

Dr. K. M. Najeeb, Member Secretary  
Central Ground Water Authority  
West Block-II, Wing-3, Ground Floor  
Sector-1, R. K. Puram, New Delhi – 110 066

August 27, 2014

Dear Shri Najeeb:

We are very pleased with the manner in which the Central Ground Water Authority (CGWA) has handled the recent case before the National Green Tribunal.

We are writing with regard to whether the existing CGWA Guidelines for Evaluation of Proposals/Requests for Ground Water Abstraction revised in November 2012 would extend to existing industries, or industries that were in operation prior to the November 2012 guidelines.

### **1. Submission to NGT on Extending November 2012 Guideline to Existing Industries Needs Time**

First, we would like to point out that the CGWA has a very important mandate to issue necessary directions and take appropriate actions in order to regulate and control, and manage and develop, the groundwater resources in India, and particularly in water-stressed area.

As such, it is important that the CGWA be meticulous in developing and revising policy matters, including the policy of whether the November 2012 guidelines would apply to existing industries.

In our view, changes to the November 2012 guidelines are a very serious matter and deserves ample time and deliberations before reaching a final decision. A change in policy should also involve input from the various stakeholders, which will necessarily take time.

The National Green Tribunal has asked the CGWA on August 25, 2014, whether a “decision was taken to extend the present guidelines to the existing industries and, if so, what actions the CGWA is proposing in the matter,” and has listed the matter for hearing on September 2, 2014.

It is our submission that if the CGWA requires more time to arrive at a final decision regarding the extension of the November 2012 guidelines to existing industries, it should inform the NGT that it requires more time.

CGWA is not compelled to give a final decision on this matter to the NGT on September 2, 2014, and should seek more time to deliberate on the policy decision before making a final decision, if it is so necessary.

### **2. ALL Industries – Existing, Planned and New – Must Seek NOC from CGWA if Operating in Water Stressed Area, Periodically**

Secondly, it is our submission that ALL industries that operate in semi-critical, critical and over-exploited blocks in India MUST obtain NOC from the CGWA.

Groundwater in semi-critical, critical and over-exploited blocks are under stress, and need regulation and restoration. It is the mandate of the CGWA to control and regulate the groundwater use in such

areas, and manage and develop such blocks so that groundwater use is restored to sustainable levels in these areas.

For this reason, CGWA must also require existing industries that apply for NOC renewal from the State Pollution Control Board in semi-critical, critical and over-exploited blocks to also obtain NOC from the CGWA.

The CGWA should also renew the NOC provide to industries in water-stressed blocks periodically.

### **3. ALL Water Intensive Industries – Existing, Planned and New – Must Seek NOC from CGWA for ALL Projects, Periodically**

Third, for industries using water as raw material/water intensive industries like packaged drinking water, distilleries, breweries, soft drink manufacturing industries, textiles, paper & pulp, etc, NOC must be required from the CGWA in all cases – irrespective of the category of the block.

So such industries in SAFE areas must also seek NOC from the CGWA on a periodic basis.

Because the impact of such water intensive industries can be significant at a local level even in relatively “safe” areas, the CGWA must treat such industries more judiciously.

And because such industries have the potential to alter the groundwater resources in a particular area rapidly because of their large water footprint, existing industries that fall in this category must also seek NOC from the CGWA.

### **4. Water Recharge by Industry Must be Monitored and Measured to Ensure Compliance**

And finally, the CGWA November 2012 guidelines recommend NOC conditional upon water recharge.

While adoption of water conservation measures by all industries in all areas is a must, there also needs to be effective measuring and monitoring mechanisms to scientifically ensure that the quantum of water required to be recharged – as part of the NOC – was actually recharged.

At this time, most of our efforts to check water recharge results of industries are met with “potential” of water recharge they have created, and not the actual water that has been recharged.

There are a number of other issues that we find pertinent to this issue that we could raise but in the interest of time, given that you only have until September 2, 2014 to submit your response to the NGT, we thought this would suffice.

Thank you.

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Amit Srivastava  
India Resource Center

cc: Dr. L. N. Mathur, CGWA; Shri Y. B. Kaushik, CGWA; Sushri Uma Bharti, Minister of Water Resources, Government of India.