



**Govt. of Chhattisgarh**

**" Chhattisgarh Ground Water (Management and Regulation) Act, 2022 "**

**(Revised Draft)**

**Water Resources Department**

# *Chhattisgarh Ground Water (Management and Regulation) Act, 2022*

## **Preface**

An Act to provide for protecting, conserving, controlling and regulating ground water to ensure its sustainable management in the State, both quantitatively and qualitatively, especially in stressed rural and urban areas, and for matters connected therewith or incidental thereto.

Whereas uncontrolled and rapid extraction of ground water has resulted in alarming situation of declining ground water levels and depletion of ground water reservoirs in many parts of the State, both in rural and urban areas;

And whereas ground water, being the single most important source of water for domestic, agricultural and industrial uses, is the backbone of drinking water, food and livelihood security in rural and urban areas;

And whereas a serious ground water crisis prevails due to excessive overdraft and ground water contamination;

And whereas development of ground water is the need of the State, its management, control and regulation specially in over-exploited and critical areas is also the need of the hour for protection and preservation of this precious resource;

And whereas it is also expedient to provide for conservation, protection and development of ground water resources for the purpose of proper augmentation/recharge of ground water in stressed areas and to prevent ground water pollution by maintaining or restoring wholesomeness of ground water quality thereof in the State;

And whereas the equitable and environmentally sound regulation of ground water can contribute to tackling some of the most important challenges of our times, including climate change;

And whereas water is unitary in nature, requiring the integration of surface water and ground water, has integral links to land and vegetation and has an intricate relationship with rainwater (through natural recharge);

And whereas, ground water is the common heritage of the people, it is essential for the sustenance of life in all its forms; an integral part of the ecological system;

And whereas ground water in its natural state is a common pool resource and the Supreme Court of India has applied the public trust doctrine to ground water, in recognition that private property rights in ground water are inappropriate given the emerging status, conflicts and dynamics of groundwater;

And whereas the State Government has, after careful examination of all related aspects, decided that it is expedient and necessary in the public interest to manage and regulate the extraction and use of ground water judiciously in any form and also to conserve and protect ground water in the stressed areas of the State and that shall be accorded the highest priority in both planning and management;

And whereas a new legal framework (with norms, principles, procedures and institutions suitable to address contemporary and imminent challenges) is required to ensure the qualitative and quantitative sustainability of ground water resources and equity in groundwater use;

And whereas the State Government has, after careful examination of all related aspects, decided that in the public interest the first right to use of ground water would be for drinking, domestic and cattle use.

It is hereby enacted in the Seventy Third Year of the Republic of India as follows-

# CHAPTER I

## Preliminary

### 1. Short title, extent and commencement. –

- (1) This Act may be called the Chhattisgarh Ground Water (Management and Regulation) Act, 2022.
- (2) It extends to the whole of the State of Chhattisgarh.
- (3) It shall come into force on such date as the State Government may, by notification in the Gazette, appoint and different dates for different areas may be appointed.

### 2. Definitions. - (1) In this Act, unless the context otherwise requires, -

- (a) 'Appropriate Body' means 'State Ground Water Management and Regulatory Authority, District Ground Water Management Council and Block Level Ground Water User Registration Committee, in the relevant context wherever it is mentioned.
- (b) 'Aquifer' means an underground layer of geological formation, group of formations or part of a formation, comprising fractured rocks, sand, gravel and like sediments, that is sufficiently porous, permeable and saturated with water and that transmits/ accepts, store and yields significant quantity of water to a well or spring;
- (c) 'Bhoojal Samiti' means group of persons constituted in every district of Chhattisgarh for carrying out ground water awareness programs;
- (d) 'Bulk User' means a person or a group of persons including any establishment such as hotels/lodges/Hostel/private residential buildings/housing colonies/resorts/private hospitals/nursing homes/business complexes/malls/water parks, which extract and use ground water for the purpose of his or her or their operational water needs;
- (e) 'Central Ground Water Board' means the Central Ground Water Board, Government of India;
- (f) 'Commercial user' means a person or a group of persons including any institution or any agency or any establishment who or which extract and use ground water for the purpose which directly or indirectly benefits his/her or their business or trade to make financial gain or profit;

