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Andhra Pradesh Water, Land and Trees Rules, 2004

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THE ANDHRA PRADESH WATER, LAND AND TREES RULES, 2004

[G.O. Ms No. 339, Panchayat Raj and Rural Development
(RD, IV), 6th November, 2004]

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THE ANDHRA PRADESH WATER, LAND AND TREES RULES, 2004

[G.O.Ms. No. 339, Panchayat Raj and Rural Development (RD. IV),

6th November, 2004]

In exercise of the powers conferred by sub-section (1) of Sec. 45 of the Andhra Pradesh Water, Land Trees Act, 2002 (Andhra Pradesh Act 10 of 2002), and in super session of the rules issued in G.O.Ms. No. 224, PR&RD Dt.: 15th June, 2002 the Governor of Andhra Pradesh hereby makes the following rules to promote water conservation and tree cover and to regulate the exploitation and use of ground and surface water for protection and conservation of water sources, land and matters connected therewith or incidental thereto in the State of Andhra Pradesh.

RULES

1. Short title, extent and commencement:-

- (1) These rules may be called The Andhra Pradesh Water, Land and Trees Rules, 2004.
- (2) They extend to the whole of Andhra Pradesh State.
- (3) They shall come in to force from the date of publication in Andhra Pradesh Gazette.

2. Definitions:-

In these rules, unless the context otherwise requires:-

- (1) "Act" means the Andhra Pradesh Water, Land and Trees Act, 2004;
- (2) "Authority" means the Andhra Pradesh State Water, Land and Trees Authority constituted under Section 3 of the Act;
- (3) "Member-Secretary" means the Member –Secretary of the Andhra Pradesh State Water, Land and Trees Authority;
- (4) Words and Expressions used but not defined in these rules shall have the same meaning assigned to them in the Act.

3. Appointment of Administrator and the staff in State, District and Mandal Authorities:-

- (1) (i) The Government may designate officers as Administrator who shall assist the Authority in discharging its duties.
(ii) The Authority may take on deputation such other officers or members of staff subordinate to the Administrator either on contract basis or from the surplus manpower cell.

- (2) The Member-Secretary of the District Authority shall assist the District Authority in its work and the District Authority may take on contract basis or from the surplus manpower cell such other officers or the staff to assist the Member-Secretary.
- (3) The Member-Secretary of the Divisional Authority shall assist the Divisional Authority in its work and the Divisional Authority may take on contract basis or from the surplus manpower cell such other officers or the staff to assist the Member-Secretary.
- (4) The Member-Secretary of the Mandal Authority shall assist the Mandal Authority in its work and the Mandal Authority may take on contract basis or from the surplus manpower cell such other officers or the staff to assist the Member-Secretary.
- (5) The Authority under the provisions of Section 5 of the Act, may designate the officers from the departments such as Ground Water, Rural Development Irrigation, Municipal Administration and Urban development, Panchayat Raj, Forest or any other department or agency as deemed necessary to work as Designated or Technical Officers for the purpose of the Act by a separate order.
- (6) The power of designating the officers at District and Mandal level may be delegated by the State Authority.

4. Terms of Office of the nominated members of the Authorities :-

The term of office of the nominated members of the Authority except those nominated under clause (k) of sub-section (2) of Section 3 shall be three (3) years from the date of their appointment.

5. Resignation:-

- (1) A nominated member of the Authority may resign from his office by giving thirty (30) days notice to the Chairman.
- (2) The power to accept the resignation of a member shall vest with the Chairman who on accepting the resignation shall report to the Authority during its next meeting.
- (3) Whenever a nominated member of the Authority resigns or dies or is removed from the office or becomes incapable of acting, Government may by notification in the Official Gazette appoint a person in the said vacancy.

Provided that a person so appointed in the said vacancy shall hold office only for the residue of the period.

6. Removal from the Authority :-

The Government may remove any non-official member from his office if he is of unsound mind, or convicted of a criminal offence involving moral turpitude, or fails to attend more than three successive meetings of the Authority without prior approval of the Chairman.

7. Allowances :-

- (1) The non-official members of the Authority shall be entitled to the travelling and daily allowances as admissible to Grade-1 Officers of the State attending the meetings or any other work assigned by the Authority. They should produce a certificate that they have not claimed Travelling Allowance and Dearness Allowance for the same period elsewhere.
- (2) The Authority may designate an officer of the Authority as the controlling officer in respect of payment of allowances.

8. District Authority :-

- (1) The Government, may, by notification, in consultation with the State Authority constitute the District Authority as follows :-

(a) The District Collector	Ex-Officio Chairman
(b) One Member of Parliament and two members of the Legislative Assembly as nominated by the Government. Out of two Members of Legislative Assembly, one shall be preferably from main opposition political party.	Ex-Officio Member
(c) Three Mandal Parishad Presidents and two Zilla Parishad Territorial Constituency members to be nominated by the Ex-officio Chairman of the District Authority	Ex-Officio Member
(d) Joint Director, Agriculture Department	
(e) Superintending Engineer, Irrigation Department	Ex-Officio Member Ex-Officio Member
(f) Superintending Engineer, Rural Water Supply Department	Ex-Officio Member
(g) Deputy Director, Ground Water Department	Ex-Officio Member
(h) Deputy Director, Mines and Geology Department	Ex-Officio Member

