

**GOVERNMENT OF INDIA**  
**CENTRAL GROUND WATER AUTHORITY**  
MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION  
No. 26-1/CGWA/Directions/2017 Dated the 24<sup>th</sup> April, 2017

**Sub: Directions under Section 5 of the Environment (Protection) Act, 1986-reg.**

Whereas the Central Government constituted the Central Ground Water Authority (hereafter referred to as the Authority) *vide* notification of the Government of India in the Ministry of Environment and Forest number S.O. 38 (E), dated the 14<sup>th</sup> January, 1997, followed by notification number S.O. 1024(E), dated the 6<sup>th</sup> November, 2000 and S.O. 1121(E), dated the 13<sup>th</sup> May, 2010, for the purposes of regulation and control of groundwater development and management in the whole of India;

And whereas, the Hon'ble National Green Tribunal, Principal Bench, New Delhi in the Application No. 190 of 2016 (M.A. No. 353/2016) Sushil Raghav & Anr. Vs Central Ground Water Authority & Others, has directed as under:-

1. CGWA shall forthwith seal all the bore-wells run by the existing and/ newly established industries and to be established from for extraction of ground water, which are not granted consent as on the date of the order passed by this Tribunal on 15-04-2015.
2. Extraction of water by such of the industries who have applied to CGWA for grant of permission and consent and whose applications are still pending shall also be prevented from extraction of ground water from the bore-wells till their applications are objectively examined individually.
3. Apart from the industries who are brought into the mischief of our order, we further direct extraction of ground water by, private individuals; any person or builders without permission or having valid permission, shall face the same consequences and CGWA shall seal all their bore-wells.
4. CGWA shall ensure that no private water supplier through tankers is allowed extraction of water whether within or beyond the limits of the Municipal Corporation with authorization of CGWA.
5. The CGWA shall list out such of the water suppliers who are supplying water for any purpose and ascertain the sources of acquiring of water by the suppliers. If the same is being done after obtaining consent then ascertain the quantity of water so far extracted.
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same is being done after obtaining consent then ascertain the quantity of water so far extracted.

7. The District Magistrate, who is described as the authorized officer under the notification referred to above, shall ensure that any direction issued by CGWA in this regard, is enforced.

8. The CGWA is directed to pass appropriate orders and get it executed by authorized officers named in the notification. If need be obtain, necessary assistance from the local jurisdiction police for this purpose. The CGWA and District Magistrate to issue appropriate directions/ instructions to the jurisdiction police for this purpose.

In view of the above directions and in compliance, the Central Ground Water Authority in exercise of powers under section 5 of Environment (Protection) Act, 1986 issues the following directions:

1. That the District Magistrate, Ghaziabad and the District Magistrate Hapur, shall forthwith seal all the bore-wells/bore-wells run by the existing and /newly established industries and to be established industries for extraction of ground water which are not granted NOC on the date of the order passed by the National Green Tribunal on 15.04.2017.

2. The District Magistrate, Ghaziabad and District Magistrate Hapur shall also ensure that the Industries/Projects, who have applied to CGWA for grant of NOC/permission and consent and whose applications are still pending, shall also be prevented from extraction of ground water from the bore-wells till their applications are objectively examined individually and NOC is obtained.

3. That the District Magistrate, Ghaziabad and District Magistrate Hapur shall also seal all the tube-wells/bore-wells of individuals or builders and Developers who do not have NOC from Central Ground Water Authority.

4. That the District Magistrate, Ghaziabad and District Magistrate Hapur shall ensure that no private water supplier through tanker is allowed to extract ground water in Ghaziabad and Hapur for sale and supply.

5. That the District Magistrate, Ghaziabad and District Magistrate Hapur shall provide the compliance report on sealing of illegal and unauthorized bore-wells/tube wells and seizure of Private Water Tankers within one week in compliance of above directions of Hon'ble Tribunal.

6. That the Regional Officer, Uttar Pradesh Pollution Control Board, Ghaziabad and Regional Officer, Uttar Pradesh Pollution Control Board, Hapur shall provide the details of all the industries/projects to the District Magistrates immediately and would coordinate and cooperate with the District Magistrates for ensuring the compliance of directions of the Hon'ble NGT, New Delhi. He shall also provide the details of water cess collected from each of these industries/projects.

7. That the Superintendent of Police/SSP, Ghaziabad and Superintendent of Police/SSP Hapur shall extend all necessary assistance/provide police force, to the District Magistrates of Ghaziabad and Hapur to ensure that the directions of Hon'ble NGT, New Delhi are complied with on sealing of wells and seizure Tankers.

8. That the Commissioner, Municipal Corporation, Ghazibad and Commissioner, Municipal Corporation Hapur shall extend all necessary assistance/provide information related to Builders & Developers, private water suppliers through Tankers, to the District Magistrates of Ghaziabad and Hapur to ensure that the directions of Hon'ble NGT, New Delhi are complied with on sealing of Wells and seizure of Tankers.

Any violation of above directions shall attract coercive action by Hon'ble NGT under the provisions of NGT Act, 2010 and/or under the provisions of Environment (Protection) Act, 1986.

  
29/1/2019  
Chairman

**Central Ground Water Authority**

1. The District Magistrate, O/o the District Magistrate, Ghaziabad
2. The District Magistrate, O/o the District Magistrate Hapur.
3. The Member Secretary, Uttar Pradesh Pollution Control Board, Vibhuti Khand, PICUP Bhawan, Gomti Nagar, Lucknow-226010, Uttar Pradesh.
4. Commissioner, Municipal Corporation, Ghaziabad.
5. Commissioner, Municipal Corporation, Hapur.
6. Superintendent of Police/SSP, District Ghaziabad.
7. Superintendent of Police/SSP, District Hapur.
8. All the owners of Industries/Projects in Ghaziabad and Hapur.
9. All the private water suppliers through Tankers in Ghaziabad and Hapur.
10. All the Builders & Developers in Ghaziabad and Hapur.

**Copy for information and necessary action to:-**

1. The Chief Secretary, Govt. of Uttar Pradesh, Shri Lal Bahadur Shashtri Bhawan, Sarojini Naidu Marg, Lucknow- 226 001 (U.P.).
2. The Principal Secretary, Department of Infrastructure and Industrial Development, Government of Uttar Pradesh, 4th Floor, Shri Lal Bahadur Shashtri Bhawan, Sarojini Naidu Marg, Lucknow- 226 001 (U.P.).
3. The Principal Secretary (Environment), Govt. of Uttar Pradesh, Bapu Bhawan, Secretariat, Vidhan Sabha Marg, Lucknow-226001, Uttar Pradesh.
4. Principal Secretary, Minor Irrigation, and ground Water, Govt. of Uttar Pradesh, Lucknow-226001.
5. Joint Secretary (Admn.), Ministry of Water Resources, River Development & Ganga Rejuvenation, Shram Shakthi Bhavan, New Delhi.
6. Member Secretary, CGWA, Sector-I, West Block-2, Wing-3, R.K.Puram, New Delhi.
7. The Regional Director, Central Ground Water Board, Northern Region, Bhujal Bhawan, Aliganj, Lucknow.