- (g) 'Jila Panchayat' means Jila Panchayat of district in the State of Chhattisgarh;
- (h) '*District Ground Water Management Council*' means the District Ground Water Management Council constituted under Section 4;
- (i) '*Drilling Agency*' means an establishment, owned by a person or a class of, persons or an institution, who or which is involved as a part of trade there of drilling wells/ tube wells for extracting and use of ground water for any purpose such as domestic / drinking / commercial / industrial / bulk / infrastructure use;
- (j) '*Environmental flows*' refer to the quality, quantity, and timing of water flows required to maintain the components, functions, processes, and resilience of a aquatic ecosystems that provide goods and services to people, flora and fauna;
- (k) '*Ground Water wing*' means the Ground Water wing under Water Resources Department associated with Ground Water related activities.
- (l) '*Ground Water Quality Sensitive Zone*' means such an area where quality of ground water is affected with high levels/excessive concentration of chemical elements, physiochemical constituents, heavy metals and bacteriological contamination, resulted due to geogenic or anthropogenic causes;
- (m) '*Ground Water Resource Estimation Report*' refers to the latest approved report, based on the Ground Water Estimation Committee methodology, prepared by the Ground Water Department (Water Resource Department), Chhattisgarh and Central Ground Water Board for block-wise assessment of ground water resources including categorization of blocks into over-exploited, critical, semi-critical and safe categories;
- (n) '*Ground Water Security Plan*' means a plan to be progressively based on available hydro-geological informations and shall include such measures/interventions which are area specific and hydro-geologically feasible;
- (o) '*Ground Water*' means the water occurring in its natural state below the ground surface in the zone of saturation, aquifer or any other sub surface formation and that can be extracted through wells or any other means or emerges as springs and base flows in streams and rivers;
- (p) '*Industry*' means any business, trade, undertakings, manufacture or calling of employers, carried out with a motive to make any gain or profit, and includes any calling service, employment, handicraft, or

industrial occupation or avocation of workman or any systematic activity carried on by co-operation between an employer and his workman (whether such workman are employed by such employer directly or by or through any agency including a contractor) for the production of goods;

- (q) '*Infrastructural User*' means a person or a group of persons including a firm or any company, who or which extract and use ground water for the purpose of carrying out such activities/projects which are directly related to infrastructural development;
- (r) '*Notified area*' means the area notified as such under Section 6 which includes over- exploited, Critical blocks and Stressed Urban Areas;
- (s) '*Water User Association*' means a group of persons constituted at pond level / tube well or group of tube well level for maintenance and conservation of ponds / tube well or group of tube wells ;
- (t) '*Pollution*' means such contamination of ground water or surface water or such alteration of the physical, chemical or biological properties of water or such discharge of any Sewage, Plastic, Thermocol or trade effluent or of any other liquid, gaseous or solid substance into ground water (whether directly or indirectly) as may, or is likely to, create a nuisance or render such ground water harmful or injurious to public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms;
- (u) '*Rainwater harvesting*' means the technique or system of collection and storage of rainwater, at micro watershed scale, including roof-top harvesting, for storage or for recharge of ground water;
- (v) '*Rural Areas*' means those areas which are not classified as Urban Areas;
- (w) '*State Ground Water Management and Regulatory Authority*' means the Chhattisgarh State Ground Water Management and Regulatory Authority established under Section 3;
- (aa) '*Urban Areas*' means the areas notified by a competent authority or a municipality or a regulatory body as the case may be, excluding such areas/lands as are classified for agriculture use in the master plan of a development authority or a municipality or a regulated area;
- (ab) '*User of ground water*' means a person or a class of persons or an institution who or which own or use or sell ground water for any purpose including domestic use made either on personal or community basis and includes an industry, a commercial user, a bulk user, a

company or an establishment whether government or private but does not include a person or a class of persons or an institution who or which use water drawn from open well including traditional structures like Kuan, Dhodi, Bawadi, etc. by manual or animal devices such as hand pump, rope and bucket, Persian wheel, etc.;

