

REPORT OF THE OVERSIGHT COMMITTEE, NGT, U.P, LUCKNOW**IN THE MATTER OF:-****ORIGINAL APPLICATION NO. 176/2015****IN RE: SHAILESH SINGH
VERSUS
HOTEL HOLIDAY REGENCY, MORADABAD &ORS.****INDEX**

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**SUPPLEMENTARY REPORT (III) OF OVERSIGHT COMMITTEE REGARDING O.A 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 THE OVERSIGHT COMMITTEE, NGT

The Hon'ble Tribunal had given major directions vide order dated 20.07.2020. The Oversight Committee reviewed the compliance status vide meeting dated 15.8.2020, 28.1.2021, 12.4.2021 and recently on 6.08.2021. A report including the minutes of meetings held earlier was sent to the Hon'ble Tribunal on 28.5.2021. Although the institutional framework for illegal groundwater extraction has been prepared but its implementation on ground seems to be weak. The Oversight Committee held a meeting on 06.08.2021 regarding this case and discussed upon the varied aspects. **The point wise latest compliance status is presented below:**

1. **Providing No objection certificates (NOCs) to the industrial units:** According to the Director, SGWA, State Government has notified THE UTTAR PRADESH GROUND WATER (MANAGEMENT AND REGULATION) ACT, 2019 (U.P. Act No-13 Of 2019) dated- 07, August 2019 and Water (Management and Regulation) Rules, 2020 vide notification No.- 158/76-3-2020-10GW-2014, dated 25-02-2020 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. Under the Uttar Pradesh Ground Water (Management and

Regulation) Act, 2019 (U.P. Act No-13 of 2019), the web portal for registration of well, issuing of NOC, renewal of NOC, registration for drilling agencies etc. has been developed and it is open for the general public. Till date, they have received 1514 applications for granting NOC. Out of these, 816 industrial units have been given NOC while 455 applications which were found to be incomplete have been rejected. Rest of the applications are under process.

2. **Monitoring mechanism for surveillance of extraction of groundwater for commercial purposes in OCS areas:** Director-SGWA, informed that task forces have been formed in each district. A letter dated 3.03.2021 has been issued by SGWA to the District Magistrates for taking immediate action against the complaint of illegal groundwater extraction, if any, received by the authority. Till date, no complaint has been received.
3. **Permission for groundwater extraction in OCS blocks:** Director-SGWA, informed that at present, no new industrial unit is being given NOC in OCS blocks except MSME units. MSMEs consuming less than 10KLD are not required to seek permission for groundwater extraction even in OCS blocks. Furthermore, NOCs in all areas are provided only after ensuring that all the conditions laid out under the State Ground Water Act, are being fulfilled. In case, any unit is found to be non-compliant as per the rules/regulations then NOC is provided only when the unit submits an affidavit that it has rectified the problem and is fulfilling all the conditions laid under the State Ground Water Act,2019.
4. **Action taken against illegal groundwater extractors:** Vide meeting dated 8.04.2021 (presided by Hon'ble Minister of State for Water Resources) directions have been given to the task force for taking coercive action against the illegal ground water extractors.
5. **Water charges:** Director-SGWA, submitted that an amount of Rs.5000 is to be deposited for obtaining NOC or for renewal of NOC. Further, yearly water charges are collected based on the quantity of water consumed by the user (Refer **Annexure 3**)
6. **Water Management Plan:** Director-SGWA, informed that under the "Rajya Bhujal Sanrakshan Mission" water management plan has been prepared and uploaded on the website ([Jal Jeevan Mission - Uttar Pradesh \(JJM - UP \) \(jalshaktiup.org\)](http://jalshaktiup.org))

