-irrigation department has been designated as nodal officers to address the issue of groundwater. The detailed list of nodal officers has been uploaded on the web portal of SGWA which is upgwdonline.in. Out of 26 newly appointed officers (AE level), 24 have already joined. CDO has been appointed as the Secretary of Groundwater Council.
3. **Groundwater regulation issues:** With regard to the differences in the guidelines of SGWA and CGWA Groundwater Act, Shri Upadhyay informed that in case of discrepancy in the guidelines, SGWA has adopted the guidelines of CGWA for example, as per the guidelines of CGWA, MSMEs consuming less than 10KLD are not required to seek permission for groundwater extraction even in OCS blocks, the same guideline has now been adopted by SGWA. The Committee desired that a copy of the amendment order may be given to the Committee.
4. **Impact assessment study:** Shri VK Upadhyay mentioned that the guidelines for conducting the impact assessment study has been released by CGWA and they will follow the same guidelines. Shri. PK Tripathi informed that the impact assessment study will be carried out by NABET accredited consultant/ RGI (Rajiv Gandhi National Training Institute) accredited consultant and on the basis of the report submitted by the consultant, the renewal of NOC will be done. The Committee directed CGWA to provide the list of empanel consultants to the Committee and SGWA.
5. **Water Management Plan:** Shri VK Upadhyay informed that water management plan has been prepared under Rastriya Bhujal Sanrakshak Mission in which all overexploited, critical and semi-critical blocks are included. The details of water management plan have already been uploaded by SGWA on their website. A dashboard has also been prepared so that districts may directly upload any information related to the water management plan.
6. **Ground Water Assessment Report:** Shri VK Upadhyay informed that SGWA has submitted the report to CGWA on 30th March 2021. The report will be published

once it gets approval from the Ministry. The Committee directed CGWA to submit a copy of the report to the Committee after approval.

7. **Impact study for next 50 years:** Shri PK Tripathi stated that letters have been issued regarding the same to government offices and UPPCB. A **State level meeting** was conducted wherein it was finalized that the impact study was to be started from Western UP. The Committee directed UPPCB to submit a report on the progress in this regard.
8. **Action taken for regulation of groundwater extraction in OCS blocks:** Shri V.K. Upadhyay informed that task forces have been formed in each district, meetings are being regularly conducted accordingly NOCs are being granted/renewed. No action has been taken against any violator so far nor any notice has been issued yet. The Committee directed SGWA to conduct a meeting with DMs and prepare a report regarding enforcement for each district mentioning prosecution/ compensation/ fine/penalty if any within 03 month.
9. **Installation of digital flow meters:** Shri Upadhyay informed that instructions on the installation of digital flow meters are being given in the NOCs and they are following the guidelines of CGWA in this regard. The Committee directed SGWA to review the status of installation and working of digital flow meters and prepare a district-wise report and upload the same on the website.
10. **Status of water mapping:** Shri PK Tripathi informed that aquifer mapping in maximum districts of western UP has already been done while the complete aquifer mapping of whole UP will be done by 2023.
11. **Audit of annual review:** Shri VK Upadhyay informed that no such audit has been conducted as of now. The Committee directed SGWA to ensure that water audits are conducted by groundwater extracting industries specially in OCS blocks through expert agencies and report be submitted for the same.

iv. DOCUMENTS SUBMITTED BY THE CONCERNED DEPARTMENTS

1. List of NOC: District wise status of issuance of NOC has been provided by Ground Water Department. Refer Annexure 1.
2. Ground Water Dept. submitted the copy of amended order of Act. Refer Annexure 2.
3. Another notification dated 5.3.21, submitted by Ground Water Dept., UP regarding use of groundwater by MSMEs stating that those units which use less than 10 KLD are exempted from obtaining NOC. Refer Annexure 3.
4. Ground Water Department, UP, submitted a notification dated 2.3.2021 stating that Sec.12 shall not be applicable on MSMEs. Refer Annexure 4.
5. Director, Ground Water Dept., UP, sent a letter to all the District Magistrates for Task force enforcement. Copy of letter attached as Annexure 5.

6. Director, Ground Water Dept., UP, has sent a letter to Joint Secretary, NMCG, UP on 25.5.2021 requesting for providing approval to conduct impact assessment study. Refer Annexure 6.

V. SUMMARY OF LATEST COMPLIANCE STATUS

S.No.	Directions by Hon'ble NGT	Concerned Department	Compliance Status July,2020	Compliance Status May,2021
1.	State Government to ensure requisite manning and effective functioning of CGWA so as to ensure sustainable ground water management	SGWA	Not Complied No steps taken for fulfilling manpower shortage. CGWB is not properly monitoring the status of groundwater resources in the state.	Complied Shri VK Upadhyay informed that in 25 districts, the officers of SGWA are designated as nodal officer while in rest of the districts the officers from micro-irrigation department have been designated as nodal officers to address the issue of groundwater. The detailed list of nodal officers has been uploaded on the web portal of SGWA which is upgwdonline.in. Out of 26 newly appointed officers (AE level), 24 officers have already joined. CDO has been appointed as the Secretary of Groundwater Council.
2.	CGWA and MoJS to comply with the directions of this Tribunal in orders dated 3.1.2019, 7.5.2019 and 11.9.2019, to have a	CGWA / SGWA	Partially Complied No new water intensive industrial units are being granted permissions.	Partially Complied With regard to the differences in the guidelines of SGWA and CGWA Groundwater Act, Shri Upadhyay informed

