WEBINAR ON

'Salient Features and Amendments of CGWA Notification on Groundwater Regulation and Benefits of Water Audit Study to the Industries'

Organized by



Federation of Indian Chamber of Commerce and Industry (FICCI)

भारत सरकार

Government of India
जल शक्ति मंत्रालय, जल संसाधन, नदी विकास और गंगा संरक्षण विभाग

Ministry of Jal Shakti, Water Resources, River Development & Ganga Rejuvenation Dept.

केन्द्रीय भूमि जल प्राधिकरण **Central Ground Water Authority**

Salient Feature of MoJS Notified Guidelines **Groundwater Regulation and Management**

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MEMBER SECRETARY

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TERMINOLOGY USED

- SOE-Stage of Extraction
- OE-Over-exploited -SOE->100 Percent
- Critical-SOE-90-100 Percent
- Semi-critical-70-90 percent
- Safe-<70 percent
- Piezometer-Type of tube well/Boreweell for monitoring purpose
- Observation well-Monitoring well
- IAR-Impact assessment Report
- PP-Project proponent

CENTRAL GROUND WATER AUTHORITY

- WHEREAS, on the directions of Hon'ble Supreme Court vide its order dated the 10th December, 1996,
- the Central Government constituted the Central Ground Water Authority (hereafter referred to as the 'Authority') 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.

MoJS Notified Guideline

- 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
- Ministry of Jal Shakti notified guidelines dated 24.09.2020 (SO No. 3289(E)).
- Vide Gazette Notification No. SO No. 1509(E),
 Amendments to guidelines dated 29.03.2023.



ਕੀ.ਜੀ.-ਤੀ.एਜ.-अ.-24092020-221952 OG-DE-E-24092020-221952

EXTRAORDINARY

यान II—क्रम ३—वर-क्रम (त) PART II—Section 3—Sub-section (त)

RESERVED BY AUTHORITY

et. 2941]

नई विक्ती, बृह्त्यविचार, किटब्बर 24, 2020/व्यक्तियन 2, 1942 NEW DELHI, THURSDAY, SEPTEMBER 24, 2020/ASVINA 2, 1942

कत संसावन, नदी विकास और गंगा संरक्षण विकास

(वंद्रीय मूचि का प्राविकरण)

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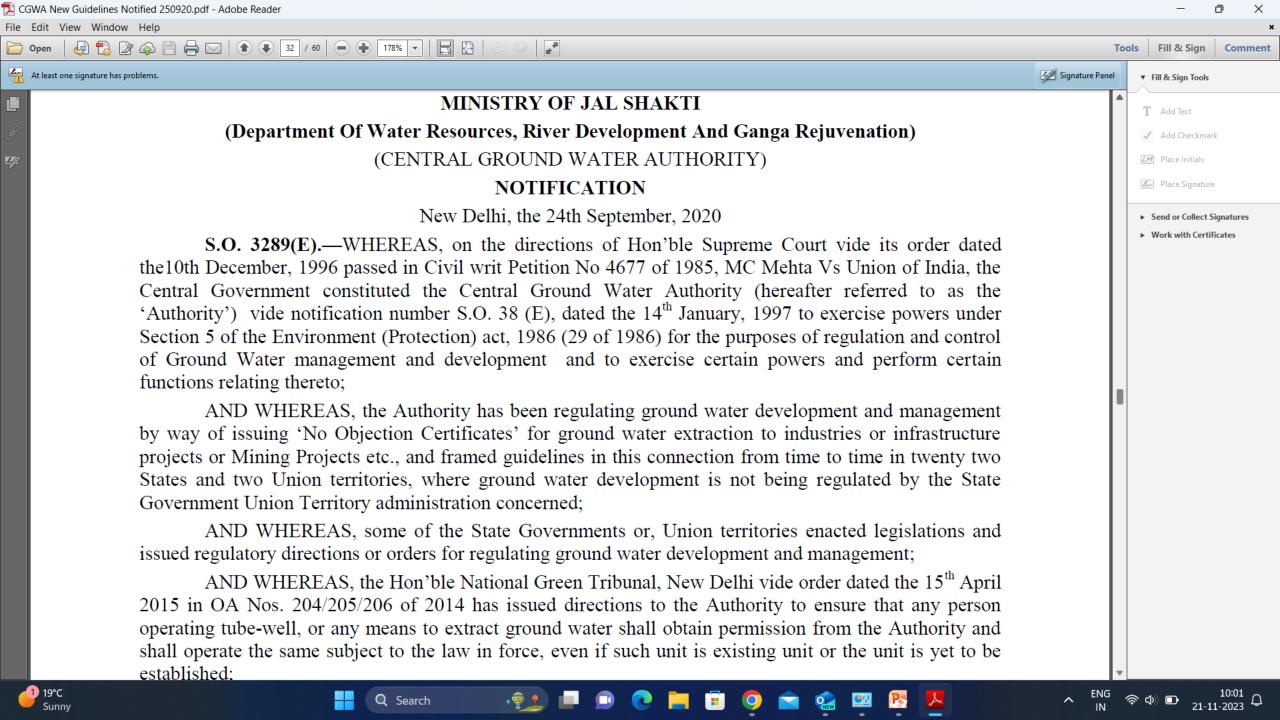
नई दिल्ली, 24 जिल्लार, 2020

