



# Punjab Government Gazette

## EXTRAORDINARY

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### GOVERNMENT OF PUNJAB

PUNJAB WATER REGULATION AND DEVELOPMENT AUTHORITY

#### NOTIFICATION

The 27th January, 2023

**No. 75340/PWRDA-PWRD0GENL/37/2021-PWRDA-BR/418.–**

Whereas, the Draft Directions, titled the 'Punjab Guidelines for Ground Water Extraction and Conservation 2020,' issued by the Authority were published on the websites [www.irrigation.punjab.gov.in](http://www.irrigation.punjab.gov.in) and [www.punjab.gov.in](http://www.punjab.gov.in) and were thus made available to the public on the said websites.

And whereas, a notice was issued in accordance with the provisions of the sub-section 3 of Section 15 of the Punjab Water Resources (Management and Regulation) Act, 2020 in the newspapers, namely *The Tribune*, *Ajit* and *Jag Bani* on the 13<sup>th</sup> of November, 2020 inviting objections from all persons, likely to be affected, by 18<sup>th</sup> of December, 2020.

And whereas, the objections received have been considered by the Authority.

And whereas, the Government has approved the Groundwater Charges contained in these Directions under Section 17 (5) of the Punjab Water Resources (Management and Regulation) Act, 2020.

Now, therefore, in exercise of powers conferred under Section 15 (2) of the Punjab Water Resources (Management and Regulation) Act, 2020 and all other powers enabling it in this behalf, the Punjab Water Regulation and Development Authority hereby issues the following Directions:

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**CHAPTER 1****1.1 SHORT TITLE, COMMENCEMENT AND EXTENT**

- A. These Directions may be called the "Punjab Groundwater Extraction and Conservation Directions, 2023".
- B. These shall come into force from the first day of the month subsequent to the publication of the Directions.
- C. These shall extend to the whole of the State of Punjab.

**1.2 DEFINITIONS**

In these Directions, unless the context otherwise requires, -

- a) 'Act' means the Punjab Water Resources (Management and Regulation) Act, 2020;
- b) 'Agriculture' means agriculture and allied activities that are connected with agriculture such as agro-forestry, animal husbandry, dairy, poultry, fisheries, floriculture, nurseries, horticulture, poly-house and green-house cultivation, and such other activities as may be notified or specified by the Government;
- c) 'Annexure' means an Annexure appended to the Directions
- d) 'Applicant' means a person who makes an application to the Authority under the Directions;
- e) 'Directions' means the Punjab Groundwater Extraction and Conservation Directions, 2023;
- f) 'Extraction' with respect to groundwater shall mean to include the abstraction, drawing out, conveyance or transportation of groundwater through any means or equipment from below the surface of the ground to the surface or further to any place whether on the surface of the ground or otherwise, and shall include the drawing out of groundwater from a natural spring or artesian well. Extraction shall also include dewatering of sub-soil water that emerges onto the surface or onto dug contours involved in mining and infrastructure projects etc. It is clarified that an activity shall be considered to be Extraction even when it is not aided or supported by an energy source.
- g) 'Extraction Structure' means any structure which can be used in relation to the extraction of groundwater by any method or technology, and known by any nomenclature such as open well, dug well, bore well, dug-cum-bore well, tube well, step well, filter point, collector well, artesian well, spring, infiltration gallery, including any machinery, equipment and instruments used for the extraction of groundwater, as well as any combination or variation of such structures;
- h) 'Groundwater Charges' means all such charges as fixed by the Authority with the approval of the Government under Section 17(5) of the Act that relate to the extraction of groundwater or any activity connected therewith. Such Groundwater Charges, known by any nomenclature, shall include but shall not be limited to the following:
  - I. 'Groundwater Extraction Charges' being the charges levied on extraction of groundwater;

II. 'Application Fee' being a non-refundable amount to be paid along with various applications to be filed under the Directions; and