	<p>meaningful regulatory regime and institutional mechanisms for ensuring prevention of depletion and unauthorized extraction of ground water and sustainable management of groundwater in OCS areas.</p>		<p>Moreover, no fresh NOC as well as renewal NOC is being granted to industrial units in OCS areas. However, old units for which renewal has not been granted are still extracting ground water on the pretext that their renewal applications are pending.</p>	<p>that in case of discrepancy in the guidelines, SGWA has adopted the guidelines of CGWA for example, as per the guidelines of CGWA, MSMEs consuming less than 10KLD are not required to seek permission for groundwater extraction even in OCS blocks, the same guideline has now been adopted by SGWA.</p>
3.	<p>As per orders dated 3.1.2019, undertaking an impact study in the light of projected data for the next 50 years (in phased manner with action plan decade-wise</p>	CGWA/SGWA	<p>Not Complied</p> <p>No Impact Study has been undertaken. However, a study was undertaken in Ghaziabad Municipal Area in 2015 to assess the changes over time.</p>	<p>Not Complied</p> <p>Shri PK Tripathi stated that letters have been issued regarding the same to government offices and UPPCB. A State level meeting was conducted wherein it was finalized that the impact study was to be started from Western UP.</p> <p>Director, Ground Water Dept. has sent a letter to Joint Secretary, NMCG, UP on 25.5.2021 requesting for providing approval to conduct impact assessment study. Refer Annexure 5.</p>

<p>4.</p>	<p>Vide order dated 20.07.2020 the Tribunal stated that <i>“There must be no general permission for withdrawal of ground water, particularly to any commercial entity, without environment impact assessment of such activity on individual Assessment units in cumulative terms covering carrying capacity aspects by an expert committee. Such permission should as per Water Management Plans to be prepared in terms of this order based on mapping of individual assessment units.</i></p> <p><i>Any permission should be for specified times and for specified quantity of water and not in perpetuity, and be necessarily subject to digital flow meters which cannot be accessed by proponents, with</i></p>	<p>CGWA/SGWA</p>	<p>Partially Complied</p> <p>CGWB ensures compliances of conditions while providing NOC.</p>	<p>Partially Complied</p> <p>CGWA is not granting permissions anymore. SGWA is the body for giving NOCs to industries.</p> <p>It is ensuring that all mandatory conditions are met before giving NOC. Instructions on the installation of digital flow meters are being given in the NOCs and they are following the guidelines of CGWA in this regard.</p>
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	<i>mandatory annual calibration by authorized agency at proponents' cost.</i>			
5.	All OCS assessment units must undergo water mapping.	CGWA/SGWA	Partially Complied State is being covered in phased manner. Most of the western UP has been covered. Some of the reports have already been uploaded on CGWB web site.	Partially Complied Shri PK Tripathi informed that aquifer mapping in maximum districts of western UP has already been done while the complete aquifer mapping of whole UP will be done by 2023.
6.	Water Management Plans need to be prepared for all OCS assessment units in the country based on the mapping data, starting with Overexploited blocks.	CGWA/SGWA	Partially Complied Water mapping of state being done under National Aquifer Management Plan.	Partially Complied Water mapping of state being done under National Aquifer Management Plan.
7.	<i>Vide order dated 20.07.2020 Hon'ble NGT had directed that "An annual review by independent and expert evaluation must audit and record ground water levels as well as compliance with the conditions of the permission. Such audits must be</i>	CGWA, UPPCB, CPCB	Not Complied Letter dated 28.07.2020 was written by CGWA to Chief Secretary, Govt. of Uttar Pradesh with a copy of the order dated 20.7.2020 of Hon'ble NGT, New Delhi for action plan/action taken report. The same will be submitted	Not Complied Shri VK Upadhyay informed that no such audit has been conducted as of now. No progress reported.

	<p><i>published online for transparency and to track compliance and year-on-year change in ground water levels, and swift action taken against those who fail audit, including withdrawal of permission, blacklisting, initiation of prosecution and recovery of deterrent compensation as per CPCB regime. Records must be maintained online and for a sufficient and reasonable time”.</i></p>		<p>by or before 31.12.2020 to Hon’ble NGT, New Delhi. The Hon’ble NGT has granted time upto 31.01.2021</p>	
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VI. RECOMMENDATIONS BY THE OVERSIGHT COMMITTEE

1. The Committee observed that till date proper identification of industries/ commercial establishments which are doing illegal extraction of groundwater has not been done. It is directed that firstly, SGWA must coordinate with UPPCB in order to make a detailed document about the commercial users of groundwater. Regional officers of UPPCB to conduct inspection visits so as to identify the defaulters and thereafter the list of defaulters to be send to District Magistrates for action.

2. District Magistrates/ District Commissioners have been assigned the authority to take action against industries/ commercial establishments withdrawing groundwater illegally. However, it has been observed that no enforcement has taken place so far. This clearly indicates lack of seriousness of the concerned authorities towards groundwater protection. The SGWA needs to direct District Magistrate/ Commissioner to take action.