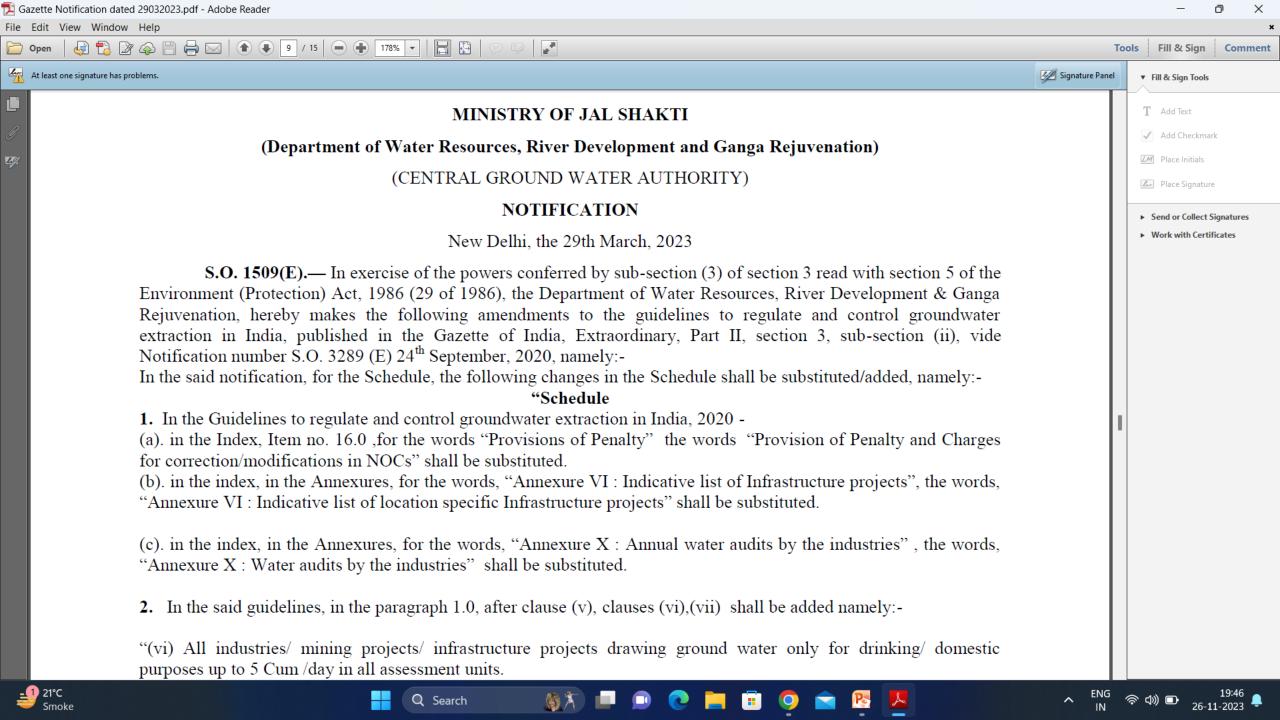
बहुत, 3289(स).—जबिन, 1985 की विभिन्न दिर वास्त्रिण 4677, युवती. मेहूत बनाय पारत तंव में वादित दिनांत 10 दिनंबर, 1996 के बानवीय उद्भावन न्यासालय ने आपेश के बालवा में हमने दिशा-निर्देशों कर केंद्र करकार में दुनि जल प्रवंत्र और विकास के विभिन्नक और निरंपन के उद्देशों हैं और विदेशक शिक्षों का प्रयोग करने और उससे संबंधित विदेश वासी में जरने के तिए पर्याच्या (संद्राज्ञा) विविध्या, 1986 (1986 का 29) की जात 5 ने बहुत कर प्रवंदित करने के लिए दिनांत 14 जनवारी, 1997 की विदेश्यक्ता का.सा. 38(स) के मालवा से वेदीय दूपि जल प्राविक्षण (इससे वाद में "प्रविक्षण" के प्रयोग कहा नवा है। पिता है।

