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## **Haryana State Groundwater Management and Regulation Bill, 2008**

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**BILL “TO REGULATE AND CONTROL THE DEVELOPMENT OF  
GROUNDWATER AND THE MATTERS CONNECTED THEREWITH  
AND INCIDENTAL THERETO”.**

Whereas, it is expedient to regulate and manage the development of groundwater for matters connected therewith and incidental thereto; the bill is hereby enacted in the Year 2008 of the Republic of India as follows:-

**CHAPTER-1  
PRELIMINARY**

**1. SHORT TITLE EXTENT AND COMMENCEMENT**

- 1. This Act may be called the “Haryana State Groundwater Management & Regulation Act, 2008.**
2. It shall extend to the whole of State of Haryana.
3. It shall come into force on such date as the State Government may, by notification, in the official Gazette specify.

**2. STATEMENT OF REASONS**

- I. The Fresh Groundwater resources in Haryana are limited and the rate of utilization in many area exceed the annual recharge thus cause imbalance.
- II. There is need to regulate the development and use of groundwater and check saline-fresh interface.
- III. There is a need for enhancing groundwater recharge by utilizing different sources of water (e.g. rainwater, surplus floodwaters, Canal water during monsoon and treated waste water).
- IV. There is need to check and control groundwater contamination and pollution.
- V. There is a need to explore, develop and regulate deep aquifers.
- VI. Commercial selling of ground water.

VII. Legislation is considered necessary for the optimum development of groundwater potential and protects it from over-development and pollution.

3. **DEFINITIONS**

In this Act, unless the context otherwise requires:

- I. **“Act”** means the Haryana State Ground Water Management Regulation Act, 2008.
- II. **“Artificial Recharge to Ground Water”** means the process by which ground water reservoir is augmented at a rate exceeding that under natural condition of replenishment.
- III. **“Availability of Water”** means total estimated water available in a particular area during an assessment period and calculated with the standard prescribed procedures.
- IV. **“Borewell”** means a well drilled in hard rock areas where the bore can stand on its own and where lining by pipes is not necessary, and includes a dug-cum-bore well.
- V. **“Consumptive use”** means the use of water by the plant for its growth metabolism and the loss of water to the atmosphere due to evapo-transpiration.
- VI. **“Cropping pattern”** means variety of crops grown in the area during the year in a particular season.
- VII. **“Drinking water purpose”** in relation to the use of water, means consumption or use of water by human population for drinking and for other domestic purposes and includes consumption of water for similar relevant purposes for cattle Explanation: For the purposes of this clause, the expression “domestic purposes” shall include consumption or use of water

for cooking, bathing, washing, cleansing and other day to day activities.

- VIII. **“Government”** means the Government of Haryana.
- IX. **“Groundwater”** means the water which exists below the ground surface of 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.
- X. **“Groundwater Authority”** means an Authority prescribed or established under this Act.
- XI. **“Irrigation water”** means quality water from any source whether surface or sub-surface which is applied artificially to the soil to supplement the soil moisture already available due to rainfall, for the purpose of raising any type of crop, vegetation plantation.
- XII. **“Marginal Farmer”** means a person as prescribed.
- XIII. **“Groundwater Monitoring Station”** means a dug well or piezometric tube selected or installed to regularly record the fluctuations of under ground water level and water quality.
- XIV. **“Notified Area”** means the area notified under section 12 of the Act.
- XV. **“Prescribed”** means prescribed by rules made under this Act.
- XVI. **“Public Drinking Water Source”** means a well from which State Government or a local authority or such other authority as the State Government may by notification in the official Gazette specify, provides potable water to public, and includes such water or any other drinking water source as may be notified by the authority.
- XVII. **“Public Water Supply System”** means the structures relating to a public drinking water source,

including conveying pipelines, storage reservoir stand posts cisterns, hand pump, power-pump and all other materials connected thereto, through which water is supplied for drinking purposes.