3. Vide order dated 20.07.2020 in O.A 176/2015, it was directed that any *permission granted should be for specified times and for specified quantity of water and not in*

perpetuity, and be necessarily subject to digital flow meters which cannot be accessed by proponents, with mandatory annual calibration by authorized agency at proponents' cost. CGWB to ensure this and submit an action taken report within one month.

5. It is recommended that periodic audits by experts be conducted by SGWA in order to assess the compliance with the conditions of the permission to industries for groundwater extraction. State Ground Water Department has sent a letter regarding the same to the government which should be approved as soon as possible and work in this direction be initiated at the earliest.

7. Illegal extraction of groundwater is a rampant problem in the State. Thus, SGWA may be directed to ensure that all the groundwater extraction units be registered with them at the earliest.

10. It is recommended that a mechanism is made for reuse of treated water wherein the Urban Development Department along with U.P Jal Nigam can decide the agency which will allocate water and fix water rates. Moreover, information about availability of water, re-use quantum and allotment to industries be available online so as to ensure transparency.

11. Water mapping for the entire state be done on priority basis and a timeline of work be submitted by the concerned authority to the Hon'ble NGT and this Committee.

The Member Secretary, UPPCB is directed to send this report to the Registrar General, National Green Tribunal, Principal Bench, New Delhi for placing the same before the Hon'ble Tribunal with a copy to the Chief Secretary, Government of Uttar Pradesh for necessary action. The report also be uploaded on the website of the Committee.

31-05-2021

31-05-2021

X Anup Chandra Pandey

Dr Anup Chandra Pandey
Member, Oversight Committee
Signed by: ANUP CHANDRA PANDEY

X SVS Rathore

Justice SVS Rathore
Chairman, Oversight Committee
Signed by: SURENDRA VIKRAM SINGH RATHORE

May 31, 2021

Annexures: As above

Please visit our website: oscngt.upsdc.gov.in for more information.



Ground Water Department (Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti (Government of Uttar Pradesh)
9th Floor, Indira Bhawan, Ashok Marg, Lucknow - 226001
Issuance of NOC & Registration for Well

Annexure No-1

District Wise Consolidated Status for Issuance of NOC (Commercial/Industrial/Infrastructural/Bulk User)

UPGWD-02

DISTRICT COUNCIL : ALL

BLOCK COMMITTEE : ALL

Report Period :02/10/2019 To 25/05/2021

Report Printed on :25/05/2021

S.No.	District Council	Block Committee	Submitted Applications	Approved Applications	Rejected Applications	Query Raised Applications	Pending Applications
1	Agra	ALL	7	0	4	1	2
2	Aligarh	ALL	10	0	2	0	8
3	Ambedkar Nagar	ALL	3	0	0	0	3
4	Amethi	ALL	2	0	0	1	1
5	Amroha (J.P.Nagar)	ALL	33	5	12	3	13
6	Auraiya	ALL	3	0	0	0	3
7	Ayodhya	ALL	5	1	1	0	3
8	Azamgarh	ALL	2	0	0	0	2
9	Bagpat	ALL	3	0	0	0	3
10	Bahraich	ALL	0	0	0	0	0
11	Ballia	ALL	0	0	0	0	0
12	Balrampur	ALL	3	0	0	0	3
13	Banda	ALL	2	2	0	0	0
14	Barabanki	ALL	18	7	1	1	9
15	Bareilly	ALL	39	33	1	0	5
16	Basti	ALL	6	0	0	0	6
17	Bhadohi	ALL	9	4	1	0	4

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Page 1 of 5



Ground Water Department (Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti (Government of Uttar Pradesh)
9th Floor, Indira Bhawan, Ashok Marg, Lucknow - 226001
Issuance of NOC & Registration for Well

District Wise Consolidated Status for Issuance of NOC (Commercial/Industrial/Infrastructural/Bulk User)

UPGWD-02

DISTRICT COUNCIL : ALL

BLOCK COMMITTEE : ALL

Report Period :02/10/2019 To 25/05/2021

Report Printed on :25/05/2021

S.No.	District Council	Block Committee	Submitted Applications	Approved Applications	Rejected Applications	Query Raised Applications	Pending Applications
18	Bijnor	ALL	29	21	1	5	2
19	Budaun	ALL	3	1	2	0	0
20	Bulandshahr	ALL	65	8	22	14	21
21	Chandauli	ALL	3	0	0	0	3
22	Chitrakoot	ALL	0	0	0	0	0
23	Deoria	ALL	9	0	1	1	7
24	Etah	ALL	2	0	0	0	2
25	Etawah	ALL	3	0	0	0	3
26	Farrukhabad	ALL	2	0	0	0	2
27	Fatehpur	ALL	1	0	0	0	1
28	Firozabad	ALL	0	0	0	0	0
29	Gautam Buddha Nagar	ALL	185	54	32	44	55
30	Ghaziabad	ALL	126	0	4	51	71
31	Ghazipur	ALL	8	0	0	8	0
32	Gonda	ALL	7	0	0	0	7
33	Gorakhpur	ALL	6	0	0	3	3
34	Hamirpur	ALL	5	0	5	0	0