और क्वति आदिकरण उद्योगों, सबया लाडारपूर परियोजनाओं सबया द्वनन परियोजनाओं द्वाराधि के लिए पूजन निकार्यम के लिए 'समायदि अयागरय' जारी करने पूजन निकार और उपंडन को विविध्यित करता रहा है और बाहर राज्यों और दो संबंदित संघ साहित सेवी में, जहां पर पूजन विकार संबंदित राज्य सरकारों तथा संघ साहित असाहनों द्वारा विविध्ययित नहीं विचा जा रहा है, सम्बन्ध्यय पर इस संबंद में इसने दिशा-निर्देश सेवार किये थे।

और क्वरि, कुछ राज्य करवारों क्वरमा, कंप शासिक क्षेत्रों ने विश्वम क्विनियमिक किए हूँ और पूजत विश्वास और प्रवंतन को विनियमिक करनेवेलिए विनियमक दिशा-निर्देश क्वरमा कारीन कारी किए हैं।

और करकि, याननीय राहीय हरिक लडिकरण, नई फिलों ने 2014 की की.ए. तं. 204/205/205 में फिनोंक 15 लड़ेन 2015 के लादेश के याद्यप से प्राविकरण को निर्देश कारी किए हूं कि यह तुनिश्चित कर कि ऐसे किसी मी व्यक्ति को पूरत निव्यवंश के लिए प्रमुख्येत, तथया कोई लग्द सावन संचातित कर रहा है, को प्राविकरण से अनुपति प्राप्त करनी 8484 620000





Applicability

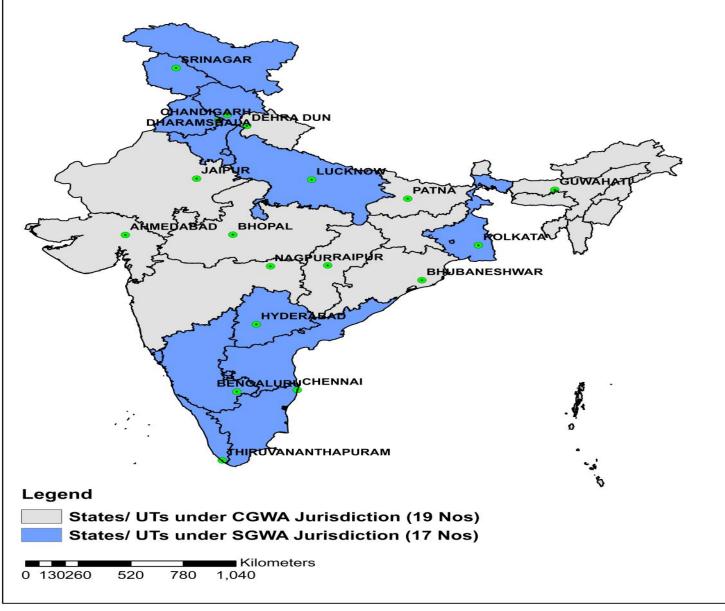
- Guidelines will come in force with <u>immediate</u> effect from issue of Notification with prospective effect.
- These guidelines will supersede all earlier guidelines issued by the Central Ground Water Authority (CGWA)
- Guidelines will have pan-India applicability.
- To have sustainable management of water resources and conserve the scarce groundwater resources in the country.

CGWA Guideline

- CGWA guidelines shall prevail in case of inconsistency with State guidelines.
- If the State has more stringent provisions, the State provisions shall prevail.
- The entire process of grant of No Objection Certificate shall be online through a web based application system.

STATE-WISE STATUS OF GROUND WATER AUTHORITY



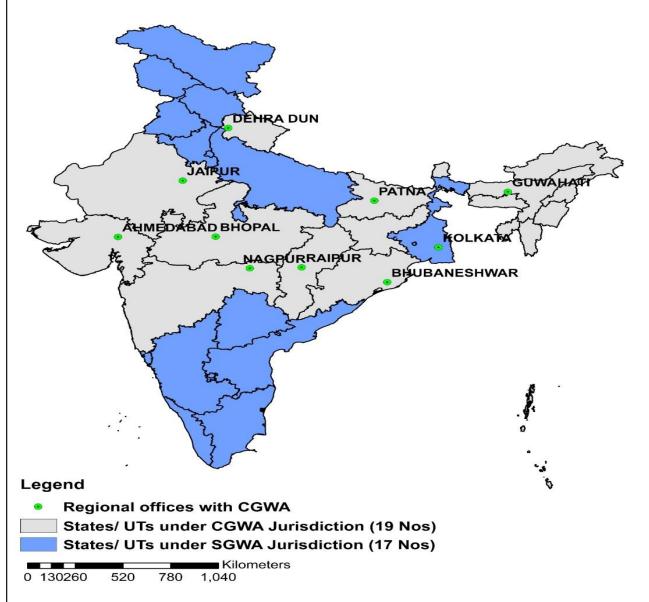


States/UTs with Ground Water Authority Under CGWA – 19 Nos

7 NE States
Bihar, Jharkhand, Odisha,
Madhya Pradesh,
Chhattisgarh, Maharashtra,
Gujarat, Daman Diu and
DDH, Rajasthan, Sikkim, A&N
Islands, Uttarakhand

