

CENTRAL GROUND WATER AUTHORITY
[Constituted under section 3(3) of Environment (Protection) Act, 1986]
Gallery No. 18/11, Jamnagar House, Mansingh Road, New Delhi-110011
Phone:23383561;Fax:23382051;e mail: cgwa@nic.in

No. 32-1/CGWA/Direction/2019-714

New Delhi, Dated the 5th August, 2019

NOTICE

Whereas the Central Government constituted the Central Ground Water Authority (hereafter referred to as the Authority) *vide* notification number S.O. 38 (E), dated the 14th January, 1997, followed by notification number S.O. 1124(E), dated the 06th November, 2000 and S.O. 1121(E), dated the 13th May, 2010, of the Government of India in the Ministry of Environment and Forest, for the purposes of regulation and control of groundwater development and management in the whole of India and to issue necessary regulatory directions;

And whereas, the Authority has issued regulatory directions in exercise of powers under section 5 of the Environment (Protection) Act, 1986 under different public notices in different areas/blocks and also regulating in accordance with the provisions under guidelines issued in this connection from time to time (for directions/ guidelines refer to website: www.cgwb@nic.in;

And Whereas, the FSSAI and BIS are granting licenses/certificates to package drinking water units, distilleries, beverages, and other water based industries/ units using ground water as source water, without verifying the status on compliance of directions/guidelines of CGWA/NGT/Supreme Court by these industries/units;

And whereas, the Authority on the basis of recommendations of Inter-Ministerial Committee, constituted by Ministry of Water Resources, River Development and Ganga Rejuvenation, New Delhi,(Now Ministry of Jal Shakthi) *vide* minutes dated 9.2.2017 has considered it necessary and expedient to issue directions to Food Safety and Standards Authority of India and Bureau of Indian Standards to ensure that the package drinking water units, distilleries, beverages, and other water based industries/ units using ground water as source water, are obtaining NOC from CGWA and complying directions of Hon'ble National Green Tribunal/Supreme Court of India;

And whereas the Hon'ble NGT, New Delhi under its order dated 07.05.2019 in OA No.59/2012 and other connected matters held that "*There was no check on extraction of ground water even for commercial purposes, including packaging water, use of ground water by builders and hotels for swimming pools or other activities*" and "*Orders were passed by this Tribunal, including order dated 28.08.2018 noting the guidelines of CGWA that permission to extract ground water in OCS areas is to be given only for drinking and domestic purposes*"

And whereas the packaged drinking water units, distilleries, beverages, and other water based industries/ units, using ground water as source water, in over exploited, critical and semi-critical (OCS) areas are not complying with the fundamental conditions envisaged under the guidelines of Central Ground Water Authority on installation of digital water/flow meters to monitor ground water extraction, rain water harvesting to ensure sustainable development of ground water, recycle/reuse of waste water to control effluent discharge and such other environmental norms/standards prescribed from time to time by Hon'ble NGT/Supreme Court of India(Judgment dated 22.2.2017 in CWP No. 375/2012);

And whereas the authority in order to regulate ground water development and management by all packaged drinking water units, distilleries, beverages, and other water based industries/ units, using ground water as source water, in over exploited, critical and semi-critical(OCS) areas and other areas has formulated the following draft proposal for the purpose of issuing directions under section 5, read with section 3(2)(i) and (v) of the Environment (Protection) Act, 1986 (29 of 1986), and paragraph 2(i) of the notification of the Government of India in the Ministry of Environment and Forests number S.O. 38(E) dated 14th January, 1997, and publishes the same as required under rule 4 of the Environment(Protection) Rules, 1986 and

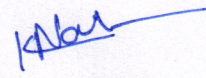
notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of 45 days from the date of publication of this public notice.

Suggestions or objections with respect to the said proposal may be forwarded within the period so specified, to the Member Secretary, Central Ground Water Authority at Gallery No. 18/11, Jamnagar House, Mansingh Road, New Delhi-110011.(Fax: 23388310, email: mcgwa-cgwb@gov.in).

DIRECTIONS

1. On and from the date of this direction,-- the Chief Executive Officer of FSSAI and the Director General of the BIS shall ensure that all ground water based packaged drinking water units, distilleries, beverages, and other water intensive industries in over exploited, critical and semi-critical(OCS) areas in the country, are restrained from granting licenses/certificates, in accordance with the directions under order dated 3.1.2019, followed by order dated 07.05.2019 of Hon'ble NGT, New Delhi in OA No. 59/2012 and other connected matters. Any industry/ project/ unit aggrieved of the directions of Hon'ble NGT shall seek relief directly from Hon'ble NGT, New Delhi. (For list of OCS areas, guidelines of CGWA and directions of Hon'ble NGT/Supreme Court of India, please refer to website: www.cgwb.gov.in);
2. The Chief Executive Officer of FSSAI and the Director General of the BIS shall ensure that the guidelines of CGWA and directions/ orders of Hon'ble NGT, New Delhi and Supreme Court of India issued from time to time, are complied with while granting Licenses/Certificates in respect of packaged drinking water units, distilleries, beverages, and other water based industries/ units, using ground water as source water, in other (Safe/Saline) areas.

The above directions are without prejudice to the orders of Hon'ble NGT/Supreme Court of India, New Delhi issued from time to time. Any violation of above direction shall attract penal provisions under section 15 of the Environment (Protection) Act, 1986.



Chairman
Central Ground Water Authority

To

1. Chief Executive Officer of FSSAI, New Delhi.
2. Director General of the Bureau of Indian Standards, New Delhi.

Copy to:

1. Secretary, MOEF&CC, Indira Paryavaran Bhavan, Jor Bagh, New Delhi-110003.
2. Secretary, Department of Drinking Water & Sanitation, C-Wing 4th Floor, Pandit Deendayal Antyodaya Bhavan, CGO Complex, Lodi Road, New Delhi-110003..
3. Secretary, Department of Water Resources, River Development & Ganga Rejuvenation, Shram Shakti Bhavan, New Delhi.
4. Secretary, Ministry of Consumer Affairs, Food and Public Distribution, New Delhi.
5. Secretary, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi-110011.
6. Chairman, Central Pollution Control Board, Parivesh Bhavan, East Arjun Nagar, Delhi-110032..
7. All the Chief Secretaries of the concerned State.
8. Registrar General, National Green Tribunal, Faridkot House, Copernicus Marg, New Delhi.
9. Guard File.

Chairman
Central Ground Water Authority