7. **Installation of digital flow meters:** Director-SGWA, informed that instructions on the installation of digital flow meters are being given in the NOCs. It has been included in the SGWA (GWD) act portal as suggested by CGWA guidelines issued on 24 September, 2020.
8. **Impact assessment study:** Director-SGWA, mentioned that proposal has been submitted by their department to the State Government for providing approval to carry out the impact assessment study through NABET accredited / RGI (Rajiv Gandhi National Training Institute) accredited consultants.
9. **Environmental compensation:** No progress submitted regarding this issue.
10. **Rainwater harvesting structures:** Director-SGWA, submitted the document presenting year wise list of rainwater harvesting structures installed by the department on government buildings (refer **Annexure 1**).
11. The Committee inquired if any action has been taken as per the Uttar Pradesh Ground Water (Management and Regulation) Act,2019 regarding encouragement of farmers in the notified areas for adopting the process of self-regulation in groundwater use. It was informed by Director, SGWA that no step has been taken so far. The Committee suggested that the SGWA in coordination with the Agriculture Department must take steps to ensure this. Awareness to be created amongst the farmers about groundwater depletion and they must be motivated to adopt water conservation practices.

IV. SUMMARY OF THE COMPLIANCE STATUS

SI No	Directions by Hon'ble NGT	Concerned Department	Compliance Status May,2021
1.	CGWA and MoJS to comply with the directions of this Tribunal in orders dated 3.1.2019, 7.5.2019 and	SGWA	Complied Director-SGWA, informed that at present, no new industrial unit is being given NOC in OCS blocks except MSME units. MSMEs consuming less than 10KLD are not required

	<p>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.</p>		<p>to seek permission for groundwater extraction even in OCS blocks. Furthermore, NOCs in all areas are provided only after ensuring that all the conditions laid out under the State Ground Water Act, are being fulfilled. In case, any unit is found to be non-compliant as per the rules/regulations then NOC is provided only when the unit submits an affidavit that it has rectified the problem and is fulfilling all the conditions laid under the State Ground Water Act,2019.</p> <p>Furthermore, it has been submitted by the SGWA that till date, they have received 1879 applications for granting NOC. Out of these, 1046 industrial units have been given NOC while 567 applications which were found to be incomplete have been rejected. Rest of the applications are under process.</p> <p>Director-SGWA also submitted that an amount of Rs.5000 is to be deposited for obtaining NOC or for renewal of NOC. Further, yearly water charges are collected based on the quantity of water consumed by the user.</p> <p>(Refer Annexure 3)</p>
<p>3.</p>	<p>As per orders dated 3.1.2019, undertaking an impact study in the light of projected data for the</p>	<p>SGWA</p>	<p>Not Complied</p> <p>Director-SGWA, mentioned that request has been submitted by their department to the State Government for providing approval to</p>

	next 50 years (in phased manner with action plan decade-wise)		<p>carry out the impact assessment study by NABET accredited/RGI (Rajiv Gandhi National Training Institute) accredited consultants.</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 2.</p>
4.	<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</i></p>	SGWA	<p>Partially Complied</p> <p>Director-SGWA, informed that instructions on the installation of digital flow meters are being given in the NOCs. It has been included in the SGWA (GWD) act portal as suggested by CGWA guidelines issued on 24.09.2020.</p> <p>Vide meeting dated 8.04.2021 (presided by Hon’ble Minister of State for Water Resources) directions have been given to the task force for taking coercive action against the illegal ground water extractors</p>

	<i>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.</i>		
5.	All OCS assessment units must undergo water mapping.	CGWA/SGWA	Partially Complied Vide meeting dated 12.4.2021 held by the Oversight Committee, Regional Director, CGWA 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	SGWA	Complied Director-SGWA, informed that under the "Rajya Bhujal Sanrakshan Mission" water management plan has been prepared and uploaded on the website (Jal Jeevan Mission - Uttar Pradesh (JJM - UP) (jalshaktiup.org))
7.	<i>Vide order dated 20.07.2020 Hon'ble NGT</i>	SGWA, UPPCB,	Not Complied Director-SGWA, informed that no such audit

	<p><i>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 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>	CPCB	<p>has been conducted as of now. No progress reported.</p> <p>No information provided about EC.</p>
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V. RECOMMENDATIONS BY THE OVERSIGHT COMMITTEE