STATE-WISE STATUS OF GROUND WATER AUTHORITY





Regional Offices having CGWA Works (10 Regions)

- 1. NER, Guwahati 7 NE States
- 2. MER, Patna Bihar, Jharkhand
- 3. SER, Bhubaneswar Odisha
- 4. NCR, Bhopal Madhya Pradesh
- 5. NCCR, Raipur Chhattisgarh
- 6. CR, Nagpur Maharashtra
- 7. WCR, Ahmedabad Gujarat, DNH & DD
- 8. WR, Jaipur Rajasthan
- 9. ER, Kolkata Sikkim, A&N Islands
- 10. UR, Dehradun Uttarakhand

Exempted from Seeking NOC

- 1. Individual domestic consumers in both rural and urban areas for drinking water and domestic uses.
- 2. Rural drinking water supply schemes.
- 3. <u>Armed Forces</u> Establishments and Central Armed Police Forces establishments in both rural and urban areas.
- 4. Agricultural activities.
- 5. Micro and small Enterprises drawing ground water less than 10 KLD.
- 6. Units extracting GW only for Drinking/ Domestic purposes up to <u>5 KLD</u>
- 7. Residential Societies:
 - (a) extracting GW up to 20 KLD for Drinking/ Domestic purpose; and
 - (b) Dwelling Units for EWS under Government Schemes

For Industry Projects

- •All industries abstracting ground water in excess of 100 m³/d 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.
- •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**.

For Industry Projects

•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.

For Industry Projects

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.

FOR INDUSTRIES:

- All industries drawing more than 100 m³/day of GW required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - NOC may be issued subject to the condition that the proponent will submit Impact Assessment Report prepared by Accredited Consultant and Water Audit Report prepared by certified Water auditors.
 - 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

General Conditions for NOC For Industry Projects

- NOC shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
- All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
- Piezometers to be constructed
 - In industrial clusters (as designated or notified by Central/ State Government), Central Ground Water Board (CGWB) shall construct need-based piezometers as per local hydrogeological conditions and monitor water level.
 - In non-cluster areas, 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.

- All residential apartments/ group housing societies/ Government water supply agencies in urban areas required to pay ground water abstraction charges.
- All users seeking NOC in OE areas to pay Ground Water Restoration Charges
- All users seeking NOC in Safe, Semi-critical and Critical areas to pay Ground Water Abstraction Charges.
- The revenue generated from the proposed water abstraction/ restoration charges to be kept in a separate fund for implementation of site-specific suitable demand/ supply side interventions.

MONITORING WELLS

- The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well (hard rock) and 50 m incase of alluvium.
- Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells.
- Monthly water level data shall be submitted to the CGWA through the web portal.

Ground Water Abstraction Charges

Packaged Drinking Water units

S.No.	Category	Quantum of ground water withdrawal					
	of area	Up to 50 m3/day	51 to <200 m3/day	200 to <1000 m3/day	1000 to <5000 m3/day	5000 m3/day and above	
		Rates of GW abstraction charges (Rs. per m³)					
1	Safe	1	3	5	8	10	
2	Semi-critical	2	5	10	15	20	
3	Critical	4	10	20	40	60	

Ground Water Restoration Charges

Packaged Drinking Water units

S.No.	Category of	Quantum of ground water withdrawal				
	area	Up to 50 m3/day	51 to <200 m3/day	200 to <1000 m3/day	1000 to <5000 m3/day	5000 m3/day and above
		Rates of GW restoration charges (Rs. per m³)				
1	Over- exploited (existing industries only)	8	20	40	80	120