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Ground Water Department (Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti (Government of Uttar Pradesh)
9th Floor, Indira Bhawan, Ashok Marg, Lucknow - 226001
Issuance of NOC & Registration for Well

District Wise Consolidated Status for Issuance of NOC (Commercial/Industrial/Infrastructural/Bulk User)

UPGWD-02

DISTRICT COUNCIL : ALL

BLOCK COMMITTEE : ALL

Report Period :02/10/2019 To 25/05/2021

Report Printed on :25/05/2021

S.No.	District Council	Block Committee	Submitted Applications	Approved Applications	Rejected Applications	Query Raised Applications	Pending Applications
35	Hapur	ALL	31	13	0	0	18
36	Hardoi	ALL	8	0	0	4	4
37	Hathras	ALL	6	2	1	1	2
38	Jalaun	ALL	2	1	1	0	0
39	Jaunpur	ALL	0	0	0	0	0
40	Jhansi	ALL	5	4	1	0	0
41	Kannauj	ALL	3	0	0	0	3
42	Kanpur Dehat	ALL	19	8	1	0	10
43	Kanpur Nagar	ALL	52	12	24	7	9
44	Kansganj	ALL	2	0	0	0	2
45	Kaushambi	ALL	0	0	0	0	0
46	Kushinagar	ALL	2	0	0	1	1
47	Lakhimpur Kheri	ALL	16	0	4	0	12
48	Lalitpur	ALL	0	0	0	0	0
49	Lucknow	ALL	51	16	10	11	14
50	Maharajganj	ALL	0	0	0	0	0
51	Mahoba	ALL	4	0	0	2	2

** This is a Software Generated Report. **

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Ground Water Department (Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti (Government of Uttar Pradesh)
9th Floor, Indira Bhawan, Ashok Marg, Lucknow - 226001

Issuance of NOC & Registration for Well

District Wise Consolidated Status for Issuance of NOC (Commercial/Industrial/Infrastructural/Bulk User)

DISTRICT COUNCIL : ALL

UPGWD-02

Report Period :02/10/2019 To 25/05/2021

BLOCK COMMITTEE : ALL

Report Printed on :25/05/2021

S.No.	District Council	Block Committee	Submitted Applications	Approved Applications	Rejected Applications	Query Raised Applications	Pending Applications
52	Mainpuri	ALL	1	1	0	0	0
53	Mathura	ALL	16	9	0	0	7
54	Mau	ALL	0	0	0	0	0
55	Meerut	ALL	48	7	10	2	29
56	Mirzapur	ALL	3	3	0	0	0
57	Moradabad	ALL	73	56	3	12	2
58	Muzaffar Nagar	ALL	31	25	1	0	5
59	Pilibhit	ALL	3	0	0	3	0
60	Pratapgarh	ALL	0	0	0	0	0
61	Prayagraj	ALL	14	0	0	12	2
62	Raibareli	ALL	1	1	0	0	0
63	Rampur	ALL	21	5	12	2	2
64	Saharanpur	ALL	35	4	24	6	1
65	Sambhal	ALL	8	0	1	4	3
66	Sant Kabir Nagar	ALL	4	0	0	0	4
67	Shahjahanpur	ALL	11	3	1	4	3
68	Shamli	ALL	8	0	0	4	4

** This is a Software Generated Report. **

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Ground Water Department (Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti (Government of Uttar Pradesh)
9th Floor, Indira Bhawan, Ashok Marg, Lucknow - 226001
Issuance of NOC & Registration for Well

District Wise Consolidated Status for Issuance of NOC (Commercial/Industrial/Infrastructural/Bulk User)

UPGWD-02

BLOCK COMMITTEE : ALL

Report Printed on :25/05/2021

DISTRICT COUNCIL : ALL

Report Period :02/10/2019 To 25/05/2021

S.No.	District Council	Block Committee	Submitted Applications	Approved Applications	Rejected Applications	Query Raised Applications	Pending Applications
69	Shravasti	ALL	0	0	0	0	0
70	Siddharth Nagar	ALL	2	1	0	1	0
71	Sitapur	ALL	10	0	0	3	7
72	Sonbhadra	ALL	5	0	0	0	5
73	Sultanpur	ALL	0	0	0	0	0
74	Unnao	ALL	25	0	10	3	12
75	Varanasi	ALL	9	7	2	0	0
		Grand Total	1128	314	195	214	405

** This is a Software Generated Report. **

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सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, शुक्रवार, 5 मार्च, 2021

फाल्गुन 14, 1942 शक सम्वत्

उत्तर प्रदेश शासन
विधायी अनुभाग-1

संख्या 350/79-वि-1-21-1-क-41-20

लखनऊ, 5 मार्च, 2021

अधिसूचना

विविध

“भारत का संविधान” के अनुच्छेद 200 के अधीन राज्यपाल महोदय ने उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) (संशोधन) विधेयक, 2021 जिससे नमामि गंगे तथा ग्रामीण जलापूर्ति अनुभाग-3 प्रशासनिक रूप से सम्बन्धित है, पर दिनांक 1 मार्च, 2021 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 7 सन् 2021 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) (संशोधन)
अधिनियम, 2021