(i) Deputy Conservator of Forests (Planning and Extension).	Ex-Officio Member
(j) Project Officer / Integrated Tribal Development Agency / MADA / PTG.	Ex-Officio Member
(k) Regional Officer, Andhra Pradesh Pollution Control Board.	Ex-Officio Member
(l) District Panchayat Officer	
(m) An official from Hyderabad Metropolitan Water and Sewerage Board, in respect of Rangareddy and Hyderabad District.	Ex-Officio Member Ex-Officio Member
(n) Municipal Commissioner of Head Quarter Municipality.	Ex-Officio Member
(o) Other Non-Official persons not exceeding five, who in the opinion of the Ex-officio Chairman of the District Authority are interested in the conservation of natural resources of which one shall belong to Scheduled Caste, one to the Scheduled Tribe and one shall be a Woman.	Non-Official Members
(p) Director, Urban Forestry, HUDA in respect of Hyderabad and Rangareddy Districts.	Ex-Officio Member
(q) Project Director, Drought Prone Area Programme / District Water Management Agency.	Ex-Officio Member-Secretary

- (2) The term of the office of Non-Official Members shall be three years from the date of appointment and they are entitled to the allowances as admissible to Grade – 1 officers of the State.
- (3) Resignation or removal of the members of the District Authority shall be governed in the same manner as prescribed under rules 5 and 6 of these rules.
- (4) The quorum to conduct a meeting of the District Authority shall be one third of the total number of the members.

9. Divisional Authority :-

- (1) The Government may, by notification constitute the Divisional Authority as follows:-

(a)	The R.D.O / Sub-Collector	Ex-Officio Chairman
(b)	Three Mandal Parishad Presidents and Two Zilla Parishad Territorial Constituency members to be nominated by the Ex-Officio Chairman of the District Authority.	Ex-Officio Member
(c)	Deputy Director of Agriculture, (having jurisdiction)	Ex-Officio Member
(d)	Executive Engineer, Irrigation (having jurisdiction)	Ex-Officio Member
(e)	Executive Engineer, Rural Water Supply (having jurisdiction)	Ex-Officio Member
(f)	Geologist of Ground Water Dept.	Ex-Officio Member
(g)	An officer from Mines and Geology Dept.	Ex-Officio Member
(h)	Forest Range Officer (having jurisdiction)	Ex-Officio Member
(i)	An officer from AP TRANSCO	Ex-Officio Member
(j)	Divisional level Panchayat Officer (having jurisdiction)	Ex-Officio Member
(k)	Commissioner municipality (having jurisdiction)	Ex-Officio Member

- (2) The quorum to conduct a meeting of the Divisional Authority shall be one third of the total number of the members.

10. Mandal Authority :-

(1) The Government may by notification constitute the Mandal Authority as follows :-

(a)	Mandal Revenue Officer of the concerned Mandal	Ex-Officio Chairman
(b)	Mandal Development Officer	Ex-Officio Vice – Chairman
(c)	Sarpanch of the Mandal Headquarter Gram Panchayat	Ex-Officio Member
(d)	Two Mandal Parishad Territorial Constituency Members of the concerned mandal to be nominated by the Ex-officio Chairman of the Mandal Authority with the approval of Ex-Officio Chairman of the District Authority	Ex-Officio Member
(e)	Assistant Executive Engineer, Irrigation Department	Ex-Officio Member
(f)	An Officer from Ground Water Department	Ex-Officio Member
(g)	Assistant Director, Agriculture Department	Ex-Officio Member
(h)	Assistant Project Director, Integrated Tribal Development Agency	Ex-Officio Member
(i)	Forest Section Officer (having jurisdiction)	Ex-Officio Member
(j)	Three non-official members, of whom, one shall be a woman, who in the opinion of the Ex-Officio Chairman of Mandal Authority are interested in conservation of natural resources or Presidents of the Water Users Association or Vana Samrakshan Samithi or Watershed Association with the approval of the Ex-officio Chairman of the District Authority.	Non-Official Member
(k)	An official from TRANSCO having jurisdiction	Ex-Officio Member
(l)	Assistant Executive Engineer, Rural Water Supply	Ex-Officio Member-Secretary
(m)	Municipal Commissioner (if mandal head quarter happens to be municipality)	Ex-Officio Member

Note:- In the Scheduled Areas, a Scheduled Tribe candidate shall be nominated. In the predominantly Scheduled Caste Mandal, one of the members shall be from Scheduled Caste.

- (2) The term of the officer of Non-Official members shall be three years from the date of appointment.
- (3) The Mandal Authority shall conduct meetings at least once in a month and perform such functions as delegated under Section 6 and prescribed under Section 3(6) of the Act, and also other functions as directed by the Government. The Mandal Authority may utilize the services of the Designated Officers and technical officers in discharging of its functions.
- (4) The quorum to conduct meeting of the Mandal Authority shall be one third of the total number of the members.

11. Meeting of the State, District and Mandal Authorities :-

- (1) The time, date and place of the meeting of the State, District, Divisional and Mandal Authorities shall be fixed by the Member-Secretary of the respective authorities with the approval of its Chairman.
- (2) The District Authority may conduct meetings and perform such functions as delegated under Section 7 and prescribed under sub-section (6) of Section 3 of the Act and other functions as directed by the Government and will report to the State Authority. The District Authority may utilize the services of the Designated Officers and Technical Officers in discharging of its functions.
- (3) Seven clear days notice of an ordinary meeting and three clear days notice of a special meeting along with the agenda notes if any, shall be given by the Member-Secretary to the members.
- (4) Any particular meeting may adjourn from day-to-day or to any particular day and no fresh notice shall be required for an adjourned meeting.
- (5) All decisions in a meeting shall be decided by a majority of votes of the members present, Voting shall be by raising of hands in favour of the proposal. In case of equality of votes the Presiding Officer shall have a casting vote.
- (6) The Authority may Co-Opt any person as an observer for a particular meeting or period who shall have no voting rights.