Ground Water Abstraction Charges

Infrastructure Projects & Other Industries

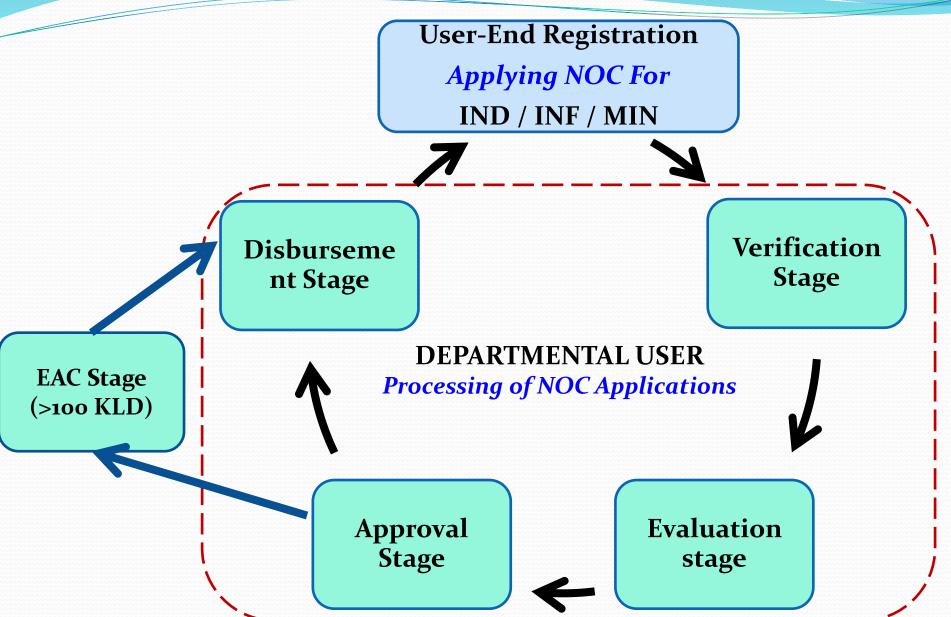
S.No.	Category of	Quantum of ground water withdrawal (m³/day)				
	area	<200 m3/day	200 to <1000 m3/day	1000 to <5000 m ₃ /day	5000 m3/day and above	
		Rates of GW abstraction charges (Rs. per m³)				
1	Safe	1	2	3	5	
2	Semi-critical	2	3	5	8	
3	Critical	4	6	8	10	

Ground Water Restoration Charges

Infrastructure Projects & Other Industries

S.No.	Category of	Quantum of ground water withdrawal				
	area		200 to <1000 m3/day	1000 to <5000 m3/day	5000 m3/day and above	
		Rates of GW restoration charges (Rs. per m³)				
1	Over-exploited (existing industries/ new Industries as per the present Guidelines)	6	10	16	20	

MoJS Notified Guideline



Restrictions & Permissions

NOC for GW Abstraction – Restrictions and Permissions

Industrial Use

- In Over-exploited Areas, NOC for Ground water abstraction shall not be granted for ground water abstraction to any New Industries other than MSME
- Existing industries/ infrastructure/ mining projects in OE areas to be continued.
- Expansion of existing industries involving increase in quantum of ground water abstraction in over-exploited assessment units NOT permitted.

Restrictions & Permissions

NOC for GW Abstraction – Restrictions and Permissions

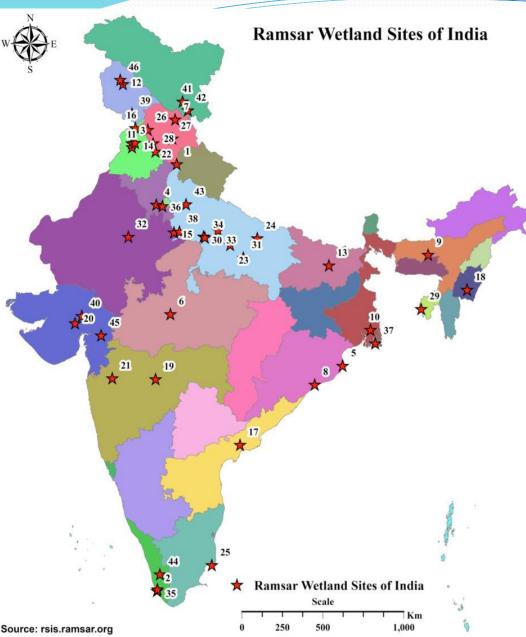
- No NOC to be granted to new packaged water industries in Overexploited areas, even if they belong to MSME category.
- Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
- Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, 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.

Restrictions & Permissions

NOC for GW Abstraction – Restrictions and Permissions Saline GW (Separate Guidelines issued by CGWA 2021)

- Industries using saline ground water to be encouraged.
- Such industries to be exempted from paying ground water abstraction/ restoration charges.
- All projects extracting saline groundwater in excess of 500 m³/d in complete saline assessment units and 100 m³/d in partial saline assessment units shall have to submit Impact Assessment Report along with groundwater modeling studies indicating saline - fresh water interface.