III. 'Non-Compliance Charges' being the charges fixed for contravention of the provisions of the Act, Rules, Regulations and the Directions, which may be known by any nomenclature including Groundwater Compensation Charges, other Non-Compliance Charges etc.;

i) 'Security Deposit' means such non-interest bearing, refundable amount as fixed by the Authority to be deposited with the Authority by the User;

j) 'Unit' means a premises, site or facility including a project, plant, building, structure, mine, plot, layout, colony, complex, infrastructure, construction site or land for which Permission is required or granted for the extraction of groundwater under the Directions;

**Explanation 1:** An Existing Unit is a Unit which has been extracting groundwater prior to the date of commencement of the Directions.

**Explanation 2:** A New Unit is a Unit which has not extracted groundwater before the date of commencement of the Directions.

k) 'User' means a person who undertakes any activity related to groundwater extraction or intends or seeks to undertake such activity, whether by itself or through an agent;

**Note:** The words and phrases used in the Directions that have been defined in the Act shall, unless the context requires otherwise, have the same meaning as defined therein.

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**CHAPTER 2****GROUND WATER CONSERVATION****2.1 PROMOTION OF WATER CONSERVATION**

- A. The main objective of the Directions is to improve the water balance by promoting and ensuring conservation of water by the Users. This objective will be achieved by ensuring that all Users permitted to extract groundwater shall pay volumetric Groundwater Extraction Charges and such charges shall be utilised in part for conserving water. In addition, the Users shall have the option of conserving water themselves with the approval of the Authority, and such Users (who conserve water) shall be entitled to Water-Conservation Credits as described in the Directions.
- B. A User may opt to implement water conservation measures with the approval of the Authority, either within the Unit or outside, whereupon such User shall be provided Water-Conservation Credits which will entitle it for a rebate in the Groundwater Extraction Charges.
- C. A portion of the Groundwater Extraction Charges will be utilised by the Authority for implementing Public Water Conservation Schemes through Departments or Agencies of the Government or Entities. These water conservation measures shall aim to improve the water balance by incentivizing the conservation of water by Users.

**2.2 PRIVATE WATER CONSERVATION SCHEMES PROPOSED AND IMPLEMENTED BY USERS**

A User may design and implement its own Private Water Conservation Scheme to enable it to earn Water Conservation Credits. Any such Water Conservation Scheme shall be submitted by the User along with all required information and data for approval to the Authority. In case the Authority approves the Scheme with such conditions as it deems fit, the User shall be eligible to earn Water Conservation Credits by implementing the Scheme to the extent of the volume of water that the User conserves in accordance with the parameters laid down in the Scheme. Water-Conservation Credits will be credited to the User only after inspection and/or verification of the Scheme as required by the Authority.

**2.3 APPROVAL AND MONITORING OF PRIVATE WATER CONSERVATION SCHEMES**

- A. The Authority shall scrutinise a private water conservation scheme submitted by a User and shall endeavour to convey its decision within a period of three months of the submission of the scheme complete in all respects. Incomplete submissions shall be returned to the User upon scrutiny. In case any additional documents, information, clarifications etc. are required the Authority shall communicate to the User within two months of submission, in which case the time period of three months for conveying a decision shall begin from the date that the User provides a satisfactory response to the Authority.

- B. A user will claim Water Conservation Credits only after approval of the Water Conservation Scheme by the Authority.
- C. Water Conservation Credits will be granted either from the date he has submitted the proposal complete in all respects to the Authority or from the date it starts conserving water whichever is later.
- D. The Conservation Credits earned by a User will be allotted to the User once a year and the time of such allotment shall depend on the nature of the conservation measures in the Scheme, the date of commencement of the Scheme and other relevant factors as may be determined by the Authority. After the Water Conservation Credits are claimed by the unit each year and approved by the Authority, the approved Water Conservation Credits will be credited over subsequent billing cycles.

