

**Minutes of the 4<sup>th</sup> meeting of HP Ground Water Authority held on 13<sup>th</sup> September, 2019 under the Chairmanship of Er. Naveen Puri Engineer-in-Chief, (IPH)-cum-Chairman Himachal Pradesh Ground Water Authority.**

The 4<sup>th</sup> meeting of the HP Ground Water Authority was held on 13<sup>th</sup> September, 2019 at Jai Shakti Bhawan, Shimla-5. The list of participants is attached as Annexure-'A'.

At the outset, the Member Secretary HPGWA-cum-Superintending Engineer, P&I-II welcomed all the members and with the permission of the chair put up the minutes of the 3<sup>rd</sup> meeting (HPGWA) before the committee for its approval and the committee unanimously approved the minutes of 3<sup>rd</sup> meeting then the deliberations on the various items of agenda were discussed as under :-

**Item No. 1 To re-visit the existing Rules and Regulations of HP Ground Water Act, 2005 as per the judgment dated 22.10.2018 of the Hon'ble High Court of HP in CWP No. 1809 of 2018 (Sh. Chetan Kumar and others Versus State of HP and others).**

As per the decision taken in the 3<sup>rd</sup> meeting of the HP Ground Water Authority, the Sub-Committee was constituted vide notification No.IPH-SE-P&I-II-EE(GWA)2018-19: 3595-36-75 dt. 12.02.2019 even file No. 08-104 dt. 16.04.2019 to go through the verdicts of Hon'ble High Court of HP in CWP No. 1537/2018 & CWP No. 1809 of 2018 & other matters as per ToR given in the notification and to arrive at some conclusion which had to be put up before the HP Ground Water Authority for the final decision. The 1<sup>st</sup> Meeting of Sub-Committee was held on 02.07.2019 in the chamber of the Chairman of the Sub-Committee Dr. O. N. Tiwari, Regional Director, Central Ground Water Board (CGWB) Dharamshala and the minutes stand circulated vide Member Secretary-cum-Senior Hydrogeologist, Ground Water Organization (GWO), IPH Deptt. Una letter No. IPH/GWO/HPGWA-Meeting/2019-20-544-50 Dated 04.07.2019.

The HP Ground Water Authority in its 4th meeting held on dated 13.09.2019 approved the decision taken by the Sub-Committee to follow the guidelines of Central Ground Water Authority (CGWA) made for entire country as these guidelines are being updated from time to time by CGWA. However, the authority decided to enhance the application fee for various ground water users as under:-

Sr. No.	Category of Ground Water User	Present Application Fee (Non refundable) required to be paid for grant of permit/ Certificate of registration for borewell/tubewell/ energized handpumps.	Amended Application Fee (Non refundable) for applying the permit for drilling the borewell/certificate of registration for existing borewell.	Remarks
1.	Domestic	Rs. 1000/-	Rs. 2000/-	

2.	Irrigation	Rs. 5000/-	Rs. 10000/-	
3.	Commercial/ Industrial	Rs. 10000/-	Rs. 20000/-	

**Item No. 2** To explore the possibilities of notifying the entire state under the HP Ground water act, 2005 as per the affidavit filed by the Secretary (IPH) to the Govt. HP in the Hon'ble High Court of HP on 26.07.2018 in compliance to the order dated 20.07.2018 passed by the Hon'ble court in CWP No. 1537/2018 (Sh. Rajiv Kumar, S/O Late Sh. Kewal Ram, R/O Village Tikker, PO. Sarahan, Tehsil Pachhad, Distt. Sirmour HP) and CWP No. 1809 of 2018.

The Sub-Committee as referred in item No. 1 above was of the opinion that as per Ground Water Resource Estimation Committee (GEC) 2015 guidelines, the resources are not being calculated for hilly areas with a slope of >20%. The CGWB has made resource estimation study as on March 2017 in Indora, Nurpur, Balh, Paonta, Kala Amb, Nalagarh, Una & Hum Valleys only. However, in rest of the areas in Himachal Pradesh, where the slope of the area is >20%, no such study has been carried out. Hence, as per the opinion of the ibid committee these areas cannot be notified, till the guidelines be prepared by CGWA. But the HP Ground Water Authority in its meeting recommended ,after detailed and intense deliberations, to bring the entire State under the ambit of the HP Ground Water Act-2005; and notification for effecting the same under Section-5 of the ibid Act was strongly recommended.

**Item No. 3** To study the minimum distance criteria between two ground water extraction structures under Section-7 Sub-Section 5 (f) of Himachal Pradesh ground Water (Regulation and Control of Development and Management) Act, 2005.