12. Registration of Wells :-

Every owner of the well shall register the well as per the sub-section (2) of Sec. 8 of the Act by an application giving details as in Form-1 appended to these rules and by paying fee as fixed by the Authority having jurisdiction from time to time. The Town Planning Department of Municipal Corporation, Municipalities, Hyderabad Water Supply and Sewerage Board, Village Secretaries of the Gram Panchayaths shall facilitate registration of all existing wells in their jurisdiction. The details should be entered in a register as prescribed in Form 1 appended to these rules.

13. Permission for new wells :-

- (1) (i) Any person or institution desiring to dig a new well of any kind in their premises should submit to the Authority having jurisdiction over the area, an application in Form 2 and 5 as the case may be appended to these rules together with a fee as fixed by the authority from time to time. Application duly filled in can also be given to concerned village secretary who shall pass it on to mandal authority within two days. The Authority shall process the application with the help of the Designated Officer. The Designated Officer after examining the application shall satisfy himself about the compliance of the various provisions of the Andhra Pradesh Water, Land and Trees Act, 2002 and give his recommendation to the Authority and the said Authority shall dispose off the application within fifteen days of receipt of the application. The Designated Officer while giving recommendation shall comply with the relevant provision of the Act. Wherever necessary, the District Authority shall take the opinion of the Technical Officer of the area. Every order for permission shall be in Form 3 and 6 as the case may be appended to these rules;
- (ii) The mandal authority on receipt of application for drilling new wells in Form 2 and 5 as the case may be will refer the matter simultaneously for feasibility certificate and for power supply to respective agencies in the mandal authority and obtain the required information and dispose of the application on the basis of the reports from Andhra Pradesh Transmission Corporation (APTRANSCO) and the Ground Water Department within 2 weeks. It is the responsibility of officials of APTRANSCO and Ground Water Department to submit their reports to mandal authority in prescribed time. Single window approach is followed to help the people.

Provided that before issuing the permission the applicant has to pay prescribed amount through a D.D towards insurance premium, in respect of agricultural wells.

- (2) The fee shall be paid through a demand draft drawn in favour of "The Andhra Pradesh Water, Land and Trees Authority Fund" payable at the headquarters of the respective Authority.

14. Conditions for grant of permission :-

The permission for grant of sinking of well under the Andhra Pradesh Water, Land and Trees Act, 2002 shall be subject to the following conditions, namely :-

- (1) That the sinking of the well should not violate any provisions of the Act.

(2) That the Authority reserves its right to take such measures necessary for preservation and control of water including an order for closure of the well; and

(3) That the persons sinking the well shall furnish necessary information as and when required by the Authority in such form as may be prescribed and bound by the orders of the Authority with regard to the drawing of water including imposition of condition of hours of drawing of water .

15. Taking over of well to ensure drinking water :-

- (1) The Authority may by a general or special order shall authorize the Designated Officer to identify such wells as required to ensure supply of drinking water to local population and shall take over such wells.
- (2) On identification of the wells, the Designated Officer shall serve or cause to serve an order of requisition on the owner of the well specifying the period of such requisition. The Designated Officer for sufficient reasons, may extend such period of requisition.
- (3) On requisition, the owner of the well shall not draw water for any other purpose other than drinking for his own use.
- (4) If the well so requisitioned is the only source of irrigation and if the owner is solely dependent on agriculture for his livelihood, the owner shall be compensated for the loss of livelihood. The quantum of compensation shall be decided by the District Collector in consultation with the Agriculture Department based on the crops raised during the same period in the previous three years by the owner utilizing the water from the well.

16. Construction of Rain Water Harvesting Structures :-

The construction of the water harvesting structures in all existing and new residential, commercial, public and open areas shall be governed by the guidelines and schemes adopted by the respective urban and local bodies. They shall also be responsible for monitoring execution of the construction in accordance with the design and the scheme. The provisions of Section 17 of the Act shall be followed by the Urban and Local bodies.

17. Registration of Rigs :-

Every rig owner or an operator operating or desiring to operate in the State of Andhra Pradesh shall register the rig with the Authority by paying the prescribed fee which shall be renewable for every two years. The application shall be made in Form 15 and the permission shall be given by the Authority in Form 16. The rig owners are required to display the Form 16 at all times upon the rig. Failure to register the rig shall be an offence and shall be dealt in accordance with rules.

18. Prohibition of water contamination :-

The Authority shall restrict, regulate and prohibit storage and disposal of effluents by any person or industry, local body or aqua culture farm into any stream or well or sewer or on land to prevent and control contamination of ground water. The Authority may pass orders *suo motu* or based on representations received from public and after providing an opportunity to be heard to the affected parties and recording reasons in writing.

19. Land use and water quality :-

The Authority may impose restrictions and prohibit any industry and carrying out of any process and operations in any area to protect water and soil quality in the area. The Authority shall provide opportunity to be heard to the affected parties before passing any order and shall record reasons in writing.

Explanation : Power to issue orders under this rule includes power to order for –

- (i) shifting and closure of industry : and
- (ii) prohibition or regulation of any process or operation.

20. Water Cess:-

The Authority may levy a cess on consumption of water and discharge of effluent by any industry, which is not covered under Schedule 1 of the Water Prevention and Control of Pollution Cess Act, 1977 and the amount of cess shall be as fixed by the Authority from time to time.

21. Modification of land use :-

- (1) The authority or any designated officer or agency may direct the occupier of any land that land use shall be modified if the quality of the water coming from the land is not of acceptable quality compared to the standards prescribed by the Andhra Pradesh Pollution Control Board from time to time.

- (2) No brick manufacturing shall be taken up in areas where the soil is prone to erosion and depletion.
- (3) Wherever coal based thermal power plants are in operation, all constructions within a radius of 10 Kilometers shall be taken up bricks made only with fly ash.