(ac) '*Water and Sanitation Committee*' means a committee formed in Gram Panchayat, Nagar Panchayat / Palika/ Nigam for planning, monitoring, implementation and maintenance of water and sanitation schemes;

(ad) '*Well*' means a structure sunk for the search or extraction or recharge of ground water for any purpose and shall include open well, dug well, bore well, dug-cum bore well, tube well, infiltration gallery, recharge well or any of their combination or variation, which, could be utilized for extraction of ground water or recharge of ground water.

(2) Words and expressions used but not defined herein and defined in any law for the time being in force shall have the same meaning respectively assigned to them in the respective laws.

## CHAPTER II

### Institutional Framework

**3. State Ground Water Management and Regulatory Authority.** – (1) The State Government shall, by notification in the Gazette, establish, with effect from such date as may be specified in the notification, a State Authority to be known as the Chhattisgarh State Ground Water Management and Regulatory Authority.

(2) The State Ground Water Management and Regulatory Authority shall consist of-

1 The Chief Secretary	Chairperson
2. The Secretary In charge, Water Resources Department	Member
3 The Secretary In charge, Finance Department	Member
4 The Secretary In charge, Public Health Engineering Department	Member
5 The Secretary In charge, Agriculture Department	Member
6 The Secretary In charge, Industries Department	Member
7 The Secretary In charge, Mineral Resources Department	Member
8 The Secretary In charge, Urban Administration Development	Member
9 The Engineer-in-Chief, Water Resources Department	Member Secretary
10 The Engineer-in-Chief, Public Health Engineering Department	Member
11 The Member Secretary, State Environment Conservation Board	Member
12 The Regional Director, Central Ground Water Board (NCCR) Raipur	Member

13	The Principal Chief Conservator of Forest	Member
14	Three Subject Experts having long standing working experience of ground water in the State of Chhattisgarh (to be nominated by the State Government)	Member
15	An eminent person from Public/Non- Government organization/ Social Sector working in the field of ground water (to be nominated by the State Government)	Member

(3) The term of office and the manner of filling the vacancies and other conditions of services of the Subject Experts and Eminent Person from Public/Non- Government Organization/ Social Sector shall be such as may be prescribed.

(4) Engineer-in-Chief, Water Resources Department, Chhattisgarh shall be the Nodal Executive Officer on behalf of the State Ground Water Management and Regulatory Authority

(5) The office of the Engineer-in-Chief, Water Resources Department, Chhattisgarh, Shivnath Bhawan, Nava Raipur shall work as the secretariat of the State Ground Water Management and Regulatory Authority.

(6) The functions of the State Ground Water Management and Regulatory Authority shall be, -

- (a) to notify the areas for management and regulation of ground water resources as provided under Section 6;
- (b) to de-notify the areas for management and regulation of ground water resources as provided under Section 9;
- (c) to fix ground water abstraction limits as provided under Section 12;
- (d) to grant permission for ground water abstraction for industrial/ commercial / mining purposes in non-notified/notified areas.
- (e) To collect levy for ground water abstraction.
- (f) To develop & adopt updated technology for monitoring & Management mechanism for ground water uses.

(7) Staff of the State Ground Water Management and Regulatory Authority, -

- (a) To enable the State Ground Water Management and Regulatory Authority to perform its functions properly or exercise the powers under this Act, the State Government may appoint such number of



technical personnel and other staff as it may consider necessary including all institutional support, facilities and the budget;

(b) The functions, terms and conditions of service of such employees shall be such as may be prescribed;

(c) The State Ground Water Management and Regulatory Authority shall function under the overall control and supervision of the State Government.