- XVIII. **“Rainwater harvesting”** is the technique of collection and storage of rainwater at surface or in sub-surface aquifer.
- XIX. **“Sink”** with all its grammatical variations and Cognate expression in relation to a well includes any digging, drilling or boring of new well or deepening carried to the existing wells.
- XX. **“Small Farmers”** means a person as prescribed.
- XXI. **“Technical Officer”** means a Hydrologist/Assistant Geologist in the office of Ground Water Cell of Department of Agriculture.
- XXII. **“Tubewell”** means wells drilled into the ground for the purpose of drawing water through one or series of permeable layers of water bearing strata.
- XXIII. **“User of Groundwater”** means the person or persons an institution including a Company or an Establishment, whether Government or non-government who or which extract or use or sell ground water for any purpose including domestic use made either on a personal or community basis.
- XXIV. **“Water Scarcity Area”** declared as such by the Groundwater Authority.
- XXV. **“Watershed Area”** means an area confined within the topographic water divide line, as identified and notified by the Groundwater Authority having regard to the purposes of this Act.
- XXVI. **“Well”** means a well sunk for the search or extraction of groundwater and includes open well, dug well, point collector well and infiltration gallery.

XXVII. **Words** and expressions used in this Act, but not defined herein shall have the meanings assigned to them in the relevant Acts

## **CHAPTER-II**

### **CONSTITUTION OF HARYANA STATE GROUND WATER AUTHORITY**

#### **4. Constitution of Groundwater Authority**

- I. The State Government may by notification in the Officials Gazette, constitute an authority called the “Haryana State Ground Water Management and Regulation Authority.”
- II. The Authority shall consist of  
**SEE ANNEXURE 1 (Attached)**
- III. At the district level Deputy Commissioner will act as nodal officer on behalf of Groundwater Authority as per the directives issued by the authority from time to time.
- IV. The members shall be entitled to such allowances as may be prescribed for attending the meetings of the authority or performing duties entrusted by authority.
- V. The Authority constituted under sub-section (1) shall be a body corporate having perpetual succession and a common seal, with power to contract, acquire, hold and dispose of property, both movable and immovable and to do all things necessary for the purpose of this Act and may sue and be sued by the said name.

#### **5. Meeting of the Authority**

- I. The Authority shall meet at least once in three months at such place and time as the Chairman may decide.

- II. The quorum to constitute a meeting of the authority shall be one third of the total number of members.
- III. Save as otherwise expressly provided by or under this Act, the procedure for the conduct of business at the meetings of the Authority shall be such as may be prescribed.

**6. Staff of the Groundwater Authority**

- I. The State Government may for the purpose of enabling the Groundwater Authority to perform its functions efficiently or exercise its powers under the Act appoint such number of technical and other staff as it may consider necessary.
- II. The functions and the terms and conditions of service of such employees shall be such as may be prescribed.

**7. Members and Employees of the Groundwater Authority to be Public Servants Central Act 45 of 1860.**

All members and employees of the Groundwater Authority shall when acting or purporting to act in pursuance of the provisions of this Act or of any rules made there under be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

**8. Functions of the Authority**

Subject to any special or general directions by the Government in this behalf, the Authority shall perform the following functions, namely:

- I. Regulate the exploitation of ground water in the state.
- II. Make regulations for the functioning of the authorities at District level constituted under the Act.
- III. Advise the Government on the legislative and administrative measures to be taken from time to time for the conservation of ground water and its protection from pollution.
- IV. Advise on economic measures to be taken by the Government as incentives or disincentives relating to

taxes, levies, fees or other charges to promote conservation and recharge of ground water.

V. Advise on any other matter that may be referred to it by the Government.

9. **Delegation of power**

The Authority may delegate any of their powers to the District level authorities or any Department or Officer of the Government or Local Bodies for the purpose of carrying out the provisions of this Act.

10. **Delegation of powers and duties**

The Groundwater Authority may, by general or special order in writing, direct that all or any of the powers or duties which may be exercised or discharged by it shall, in such circumstances and under such conditions, if any, as may be specified in its order be exercised or discharged also by any other officer/official of the Groundwater Authority, specified in this behalf in the order.

11. To collect information and to **Powers of the Groundwater Authority**

1. The Ground water authority or any other official authorized by it in writing in this behalf shall have power:-

- a) To collect information and to investigate and make any measurements concerning the land or the water located on the surface and underground.
- b) To give necessary directive for submitting the boreholes record and soil samples.
- c) To inspect the well, which is being sunk or has been sunk and take the specimens of the soils and other materials excavated there from such wells.
- d) To serve or cause to be served a notice requiring any user or groundwater to furnish such information or returns in such form, at such intervals and with such particulars, as may be

prescribed and thereupon such person shall comply with such requisition

e) To require the user of groundwater to install water measuring devices on any water supplies when necessary to properly administer the water or where there is reason to believe that the user does not comply with the provisions contained in this Act or any other sufficient reason for defending the public interest Provided that where the user of groundwater does not comply with the requisition issued to him within a period thirty days, the groundwater authority itself may install such water-measuring device and recover the cost from the defaulting user of groundwater.