Provided that the Water Conservation Credits in any billing cycle to be credited to the unit will not be more than the Groundwater Extraction Charges payable in that Billing Cycle.

Provided further that the maximum limit of the Conservation Credits which can be earned annually by a User shall be subject to the upper limit as mentioned in Table 4.3 of the Directions.

- E. The Authority may authorise a Person as a Conservation Appraiser to monitor, appraise and evaluate the execution, implementation, operation and maintenance etc. of any Water Conservation Schemes approved, to be approved or considered by it, including the schemes of rain water harvesting and waste water treatment and its use to reduce groundwater extraction. A User shall earn Water-Conservation Credits only after the concerned Conservation Appraiser submits to the Authority its assessment about the details of the volume of water conserved by the User as per the conditions, standards and parameters laid down in the Scheme and approved by the Authority. Till such assessment is approved by the Authority or by the Conservation Appraiser (if so authorised), the User shall continue to make payment of the entire Groundwater Extraction Charges at the applicable rates without claiming any rebate for conservation.

Non-Compliance of conditions contained in the approval of the Scheme may make the User liable for payment of Non-Compliance Charges.

- F. When a Water Conservation Scheme is implemented by a User outside its Unit then such scheme may be implemented in any Assessment Area (Block) which has the similar status (i.e. Orange, Yellow or Green) as the Assessment Area (Block) where the Unit is located. In case, the User chooses to implement the Scheme in another Assessment Area (Block) of different status then the User may locate its water conservation scheme as follows: -

A Unit located in an Orange or Yellow status Assessment Area (Block) may conserve water in any Assessment Area (Block) other than a Green status Assessment Area (Block), and a Unit located in a Green status Assessment Area (Block) may conserve water in any Assessment Area (Block) in the State.

**Explanation 1:** The water conservation rebate ceiling for a Unit shall be determined by the location of the Unit and not by the location of the Water Conservation Scheme.

**Explanation 2:** A contiguous Unit located in more than one Assessment Area (Block) shall be treated as located entirely in that Block which has the highest stage of groundwater development, and shall pay groundwater charges and may also claim water conservation credits as per the rates and norms defined for such Assessment Area (Block).

- G. A User must obtain approval of the Authority for any water conservation scheme that it intends to implement. A User that undertakes water conservation of its own accord without obtaining the approval of the Authority will not be entitled for any water conservation credits for such an activity.

#### **2.4 PRIVATE WATER CONSERVATION SCHEMES PUBLISHED BY AUTHORITY**

The Authority may also publish Private Water Conservation Schemes from time to time which may be implemented by a User or by a group of Users to avail Water-Conservation Credits. A User seeking to implement such a Published Scheme shall submit a specific proposal to the Authority with all required information and data. Such User shall obtain approval of the scheme from the Authority and implement the Scheme to the satisfaction of the Authority. Thereafter Water-Conservation Credits will be credited to the User in accordance with the approval and the standards and parameters of the Published Scheme.

#### **2.5 PRIVATE WATER CONSERVATION SCHEMES IMPLEMENTED COLLECTIVELY BY A GROUP OF USERS**

- A. Application may be submitted under Section 2.4 by a group comprising not less than five Users, which may collectively implement water conservation schemes outside their Units through an Association or a Special Purpose Vehicle (such SPV being a society, firm, company or association of persons etc.) jointly funded and managed by such group. In case of any change in members of the SPV/Association, intimation regarding the same shall be given within 15 days of the date of such change to the Authority and in case revised/new Permission is required, the same shall be applied for.
- B. Alternatively, such group of Users may outsource their Water Conservation Schemes to a service provider or organisation of their choice to implement the water conservation measures on their behalf.
- C. Approval of such Collective Water Conservation Schemes shall be obtained from the Authority, and the Authority shall be informed about the person(s) authorised to report the volume of water conserved and the apportionment of such conserved volume of water amongst the Units concerned.
- D. The water conservation activities undertaken by such group of Users shall be reported by a person duly authorised by such group to the Authority or to the Conservation Appraiser designated by the Authority.
- E. The water conservation credits shall be given to each User in the group as per the apportionment approved by the Authority. The Authority shall not be liable for any disagreements or disputes regarding the apportionment of water conservation credits amongst the Users.