(8) Support for other Appropriate Bodies: Provisions shall also be made for the staff and Office including all institutional support and working facilities, budgetary requirements for the District Council for smooth and proper functioning.

**4. District Ground Water Management Council.** - (1) District Ground Water Management Council shall be constituted and will be an overall unit for management of ground water resources at district level.

(2) The State Government shall, by notification in the Gazette, within three months of the constitution of State Ground Water Management and Regulatory Authority, issue direction to the State Ground Water Management and Regulatory Authority for constituting the District Ground Water Management Council, which shall consist of, -

(a) Chairperson – Collector

(b) Vice Chairperson – Chief Executive Officer, Jila Panchayat

(c) Member Secretary – Executive Engineer, Water Resources Division of the District HQ;

(d) Two Members as subject Expert having longstanding working experience/knowledge in the field of Ground water, to be nominated by the Chairperson;

(e) Other Members shall be the District Level Representatives (one each)

Divisional Forest Officer, Forest

Assistant Geo-Hydrologist District Ground Water Survey Unit

Regional Officer Chhattisgarh Environment Conservation Board

Deputy Director Agriculture Department

Commissioner / CMO Nagar Nigam/Nagar Palika of District HQ (Local Body), General Manager/ Deputy Director, District Industry Center

Executive Engineer Public Health & Engineering Division

(3) The terms and conditions of the service of the nominated subject Expert of ground water members shall be such as may be prescribed.

- (4) **The functions of the District Ground Water Management Council shall be, -**
- (a) To consolidate District level Ground Water Security Plan, based on macro- watershed approach and as per the guidelines as may be prescribed;
  - (b) implementation of District Ground Water Security Plan;
  - (c) To monitor the implementation of District Ground Water Security Plan;
  - (d) To conduct water awareness program
  - (e) To register all existing commercial, industrial, infrastructure and bulk users in notified and non-notified areas ;
  - (f) To recommend grant of permission for ground water abstraction in notified /non-notified areas ;
  - (g) Registration of Drilling Agencies / Drilling Rig Machine;
  - (h) To carry out such other functions, as may be prescribed or assigned by the State Ground Water Management and Regulatory Authority,
  - (i) Co-ordinate District Ground Water Management Council with the State Ground Water Management and Regulatory Authority

**5. Block Level Ground Water User Registration Committee.** - (1) A Block Level Ground Water User Registration Committee, shall be Constituted which will register all existing/ new domestic and agriculture ground water users in the block .

(2) The State Government shall, by notification in the Gazette, within three months of the constitution of State Ground Water Management and Regulatory Authority, issue direction to the State Ground Water Management and Regulatory Authority for constituting the Block Level Ground Water User Registration Committee, which shall consist of, -

- (a) the Chairperson – Chief Executive Officer Janpad panchayat of the block ;
- (b) Member Secretary – Sub Divisional Officer , Water Resources Sub Division of block;
- (c) other Members shall be the Block Level Representatives (one each) from Agriculture, Panchayat & Rural Development, Industries, Public Health & Engineering and Forest;

(3) Functions of Block Level Ground Water User Registration Committee shall be, -

- (a) to conduct water awareness program;
- (b) to register all existing / new domestic, agriculture Ground water user

of non-notified & notified areas of block and

(c) to carry out such other functions, as may be prescribed or assigned by the Authority

## **CHAPTER III**

### **Duties and Responsibilities**

- 6. Duties of Ground Water wing.** - (1) The Ground Water wing shall develop a mechanism to co-ordinate with the District Ground Water Management Council.
- (2) The Ground Water wing will collect ground water related data, publish report and analyses the data.
- (3) Identification of areas for the purpose of regulating ground water: The Ground Water wing in consultation with State Ground Water Management and Regulatory Authority shall identify and delineate the areas, such as over-exploited and critical blocks categorized as per latest Ground Water Resource Estimation carried out by the Water Resources Department (Ground Water wing) and Central Ground Water Board. It shall also identify and delineate the water stressed Municipal/Urban areas (where significant decline of ground water levels) for taking up appropriate measures for overall management and regulation of ground water usage in such areas.
- (4) Ground Water Information/Data: All the available ground water information /data regarding over-exploited/critical blocks and water stressed urban areas shall be shared.