f) To seize any mechanical equipment utilized for illegal sinking;

g) To require any user of groundwater who does not comply with the provision of this Act and rules framed there under to close down any water supply or destroy any hydraulic work found to be illegal according to the provisions of this Act and the rules framed there under:

Provided that where the user of groundwater does not comply with the requisition issued to him within a period of sixty days, the Groundwater Authority itself may carry out the necessary work and recover the cost from the illegal user of groundwater.

h) To exercise such other powers as may be necessary for carrying out the purposes of this Act or any rules made there under.

II. The provisions of the Code of Criminal Procedure 1973 (2 of 1974), shall so far as may be, apply to any search or seizure under this section as they apply to any search

or seizure under this section as they apply to any under Section 93 of the said Code.

- III. Where the Groundwater Authority seizes any mechanical equipment under Clauses (h) of sub-section (1), it shall as soon as may be inform a magistrate and take orders as to the custody thereof.

### **CHAPTER-III**

#### **GROUND WATER PROTECTION MEASURES**

**12. Registration of Existing Users in Notified Areas**

- I. Every existing user of groundwater in the notified area of the State shall within a period of ninety days from the date specified in the notification under Sub Section (1) of Section 12 apply to the Groundwater Authority for the grant of a certificate of registration recognizing its existing use in such form and in such manner as may be prescribed.

Provided that the Groundwater Authority may entertain any such applications after the expiry of the said period of ninety days, if it is satisfied that the user was prevented by sufficient cause from filing the application in time.

- II. The details to be furnished in an applications under sub-section (1) shall include the following, namely:
- a. The description of the source of water, such as type of well, its exact location, size and specifications and date of installation.
  - b. The device used for lifting water.
  - c. The quantity of groundwater extracted.
  - d. The purpose or purposes for which the water is being extracted.
  - e. The period of use in each year for the purpose or purposes.

- f. In the case of irrigation, the location, extent of the area served and crops grown.
  - g. In the case of State, Municipal or Community run water supply schemes, the details of the services involved in addition to the quantities of water extract the diversion r pumping points and their location.
- III. On receipt of an application under sub-section (1) if the Groundwater Authority is satisfied that it shall not be against the public interest to do so, it may grant, subject to such conditions and restriction as may be specified, a certificate of registration authorizing the continued use of the water.  
 Provided that no person shall be refused a certificate of registration unless he has been given an opportunity of being heard.
- IV. The decision regarding the grant or refusal of the certificate of registration shall be intimated by the Groundwater Authority to the applicant within a period of ninety days from the receipt of the application.
- V. In granting or refusing a certificate of registration under Sub-Section (IV) the Groundwater Authority shall have regard to:-
  - a. the purpose or purposes for which groundwater is being used.
  - b. the existence or other competitive users;
  - c. the availability of groundwater;
  - d. any other fact relevant thereto.
- VI. The certificate of registration shall be in such form and by such authority as may be prescribed.
- VII. Pending the communication by the Groundwater Authority of the decision on an application under sub-section (1), every existing user of groundwater in the notified area shall be entitled to the continued use of the groundwater in the same manner and to the same quantity as he was entitled prior to the date of his application.

VIII. If a registered well becomes defunct, this fact should be immediately brought to the notice of the Ground Water Authority by the user of groundwater.

13. **Power to Notify area for Management and regulation of Groundwater Development**

1. If the Deputy Commissioner of the district on a report received from the Groundwater Authority or otherwise is of opinion that it is necessary or expedient in the public interest of control and/or regulate the extraction or the use or both of groundwater in any form in any area, it may, by notification in the Official Gazette declare any such area to be a notified area for the purpose of this Act with effect from such date as may be specified therein.

Provided that the date so specified in the notifications shall not be earlier than three months from the date of publication of the said notification.

II. Every such notification shall, in addition to its publication in the official Gazette, be published in not less than one daily regional language newspaper having wide circulation in the State, and shall also be served in such manner as the State Government may think fit and all or any of the following modes may be followed in affecting such service, namely:-

(a) by putting on the website of the authority

(b) by affixing a copy of the notification to some conspicuous part of the offices of the village Panchayats located in the said area.

(c) In such other manner as may be prescribed.