**2.6 PUBLIC WATER CONSERVATION SCHEMES BY GOVERNMENT OR ENTITY**

- A. A Department or an Agency of Government or an Entity may design and implement a Public Water Conservation Scheme with the approval of the Authority.
- B. The Authority may direct a Department or Agency of the Government to implement a Public Water Conservation Scheme.
- C. Public Water Conservation Schemes prepared and to be implemented by the Departments or an Agency of Government or an Entity with the approval of the Authority may be funded by a User or a group of Users (as defined in 2.5 A) for execution and periodic maintenance.
- D. The Water Conservation Credits for such schemes as defined in Section 2.6 C shall be given as per the procedures laid down in the Directions.

**2.7 RAIN WATER HARVESTING**

If a User intends to implement or has implemented a rainwater harvesting scheme in a Unit, then such User may submit the requisite details of such rainwater harvesting scheme to the Authority for its approval. In the event that the Authority approves such rainwater harvesting scheme, the User shall be eligible for water-conservation credits as per the conditions of the approval.

**Note 1:** A User shall ensure that it obtains prior approval of the Competent Authority as required under the law for its Rain Water Harvesting Scheme.

**2.8 REUSE OF TREATED WASTE WATER**

- A. A User shall be responsible for ensuring the treatment of waste water as per the standards and requirements set by the concerned competent authority including the State Pollution Control Board. In the event that such treatment facilities or operations lead to the untreated or treated waste water (not complying with irrigation quality or standards as defined by the concerned Competent Authority) being collected in a water body or being used for irrigating a plantation, field or ground, then such measures shall not be considered for the purposes of a water conservation scheme by the Authority. Accordingly, a User shall not claim any water conservation credits for undertaking such measures.
- B. However, if as a result of implementing waste water treatment measures, the Unit is able to ensure that all the waste water discharged by it meets the specifications and standards set for irrigation-quality water (or higher standards such as drinking-quality water) by the concerned competent authority, then if any such treated waste water is reused for irrigation or other purposes conducive to the conservation of water then, such volume of reused waste water may be considered by the Authority for conservation credits, while approving such a water conservation scheme submitted by such User.
- C. Under special circumstances, a User who treats the waste water to standards pertaining to discharge into inland surface water and releases such treated water into a Surface water body, if so permitted by

the competent Authority, may be considered for being given partial water credits up to 50% of volume so treated and discharged.

## **2.9 IMPACT ASSESSMENT STUDIES BY THE AUTHORITY**

- A. In order to ensure sustainable ground water management and for designing and carrying out of effective Water Conservation Schemes, Impact Assessment studies are required.
- B. As the impact of groundwater withdrawal depends on the cumulative abstraction by various users in surrounding areas, the Impact Assessment Studies of individual units, may not reveal the impact of groundwater withdrawal on hydrogeological conditions of the aquifers and may not yield actionable results for preparation of accurate and beneficial Water Management Plans.
- C. Therefore, the Authority shall carry out Impact Assessment Studies. Priority will be given to study the over-exploited areas to get a meaningful picture of impact on the hydrogeological regime.

## **2.10 WATER CONSERVATION MEASURES APPROVED BY CGWA PRIOR TO THE DIRECTIONS**

If a User has already implemented a water conservation scheme prior to the commencement of the Directions with the approval of Central Ground Water Authority (CGWA), and applies for approval of such water conservation scheme, the Authority may while approving such scheme provide water conservation credits as determined by the Authority to such User either from the date of commencement of the Directions or such later date as determined by the Authority; provided that the NOC given by CGWA to such User was valid on the date of submission of the scheme to the Authority.



