

RANCHI MUNICIPAL CORPORATION



Regulation for Licence of Drilled Tubewell (DT) and High Yield Drilled Tubewell, 2017.

Under Section 209 of the Jharkhand Municipal Act, 2011 and
Section 4 of the Environmental Protection Act, 1986.

Regulation for Licence of Drilled Tubewell (DT) and High Yield Drilled Tubewell (HYDT), 2017.

1. Short Title, Commencement and Purpose:-

- (i) The Regulation shall be called Regulation for Licence of Drilled Tubewell (DT) and High Yield Drilled Tubewell (HYDT).
- (ii) It extends to the Municipal Area or Ranchi or as may be determined by the Authority.
- (iii) It shall come into force from the date of its Publication in the Gazette.

2. Objective:-

The objective of this regulation is to conserve, manage and control extraction of ground water. It aims at sustainable management of Ground Water Resource.

3. Definition:-

In this regulation, unless the context otherwise requires:-

- (i) "Authority" means the Municipal Commissioner or any other officer of the Ranchi Municipal Corporation designated to exercise the powers under this Regulation .
- (ii) "Government" means Government of Jharkhand.
- (iii) "Regulation" means
- (iii) "Ground Water" means water that exists below the surface of the ground in the zone of saturation and can be extracted through wells or any other means or emerges as springs and base flows in streams and rivers.
- (iv) "Aquifer" means a geological formation capable of storing and transmitting ground Water.
- (v) "Well" means any structure made on the surface of the earth by any person other than the officers authorised by the State Government, for the purpose of drawing ground water for search, development, use or management of ground water resources and includes open well, dug well, bore well, dug-cum borewell, tube well, storage well, infiltration gallery but shall not include open well or dug well used for domestic purposes.
- (vi) "EPA 1986" means Environment Protection Act, 1986.

- (vii) "Ground Water Recharge" means structure or mechanism made for the purpose of augmenting the ground water resources of the aquifers.
- (viii) "Rainwater Harvesting" means the technique or system of collection and storage of rainwater at micro watershed scale, including roof top harvesting, for future use or recharge of ground water.
- (ix) "Ground Water Draft" means quantum of ground water withdrawal.
- (x) "Municipality" means Ranchi Municipal Corporation.
- (xi) "Safe Area" means area categorized as Safe from the ground water resources point of view based on ground water resource estimation.
- (xii) "Over Exploited Area" means area categorized as overexploited from the ground water point of view.
- (xiii) "Water Intensive Industries" means Packaged drinking , Mineral water plant, Tannery, Distillery, Brewery, Soft drink, Paper & pulp, Fertilizer, Textile Dyeing, Textile Printing, Textile spinning, Sugar, Dairy Product, Water park & amusement center.
- (xiv) "Advisory Committee" means an Apex committee formed by the Municipal Authority for the purpose of granting approval to applicants for the Licence of Bore Well. The Advisory Committee shall consist of an Engineer, a Health Expert and an Environment Expert as designated by the Municipal Authority.
- (xv) "NOC" means No Objection Certificate. It is mandatory to obtain NOC from the Municipal Authority 30 days prior to digging for tubewells under some categories. NOC is a one time certificate issued by the Authority.
- (xvi) "LTE" means Licence to Extract. It permits the licence holder to extract water for Commercial uses which shall be renewable every year and shall expire on March 31st every year.

4. Categories of No Objection Certificate (NOC).

The Ranchi Municipal Corporation shall grant licences for extraction of ground water under three licence categories. After coming into force of this regulation the existing Borewell users that need to obtain NOC must do so within a period of 90 Days.

(i) Domestic Use:

"Domestic Use" means for household or family purposes which includes water for drinking, cooking, cleaning, bathroom and such requirement from dwelling units of individuals or families.

- (a) No NOC shall be required from the Municipal Authority for borewell of 4" for Domestic Purposes.

- (b) NOC shall be mandatory for Borewell of 6”(HYDT) which may be given for Domestic use only on the recommendation of the Advisory Committee.

(ii) Institutional Use

“Institutional use” means Institutions or Organisations like Government/ Private School, Hospitals, Government Building, Charitable non-profit Organisations.

- (a) NOC shall be mandatory from the Municipal Authority for borewell of 4” for Institutional purposes.
- (b) NOC shall be mandatory for installation of 6” High Yielding drilled borewell (HYDT) which may be given for Institutional use only on the recommendation of the Advisory Committee.

(iii) Commercial Use:-

“Commercial use” means any business/profession/ institution run of commercial lines for realisation of Profit.

- (a) NOC shall be mandatory for both 4” (DT) and 6 “ (HYDT) Categories and may be granted to the applicant only on the approval of the Advisory Committee.
- (b) In addition to the NOC ‘Commercial Use’ require the operator to obtain Licence to extract every year from the Municipal Corporation.

