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Dyno- 586

D. 8/4/19

MOST IMPORTANT

Dated: 27.03.2019

To,

1. The Chief Secretary,
Government of Haryana.
2. The Chief Administrator,
Haryana Urban Development Authority,
Haryana.
3. The Principal Secretary to Govt. of Haryana,
Department of Irrigation & Water Resources,
Haryana.

Sub: O.A No.458 of 2017 titled as Harinder Dhingra Vs International Recreation & Amusement Ltd. & Ors., pending before National Green Tribunal, PB, New Delhi.

Dear Sir,

The above subjected matter was filed by the applicant alleging illegal drawal of ground water by Respondent No.1 i.e. International Recreation & Amusement Ltd., Gurgaon. It was the response of Haryana Urban Development Authority that no Borewell was found in the premises of Respondent No.1 and two water connections have been provided for water supply. Further, the water supplied through these connections is Canal treated water. The Hon'ble Tribunal considering the material on record disposed of the O.A. with observations made and directions issued vide order dated 26.10.2018, copy of which had already been e-mailed.

In compliance of order dated 26.10.2018, a Joint Report dated 27.2.2019 under the signature of representative of MoEF & CC, CPCB, CGWA and District Magistrate, Gurgaon was submitted by CPCB. The observations & recommendations made and short term & long terms measures suggested in the report are as follows:

"4.0 OBSERVATIONS

- a. During 1st meeting of the Committee, Central Ground Water Board (CGWB) has informed that no permission has been given to the said amusement part for extraction of ground water for commercial purposes. The CGWB further added that there is 3 times more extraction of Ground Water than the ground water recharge.

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- b. As per CGWA guidelines the NOC's is issued initially only for 2 years. Rainwater harvesting and artificial recharge to ground water is one of the important conditions for issuance of NOC. The proponent has to submit online compliance for the conditions given in NOC. For renewal the applicant has to submit application with compliance details. The compliance is checked by CGWA officers during field inspection and recommendations are made for renewal only after satisfactory compliance. After that NOC's are renewed for 3 years after satisfactory compliance.
- c. Mechanism to regulate illegal bore wells operating in the district and also regulation for over extraction and the punitive actions taken may be ensured.
- d. The National Water Mission under National Action Plan on Climate Change (NAPCC) describes that to ensure integrated water resource management for conservation of water resources, minimization of wastage and equitable distribution is needed. There are 1034 assessment units categorized as over exploited as per the 2013 assessment of CGWB. The eighteen States/UTs having over exploited ground water assessment units including, Haryana [135%]. In these blocks, it is proposed to implement Rain Water Harvesting and Artificial recharge after preparation of DPR for the block as a complete unit for the purpose of the demonstrative replicability of Artificial Recharge and Rain Water harvesting which needs to be expedited."

"The recommendations are as follows:

"6.0 Recommendations

- Sewage treated water maybe provided from the existing line in Sector-29 to the M/s International Recreation & Amusement Ltd. Sector-29 Gurugram and the canal water supply connection from HUDA/HSVP line may be disconnected.
- More efforts may be made to recharge all storm water of HUDA/HSVP sectors and other colonies through rainwater harvesting structures. The foothills area of Aravali Ridge is acting as recharge zone for aquifers underlying in Gurugram district.
- Diversion of drinking water supply for commercial purposes should be discouraged. The water park operators may explore possibility to use treated waste water after having all water quality parameters within the prescribed standards limit.

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To address the water shortage problem with a sustainable approach in Gurugram region we need to adopt the long-term and short-term water conservation strategies simultaneously:

a. Long-Term Strategies:

- Time bound action plan for revival of local fresh water resources.*
- Strengthening of water supply and waste water treatment infrastructure.*
- Setting up of independent monitoring mechanism to monitor the implementation of conservation strategies including complete and effective restriction on withdrawal of ground water for commercial purposes with periodic review of its functioning at Deputy Commissioner level.*
- Enactment of Ground water management Bill as per the Model Bill circulated by Government of India and constitution of State Ground water authority (SGWA) in Haryana State.*
- Maintenance of E-Flow: A minimum flow should be kept in river to meet ecological needs ensuring that the flow and high flow releases are proportional to the natural flow regime, including base flow contribution in the low flow season through regulated ground water use.*
- All village ponds shall be protected and shall be converted into percolation ponds so that the water can be recharged to ground water.*
- Saline water resources of water logged areas surrounding Badshahpur drain meeting Najafgarh drain may be taken up for controlled ground water development.*

b. Short-Term Strategies:

- Water recycling and rainwater harvesting should be measured and recorded to monitor the water balance and use of modern technology like dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling and conditioning, etc.*
- 100% onsite treatment of waste water and promotion of its maximum reuse for non drinking purposes.*
- Maintenance of record about the quantity of fresh water usage.*
- Mass Awareness Programmes among the targeted population and stakeholders should be organized for protection and preservation of exhausting ground water resources.*
- Re-cycle & Re-use of the treated waste water from STP for non-drinking purpose to distress abstraction of ground water in*

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Gurugram Distt. Study may be carried out to use treated STP water for water intensive commercial activities."

The said report was listed on 25.3.2019 for consideration of the Hon'ble Tribunal. Considering the Joint Report dated 27.2.2019, the Hon'ble Tribunal issued directions as contained in Para No.9 of the order dated 25.03.2019 which is reproduced below:

"The above recommendations of the Committee need to be implemented at the earliest. In absence of any suggested timelines, the short term strategies may be implemented within three months and long term strategies within nine months. The Chief Secretary, Haryana may monitor the matter and send periodical reports alongwith the reports in terms of the directions of the Tribunal vide order dated 06.03.2019 in O.A No. 606/2018."

The copy of order dated 26.10.2018, Joint Report dated 27.2.2019 and order dated 25.3.2019 are enclosed herewith. It is required on the part of the State of Haryana and its concerned authorities/departments to take necessary steps to implement the recommendations made and measures suggested in the report as per time line given in order dated 25.3.2019.

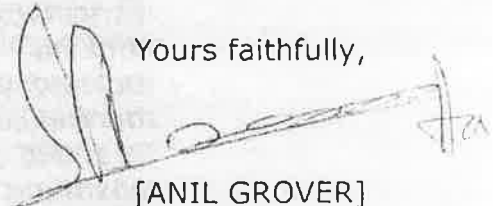
If the State or its any Department/Authority has any reservation in regard to observations & recommendations made and measures suggested in the Report or directions issued by the Hon'ble Tribunal, appropriate application may be filed at the earliest before the Hon'ble Tribunal for appropriate relief.

This for kind information and necessary action.

Thanking you,

Encl: As above.

Yours faithfully,



[ANIL GROVER]
Addl. Advocate General, Haryana