**CHAPTER 3****PERMISSION FOR GROUNDWATER EXTRACTION****3.1 PERMISSION AND EXEMPTIONS**

No User shall extract groundwater or conduct any activity connected therewith without obtaining Permission of the Authority except for the following cases:

- i. for Drinking and Domestic usage;

**Explanation:** A Unit shall be exempted under this clause only if the groundwater is utilized exclusively for Drinking and Domestic use.

- ii. for exclusive usage in Agriculture;
- iii. for use in a place of worship;
- iv. for a drinking and domestic Water Supply Scheme of Government;
- v. for use by an Establishment of the Military or of the Central Paramilitary Forces;
- vi. an Urban Local Body, Panchayati Raj Institution, Cantonment Board, Improvement Trust or Area Development Authority; and
- vii. a Unit extracting not more than 300 cubic metres of groundwater per month.

**3.2 APPLICATION FOR PERMISSION**

An Application for Permission to extract groundwater shall be submitted to the Authority in the required format within the time stipulated, complete in all aspects, along with required documents, Application fees, Charges and Security Deposit etc. For details see the Authority's Website: [www.pwrda.org](http://www.pwrda.org).

**3.3 TIME PERIOD FOR EXISTING UNITS TO APPLY FOR PERMISSION**

A User with an existing Unit shall apply to the Authority for Permission within the time period mentioned below from the date of commencement of the Directions.

**Table 3.1: Time Period for existing Units to apply for Permission from date of commencement of Directions**

	Volume of groundwater for which Permission is sought	Time Period
1	>15,000 cubic metres per month	Three Months
2	>1,500 to 15,000 cubic metres per month	Six Months
3	>300 to 1,500 cubic metres per month	Nine Months

**3.4 TIME PERIOD FOR NEW UNITS TO APPLY FOR PERMISSION**

No New Unit shall extract Groundwater without prior Permission of the Authority.

Provided that a New Unit may apply for permission within two months of commencement of the Directions even though it may have started extraction of groundwater prior to the date of application. Such User shall pay the groundwater charges from the date of extraction of groundwater.

**3.5 PROCESSING OF APPLICATIONS**

- A. On receipt of an application complete in all respects seeking Permission to extract groundwater, the Authority may after examining the application and the accompanying documents, and conducting on-site inspection if required, grant Permission for extraction of groundwater subject to such conditions and restrictions as it may impose.
- B. It shall be the endeavour of the Authority that Users who are found to be eligible for grant of Permission be granted the Permission within three months from the date of receipt of an application complete in all respects.
- C. In case the application is found to be incomplete, or in case any clarification, information or document is required, then the Authority shall inform the Applicant within a period of three months to complete the application or to provide such clarification, information, document etc. as may be required.
- D. The procedure for processing an application for Permission shall also apply to applications for renewal, revocation, extension, amendment or modification of Permission.

**3.6 PERMISSION BY WATER TANKERS**

- A. No motor vehicle shall be used for conveyance or transportation of groundwater through a water tanker (whether installed on the vehicle or towed as a trailer etc.) with a carrying capacity in excess of 500 litres for any purpose other than drinking and domestic or agricultural usage without Permission of the Authority.
- B. An application for Permission for operating an existing water tanker shall be submitted to the Authority within six months from the date of commencement of the Directions. If the Authority finds the application complete in all respects and after having satisfied itself that the applicant has complied with all the requirements of the Directions, the Authority shall grant the Permission, subject to such conditions and restrictions that the Authority may impose.
- C. Water Tankers owned and operated by a Department or Agency of the Government of India (including the Military or Central para-military forces) or of the Government of Punjab, or by an Urban Local Body, Panchayati Raj Institution, Cantonment Board, Improvement Trust or Area Development Authority shall not require Permission.