1. Illegal extraction of groundwater is a serious problem in the State. The SGWA may be directed to ensure that all the groundwater extraction units are registered with them at the earliest. For this, the SGWA must coordinate with the UPPCB to prepare a detailed directory of the existing industrial/commercial users of groundwater and keep adding the new applicant. It should be kept on their websites also for public knowledge.
2. District Magistrates/ Deputy Commissioners have been assigned the authority to take action against industrial/ commercial establishments withdrawing groundwater illegally. However, it has been observed that no enforcement has taken place so far. Regional officers of the UPPCB and officers of the Ground Water Department must conduct inspection visits so as to identify the defaulters and thereafter the list of defaulters should be sent to the District Magistrates for timebound effective action against them. The SGWA needs to monitor the enforcement work closely and regularly, and share quarterly progress report with the Oversight Committee.
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. The CGWA was to ensure this and submit an action taken report within one month. No report has been received so far in respect of UP either from the CGWA or the SGWA. This direction of the Hon'ble NGT needs to be made effective in its letter and spirit.
4. It is recommended that audits by experts be conducted by SGWA in order to assess the compliance with the conditions of the permission to industrial or commercial users of groundwater. State Ground Water Department has sent a proposal regarding the same to the State Government which should be approved as soon as possible and work in this direction be initiated at the earliest.

5. It is recommended that a mechanism is developed for the reuse of treated water wherein the Urban Development Department along with the 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 commercial/industrial establishments be made available online so as to ensure timely utilisation of treated water in a transparent manner.
6. Ground water mapping for the entire state should be done on priority basis and a timeline of work be submitted by the concerned authority to the Hon'ble NGT and this Committee.
7. As per the Uttar Pradesh Ground Water (Management and Regulation) Act,2019, the farmers in the notified areas are to be encouraged by the local bodies (Gram Panchayat Water Sub Committees/Block Panchayat Water Management Committees) for adopting the process of self-regulation in groundwater use. It is suggested that the State Ground Water Authority in coordination with the Agriculture Department take steps to ensure this as farming sector is the largest consumer of groundwater in the State. The farmers must be sensitised about the issue of rapid groundwater depletion and consequent urgent need to grow less water consuming crops and adopt water conservation practices. In the beginning, the farmers will expect suitable compensation for the loss of income due to change of crop. The State government must design schemes to incentivise shift in the cropping pattern towards judicious use of groundwater.

02-11-2021

02-11-2021

X Anant Kumar Singh

Anant Kumar Singh
Member, Oversight Committee
Signed by: ANANT KUMAR SINGH

X SVS Rathore

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

November 2, 2021

Annexures: As above

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

भूगर्भ जल विभाग, उ०प्र०

विभाग द्वारा शासकीय भवनों पर रूफटाप रेनवाटर हार्वेस्टिंग प्रणाली की स्थापना की वर्षवार सूची