(उत्तर प्रदेश अधिनियम संख्या 7 सन् 2021)

[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]

उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) अधिनियम, 2019 का अग्रतर संशोधन करने के लिए

अधिनियम

भारत गणराज्य के बहत्तरवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है :-

1-यह अधिनियम उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) (संशोधन) संक्षिप्त नाम अधिनियम, 2021 कहा जायेगा।

उत्तर प्रदेश अधिनियम
संख्या 13 सन् 2019
की धारा 5 का संशोधन

2-उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) अधिनियम, 2019, जिसे आगे मूल अधिनियम कहा गया है, की धारा 5 में, उपधारा (2) में, खण्ड (क) और (ख) के स्थान पर निम्नलिखित खण्ड रख दिये जायेंगे, अर्थात् :-

"(क) यथारिथति-अध्यक्ष, नगर प्रमुख/अध्यक्ष, नगर पालिका परिषद/अध्यक्ष, नगर पंचायत, मुख्य कार्यपालक अधिकारी, नोएडा विकास प्राधिकरण/मुख्य कार्यपालक अधिकारी, ग्रेटर नोएडा विकास प्राधिकरण/मुख्य कार्यपालक अधिकारी, यमुना एक्सप्रेस-वे प्राधिकरण;

(ख) यथारिथति सदस्य-सचिव नगर आयुक्त, नगर निगम/अधिशाली अधिकारी, नगरपालिका परिषद/अधिशाली अधिकारी, नगर पंचायत/अपर मुख्य कार्यपालक अधिकारी, नोएडा विकास प्राधिकरण/अपर मुख्य कार्यपालक अधिकारी, ग्रेटर नोएडा विकास प्राधिकरण/मुख्य कार्यपालक अधिकारी यमुना एक्सप्रेस-वे प्राधिकरण;"

उत्तर प्रदेश अधिनियम
संख्या 13 सन् 2019
की धारा 6 का संशोधन

3-मूल अधिनियम की धारा 6 में, उपधारा (2) में, खण्ड (ख) के स्थान पर निम्नलिखित खण्ड रख दिया जाएगा, अर्थात् :-

"(ख) सदस्य सचिव-मुख्य विकास अधिकारी;"

उत्तर प्रदेश अधिनियम
संख्या 13 सन् 2019
की धारा 41 का
संशोधन

4-मूल अधिनियम की धारा 41 में उपधारा (1) के स्थान पर निम्नलिखित उपधारा रख दी जायेगी, अर्थात् :-

"(1) धारा 39 की उपधारा (1) के खण्ड (ख) के अधीन दण्डनीय किसी अपराध का प्रशमन ऐसे अधिकारियों, जिन्हें राज्य सरकार द्वारा अधिसूचित किया जाय, द्वारा अभियोग संस्थित किए जाने के पूर्व या पश्चात् अभियुक्त के आवेदन पर न्यूनतम विहित जुर्माना के साथ प्रशमन फीस स्वरूप अपराध के लिये विहित न्यूनतम जुर्माना का पचास प्रतिशत जुर्माना अधिरोपित करने के पश्चात् किया जा सकता है:

परन्तु यह कि प्रशमन का उपचार केवल प्रथम अपराध के लिए उपलब्ध होगा।"

उद्देश्य और कारण

राज्य के विशेष रूप से संकटग्रस्त ग्रामीण तथा नगरीय क्षेत्रों में दोनों परिमाणात्मक एवं गुणात्मक भू-गर्भ जल का अविरत प्रबंधन सुनिश्चित करने हेतु भू-गर्भ जल की सुरक्षा, संरक्षा, नियंत्रण तथा विनियमन और उससे सम्बन्धित या आनुषंगिक विषयों का उपबन्ध करने के लिये उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) अधिनियम, 2019 (उत्तर प्रदेश अधिनियम संख्या 13 सन् 2019) अधिनियमित किया गया है। पूर्वोक्त अधिनियम के प्रभावी क्रियान्वयन को सुनिश्चित करने के लिए नगर पालिका जल प्रबंधन समिति और जिला भू-गर्भ जल प्रबंधन परिषद के गठन में कतिपय परिवर्तन किया जाना आवश्यक समझा

गया, जिससे कि नगर प्रमुख/अध्यक्ष, नगर पालिका परिषद, अध्यक्ष, नगर पंचायत, मुख्य कार्यपालक अधिकारी, नोएडा विकास प्राधिकरण/ग्रेटर नोएडा विकास प्राधिकरण/यमुना एक्सप्रेस-वे विकास प्राधिकरण को अध्यक्ष, नगरपालिका जल प्रबंधन समिति के रूप में और नगर आयुक्त, नगर निगम, अधिशासी अधिकारी, नगर पालिका परिषद, अधिशासी अधिकारी, नगर पंचायत, अपर मुख्य कार्यपालक अधिकारी, नोएडा विकास प्राधिकरण/ग्रेटर नोएडा विकास प्राधिकरण/यमुना एक्सप्रेस-वे विकास प्राधिकरण को सदस्य सचिव, नगर पालिका जल प्रबंधन समिति के रूप में सम्मिलित किया जा सके और मुख्य विकास अधिकारी को सदस्य सचिव, जिला भू-गर्भ जल प्रबंधन परिषद के रूप में सम्मिलित किया जा सके। उपरोक्त को दृष्टिगत रखते हुये पूर्वोक्त अधिनियम की धारा 5, 6 और 41 में संशोधन किये जाने का विनिश्चय किया गया है।