## **CHAPTER IV**

### **Powers and Functions**

- 7. Powers to notify areas for management and regulation of ground water resources.** - (1) Where the State Ground Water Management and Regulatory Authority, after consultation with appropriate body (based on inputs from the Ground Water wing) is of the opinion that it is necessary or expedient in the public interest to manage and regulate ground water for various purposes in any form in any area and to enforce rain water harvesting/ ground water recharge and to implement various appropriate water conservation/water saving/ water efficient practices in over-exploited/critical blocks and stressed urban areas (as identified and delineated by the Ground Water wing) where ground water levels have depleted to critical or alarming levels, it shall advise the State Government in such manner as may be prescribed to declare by notification such areas as

notified areas for the purposes of this Act with effect from such date as may be specified in the notification:

Provided that-

- (a) the date specified in the notification under this sub-section shall not be earlier than the period as may be prescribed;
  - (b) every notification under this section shall be widely circulated in Hindi as well as in English, as may be prescribed in addition to its publication in the Gazette.
  - (c) the Procedure for Demarcation and issuance of notification of the areas referred in sub- section (1) shall be such as may be prescribed.
- (2) The notification issued under sub-section (1) shall be reviewed periodically as per the new Ground Water Assessment Report and updated according to the findings of the report in such manner as may be prescribed.

**8. Registration of Existing Commercial, Industrial, infra structure and Bulk Users of Ground Water in Notified and Non-notified Areas. -** (1)

Registration of existing and future commercial, industrial, infrastructural and bulk users of Ground Water is mandatory and shall be done in the manner as may be prescribed.

(2) Every existing and future user of ground water other than those mentioned in subsection (1), including domestic and agriculture users of ground water shall be registered as may be prescribed.

**9. Ban on new well construction in notified areas. -** (1) There shall be a Ban on new well construction in notified areas as may be prescribed except for Government schemes for drinking water supplies and tree plantations. Such ban shall continue till the area is de-notified by the State Government on advice of State Ground Water Management and Regulatory Authority as may be prescribed.

(2) Extraction, sale and supply of raw/unprocessed/untreated ground water in notified areas shall be punishable as prescribed in Chapter - V.

**10. Preparation and implementation of Ground Water Security Plans in notified areas. -** For ensuring and achieving sustainability of ground water resources in the notified areas. Ground Water Security Plans shall be prepared as may be prescribed.

**11. Grant of Authorization for Ground Water abstraction in Non-notified Areas. -** Grant of Authorization for Ground Water abstraction in Non-notified Areas shall be regulated in such manner as may be prescribed.

**12. Fixing of limit for abstraction of Ground Water for Commercial, Industrial, Infrastructural, mining or Bulk users of ground water. -** (1) The State Ground Water Management, and Regulatory Authority may limit

the abstraction of ground water in consultation with the Water Resources Department.

(2) Person/group of persons withdrawing ground water in contravention of the limit fixed under subsection 11 (1) shall be punishable as prescribed in chapter - V.

**13. Levy on Ground Water Extraction / withdrawal.** - (1) Commercial, industrial, infrastructural or bulk user of ground water hereinafter in this section refer to as the said user, shall extract ground water in both the notified and non- notified areas shall be levied fee as may be prescribed.

(2) The levy referred to in sub-section (1) shall be in addition to water cess charged under the Water (Prevention and Control of Pollution) Cess Act, 1977.

(3) For the purpose of measuring and recording the quantity of ground water extracted, every said user shall install meters and such other measures as may be prescribed.

**14. Registration of drilling agencies.** - No person or firm, agency or company shall perform or engage in drilling the ground for extraction of ground water without registration with appropriate body.