14. **Grant of Permission to extract and Use Groundwater in the Notified area.**

I. Any user of groundwater other than small and marginal farmers desiring to sink a well in the notified area for any purpose either on personal or

community basis, shall apply to the Groundwater Authority for the permission for this purpose, and shall not proceed with any activity connected with such sinking unless the permission has been given by the Groundwater Authority.

- II. However, the small and marginal farmers not growing water intensive crops as prescribed shall be exempted from seeking permission from the authority, subject to the condition that the tube well or other groundwater structure shall be restricted up to 50 meter (or maximum to 75 meters) depth in alluvium and 50 meter (maximum 75 meters) depth in hard rock following the guidelines by the authority in this regard. Also the tube wells drilled by the Govt. agencies, Municipal Corporation, exclusively for domestic water supply shall also be exempted.
- III. Similarly no permission will be required for existing users of ground water for irrigation purposes to construct the new tube well in place of the old subject to restricting the depth of the tube wells as given in sub section (II) However, they would have to inform the groundwater Authority before taking up construction of such wells and registering the same with the authority.
- IV. On the receipt of an application under Sub-Section (1), if the Groundwater Authority after obtaining a report is satisfied that it shall not be against public interest to do so, it may grant, subject to such conditions and restrictions (including a certain specified cropping pattern) as may be specified.
- V, The decision regarding the grant of refusal of the permission shall be intimated by the Groundwater

Authority to the applicant within a period of sixty days from the receipt of the application.

VI. In granting or refusing a permit under sub-section (5) the Groundwater Authority shall have regard to: -

- a. The purpose or purposes for which water is to be used.
- b. The existence of other competitive users;
- c. The availability of water.
- d. Quality of groundwater with reference to use.
- e. Any other factor relevant thereto.

VII. The permission shall be in such form as maybe prescribed.

VIII. New power connection for energizing any tubewell in notified areas will not be granted by the HVPN or any other authority without obtaining a “No Objection Certificate” from the Ground Water Authority.

IX. The Authority may review from time to time the ground water condition and results achieved after taking the necessary measures, it may revoke the declaration of over exploited blocks as made under sub-section (1) and permit sinking of wells duly specifying the number of wells to be sunk, depth of the well, distance between two adjoining wells and other conditions as deemed fit after satisfying itself that such sinking shall not adversely affect the public drinking water source.

15. **Power To Alter Amend Or Vary The Terms Of The Permit/ Certificate of Registration.**

At any time after a permit (or certificate of registration) has been granted, the Groundwater Authority

may, for any reason, alter, amend or vary the terms of the permission (or certificate of registration, as the case may be) with a view to limit the use of water either permanently or temporarily.

Provided further that before taking such action, the Groundwater Authority shall ensure that the standing crop(s) are not damaged.

16. **Special Protection Measures for public Drinking Water Sources**

**Regulation of wells in proximity of Public Drinking Water Sources**

- I. Notwithstanding anything contained in any other law for the time being in force, land having regard to the interest of the general public to have the supply of requisite quantity of waters for drinking water purposes from a public drinking water source, no person shall sink any new well for any purpose in the vicinity of a public drinking water source (consisting of single/multiple wells) within a distance to be so prescribed by the Groundwater Authority, if both are in the area of the same watershed.
- II. Every permission granted under this section shall be subject to:-
  - a. the condition that the Groundwater Authority may, for reasons to be recorded in writing, by order, prohibit, restrict or regulate from time to time the extraction of water from such well if in its opinion it is necessary to do so in public interest;
  - b., such other conditions and restriction as may be prescribed

17. **Grant of permission for Sinking of New Wells**

- I. Any person or institution whether Government or not, desiring to carry on the business of sinking of wells and/or installation of devices for extraction of

groundwater in the State may make an application to the Groundwater Authority at Headquarter level for the purpose.

II. Every application under Sub-section (1), shall be made in such form, shall contain such particulars, shall be made to such Authority, and shall be accompanied by such fees as may be prescribed.

III. On the receipt of an application under sub-section (1) the Groundwater Authority may, after such enquiry, as it deems fit and after satisfying itself that the person/institution whether Government or not concerned has the means and the knowledge to undertake sinking operations and/or extraction of groundwater grant permission in such form as may be prescribed and subject to such conditions as may be specified therein.

18. **Registration of drilling rigs**

I. Every rig owner shall register his machinery with the Authority in such manner and on payment of such fees as may be prescribed.