क्र० सं०	वित्तीय वर्ष	शहर का नाम	स्थल का नाम
1	2	3	4
1	2014-15	आगरा	नवीन मण्डी समिति, आगरा।
2		कानपुर	औद्योगिक प्रशिक्षण केन्द्र भवन, कानपुर नगर।
3		लखनऊ	1-उपाम, सेक्टर-ई, अलीगंज, लखनऊ।
			2-विकास भवन कैम्पस, सर्वोदय नगर, लखनऊ।
			3-सुभाष चन्द्र बोस गर्ल्स महाविद्यालय, अलीगंज, लखनऊ।
4		सहारनपुर	1-आई०टी०आई०, सहारनपुर।
			2-आई०टी०आई० कैम्पस, कृषि विज्ञान केन्द्र, सहारनपुर
5		इलाहाबाद	1-सर्किट हाउस, इलाहाबाद।
			2-हेमवती नन्दन बहुगुणा राजकीय पोस्ट ग्रेजुएट डिग्री कालेज, इलाहाबाद
			3-यू०पी० बोर्ड आफ सेकेन्ड्री एजुकेशन (मुख्यालय भवन) इलाहाबाद।
6	नोएडा	जिलाधिकारी, कार्यालय परिसर नोएडा	
7	गाजियाबाद	सी०जी०ओ० कालोनी, गाजियाबाद।	
8	मेरठ	राजकीय इंटरमीडियट ट्रेनिंग इंस्टीट्यूट वर्कशाप, मेरठ।	
9	वाराणसी	राजकीय विद्यालय क्वींस कालेज, लहुरावीर, वाराणसी।	
10	मुरादाबाद	भीमराव अम्बेदकर पुलिस अकादमी, मुरादाबाद।	
1	2015-16	आगरा	1-फैकल्टी आफ इंजीनियरिंग, आगरा।
			2-फैकल्टी आफ ला, आगरा।
2		कानपुर	1-ज्वाइंट डेवलपमेंट कमिश्नर कार्यालय
			2-मुख्य विकास अधिकारी कार्यालय
3		लखनऊ	उ०प्र० लोक सेवा आयोग, लखनऊ (परीक्षा भवन, प्रशासनिक भवन)
4		सहारनपुर	सावित्री बाई फुले राजकीय पालीटेक्निक, सहारनपुर।
5		इलाहाबाद	1-लोक सेवा आयोग भवन संगम, सरस्वती, यमुना
			2-लोक सेवा आयोग राप्ती प्रशासनिक भवन
			3-उच्च शिक्षा निदेशालय
6		गौतमबुद्ध नगर	ए०डी०एम० बिल्डिंग, कलेक्ट्रेट, गौ०बु०नगर
7	गाजियाबाद	राजकीय इण्टर कालेज, नन्दग्राम, गाजियाबाद	
8	मेरठ	1-प्रशासनिक भवन, डी०एन० पालीटेक्निक, परतापुर।	
		2-प्रशासनिक भवन, जी०टी०आई०, साकेतनगर	
9	वाराणसी	1-पी०एच०एन० ट्रेनिंग सेन्टर, शिवपुर।	
		2-राजकीय बालिका इण्टर कालेज, मलदहिया।	
10	मुरादाबाद	डा०भीमराव अम्बेदकर पुलिस अकादमी, मेस	
1	2016-17	आगरा	डा० भीमराव अम्बेदकर विश्व विद्यालय, आगरा
			1-होम साइंस भवन।
			2-इंजीनियरिंग कैम्पस।
2		कानपुर	राजकीय इण्टर कालेज, चुन्नीगंज, कानपुर।
3		लखनऊ	आयुर्वेद कालेज, टुड़ियांगंज, लखनऊ।
4		सहारनपुर	पुलिस लाइन, आर०टी०सी० बिल्डिंग, सहारनपुर।
5		इलाहाबाद	निदेशक, शिक्षा कार्यालय भवन, इलाहाबाद।
6		गौतमबुद्ध नगर	रिजर्व पुलिस लाइन, गौतमबुद्ध नगर।
7		गाजियाबाद	रिजर्व पुलिस लाइन, गाजियाबाद।
8		मेरठ	आ०एम०एल० मेडिकल कालेज, मेरठ।
9	वाराणसी	1-आर०महिला पी०जी० कालेज, चेतगंज, वाराणसी	
		2-लाल बहादुर शास्त्री छात्रावास, काशी विद्यापीठ, वाराणसी।	
10	मुरादाबाद	डा०भीमराव अम्बेदकर पुलिस अकादमी, मुरादाबाद।	
1	3	आगरा	आफिस एवं आवासीय बिल्डिंग, पी०डब्लू०डी० सर्किल आफिस, आगरा।
2		लखनऊ	राजकीय बालिका इण्टर कालेज परिसर, इन्दिरा नगर, लखनऊ।