5. NOC Procedure and Fees

- (a) The applicant has to submit his duly filled application form with the necessary documents to the counter clerk in the water board cell of the municipal corporation.
- (b) Documents to be attached
 - A. Holding tax receipt
 - B. Institutional Registration Certificate in case of Institution or Commercial entity
 - C. Details of the Rain Water Harvesting Structure with photograph. In case of Vacant land a affidavit is to be made by the licence holder promising that the rain water harvesting structure will be made once the roof structure is constructed.
 - D. Details of the Rig Machines used for boring which must be mandatorily registered by the Municipal Authority.
- (c) Fees Payable for NOC under different NOC Categories:-

Domestic 4" – No NOC Required so no fees.

Domestic 6" – 1,000/- Rupees

Institutional 4"- 5,000/- Rupees

Institutional 6" – 10,000/- Rupees

Commercial 4"- 5,000/- Rupees

Institutional 6"- 10,000/- Rupees.

- (d) Ranchi Municipal Corporation shall be free to invite public objections against any application put before it by publishing in the newspaper within a period of 15 days to avoid any further controversy which may arise due to installation of such a borewell. NOC shall be subject to the recommendation of the Advisory Committee of the Municipal Corporation.

6. Licence to Extract Procedure (LTE) and fees.

- (a) The Licence seeker is to submit duly filled application to counter clerk in water board of the municipal corporation in the form given in Annexure B.
- (b) Proof of construction of Water harvesting structure with photograph in the vicinity of the borewell will have to be submitted.
- (c) Holding tax receipt of the land where borewell is to be installed.
- (d) A Fees of Rupees will be payable to obtain the LTE.
- (e) Ranchi Municipal Corporation shall be free to invite public objections against any application put before it by publishing in the newspaper within a period of 15 days to avoid any further controversy which may arise due to installation of such a borewell.
- (f) After coming into force of this regulation the existing Borewell Commercial users that need to obtain LTE must do so within a period of 90 Days.
- (g) LTE Holders that are classified as Water Intensive Industries as in Annexure C are to charged 1/- Rupee per Kilo/litre of water extracted from the borewell which will be measured by the Water Meter on a quarterly basis.

7. Other Provisions

- (ii) In case of mini water plant of jar water/packaged water the fees will be payable at the rate 10/- Rupees for a Jar of 20 Litres.

- (iii) If the licence holder is using the water for bottling, food processing or other purposes which involve consumption for human purposes, these organizations must mandatorily conform to the rules and guidelines of Bureau of Indian Standards (BIS) and Food Safety and Standards Authority of India (FSSAI).
- (iv) The entity intending to construct new borewell will seek the licence from the Municipal Authority at least 30 days in advance along with the name and address of drilling agency.
- (ii) In case of 4" (DT) Borewell the capacity of the pump should not exceed 1HP and in case of 6" shall not exceed 5HP. This provision does not apply to Government water supply agencies.
- (iii) LTE may be refused or cancelled in over exploited areas if the Advisory board recommends it.
- (iv) Installation of water meter is mandatory in case of LTE. Tampering with the water meter is an offence and shall attract penal provisions under the Act. It is the Duty of the Licence holder to bring to the notice of the Municipal Authority faulty water meters within a week.
- (v) The land use on which the extraction structure is proposed should correspond to the land use marked under the master plan of RMC-2037.
- (vi) The Municipal Authority may designate an officer as an inspection officer to inspect the borewell at any time he may deem necessary either preconstruction, during construction and post construction. He will make his recommendation to the Advisory committee in case of application for NOC/LTE. He may make a recommendation to the Municipal Authority in case of cancellation of operational borewell that has NOC/LTE but is being operated in violation of this Regulation or the Act.

8. Renewal/ Surrender of the LTE

Licence to operate will be renewable on a yearly basis subject to conformity to this Regulation and the Act.

- (i) In case of renewal of LTE the fees payable shall be the same as the fees payable for new LTE.
- (ii) Party will be free to surrender the LTE but must clear outstanding dues against him

9. Cancellation and Closure of the Drilled Tubewell (DT)/ High yielding tubewell (HYDT).

The Municipal Commissioner reserves the right of cancellation of any NOC holder or revoke the LTE newly granted or existing ones in Public Interest, Health concern, Public Nuisance, lowering of water table or for contravention of this Regulation or the Act.

10. Duties of Licence Holder.

- (i) The owner of the premises should have only one ground water abstraction structure (either existing or new) to meet the drinking and domestic requirements. No tube-well/bore-well will be constructed, if any working tube-well already exists. In case the existing well has become non-functional and is to be replaced, it should be converted into recharge well, if possible or, properly sealed and no water be pumped from it.
- (ii) Concurrent with the construction of ground water abstraction structure, the owner of the tube-well shall undertake artificial recharge to ground water through rainwater harvesting in the premises.