**15. Powers of the Authority in Notified and Non-notified areas for any user of Ground Water.** - The power of every Appropriate body for any ground water user and drilling agencies in notified and non-notified areas shall be such as may be prescribed.

**16. Service of orders, etc.** - Every order or direction issued under this act shall be served in such a manner as may be prescribed.

**17. Bar to claim compensation.** - No person or ground water user whether existing or future shall be entitled to claim any damages or compensation from the State Government or any appropriate body for any loss sustained by him on account of any investment in financial or other form in notified & non-notified areas by virtue of any provisions made under this Act.

**18. Delegation of powers and duties.** - The State Ground Water Management and Regulatory Authority may delegate, by general or special order in writing, direct that all or any of the powers or duties as may be prescribed.

**19. Employees of the Authority to be Public Servants.** - All employees of the State Ground Water Management and Regulatory Authority shall when acting or purporting to act in pursuance of the provisions of this Act or the rules made there under be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

**20. Protection against action taken in good faith.** - No prosecution, suit or other legal proceeding shall be instituted against the State Government, any appropriate body, any other officer of the Government or any member or other employees of any appropriate body for anything done or intended to be done in good faith under this Act, or the rules made there under.

**21. Self-regulation.** - (1) The Ground Water users of notified areas (Rural) shall be encouraged by the appropriate body for adopting the process of self regulation, Rain Water Harvesting, Ground Water Recharge, Recycling and Reuse, Prevention of Water logging.

(2) Every user of ground water in both rural and urban areas shall be encouraged to extract and use ground water in an economical and efficient way, avoid waste of water, priority use of recycled water, adopting of rain water harvesting and recharging methods.

(3) Rain water harvesting and catchment conservation as per geological conditions shall be encouraged and be integral part of Ground Water Security Plans.

**22. Impact Assessment.** - Appropriate body shall undertake impact assessment of both social and environment aspects of such activities to be implemented in the area of their jurisdiction in accordance to the provisions of this Act.

**23. Information to be kept in Public Domain.** - Information on the Impact Assessment of such activities taken up under this Act in Section 21 shall be placed on internet for access by the common public.

## CHAPTER V

### Offences and Penalties

**24. Offences and penalties.** - (1) If any commercial, industrial, infrastructural and bulk user of ground water or any drilling agency, -

(a) Contravenes or fails to comply with any of the provisions of this Act or any rule made there under; or

(b) Obstructs the Appropriate body or any other person authorized by the State Ground Water Management and Regulatory Authority to exercise any of the powers under this Act, shall be punishable with fine which shall not be less than two lakhs rupees and which may extend up to five lakhs rupees or imprisonment which shall not be less than three month or with both, in case of first offence ;

(c) repeats the offence after conviction thereof under sub-clause (b), such users shall be deemed to be guilty of second offence and shall be punished with fine which shall be from five lakhs to ten lakhs , or imprisonment which may extend up to six months or with both fine and imprisonment.

(d) The permission granted to him under this Act shall be cancelled with immediate effect.

2 (a) Any supplier of water (other than Government drinking water supply schemes) who supplies or causes to be supplied ground water and violates the quantity

prescribed under this act in force shall be punished with fine which shall be limited to maximum **ten** thousand rupees and shall be levied by the officials delegated with such powers as may be prescribed.

(b) i. Repeated violations under section 2(a) shall lead to seizure of the equipment/vehicle/vessel etc. **by the officer as may be notified by the appropriate body.**

ii. **Whenever any person abstracts, transports or causes to be abstract or transported, without any lawful authority, any ground water from any source, and, for that purpose, uses any tool, equipment, vehicle or any other thing, such tool, equipment, vehicle or any other thing shall be liable to be seized by the officer as may be authorized by the appropriate body.**

(c) Any tool, equipment, vehicle or any other thing seized under sub-section 2(b), shall be liable to be **released** by an order of the officer as may be notified by appropriate body.