Protection of Wet Land



S.No	Site Name	Designation Date	Area (Sq. Km
1	Asan Conservation Reserve	21-07-2020	440.33
2	Ashtamudi Wetland	19-08-2002	374.8
3	Beas Conservation Reserve	26-09-2019	437.3
4	Bhindawas Wildlife Sanctuary	25-05-2021	443.4
5	Bhitarkanika Mangroves	19-08-2002	374.8
6	Bhoj Wetland	19-08-2002	374.8
7	Chandertal Wetland	08-11-2005	386.6
8	Chilika Lake	01-10-1981	298.
9	Deepor Beel	19-08-2002	374.8
10	East Calcutta Wetlands	19-08-2002	374.8
11	Harike Lake	23-03-1990	329.5
12	Hokera Wetland	08-11-2005	386.6
13	Kabartal Wetland	21-07-2020	440.3
14	Kanjli	22-01-2002	372.7
15	Keoladeo National Park	01-10-1981	298.
16	Keshopur-Miani Community Reserve	26-09-2019	437.3
17	Kolleru Lake	19-08-2002	374.8
18	Loktak Lake	23-03-1990	329.5
19	Lonar Lake	22-07-2020	440.3
20	Nalsarovar	24-09-2012	411.7
21	Nandur Madhameshwar	21-06-2019	436.3
22	Nangal Wildlife Sanctuary	26-09-2019	437.3
23	Nawabganj Bird Sanctuary	19-09-2019	437.2
24	Parvati Arga Bird Sanctuary	02-12-2019	438.0
25	Point Calimere Wildlife and Bird Sanctuary	19-08-2002	374.8
26	Pong Dam Lake	19-08-2002	374.8
27	Renuka Wetland	08-11-2005	386.6
28	Ropar	22-01-2002	372.78
29	Rudrasagar Lake	08-11-2005	386.6
30	Saman Bird Sanctuary	02-12-2019	438.0
31	Samaspur Bird Sanctuary	03-10-2019	437.4
32	Sambhar Lake	23-03-1990	329.5
33	Sandi Bird Sanctuary	26-09-2019	437.3
34	Sarsai Nawar Jheel	19-09-2019	437.27
35	Sasthamkotta Lake	19-08-2002	374.8
36	Sultanpur National Park	25-05-2021	443.4
	Sundarban Wetland	30-01-2019	434.9
38	Sur Sarovar	21-08-2020	440.6
39	Surinsar-Mansar Lakes	08-11-2005	386.64
40	Thol Lake Wildlife Sanctuary	05-04-2021	442.9
41	Tso Kar Wetland Complex	17-11-2020	441.5
42	Tsomoriri	19-08-2002	374.8
	Upper Ganga River	08-11-2005	386.6
44	Vembanad-Kol Wetland	19-08-2002	374.87
45	Wadhvana Wetland	05-04-2021	442.93
46	Wular Lake	23-03-1990	329.5

ENVIS-Resource Partner Wildlife and Protected Areas 2021



Project proponent to **obtain consent from Wet Land**Authority before seeking NOC
from CGWA.

Projects located within 500 meter from the periphery of demarcated wetland areas to mandatorily submit detailed **study report** to ensure that ground water abstraction by the project proponent is not likely to have any adverse impact on the protected wetland areas.

Monitoring Mechanism of NOC

- Online monitoring of GW extraction and water levels through installation of digital flow meters with telemetry.
- Designating all technical officers of CGWB/ State Ground Water organization as authorized officers for periodic field inspection and monitoring of compliance.

DELEGATION OF POWER AGAINST ILLEGAL WITHDRAWAL

- District Collectors/deputy Commissioners (DC)/District magistrates(DM) are authorised to take enforcement measures like sealing of unauthorised ground water abstraction structures, disconnection of electricity, launching of prosecution against those violating the NOC conditions.
- Technical officers of CGWB/CGWA and State ground water Dept. are authorized to take actions with respect to monitoring and periodic inspection of NOC conditions.

- Environmental compensation (EC) for any illegal abstraction of ground water to be levied as per CPCB report.
- Categories for which EC shall be levied and corresponding rates specified.
- \cdot EC_{GW} = Ground water consumption per dayxECR_{GW}xNo. Of daysx deterrence factor

ECRgw for Packaged Drinking Water Units

		Water Consumption (m³/day)					
S.No.	Area Category	<200	200 to <1000	1000 to <5000	5000 & above		
		Environmental Compensation Rate (ECRGW) in Rs./m ³					
1	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 ECGW shall not be less than Rs 1,00,000/-

ECRgw for Industrial Units

			Water Consumption (m ³ /day)				
S.No.	Area Category	<200	200 to <1000	1000 to <5000	5000 & above		
		Environmental Compensation Rate (ECRGW) 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 :-Minim	um ECcw =Rs 1,	.00,000/-			

Deterrent Factors to compensate losses and environmental damage

 For packaged drinking water units, mining, industries and infrastructural dewatering projects

Table: 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

Penalty Provisions

Penalty shall be imposed for non-compliance of NOC conditions-

- Provision of penalty for each type of violation of NOC conditions
- Provision of charges for correction /modification in the existing issued NOC.
- Penalty for injection of contaminated water into the aquifer Rs. 10 lakh.