तदनुसार उत्तर प्रदेश भू-गर्भ जल (प्रबंधन और विनियमन) (संशोधन) विधेयक, 2021 पुरःस्थापित किया जाता है।

आज्ञा से,
अतुल श्रीवास्तव,
प्रमुख सचिव।

No. 350(2)/LXXIX-V-1-21-1-ka-41-20
Dated Lucknow, March 5, 2021

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Bhoo-Garbh Jal (Prabandhan Aur viniyaman) (Sanshodhan) Adhiniyam, 2021 (Uttar Pradesh Adhiniyam Sankhya 7 of 2021) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 1, 2021. The Namaami Gange Tatha Grameen Jalapoorti Anubhag-3 is administratively concerned with the said Adhiniyam:

THE UTTAR PRADESH GROUND WATER (MANAGEMENT AND REGULATION)
(AMENDMENT) ACT, 2021
(U.P. Act no. 7 of 2021)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

furth^r to amend the Uttar Pradesh Ground Water (Management and Regulation) Act, 2019.

IT IS HEREBY enacted in the Seventy-second Year of the Republic of India as follows :-

1. This Act may be called the Uttar Pradesh Ground Water (Management and Regulation) (Amendment) Act, 2021.

Short title

2. In section 5 of the Uttar Pradesh Ground Water (Management and Regulation) Act, 2019 hereinafter referred to as the principal Act in sub-section (2) for clauses (a) and (b) the following clauses shall be substituted, namely :-

Amendment of section 5 of U. P. Act no. 13 of 2019

"(a) the Chairperson-Nagar Pramukh/Chairperson, Nagar Palika Parishad/Chairperson, Nagar Panchayat, Chief Executive Officer, NOIDA Development Authority/Chief Executive Officer, Greater Noida Development Authority/Chief Executive Officer, Yamuna Expressway Authority, as the case may be;

(b) the Member Secretary-Nagar Ayukt, Nagar Nigam/Executive Officer, Nagar Palika Parishad/Executive Officer, Nagar Panchayat/Additional Chief Executive Officer, NOIDA Development Authority/Additional Chief Executive Officer, Greater Noida Development Authority/Chief Executive Officer, Yamuna Expressway Authority, as the case may be;"

Amendment of
section 6 of U.P.
Act no. 13 of
2019

3. In section 6 of the principal Act, in sub-section (2), for clause (b) the following clause shall be *substituted*, namely :-

"(b) the Member Secretary-Chief Development Officer;"

Amendment of
section 41 of
U.P. Act no. 13
of 2019

4. In section 41 of the principal Act, for sub-section (1), the following sub-section shall be *substituted*, namely :-

"(1) An offence punishable under clause (b) of sub-section (1) of section 39 may be compounded on the application of the accused before or after the institution of the prosecution by such officers as may be notified by the State Government after imposing fifty per cent of minimum fine prescribed for the offence as compounding fee along with the minimum prescribed fine:

Provided that the remedy for compounding shall be available for the first offence only."

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Ground Water (Management and Regulation) Act, 2019 (U.P. Act no. 13 of 2019) was enacted to provide for protecting, conserving, controlling and regulating ground water to ensure its sustainable management in the State, both quantitatively and qualitatively, especially in stressed rural and urban areas, and for matters connected therewith or incidental thereto. To ensure effective implementation of the aforesaid Act it is felt necessary to make certain changes in the composition of the Municipal Water Management Committee and the District Ground Water Management Council, so as to include Nagar Pramukh/Chairperson of Nagar Palika Parishad, Chairperson of Nagar Panchayat, Chief Executive Officer of NOIDA Development Authority/Greater Noida Development Authority/Yamuna Expressway Development Authority as the Chairperson of Municipal Water Management Committee, and Nagar Ayukt of Nagar Nigam, Executive Officer of Nagar Palika Parishad, Executive Officer of Nagar Panchayat, Additional Chief Executive Officer of NOIDA Development Authority/Greater Noida Development Authority/Yamuna Expressway Development Authority as the Member-Secretary of Municipal Water Management Committee, and to include Chief Development Officer as the Member-Secretary of District Ground Water Management Council. In view of the above, it has been decided to amend sections 5, 6 and 41 of the aforesaid Act.

The Uttar Pradesh Ground Water (Management and Regulation) (Amendment) Bill, 2021 is introduced accordingly.