**25. Offences by Companies.** - (1) Whenever an offence under this Act has been committed by a company, every person who at the time of the commission of offence was in charge of, or was responsible to the company for the conduct of the business of the company, shall be deemed to be guilty of the offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence;

**26. Compounding of offences.** - (1) An offence punishable under section 24 & 25 of this act may be compounded on the application of the accused before or after the institution of the prosecution by such officers as may be notified by the State Government after imposing a fine which will not be less than 50% of the maximum fine prescribed under this chapter but may extend up to the maximum limit of fine for the offence as compounding fee along with the water tax and other cess etc. as applicable on the quantity.

(2) Every officer referred to in sub-section (1) shall exercise the power to compound an offence subject to the direction, control and supervision of the appropriate body.

(3) Every application for the compounding of an offence shall be made in such form and in such manner as may be prescribed.

(4) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

(5) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub section (1) in writing to the notice of the court in which prosecution is pending and on such notice of the composition of the offence being given, the person against whom the offence is so compounded shall be discharged.

**27. Cognizance of offences.** - (1) Offences under this Act shall be cognizable by the officer as may be notified by the State Govt.

(2) No court shall take cognizance of any offence punishable under this Act or any rules made there under except upon complaint in writing made by a person authorized in this behalf by the appropriate body.

(3) The Court of Judicial Magistrate First Class shall try the cases on a complaint filed by a person / officer notified by the State Govt.

**28. Ground Water Grievance Redressal Officer.** - The District Collector shall act as District Ground Water Grievance Redressal Officer. An appeal against the order of District Ground Water Grievance Redressal Officer shall be filed at State Ground Water Management and Regulatory Authority within a period of sixty days from the date of issuing order by District Ground Water Grievance Redressal officer. The second appeal against the State Ground Water Management and Regulatory Authority may be filed at High Court within a period of ninety days after issuing order by State Ground Water Management and Regulatory Authority.

## CHAPTER VI

### Miscellaneous

**29. Power of the appropriate body to call for information.** - The State Ground Water Management and Regulatory Authority and the District Ground Water Management Councils shall have the power to call for any information from any department of the State Government or any other person, which is required by it in the exercise of its powers and the performance of its duties and functions under this Act and such department or person shall be bound to furnish such information.

**30. Pre-existing rights.** - Pre-existing rights of a user of ground water will continue to be valid for a period as may be prescribed.

**31. Ground Water Conservation Fund.** – The State Government has created a fund known as **Ground Water Conservation Fund**. The penalties, registration fees, fee/levy on ground water abstraction, etc. shall be credited to this fund. The fund shall be utilized as may be prescribed.

**32. Power of the State Government to make rules.** - The State Government may, by notification, make rules to carry out the provisions made under this Act.

**33. Power of the State Government to exempt** - The State Government on recommendation of the State Ground Water Management and Regulatory Authority may exempt any user or class of users from any provision of this Act.

**34. Effect of this Act on other Laws.** - Notwithstanding anything contained in any other law of the State for the time being in force, the provisions of this Act shall prevail.

**35. Provisions and powers conferred by “Paiyjal parirakshan adhiniyam” to State/District authorities shall not be affected by any of the provisions made in this bill (Act) .**



## **STATEMENT OF OBJECTS AND REASONS**

Ground Water is the single most important source of water for domestic, agricultural and industrial uses. It is the backbone of drinking water, food and livelihood in rural and urban areas. It has been brought to the notice of State Government that uncontrolled and rapid extraction of ground water has resulted in alarming situation of declining ground water levels and depletion of ground water reservoirs in several areas of the state. In order to deal with the situation of serious ground water crisis in the state, it has been decided to make a law to provide for protecting, conserving controlling and regulating ground water to ensure its sustainable management, especially in stressed rural and urban areas.

This Chhattisgarh Ground Water (Management and Regulation) Bill 2022 is introduced accordingly.

By Order  
Secretary