22. Ceiling on water use :-

Industries shall not use fresh water in excess of maximum unit quantity specified by the Andhra Pradesh Pollution Control Board in consent orders issued under the Act, including for production – related purposes like dilution of effluents etc. The Andhra Pradesh Pollution Control Board may impose penalty upto the maximum permissible under the Act, in each case of proven violation of the consent condition.

23. Sand mining :-

1. In areas where sand mining is affecting ground water regime, such of the areas shall be notified and transportation of sand shall be prohibited and mining and transportation of sand shall be banned in notified overexploited ground water micro basins / mandals and for other areas the following conditions shall apply for exploitation of sand.

- (1) (a) Sand mining shall not be permitted in notified areas except for local use in the Village or towns bordering the streams. Transportation of sand from these notified areas through mechanical means out of the local jurisdiction shall be banned.
 - (b) In IVth order stream, sand mining shall be restricted to specified areas.
 - (c) In Vth order and above rivers, viz., Godavari, Krishna, Pennar etc., sand mining may be permitted without affecting the existing sources for Irrigation for drinking water or industrial purpose.
- (2) The sand leaseholders shall not carryout quarrying within 500m. of any existing structure such as bridges, dams, weirs or any other cross drainage structure.
- (3) Vehicles carrying sand shall not ply over the flood banks except at crossing points or bridges or on a metal road.
- (4) Permission to quarry sand shall not be granted within 500 Meters of any ground water extraction structures (s) either for irrigation or drinking water purposes.
- (5) The streams / rivers where the thickness of sand is quite good (more than 8.00 Meters) the depth of removal may be extended to 2.00 Meters but in no case beyond two meters.
- (6) Sand quarrying shall not be permitted within 15 meters or 1/5 of the width of the stream bed from the bank whichever is more.

- (7) Sand mining shall not be permitted in streams where the thickness of sand deposition is less than 2.00 meters.
- (8) The depth of removal of sand shall be restricted to one meter particularly in minor streams where the thickness is more than 3.00 meters and less than 8.00 meters.
- (9) The sand quarrying shall be restricted to depths above the water table recorded during monsoon and in no case effect / disturb the water table.
- (10) The quantity of sand deposited annually in every stream or river shall be monitored by establishing observation stations along the stream course.

2. The Ground Water Department shall take up joint inspection along with officials of Mines and Geology Department or other concerned departments whenever cases are referred to study the impact of sand mining in an area and shall give its recommendations.

24. Tree planting :-

- (1) In every Municipal Corporation or Municipality or other local area, the number of trees to be planted and their subsequent maintenance shall be on the following scale:

(i) **Residential areas** :- Every household having above 100 square meters area shall plant at least small or medium variety in their premises as follows:

Below 100 Square meters	-	3 trees
101 to 200 Square meters	-	5 trees
201 to 300 Square meters	-	10 trees
301 square meters and above	-	10 trees plus 5 trees for every increase of 100 Square meters.

(ii) **Commercial or institutional areas** : Commercial establishments shall plant trees as follows :-

Plot Area	No. of trees
(1)	(2)
Below 200 Square meters	2
201 to 500 Square meters	4
501 to 1000 Square meters	6
Above 1001 Square meters	6 trees plus 2 trees for every increase of 100 Square meters

In addition commercial or institutional areas shall be landscaped instead leaving them without any vegetation.

(iii) **Industrial areas** : In industrial areas trees shall be planted as per the norms of the Andhra Pradesh Pollution Control Board.

(2) The local authority having jurisdiction shall grant building permission subject to the condition that the owner shall plant prescribed number of trees.

(3) The owner of the premises or house shall maintain the trees and shall not fell the tree without the prior permission of the Designated Officer.

(4) If any owner desires to fell a tree, he shall apply in writing to the Designated Officer for permission in Form 13 with a fee per tree as indicated below in that behalf. The application shall be accompanied by a site plan indicating the position of the tree required to be felled and the reasons there for

(i) For urban residential Institutional areas Rs. 50/-

(ii) For urban commercial areas Rs. 100/-

(5) On receipt of such application, the Designated Officer or an officer authorized by him, may after inspecting the trees and holding such enquiry, as he deems necessary either grant or refuse the permission applied for in Form 14. Provided that permission shall not be refused, if the tree :-

(i) is dead, diseased or wind fallen or

(ii) has silviculturally matured: or

(iii) constitutes a danger to life or property; or

(iv) is substantially damaged or destroyed by fire, lightning, rain or other natural causes.

Provided further that, if the tree permitted to be felled is not exempted from purview of Forest Produce Transit rules, the Designated Officer shall inform the concerned Divisional Forest Officer for grant of transit permit and the owner shall not transport felled material without a valid permit.

(6) The Designated Officer shall dispose the application within fifteen days from the date of receipt of application by him.

(7) The permission to fell a tree may be granted subject to the condition that the owner of the premises shall plant another two trees of the same or suitable species on the same site or other suitable place, within thirty days from the date of tree is felled.

- (8) (a) If, in the opinion of the Designated Officer, the number of trees in any premises or open area is not adequate according to the standards prescribed in clauses (i) and (ii) of sub-rule (4) above, he may after giving reasonable opportunity of being heard to the owner or occupier of the land, by order, require him to plant such trees or additional trees and at such places in the land as may be specified in the order.
- (b) When an order is so made, the owner or occupier of the land shall comply with the order within ninety days from the date of its receipt.
- (9) (a) Where any tree has fallen or destroyed by fire, lightning or rain or other natural causes, the designated Officer may *suo motu* or on information given to him, after holding such enquiry as he deems fit and giving a reasonable opportunity to the owner or occupier of the land where the tree existed, by order, require such owner or occupier to plant a tree in place of the tree so felled or destroyed at the same or other suitable place as may be specified in the order.
- (b) When an order is so made, the owner or occupier of the land shall comply with the order within ninety days from the date of its receipt.
- (10) When the owner or occupier of any land fails to comply with any order made by the Designated Officer, the Designated Officer shall take necessary action for planting the trees and recover the expenditure incurred thereon as arrears of property tax.
- (11) 30% of the available open area in the premises of institutions shall be taken up for tree plantation with a density of not less than 6 trees per every 100 Square meters in open area.