The Sub-Committee as referred in item No. 1 above observed that spacing already mentioned in the act as per 7 Sub-Section 5 (f) of Himachal Pradesh, the minimum distance of 200m in case of shallow well (having depth up to 60m) and 300m in case of tubewell (having depth more than 60m) from the existing source of water supply or irrigation scheme should be continued, but there is nothing mentioned in respect of hard and soft rock.

The chairman of Sub-Committee Dr. O. N. Tiwari, intimated that in hard rock area, the spacing between two abstraction structures is around 100 to 150m, but no scientific criteria has been adopted for this spacing. However, the Sub-Committee was of the opinion that in hilly areas, the spacing between two abstraction structures be calculated by using scientific tools i.e. pumping test, so that all the aquifer parameters are studied accurately and spacing be defined accordingly.

The HP Ground Water Authority decided not to make any change in the distance criteria applicable at present. However, the Authority was of the opinion that all the existing water abstraction structures constructed by the ground water users after the HP Ground Water Act, 2005 came in to force i.e. on 09.08.2011 will be regularized (issued certificate of registration) with compounding of offence by charging an amount equal to two times and five times of registration fee from the existing domestic/irrigation and commercial/industrial ground water users respectively.

**Item No. 4 To devise the modalities for collection of royalty charges and monitoring of the Ground Water Act/Rules provisions.**

The Sub-Committee as referred in item No. 1 above in its report has suggested that the guidelines of CGWA for revenue collection are very lucidly prepared. Therefore the same may be brought from Head office of CGWA, New Delhi and may be considered for implementation in the State of Himachal Pradesh. However, the HP Ground Water Authority in its meeting held on dated 13.09.2019 proposed that the concerned Executive Engineers of notified areas will raise the bills of royalty as per actual meter reading at site of water abstraction structure. The ledger for royalty collection will also be maintained by the concerned Executive Engineer. The specimens of bill form and ledger have already been circulated among the Executive Engineers of the notified areas and the same will be circulated in all the remaining IPH Divisions after the notification to implement the HP Ground Water ( Regulation and Control of development and Management) Act ,2005 in the entire state of HP is issued by the HP Government. It was also decided by the GWA that the staff for collection of royalty will be deployed on outsource basis which will lead to the efficient and timely collection of the revenue in the form of royalty..

The authority also decided that a mandatory condition will be imposed on every ground water user to construct a ground water recharge structure of matching capacity (to be prescribed by the HPGWA based upon the annual rainfall in the area).

The other points discussed are as under:-

**Item No. 5 Ground Water quality survey.**

The Chairman (HPGWA)-cum-Engineer-in-Chief (IPH) apprised the members that the Chief Engineer (WSSO) is already engaged for water quality survey work.

**Item No. 6 Involvement of any institution in the Authority.**

The HP Ground Water Authority was of the opinion that non official members as proposed in item No. 13 should be got appointed instead of involving any Institution.

**Item No. 7 To consider the Implications of NGT orders issued from time to time.**

The HP Ground Water Authority decided to impose a mandatory condition in each permit/certificate of registration that the NGT orders issued from time to time shall also be applicable to the ground water users.

**Item No. 8 Re -fixing/Enhancing the Royalty charges of ground water extracted.**

The committee unanimously decided to enhance the royalty charges for various ground water users as under:-

Sr. No.	Category of Ground Water User	Royalty charges applicable at present.	Amended royalty charges proposed for future.	Remarks
1.	Domestic/ Irrigation	Rs. 1/- per 10 KL.	Rs. 1/- per KL.	An increase of royalty charges by 10% every year applicable wef. 1 <sup>st</sup> April has also been proposed by the committee.
2.	Commercial/ Industrial	Rs. 1/- per 10 KL.	Rs. 5/- per KL.	

These rates shall be applicable w.e.f. 01.04.2020

**Item No. 9** The permits/certificates of registration granted for new/existing ground water users by the HP Ground Water Authority Shimla should be for a fixed period of time and based upon the compliance of the terms & conditions of the permits/certificates of registration as well as ground water availability are to be renewed or not to be renewed.

The HP Ground Water Authority decided that validity period of each permit/certificate of registration issued for ground water abstraction structure should be issued for three years and shall be renewed after every three years. The renewal will be done only subject to the fulfilment of the conditions of the permit and availability of ground water. The renewal charges has been proposed as under:

Sr. No.	Category of Ground Water User	Renewal charges of water abstraction structure.	Remarks
1.	Domestic	Rs. 2000/-	
2.	Irrigation	Rs. 10000/-	
3.	Commercial/ Industrial	Rs. 20000/-	

**Item No. 10** Provision for renewal of Drilling Agencies.

The HP Ground Water Authority also decided that the fee for registration of drilling agencies should be increased from Rs. 10000/- to Rs. 20000/- and the validity period of registration should be three years and after which the renewal is required. The renewal fee will be Rs. 20000/- for each drilling agency.