3	2017-18	इलाहाबाद	माध्यमिक शिक्षा सेवा चयन बोर्ड, इलाहाबाद।
4		गौतमबुद्ध नगर	रिजर्व पुलिस लाइन, गौतमबुद्ध नगर।
5		मेरठ	रानी लक्ष्मी बाई गर्ल्स हास्टल, सी0सी0एस0 विश्वविद्यालय, मेरठ।
6		वाराणसी	1-आर्य महिला इण्टर कालेज, चेतगंज, वाराणसी 2-बसंत कन्या इण्टर कालेज, कंचना, वाराणसी।
1	2018-19	आगरा	आगरा कालेज, आगरा।
2		लखनऊ	लखनऊ पालीटेक्निक, कानपुर रोड, लखनऊ।
3		इलाहाबाद	राजकीय बालिका पालीटेक्निक, तेलियरगंज, इलाहाबाद।
4		सहारनपुर	रिजर्व पुलिस लाइन परिसर, सहारनपुर।
5		मुरादाबाद	ग्रीन मिडस स्कूल, बी0आर0अम्बेदकर यू0पी0 पुलिस अकादमी, सिविल लाइन्स, मुरादाबाद।
6		वाराणसी	श्री अग्रसेन कन्या पी0जी0 कॉलेज, वाराणसी।
1	2019-20	लखनऊ	राजकीय गर्ल्स पॉलीटेक्निक, फैजाबाद रोड, लखनऊ।
2		कानपुर	1-वानकी प्रशिक्षण संस्थान, किदवई नगर, कानपुर। 2-प्राविधिक शिक्षा निदेशालय, रावतपुर, कानपुर।
1	2020-21	लखनऊ	गोविन्द बल्लभ पंत पॉलिटेक्निक, मोहान रोड
2		कानपुर	1-शोध विकास एवं प्रशिक्षण संस्थान, गोविन्द नगर 2-वानकी प्रशिक्षण संस्थान, किदवई नगर, कानपुर।
3		आगरा	केन्द्रीय विद्यालय, संख्या-3, आगरा कैम्प।
4		सहारनपुर	राजकीय महिला इण्टर कालेज, सहारनपुर
5		मेरठ	केन्द्रीय विद्यालय, डोगरा लाइन
6		मुरादाबाद	पुलिस ट्रेनिंग कालेज, मुरादाबाद
7		गौतमबुद्ध नगर	कृषि उत्पादन मण्डी समिति, गौ0बु0 नगर
8		गाजियाबाद	राजकीय महिला कालेज, विजय नगर
9		प्रयागराज	सरोजनी नायडू बाल चिकित्सालय, प्रयागराज
10		वाराणसी	सम्पूर्णानन्द संस्कृत विश्वविद्यालय, वाराणसी
1	2021-22	वाराणसी	उदय प्रताप कालेज, वाराणसी
2		आगरा	आगरा कालेज, आगरा।
3		सहारनपुर	सावित्री बाई फुले राजकीय महिला पालीटेक्निक, सहारनपुर। गन्ना विकास परिषद सहारनपुर।
4		मेरठ	शहीद मंगल पाण्डेय, राजकीय महिला स्नातकोत्तर महाविद्यालय, माधवपुरम, मेरठ सर छाटू राम इंजीनियरिंग कालेज(चौधरी चरण सिंह विश्वविद्यालय) मेरठ
5		मुरादाबाद	राजकीय पॉलीटेक्निक, मुरादाबाद
6		गौतमबुद्ध नगर	मुख्य अग्निमन अधिकारी पुलिस फायर स्टेशन, फेज-1, सेक्टर-02, नोएडा, गौतमबुद्धनगर राजकीय आई0टी0आई0, ई-1, सेक्टर-31 नोएडा, गौतमबुद्धनगर
7		प्रयागराज	स्वरूपरानी हॉस्पिटल, प्रयागराज
8		गाजियाबाद	केन्द्रीय विद्यालय कमला नहरू नगर, गाजियाबाद
8		लखनऊ	जय प्रकाश नारायण सर्वोदय विद्यालय, मोहान रोड, लखनऊ
9	कानपुर	चन्द्र शेखर आजाद, कृषि एवं प्रौद्योगिकी विश्वविद्यालय, कानपुर नगर	

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 25, 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।