By order,
ATUL SRIVASTAVA,
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 779 राजपत्र-2021-(1654)-599 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।
पी०एस०यू०पी०-ए०पी० 260 सा० विधायी-2021-(1655)-300 प्रतियां-(कम्प्यूटर/टी०/ऑफसेट)।

779_RPH_2021_(Ground Water)-2021 Data-4E

उत्तर प्रदेश शासन,
नमामि गंगे तथा ग्रामीण जलापूर्ति अनुभाग-3
संख्या-330/76-3-2021-44एनजी/2020
लखनऊ: दिनांक : 02 मार्च, 2021

-: अधिसूचना :-

उत्तर प्रदेश भू-गर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 (उत्तर प्रदेश अधिनियम संख्या 13 सन् 2019) की धारा 51 के अधीन शक्तियों का प्रयोग करके और राज्य भू-गर्भ जल प्रबन्धन और विनियामक प्राधिकरण की संस्तुति पर, राज्यपाल उत्तर प्रदेश के सूक्ष्म एवं लघु उद्यमों जिनका भू-गर्भ जल आहरण 10 घन मीटर प्रतिदिन से कम हो, को भू-गर्भ जल निष्कर्षण अनापत्ति प्रमाण पत्र प्राप्त करने के उपबन्ध से छूट प्रदान करती हैं। तथापि ऐसे उद्यम पूर्वोक्त अधिनियम की धारा 10 तथा 11 के अधीन यथाविहित रीति से रजिस्ट्रीकरण प्रमाण-पत्र प्राप्त करेंगे।

आज्ञा से,



(अनुराग श्रीवास्तव)
प्रमुख सचिव।

उत्तर प्रदेश शासन,
नमामि गंगे तथा ग्रामीण जलापूर्ति अनुभाग-3
संख्या-331/76-3-2021-44एनजी/2020
लखनऊ: दिनांक : 02 मार्च, 2021

-: अधिसूचना :-

उत्तर प्रदेश भू-गर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 (उत्तर प्रदेश अधिनियम संख्या 13 सन् 2019) की धारा 51 के अधीन शक्तियों का प्रयोग करके और राज्य भू-गर्भ जल प्रबन्धन और विनियामक प्राधिकरण की संस्तुति पर, राज्यपाल उत्तर प्रदेश के नये पैकेज वाले जल उद्योगों को छोड़कर सूक्ष्म, लघु एवं मध्यम उद्यमों (एम0एस0एम0ई0) की श्रेणी में आने वाले नये उद्योगों को पूर्वोक्त अधिनियम की धारा 12 के प्रवर्तन से छूट प्रदान करती हैं।

आज्ञा से,


(अनुराग श्रीवास्तव)
प्रमुख सचिव।

संशोधित।
ई-मेल द्वारा।

प्रेषक,

निदेशक,
भूगर्भ जल विभाग/सदस्य सचिव,
राज्य भूगर्भ जल प्रबन्धन एवम् नियामक प्राधिकरण, उ0प्र0,
9वाँ तल, इन्दिरा भवन, लखनऊ।

सेवा में,

समस्त जिलाधिकारी/अध्यक्ष,
जिला भूगर्भ जल प्रबन्धन परिषद्,
उत्तर प्रदेश।

संख्या: २६१ /यूपीराभूजप्रविप्रा,

लखनऊ: दिनांक: मार्च 03, 2021

विषय: उत्तर प्रदेश भूगर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 के अन्तर्गत प्राप्त आवेदन पत्रों के निस्तारण हेतु आवश्यकतानुसार स्थलीय सत्यापन करने हेतु टास्क फोर्स के गठन एवं दिशा-निर्देश के सम्बन्ध में।

महोदय,

उपरोक्त विषयक इस कार्यालय के पत्र संख्या 23/यूपीराभूजप्रविप्रा, दिनांक 25 मार्च, 2021 में आंशिक संशोधन करते हुए अवगत कराना है कि द्वारा उत्तर प्रदेश भूगर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 प्रदेश में 02 अक्टूबर, 2019 से लागू किया गया है। यह भी अवगत कराना है कि उक्त अधिनियम के सापेक्ष प्राप्त आवेदन पत्रों के निस्तारण हेतु आन-लाइन वेब पोर्टल (upgwdonline.in) भी विकसित किया है, जिसके संचालन के लिए आपके जनपद में उत्तर प्रदेश शासन नमामि गंगे तथा ग्रामीण जलापूर्ति अनुभाग-3, के द्वारा लघु सिंचाई विभाग एवं भूगर्भ जल विभाग के अधिकारियों को नोडल अधिकारी नामित किया गया है। उक्त वेब-पोर्टल के माध्यम से प्राप्त आवेदन पत्रों के नियमानुसार निस्तारण हेतु कतिपय शर्तों यथा रेनवाटर हार्वेस्टिंग प्रणाली की स्थापना, इफ्लूमेंट ट्रीटमेंट प्लान्ट (Effluent treatment plant) (उद्योग हेतु), फ्लोमीटर, बोर की साइज, पम्प का प्रकार एवम् क्षमता इत्यादि की आवश्यकतानुसार स्थलीय सत्यापन हेतु आपके जनपद में तकनीकी अधिकारियों को सम्मिलित करते हुए जनपदीय समिति/टास्क फोर्स का गठन करने का कष्ट करें।

सूचनीय है कि उत्तर प्रदेश भूगर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 में निहित प्राविधानों के अन्तर्गत भूगर्भ जल निष्कर्षण हेतु अनापत्ति निर्गमन एवम् पंजीयन सेवाएं