**Item No. 11** Regarding consent of Pollution Control Board (PCB).

The HP Ground Water Authority was of the opinion that NOC from HP Pollution Control Board (HPPCB) will be required with the application for registration of existing ground water abstraction structures/Renewal of the permit in commercial/industrial category. However, no NOC will be asked for sinking of new bore well.

**Item No. 12** Notification for appointment of Non official Members.


The HP Ground Water Authority decided that a proposal for appointment of Non official Members will be sent to the Govt. of HP for its approval.

**Item No. 13** Any other item with the permission of Authority.

The issue for providing a vehicle in each division of notified area was raised by the Senior Technical Assistants (STAs)/Junior Hydro geologists for field visits by them as well as by the Junior Engineers. The HP Ground Water Authority decided that a proposal for providing vehicles out of the funds of the Authority will be moved to the Govt. for its approval.

It has also been decided by the Authority that the Registration fee for the existing water abstraction structures installed or to be installed up to 31.12.2019 by the Irrigation & Public Health Department be waived off by giving one time relaxation. However, the fee for the water abstraction structures to be construed after 31.12.2019 shall be charged strictly as per the provisions in the HP Ground Water Act, 2005. The Authority also recommended that the case for relaxation will be sent to the Govt. for its approval.

The meeting ended with Vote of thanks to the Chair.

  
Member Secretary,  
H.P. Ground Water Authority,  
Jal Shakti Bhawan, Shimla-5

## Annexure-A

### **List of participants:-**

1. Sh. Rajesh Sharma  
IFS  
O/O Principal Chief Conservator of,  
Forests, Tolland Shimla-1.
2. Sh. Ashok Verma  
Superintending Engineer,  
O/O Chief Engineer, (PCA) HPSEBL,  
Vidyut Bhawan, Shimla-4.
3. Sh. Vipin Kumar  
SC 'B'  
O/O Regional Director, CGWB,  
North Himalayan Region Dove Cottage,  
Near ranmagar, PO. Dharamshala, Distt.  
Kangra (HP) 176215.
4. Er. Hemant Tanwar ,  
Member Secretary (HPGWA)-cum-SE  
(P&I-I), IPH Deptt. Jal Shakti Bhawan,
5. Er. H. R. Saini,  
Executive Engineer, Head Office P&I-II  
(HPGWA) Jal Shakti Bhawan, Shimla-5.
6. Er. Sanjay Kaushal,  
Executive Engineer (D), Head Office P&I-II  
Jal Shakti Bhawan, Shimla-5.  
Shimla-5.
7. Er. Pardeep Kumar,  
Executive Engineer, IPH Division Indora
8. Er. K.K. Kapoor,  
Executive Engineer, IPH Division Nurpur
9. Er. Naresh Dhiman,  
Executive Engineer, IPH Division No-I Una
10. Er. Vishal Jaswal,  
Executive Engineer, IPH Division Jawali
11. Er. Sushil Chand Katoch,  
Executive Engineer, IPH Division Fatehpur
12. Er. Sumit Sood,  
Executive Engineer, IPH Division Solan
13. Er. Rajinder Khawala,  
Executive Engineer, IPH Division Nalagarh
14. Er. Mandeep Gupta,  
Executive Engineer, IPH Division Nahan
15. Er. Ashwani Kumra Dhiman,  
Executive Engineer, IPH Division  
Paonta Sahib.
16. Sh. Bhavwesh Sharma,  
Sr. Hydrogeologist, GWO, IPH Deptt., Una  
(HP).
17. Sh. Vinod Srivestava,  
(Jr. Hydrogeologist), IPH Division Nalagarh
18. Sh. Pawan Thakur,  
(STA) GWO, IPH Deptt. Una
19. Sh. Dinesh Kumar,  
(STA) GWO, IPH Deptt. Una
20. Sh. Vinod Chauhan,  
(STA) IPH Division Solan
21. Sh. Anil Sood,  
(STA) IPH Circle Nurpur
22. Smt. Ajay Kiran,  
(STA) IPH Division Indora
23. Sh. Mohd Aslam,  
(STA) GWO, IPH Deptt. Una
24. Sh. Javed Khan,  
(STA) IPH Circle Nahan
25. Sh. Lekh Raj Sharma,  
Sr. Assistant, (HPGWA) Head Office P&I-II,  
Jal Shakti Bhawan, Shimla-5.