25. Dealing with the cases of offence :-

(1) Any violation of the provision of the Act and these rules shall be booked in the offence report given in Form 7 appended to these rules. A copy of the offence report shall also be submitted to the District Authority immediately. In case the offender is to be prosecuted, a copy of the offence report shall also be submitted to the nearest Magistrate having jurisdiction.

(2) Where an offence is committed, the Designated Officer may seize any instrument or machinery or any other device, vehicles or other conveyance or any other movable property used in or involved in committing such offence. A list of seizure shall be furnished to the owner of the property in Form 8 appended to these rules.

(3) Where the seizures have to be given to the safe custody of any person it shall be in the Form 9 appended to these rules with a direction to produce the property before the Designated Officer or the Court as and when required.

26. Penalties :-

(1) Whoever contravenes any of the provisions of this Act. Shall be punishable with fine which shall not be less than Rs. 1000/- but which may extend to Rs. 5000/-

(2) For felling of trees without prior permission, shall be punishable with a fine which shall not be less than two times the value of such tree, but which may extend up to 5 times of the value of such tree.

27. Compounding of offences :-

(1) The authority or the designated officer or any officer authorized by the government in this regard, as the case may be may accept from any person who committed or who is reasonably suspected of having committed an offence punishable under this Act other than the offence punishable under sub-section (2) of Section 35 of this Act.

I. A sum of money not less than Rs. 1 lakh by way of compounding of the offence shall be levied in respect of contravention of Section 10, 14 and Section 27.

II. The order should be communicated in Form 10 appended to this rules and furnish a copy of the compounding order to the offender and submit another copy to the District authority.

(2) When the compounding fees levied and paid by the offender a receipt in Form 11 appended to these rules shall be issued to a person paying the compounding fee.

28. Confiscation of property :-

Where the authorized officer, based on the gravity of the offence, do not agree for compounding of offence the authorized officer any order for confiscation of seizures produced before him under Section 38 of the Act duly following the procedure laid down therein.

29. Appeals :-

(1) Any person aggrieved by any order made by the Designated Officer may appeal to the District Authority within a period of thirty days from the date of receipt of the order by him.

(2) Any person aggrieved by any order made by the District Authority may appeal to the State Authority within thirty days from the date of receipt of the order by him.

(3) On receipt of the Appeal, the District Authority or the State Authority shall after giving a reasonable opportunity of being heard, may pass such order as it may deems fit.

(4) The decision of the State Authority shall be final and binding.

30. Review :-

An application for review by the Government shall be made to the concerned Secretary as the case may be, of the concerned department who shall dispose off the application within a period of thirty (30) days after giving a reasonable opportunity of being heard to the aggrieved party:

31. Andhra Pradesh Water, Land and Trees Authority Fund :-

(1) *Constitution of the Fund* : All monies received by the Mandal, District or State Authority shall be credited to the respective Authority. The remittances to the Mandal, District or State Authority shall be made by way of cash or demand draft in a Government account to be operated jointly by Member-Secretary and the Chairman of the Authority.

(2) *Control of the Fund* :- The Member-Secretary of the District or State Authority shall operate the Fund after obtaining the approval of the Chairman.

(3) (a) *Accounts and Audit* :- The District and State Authority shall maintain monthly accounts of receipt and expenditure.

(b) The Mandal and District Authority shall furnish an abstract of monthly receipts and expenditure to the State Authority in Form 12 appended to these rules.

(c) The State Authority shall furnish to the Government a consolidated statement of receipts and expenditure once for every year in Form 12.

(4) (a) *Budget estimates* :- The District Authority shall on or before the 30th day of September every year prepare annual budget estimate in respect of the ensuing financial year of the estimated income and expenditure and submit to the State Authority, in the format as prescribed in Budget Manual.

(b) The State Authority shall on or before 31st day of October every year prepare annual budget estimate in respect of the ensuing financial year of the estimated income and expenditure and submit to the Government for incorporating in the State budget in the format as prescribed in Budget Manual.

32. Annual Report :-

The Annual Report of the Authority shall give true and full account of the activities in that year and shall be prepared in the format prescribed by the Government and submitted by the due date.

FROM - 1
(See Rule 12)
Register of wells

Sl.No.	Name of the well owner	Address	Location : House / Plot numbers, S.No.	Type of well : Open / Bore Well and Hand Pump / Motor Diameter, Depth
(1)	(2)	(3)	(4)	(5)

Use of water Domestic / Irrigation (agricultural) / Industrial / Other	Depth of the Well	Water output in liters / hours	Whether pumping is done using motor, If so, details : 1. Hp of the pump 2. Type of motor use : submersible / jet / compressor / centrifugal / turbine	If used for irrigation state acreage irrigated
(6)	(7)	(8)	(9)	(10)

Acknowledgement

Application for registration of existing wells is received in this officer along with registration fee of Rs. through a D.D No..... Dated:..... The well has been registered in this office.

FROM – 2

(See Rule 13)

Application for digging a new well for agricultural & drinking water purposes

1. Name of the Applicant :

2. Address :

House No.