राज्य भूगर्भ जल प्रबन्धन एवं विनियामक प्राधिकरण,

संख्या ०२ / यूपीराभूजप्रविप्रा

लखनऊ: दिनांक: ०३ जुलाई, 2020

अधिसूचना

उत्तर प्रदेश भूगर्भ जल (प्रबन्धन एवं विनियमन) अधिनियम, 2019 की धारा-10,11,14,16 व 17 में उल्लिखित प्राविधानों के अन्तर्गत प्रदेश के विद्यमान वाणिज्यिक, औद्योगिक, अवसंरचनात्मक और सामूहिक भूगर्भ जल उपयोक्ताओं के पंजीकरण शुल्क, उपयोक्ताओं को अनापत्ति प्रमाण-पत्र निर्गत किये जाने हेतु शुल्क, भूगर्भ जल निकालने हेतु भूमि वेधन में लगे हुये व्यक्ति, फर्म, अभिकरण या कम्पनी हेतु पंजीकरण शुल्क तथा अधिनियम की धारा-16 के क्रम में भूजल उपयोक्ताओं द्वारा भूजल की वार्षिक निकासी की मात्रा के अनुसार शुल्क निम्नवत निर्धारित किया जाता है:-

(अ) कुओं के पंजीकरण के लिये प्रस्तावित शुल्क:

भूजल उपयोक्ता के प्रकार	प्रस्तावित शुल्क (रु० में)
घरेलू एवं कृषि उपयोक्ता	लागू नहीं
वाणिज्यिक, औद्योगिक, अवसंरचनात्मक और सामूहिक भूगर्भ जल उपयोक्ता	5000.00

(ब) ड्रिलिंग एजेन्सीज के पंजीकरण के लिए प्रस्तावित शुल्क:

रु० 5000.00 प्रति जिला/प्रति एजेन्सी (प्रत्येक 3 वर्ष के लिये)

(स) अनापत्ति (N.O.C) के लिये प्रस्तावित शुल्क:

भूजल उपयोक्ता के प्रकार	प्रस्तावित शुल्क (रु० में)
घरेलू एवं कृषि उपयोक्ता	लागू नहीं
वाणिज्यिक, औद्योगिक, अवसंरचनात्मक और सामूहिक भूगर्भ जल उपयोक्ता	5000.00

अधिनियम की धारा-16 के क्रम में भूजल उपभोक्ताओं द्वारा भूजल की वार्षिक निकासी की मात्रा के अनुसार जल संरक्षण शुल्क (Water Conservation Fee) निम्नवत होगी:-

1704

- (1) घरेलू और कृषि भूगर्भ जल उपयोक्ता : कोई शुल्क नहीं।
- (2) वाणिज्यिक भूगर्भ जल उपयोक्ता :

क्रम संख्या	क्षेत्र की श्रेणी ↓ भूगर्भ जल उपयोग की मात्रा →	शुल्क (रु० प्रति घन मी० प्रति दिन) (एक वर्ष में कुल भूगर्भ जल दोहन की मात्रा के अनुसार वार्षिक रूप से चार्ज किया जायेगा।)			
		<500 घन मी० प्रति दिन	500 से <1000 घन मी० प्रति दिन	1000 से 5000 घन मी० प्रति दिन	>5000 घन मी० प्रति दिन
1	2	3	4	5	6
1.	सुरक्षित	0.90	1.00	1.10	1.20
2.	सेमी क्रिटिकल	1.00	1.10	1.20	1.30
3.	क्रिटिकल	1.10	1.20	1.30	1.40
4.	अति दोहित / नोटिफाइड शहरी क्षेत्र	1.20	1.30	1.40	1.50

नोट: वार्षिक भूगर्भ जल दोहन शुल्क का निर्धारण उपर दी गयी तालिका में लागू दोहन की सम्बन्धित स्लैब की दर, भूगर्भ जल उपयोग की मात्रा एवं एक वर्ष में पम्पिंग दिनों को गुणा करके की जायेगी।

- (3) औद्योगिक, अवसंरचनात्मक और सामूहिक भूगर्भ जल उपयोक्ता:

क्रम संख्या	क्षेत्र की श्रेणी ↓ भूगर्भ जल उपयोग की मात्रा →	शुल्क (रु० प्रति घन मी० प्रति दिन) (एक वर्ष में कुल भूगर्भ जल दोहन की मात्रा के अनुसार वार्षिक रूप से चार्ज किया जायेगा।)			
		<500 घन मी० प्रति दिन	500 से <1000 घन मी० प्रति दिन	1000 से 5000 घन मी० प्रति दिन	>5000 घन मी० प्रति दिन
1	2	3	4	5	6
1.	सुरक्षित	0.70	0.80	0.90	1.00
2.	सेमी क्रिटिकल	0.80	0.90	1.00	1.10
3.	क्रिटिकल	0.90	1.00	1.10	1.20
4.	अति दोहित / नोटिफाइड शहरी क्षेत्र	1.00	1.10	1.20	1.30

नोट: वार्षिक भूगर्भ जल दोहन शुल्क का निर्धारण उपर दी गयी तालिका में लागू दोहन की सम्बन्धित स्लैब की दर, भूगर्भ जल उपयोग की मात्रा एवं एक वर्ष में पम्पिंग दिनों को गुणा करके की जायेगी।

उत्तर प्रदेश भूगर्भ जल (प्रबन्धन और विनियमन) अधिनियम, 2019 के अन्तर्गत उपरोक्तानुसार भूजल उपभोक्ताओं के पंजीकरण शुल्क, उपभोक्ताओं को अनापत्ति प्रमाण-पत्र निर्गत किये जाने हेतु शुल्क, वेधन अभिकरणों (ड्रिलिंग एजेन्सी) के पंजीकरण हेतु शुल्क तथा अधिनियम की धारा-16 के क्रम में भूजल उपभोक्ताओं द्वारा भूजल की वार्षिक निकासी की मात्रा के अनुसार प्रत्येक जिला भूगर्भ जल प्रबन्धन परिषद शुल्क प्राप्त कर भूगर्भ जल निधि के अन्तर्गत संगत लेखा शीर्ष में जमा करेगी।

राजेन्द्र कुमार तिवारी
मुख्य सचिव/अध्यक्ष।

पत्रांक : 02 / यूपीराभूजप्रविप्रा / तद्दिनांक।

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. अपर मुख्य सचिव/प्रमुख सचिव, वित्त विभाग, उ० प्र० शासन (सदस्य प्राधिकरण)।
2. प्रमुख सचिव, नमामि गंगे तथा ग्रामीण जलापूर्ति विभाग, उ० प्र० शासन (सदस्य प्राधिकरण)।
3. समस्त मण्डलायुक्त, उत्तर प्रदेश।
4. समस्त जिलाधिकारी, उत्तर प्रदेश।
5. स्टाफ आफिसर, मुख्य सचिव, उत्तर प्रदेश शासन।
6. स्टाफ आफिसर, कृषि उत्पादन आयुक्त, उत्तर प्रदेश शासन।
7. निदेशक, भूगर्भ जल विभाग, 9वाँ तल इन्दिरा भवन, लखनऊ।
8. प्रमुख अभियन्ता/विभागाध्यक्ष, सिंचाई और जल संसाधन विभाग उत्तर प्रदेश।
9. निदेशक, स्थानीय निकाय, उत्तर प्रदेश, लखनऊ।
10. निदेशक, उद्योग विभाग, उत्तर प्रदेश, कानपुर।
11. सदस्य सचिव, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, उत्तर प्रदेश, लखनऊ।
12. मुख्य अभियन्ता, लघु सिंचाई, उ० प्र०।
13. निदेशक, आवास बन्धु, उ० प्र०।
14. प्रबन्ध निदेशक, जल निगम, उ० प्र०।
15. क्षेत्रीय निदेशक, केन्द्रीय भूमि जल बोर्ड, उत्तरी क्षेत्र, लखनऊ।
16. मुख्य वन संरक्षक, उ० प्र०।
17. निदेशक, कृषि विभाग, उ० प्र०।

आज्ञा से,

(वी०के० उपाध्याय)

निदेशक, भूगर्भ जल विभाग/सदस्य सचिव।