Processing Fee

 Processing fee Rs. 10000/- for new NOC and Rs. 5000/- for renewal/ expansion of NOC

Penalty Provisions

Penalty for Non-Compliance of NOC conditions

S. No.	Condition of NOC	Penalty (Rs.)
1	Non Installation/Defunct Digital water Flow meter with telemetry	2,00,000
3	Non disclosure/ construction of additional groundwater abstraction structures a) Functional (per structure) b) Defunct/Abandoned (per structure) Reporting of fresh water zones as Brackish / Saline zones in application	2,00,000 1,00,000 2,00,000
4	Non Installation of Piezometer	2,00,000
5	Non Installation /faulty DWLR/Telemetry	1,00,000
6	Non Construction /Inadequate Recharge Structure	5,00,000
7	Non maintenance of Recharge structure	2,00,000

Penalty Provisions

PENALTY FOR NON-COMPLIANCE OF NOC CONDITIONS

S. No.	Condition of NOC	Penalty (Rs.)
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

Other Charges

Proposed Charges for correction/Modification in the existing issued NOC

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

S. No.	Items	Charges in
		Rs.
1	Change in User ID.	5000
2	Change in firm Name	5000
3	Extension of No Objection Certificate	5000
4	Issuance of duplicate No Objection Certificate	5000
5	Issuance of corrigendum to No Objection Certificate	5000
6	Any other items/corrections etc	5000

Validity period of NOC

Validity period of NOC (Renewal)

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

Renewal of NOC

- The applicant to apply for renewal of NOC at least 90 days prior to expiry of its validity.
- Application for renewal of NOC shall be accompanied by the Compliance report.
- Before granting renewal, Central Ground Water Authority or State/ UT Authority to satisfy itself that the conditions of NOC have been complied with.
- If the proponent fails to apply for renewal within 3 months from the date of expiry of NOC, the proponent to pay Environmental Compensation for the period starting from the date of expiry of NOC till NOC is renewed by the competent authority.

Extension of NOC

- Incase, Proponent unable to construct well during validity period of NOC for genuine reasons, he can apply for extension of NOC.
- Extension of NOC to be granted for a maximum period of two years.
- No further extension to be granted after the expiry of the extended period. In such case, the applicant to apply afresh for grant of NOC.

General Compliance Conditions of NOC

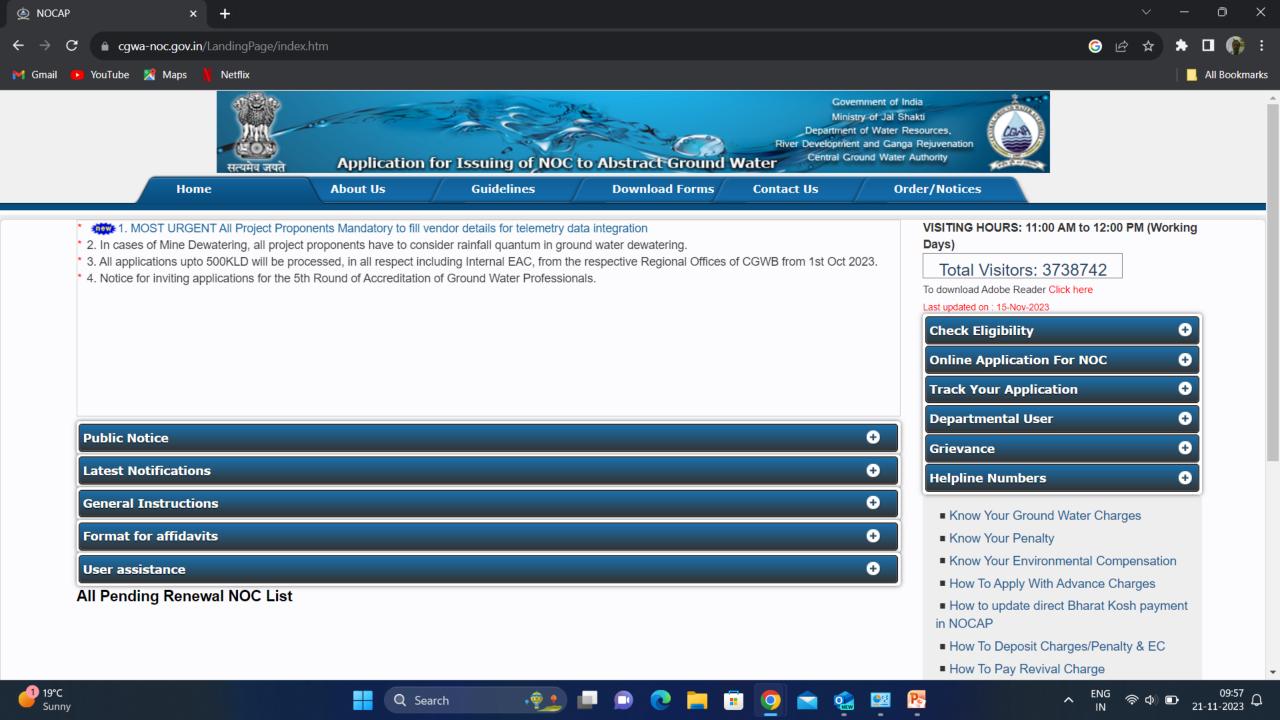
- Installation of digital water flow meter (conforming to BIS/ IS standards) having telemetry system in the abstraction structure(s)
- Calibration of digital flow meters once in a year through authorized agency
- Roof top rainwater harvesting & recharge systems in the project area as per National Building bye-laws.
- Payment of applicable Ground Water Abstraction/ Restoration Charges
- Monitoring of quality of ground water from the abstraction structure(s) once in a year
- Wherever feasible, requirement of water for greenbelt (horticulture) shall be met from recycled / treated wastewater
- Construction of purpose-built observation wells (piezometers) for ground water level monitoring is mandatory