Street

Village / Town

Mandal

District

3. Location of proposed well : S.No. / Village

4. Type well to be dug : Open / Bore Well / Hand Pump

5. Mode of drawing water : Diesel Engine / Electric Motor

6. Specification of pump :

7. Details of payment of

1) Survey charges Rs. D.D. No..... Date Bank.....

8. Distance from existing functional well

I hereby declare that the above particulars are true to the best of my knowledge and belief.

Date :

Signature

.....✂.....✂.....✂.....

Order of the Designated Officer :

Your application for digging a new well in Sy. No..... of village / municipality is not approved.

Reasons for not approval.

- i. AP TRANSCO expressed its inability to provide power connection.
- ii. Rejection by G.W.D. (Survey report of geologist is enclosed).

Signature of the applicant

Note : Please (✓) the appropriate reason.

.....✂.....✂.....✂.....

Acknowledgement

An application for digging new well for agriculture / drinking purpose is received in this office along with an application fee of Rs. through D.D No..... Dated from Sri Resident of (.....)

Place :

Signature of Designated Officer

Date :

Water, Land and Tree Authority
(with seal)

FROM – 3
(See Rule 13)

Permission of digging an Agricultural well / Drinking water well

Sri of(Address) is permitted to dig a new well at (location) to a depth of meters for drawing water for Irrigation use, subject to the following conditions :-

- (1) The well should not be used for drawing water for any other purpose other than applied for.
- (2) The withdrawal of water should be regulated, and no wastage of water should be done.
- (3) The utilized water should be recycled as prescribed for recharging the ground water.
- (4) Structures should be constructed for harvesting rainwater in the vicinity of the well.
(Mandatory in case the proposed well falls in area declared as Over Exploited Area)
- (5) The utilization of water will be subject to the regulation from time to time based on the extraction water from the well.
- (6) The bore well is insured for a sum of Rs. wide the insurance master policy No..... The applicant has paid the premium amount of Rs. by D.D No.....

Note : Geologist report including site plan is enclosed.

Place :

Date :

Designated Officer,
Water, Land and Tree Authority
(with seal)

FORM – 4
Rejection Order of the Designated Officer

Your application for digging a new well for agriculture / drinking water purpose in Sy. No. Village is hereby rejection.

Reasons for rejection

- (1) AP TRANSCO expressed inability for power connection.
- (2) Rejection by Ground Water Department (survey report of geologist is enclosed)

Place : Designated Officer,
Date : Water, Land and Tree Authority
(with seal)

FORM – 5
(See Rule 13)
Application for digging a new well for Industrial / other use

- 1. Name of the Applicant :
- 2. Address of the Applicant :
- 3. Location of proposed well :
- 4. Type well to be dug : Open / Bore Well / Hand Pump
- 5. Mode of drawing water : Diesel Engine / Electric Motor
- 6. Specification of pump :
- 7. Details of payment of

- 1) Survey charges Rs. D.D. No.....
Date Bank.....

I hereby declare that the above particulars are true to the best of my knowledge and belief.

Place :

Date :

Signature of the applicant.

.....✂.....✂.....✂.....

Acknowledgement

An application for digging new well for industrial purpose is received in this office along with an application fee of Rs. through
D.D No..... Dated from Sri
Resident of (.....)

Place :

Date :

Signature of Designated Officer

Water, Land and Tree Authority

(with seal)

FROM – 6

(See Rule 13)

Permission of digging a well for Industrial / Other use

Sri of(Address) is permitted to dig a new well at (location) to a depth of meters for drawing water for Industrial / Other use, subject to the following conditions :-

- (1) The well should not be used for drawing water for any other purpose other than applied for.
- (2) The withdrawal of water should be regulated, and no wastage of water should be done.
- (3) The utilized water should be recycled as prescribed for recharging the ground water.

- (4) Structures should be constructed for harvesting rainwater in the vicinity of the well.
(Mandatory in case the proposed well falls in area declared as Over Exploited Area)
- (5) The utilization of water will be subject to the regulation from time to time based on the extraction water from the well.
- (6) Case should be taken not to pollute the surrounding areas.

Place : Designated Officer,
Date : Water, Land and Tree Authority
(with seal)

FORM – 6A
Rejection Order of the Designated Officer

Your application for digging a new well for industrial purpose in
Village / Town is hereby rejection.

Reasons for rejection

- (1) AP TRANSCO expressed inability for power connection.
(2) Rejection by Ground Water Department (survey report of geologist is enclosed)
(3) Other reasons please specify.

Place : Designated Officer,
Date : Water, Land and Tree Authority
(with seal)

FORM – 7
[See Rule 25]
Offence Report

1. Name, parentage and address :
of the accused person
2. Nature of offence :
3. Place where offence occurred :
4. Date and time of detection of :
offence
5. Name and address of the :
complainant
6. Description of vehicles, tools :
Etc., used in committing the
Offence
7. Name and address of :
witnesses
8. Punishable under Section - :
of Andhra Pradesh Water,
Land and Trees Act.

Date :

Place :

Signature of Designated Officer.

Note :- The original to be sent to District Authority immediately and the duplicate copy to be given to offender and the triplicate to be retained in the book.

FORM – 8
[See Rule 25]
List of Seizures

The following properties involved in the commission of offence are seized by me to-day i.e. in connection with an offence under section under the Andhra Pradesh Water, Land and Trees Act, 2002 from Sri S/o. Aged R/o.....

- 1.
- 2.
- 3.
- 4.

Date :

Place :

Name :

Signature of Designated Officer.

Note :- The original shall be retained in the book and the duplicate shall be given to the custodian of the property seized.

FORM – 9
[See Rule 25]
Certificate of Safe Custody

The following properties involved in offence case no..... dated are given in my custody by (name and designation) on for safe custody.