जनहित गारण्टी अधिनियम से अच्छादित है। अतएव आवेदन पत्रों के प्राप्त होने से निस्तारण तक की अवधि के समस्त कार्य 30 दिवस के अन्दर किया जाना अनिवार्य है।

अतः जिला भूगर्भ जल प्रबन्धन परिषद् को प्राप्त होने वाले आवेदन पत्रों को निस्तारित किये जाने हेतु आवश्यक दिशा-निर्देश संलग्न कर आपको इस आशय के साथ प्रेषित है कि उपरोक्तानुसार टास्क फोर्स का गठन करते हुए उनको निर्धारित गाइड-लाइन के अनुसार उत्तर प्रदेश भूगर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 के प्राविधानों के अन्तर्गत प्राप्त आवेदन पत्रों का समयबद्ध रूप से निस्तारण कराये जाने हेतु निर्देशित करते हुए कृत कार्यवाही से इस इस कार्यालय को अवगत कराने का कष्ट करें।

संलग्नक:-उपरोक्तानुसार।

भवदीय

(वी०के० उपाध्याय)

निदेशक भूगर्भ जल विभाग/
सदस्य सचिव

राज्य भूगर्भ जल प्रबन्धन और नियामक
प्राधिकरण, उत्तर प्रदेश।

संख्या: /यूपीराभूजप्रविप्रा/तददिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु प्रेषित है:-

1. प्रतिलिपि निजी सचिव, मुख्य सचिव, उ०प्र० शासन/अध्यक्ष, राज्य भूगर्भ जल प्रबन्धन एवम् नियामक प्राधिकरण, उ०प्र० को सूचनार्थ प्रेषित है।
2. अनुसचिव, नमामि गंगे तथा ग्रामीण जलापूर्ति अनुभाग-3, उत्तर प्रदेश शासन।
3. समस्त नोडल अधिकारी, वेब-पोर्टल।

(वी०के० उपाध्याय)

निदेशक भूगर्भ जल विभाग/
सदस्य सचिव

राज्य भूगर्भ जल प्रबन्धन और नियामक
प्राधिकरण, उत्तर प्रदेश।

प्रेषक,

निदेशक,
भूगर्भ जल विभाग, उ०प्र०,
९वाँ तल, इन्दिरा भवन, अशोक मार्ग,
लखनऊ।

सेवा में,

अनु सचिव,
नमामि गंगे एवं ग्रामीण जलापूर्ति अनुभाग-३,
उ०प्र० शासन, लखनऊ।

पत्रांक:- 480A/भू०ज०वि०/एस-26(एन०जी०टी०)/

दिनांक/लखनऊ/मई २५, 2021

विषय- ओ०ए० सं०-176 आफ 2015 शैलेश सिंह बनाम होटल हॉलीडे रेजिडेंसी, मुरादाबाद व अन्य के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अवगत कराना है कि विषयांकित वाद में ओवरसाइट कमेटी, मा० एन०जी०टी०, उ०प्र० द्वारा आहूत बैठक दिनांक 12-04-2021 में बैठक के कार्यवृत्त को दिनांक 10-05-2021 द्वारा ई०मेल० के माध्यम से उपलब्ध कराया गया है, जिसमें बिन्दु सं०-4 एवं 11 के संबंध में उल्लेख कराना है कि:-

4-Impact Assesment study उक्त के संबंध में श्री पी०के० त्रिपाठी, निदेशक, केन्द्रीय भूमिजल प्राधिकरण द्वारा अवगत कराया गया है कि NABET(National Accreditation Board for Education and Training) एवं RGI(Rajiv Gandhi National Training Institute) के माध्यम से Impact Assesment study कराया जाता है, जिसके आधार पर ही एन०ओ०सी० के नवीनीकरण पर कार्यवाही की जाती है तथा ओवरसाइट कमेटी द्वारा केन्द्रीय भूमिजल प्राधिकरण को निर्देश दिये गये कि राज्य भूगर्भ जल प्राधिकरण एवं कमेटी को चयनित सलाहकारों की सूची उपलब्ध कराये।

11-Audit of annual review उक्त के संबंध में अवगत कराना है कि ओवरसाइट कमेटी, मा० एन०जी०टी० द्वारा राज्य भूगर्भ जल प्राधिकरण को यह सुनिश्चित करने के निर्देश दिये गये कि विशेष रूप से ओ०सी०एस० ब्लॉकों में भूजल का दोहन करने वाले उद्योगों की विशेषज्ञ एजेंसियों के माध्यम से जल ऑडिट कराया जाय।

उपरोक्त के दृष्टिगत शासन से अनुरोध कि ओवरसाइट कमेटी, मा० एन०जी०टी० द्वारा दिये गये निर्देशों के क्रम में NABET(National Accreditation Board for Education and Training) एवं RGI(Rajiv Gandhi National Training Institute) के माध्यम से Impact Assesment study कराये जाने एवं विशेषज्ञ एजेंसियों के माध्यम से जल ऑडिट कराये जाने के संबंध में अनुमति प्रदान करने का कष्ट करें, जिससे अग्रिम कार्यवाही की जा सके।

संलग्नक-उपरोक्तानुसार।

भवदीय,

(पी०के० उपाध्याय)

निदेशक।