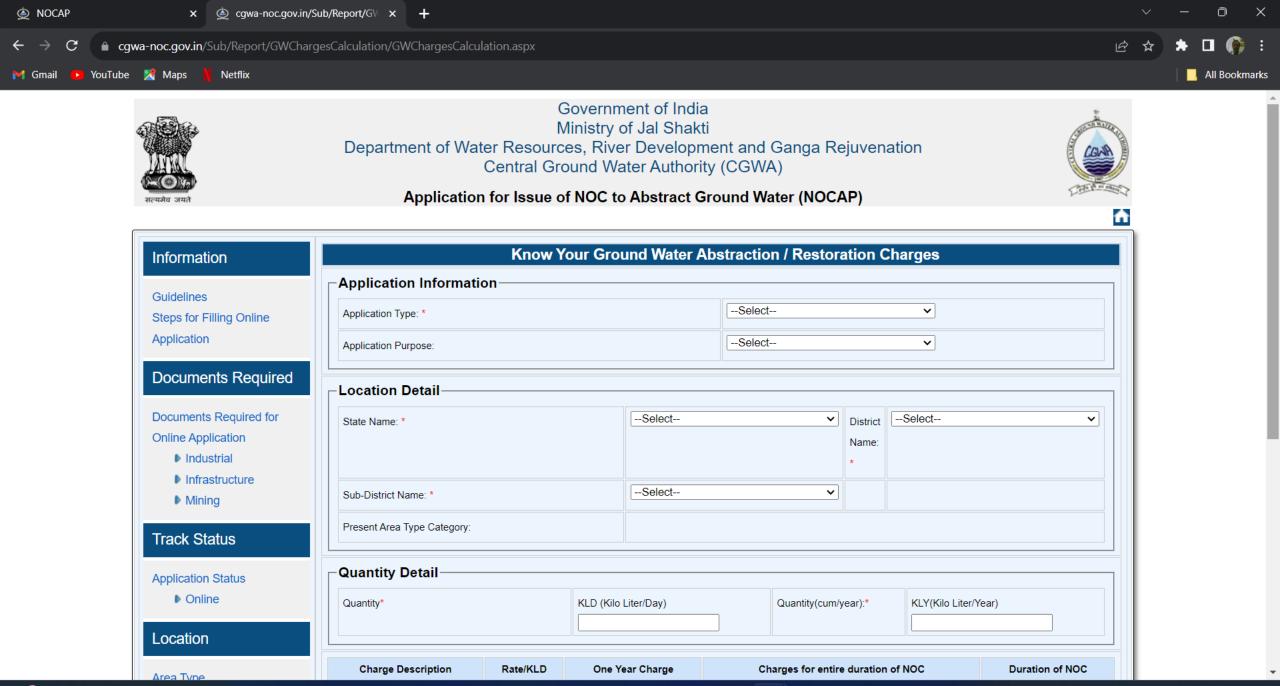
Ground Water Level Monitoring

Piezometers to be constructed

- In industrial clusters (as designated or notified by Central/ State Government), Central Ground Water Board (CGWB) shall construct need-based piezometers as per local hydrogeological conditions and monitor water level.
- In non-cluster areas, 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.

Table 14.1 No. of Piezometers with Digital Water Level Recorder (DWLR) and		
telemetry to be constructed & Type of Water Level Monitoring Mechanism		
S.	Quantum of Ground water withdrawal	No. of piezometer(s) (with DWLR
No.	(cum/d)	and telemetry required)
1.	0-100	0
2.	>100 (Hard rock aquifer type in non-cluster	1
	areas)	
3.	>500 (Alluvium aquifer type in non-cluster	1
	areas)	







































Thanks



कोई प्रश्न???

Any Queries ???