I under take to safe guard from damage and loss and produce the same on demand by the Designated Officer or the Court.

Details of the properties taken over :

- 1.
- 2.
- 3.
4. etc.,

Signature of the
Designating Officer

Date :

Signature of Custodian :

Name :

Father's name :

Address :

FORM – 10
[See Rule 27]
Compounding Order

Sri S/o.Aged
R/o.....has committed an offence against the provisions of the
Andhra Pradesh Water, Land and Trees, 2002 and rules made there under. An
offence case is booked vide case No. Dated..... under
Section..... Of the Andhra Pradesh Water, Land and Trees Act, 2002.

In view of the willingness expressed by the accused, I hereby order that a sum of
Rs./- be paid towards compensation.

On payment of the compensation amount in full, the seizures detailed hereunder
shall be release.

Details of seizures :

- 1.
- 2.
- 3.
4. etc.,

If the compensation amount is not paid in full within thirty days from the date of
receipt of this Order, action to recover the same will be taken as if it were arrears of land
revenue.

Appeal against these orders, lies to the District Authority within thirty days of
receipt of these orders.

Date :

Place :

Designated Officer
(Name of Designation)

To
Sri
H. No.....
Street.....
Village / Town
District
Pin Code

Copy submitted to District Authority for information.

FORM – 11
[See Rule 27]
Receipt for compounding fee

Received Rs./- (in words) from
Sri S/o. R/o. towards compounding fee for
composition of offence in case No. dated.....

The compounding fee is received in full / part

The balance compounding fee shall be paid in thirty days failing which action shall
be initiated to recover the same as arrears of land revenue.

Date :

Designated Authority,

Place :

(Name and Designation)

FORM – 12
[See Rule 31]
Abstract of accounts

District

For the month / year of

Sl. No.	Nature of receipt	Amount received	Nature of expenditure	Amount of expenditure	Balance
(1)	(2)	(3)	(4)	(5)	(6)

1. Compounding fee
2. Registration of new wells
3. Registration fee of rigs
4. Grant by Government
5. Any other Receipts (Please Specify)

FORM – 13
[See Rule 24]
Application for permission for felling trees

I, Sri S/o. Aged..... R/o.....
 (Address) request you to please permit to fell the following tree / trees in my premises.

1. Category of Premises :

(a) Residential

(b) Institutional

(c) Commercial

(d) Agriculture

(e) Industrial

(f) Others-Specify

2. Area of the premises :

3. Number of trees existing in the premises :

4. No. of trees proposed to be felled :

5. Species of the trees proposed to be felled :

6. Age of the tree proposed to be felled :

7. Reason for proposing to fell the tree / trees :

I undertake that I shall replant immediately a tree / trees in place of the trees felled.

8. Details of the D.D

Place :

Date :

Signature of the applicant

FORM – 14

[See Rule 24]

Permission for felling tree / trees

Sri S/o..... Aged.....
R/o. is permitted to cut tree / trees in the premises
subject to the following conditions, namely :-

1. Premises of felling tree / trees is as mentioned above only.
2. Number of tree / trees permitted to be felled is only (Specify species and Number)
3. No. of plants shall be planted within 30 days of the felling.
4. Felling shall not be carried out before inspection, banding with red paint by the concerned officials.
5. In case of failure to take up plantation, plants shall be raised at the cost of the applicant.

Place :

Designated Officer,

Date :

Water, Land and Tree Authority

(with Seal)

FORM – 15

(See Rule 17)

Application for Registration of Drilling Rigs / Hand boring sets

1. Name of the Applicant :

2. Address :

House No.

Street

Village / Town

Mandal

District

3. Registration No. of the vehicle :

4. Place of registration with RTO :

5. Description of the drilling rig :

6. Capacity of Drilling :
Max Diameter Depth

7. Area of operation :

8. Registration fee of Rs. --- enclosed

Draft No.

Date

Bank

Signature

(For office use only)

Registered for the years :

Registration No.

Designated Officer

(with Seal)

FORM – 16

(See Rule 17)

Registration of Rigs / Hand boring sets

The vehicle bearing number / hand boring set belonging to Sri of (Address) is registered with the Water, Land and Trees Authority of Andhra Pradesh as a rig / hand boring set for operation with in the territorial area of Andhra Pradesh.

This registration is valid up to

This registration does not convey any endorsement of the vehicle for its performance and does not amount to recommendation for employing the rig but only conveys that the rig / hand boring set is permitted to operate with in the territorial jurisdiction of Andhra Pradesh State subject to all other conditions as per the law and rules in force.

The rig shall not be used for drilling of bore well without the valid permission under APWALTA. Failing which it is liable for confiscation.

Place :

Date :

Designated Officer,
Water, Land and Tree Authority
(with Seal)

NOTIFICATIONS

COMMENCEMENT OF THE ANDHRA PRADESH WATER, LAND AND TREES ACT 2002 W.E.F 19-04-2002

[G.O. Ms. No. 239, Panchayat Raj and Rural Development (RD.IV),
25th June, 2002]

In exercise of the powers conferred under sub-section (3) of Section 1 of the Andhra Pradesh Water, Land and Trees Act, 2002 (A.P Act 10 of 2002), the Governor of Andhra Pradesh hereby appoints the 19th April, 2002 as the date on which the said Act has been published in the Andhra Pradesh Gazette shall be the date on which the provisions of the Act shall be deemed to have come into force.

CONSTITUTION OF ANDHRA PRADESH WATER, LAND, AND TREES AUTHORITY

[G.O. Ms. No. 240, Panchayat Raj and Rural Development (RD.IV),
25th June, 2002]

In exercise of the powers conferred under sub-section (1) and (2) of Section 3 of the Andhra Pradesh Water, Land and Trees Act, 2002 (A.P Act 10 of 2002), the Governor of Andhra Pradesh hereby constitute the Andhra Pradesh State, Water, Land and Trees Authority with the following Members namely :-

The authority shall consist of :-

(a)	Minister, Panchayat Raj, Rural Development and Rural Water Supply.	Ex-Officio - Chairperson
(b)	-	
(c)	Chief Secretary to the Government	Vice –Chairperson
(d)	Secretary to the Government in-charge of Agriculture	Ex-Officio Member
(e)	Secretary to the Government in charge of Irrigation and Command Area Development	Ex-Officio Member
(f)	Secretary to Government in-charge of Municipal Administration	Ex-Officio Member
(g)	Secretary to the Government in-charge of Rural Water Supply	Ex-Officio Member
(h)	Secretary to the Government in-charge of Panchayat Raj	Ex-Officio Member
(i)	Secretary to the Government in-charge of Environment, Forests, Science and Technology Department	Ex-Officio Member
(j)	Vice-Chancellor, Acharya N.G. Ranga Agriculture University	Ex-Officio Member
(k)	1. Dr. Y. Anjaneyulu, Head, Centre for Environment, J.N.T.U	Member
	2. Prof. Sridhar Murthy, Head, Department of Geophysics, Osmania University	Member
	3. Dr. K.V. Rao, Professor, Department of Chemical Engineering, Andhra University.	Member
(l)	1. Dr. T. Hanumanth Rao, Retd. Engineer-in-Chief and Member in Water Conservation Mission	Member
	2. Sri A.H. Moosvi, IFS (Retd), Principal Chief Conservator of Forests	Member
	3. Dr. J. Venkateswarlu, Director (Retd.), CAZRI, Jodhpur	Member
(m)	1. Sri Y.V. Malla Reddy, Rural Development Trust (NGO), Anantapur, Andhra Pradesh	Member
(n)	Secretary to Government in-charge of Rural Development	Ex-Officio Member-Secretary

**CONSTITUTION OF ANDHRA PRADESH WATER, LAND, AND
TREES AUTHORITY AT THE DISTRICT /
MANDAL LEVEL IN THE STATE**

[G.O. Ms. No. 244, Panchayat Raj and Rural Development (RD.IV),
24th June, 2002]

I. Under Rule 8(1) of the Andhra Pradesh Water, Land and Trees Rules, 2002, the Government hereby constitute the District Water, Land and Trees Authority for each District in the State with the following Members :

(a) The District Collector	Ex-Officio Chairman
(b)	-
(c) Three Mandal Parishad Presidents and two Zilla Parishad Territorial Constituency members to be nominated by the Ex-officio Chairman of the District Authority	Members
(d) Joint Director, Agriculture Department	
(e) Superintending Engineer, Irrigation Department	Ex-Officio Member Ex-Officio Member
(f) Superintending Engineer, Rural Water Supply Department	Ex-Officio Member
(g) Deputy Director, Ground Water Department	Ex-Officio Member
(h) Deputy Director, Mines and Geology Department	Ex-Officio Member
(i) Deputy Conservator of Forests (Planning and Extension) or Territorial Divisional Forest Officer.	Ex-Officio Member
(j) Project Officer / Integrated Tribal Development Agency / MADA / PTG.	Ex-Officio Member
(k) Regional Officer, Andhra Pradesh Pollution Control Board.	Ex-Officio Member
(l) Chief Executive Officer, Zilla Parishad	Ex-Officio Member Ex-Officio Member

(m) An official from Hyderabad Metropolitan Water and Sewerage Board, in respect of Rangareddy and Hyderabad District.	Ex-Officio Member
(n) One Official from Municipal Administration Department.	
(o) Other Non-Official persons not exceeding five, who in the opinion of the Ex-officio Chairman of the District Authority are interested in the conservation of natural resources of which one shall belong to Scheduled Caste, one to the Scheduled Tribe and one shall be a Woman.	Members
(p) Director, Urban Forestry, HUDA in respect of Hyderabad and Rangareddy Districts.	Ex-Officio Member
(q) Project Director, Drought Prone Area Programme / District Water Management Agency.	Ex-Officio Member-Secretary

II. Under Rule 9 (1) of the Andhra Pradesh Water, Land and Trees Rules, 2002, the Government hereby constitute the District Water, Land and Trees Authority for each District in the State with the following Members :

(a)	Mandal Revenue Officer of the concerned Mandal	Ex-Officio Chairman
(b)	Mandal Parishad Development Officer	Ex-Officio Vice – Chairman
(c)	Sarpanch of the Mandal Headquarter Gram Panchayat	Member
(d)	Two Mandal Parishad Territorial Constituency Members of the concerned mandal to be nominated by the Ex-officio Chairman of the Mandal Authority with the approval of Ex-Officio Chairman of the District Authority	Members
(e)	Assistant Executive Engineer, Irrigation Department	Ex-Officio Member
(f)	An Officer from Ground Water Department	Ex-Officio Member

(g)	Assistant Director, Agriculture Department	Ex-Officio Member
(h)	Assistant Project Director, Integrated Tribal Development Agency	Ex-Officio Member
(i)	Forest Range Officer of the nearest Range	Ex-Officio Member
(j)	Three non-official members, of whom, one shall be a woman, who in the opinion of the Ex-Officio Chairman of Mandal Authority are interested in conservation of natural resources or Presidents of the Water Users Association or Vana Samrakhan Samithi or Watershed Association with the approval of the Ex-officio Chairman of the District Authority.	Members
(k)	Assistant Executive Engineer, Rural Water Supply	Ex-Officio Member-Secretary