II. Every rig owner or operator shall follow the instructions issued by the Authority from time to time.

19. **Cancellation of Permission/Certificate or Registration**

If the Groundwater Authority is satisfied either on a reference made to it in this behalf or otherwise that:-

I. the permission or certificate of registration granted, has been obtained by fraud or misrepresentation as to an essential fact, or

II. the holder of the permission or certificate of registration has without reasonable cause failed to comply with the conditions subject to which the permission or certificate of registration has been granted or has contravened any of the provisions of this Act or the rules made there under, or

III. a situation has arisen which warrants limiting of the use or extraction of groundwater then without prejudice to any other penalty to which the holder of the permission or of the certificate of registration may be liable under this Act or any other law, the Groundwater Authority may after giving the holder of the permission, certificate of registration, an opportunity for showing cause, cancel the permission or certificate of registration, as the case may be.

20. **Bar of Jurisdiction by Civil Courts.**

No Civil Court shall have jurisdiction in respect of any matter which the State Government or the Groundwater Authority is empowered by this act to determine and no injunction shall be granted by any Court or any other Authority in respect of any action or to be taken in pursuance of any powers conferred by or under this Act.

21. **Protection against Action Taken in Good Faith**

No prosecution, suit or other legal proceeding shall be instituted against the Government or the Groundwater Authority or any other officer of the Government or any member or other employee of the Ground Water Authority for anything done or intended to be done in good faith under this Act, or the rules made there under.

22. **Cognizance and Trial of Offences**

- I. No prosecution for an offence under this Act shall be instituted except by or with the written consent of the Chairman Haryana Groundwater Authority or a person authorized in this behalf by the Groundwater Authority.
- II. No Court inferior to that of a Metropolitan Magistrate or a Magistrate of first Class shall try any offence under this Act.

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## **CHAPTER –IV**

### **RECHARGE, CONSERVATION AND REUSE**

#### **23. Water Harvesting**

The continuous development of groundwater from the same aquifers have led to fall in groundwater table, drying up of wells, reduced sustainability of tubewells, environment degradation etc. in many parts of the state. It is therefore essential to undertake groundwater recharge through rainwater harvesting and using water from other sources in all residential, commercial and other premises and open spaces in the manner prescribed.

Notwithstanding any thing contained in the relevant laws, the Municipal Corporation or Municipal Committee or any other local authorities, as the case may be, shall impose a condition for providing appropriate rainwater harvesting structures in the building plans having roof top area of 500 sq mtr. or more, while according approval for construction plans.

To improve the groundwater situation, the Authority may issue necessary guidelines and ground water recharge working manuals for adoption of rainwater harvesting for groundwater recharge in these areas. The infrastructure developers, corporate sector shall take up Artificial Recharge structure, make plan for reuse of treated water/treated waste water for full utilization. They will also take up intensive geophysical, hydro-geological studies and exploratory drilling in an around there areas to find out the deeper aquifer zone up to the bedrock having alluvial thickness of 200 meter. In case hard rock areas they will locate the fracture zone up to the depth of 250 meters. The authority may consider to give approval for partial utilization of deep aquifer zones subject to certain guidelines.

No contaminated water or untreated effluents from industries should find its way into the groundwater system.

#### **24. Reuse/Recycling of water**

The Authority may formulate guidelines for recycling and reuse of wastewater by all infrastructure developers, SEZ, multiplexes industrial and housing societies after treatment. Saline/brackish ground water and reuse of waste water after some treatment is to be encouraged which can be used for secondary purposes such as irrigating the lawns, for flushing, washing of vehicles

and also in centrally air conditioning plants of commercial complex, shopping malls etc.

25. **Prohibition on water contamination**

No groundwater resources shall be contaminated in any manner by any body including municipal and local bodies, industrial and agriculture. Direct disposal of wastewater into the aquifers will be punishable offence. Highly polluting industries shall be placed in the negative list of Industries department to which no incentives are given.

26. **Mass Awareness**

The authority shall take steps for promotion of Mass Awareness and Training programmes on different aspects of groundwater management practices by different user groups, rainwater harvesting and Artificial recharge of groundwater through Govt. Agencies/non Govt. Organizations (NGO's)/Volunteers organizations (VOs)/Educational Institutions/Industrial/Individuals.

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## CHAPTER-V

### MISCELLANEOUS

27. **Power to Remove Difficulties**

If any difficulty arises in giving effect to the provision of this Act, the Government may, as occasion arises, by order do anything, which appears to it to be necessary or expedient to remove the difficulty.

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

28. **Offences and Penalties**

1. If any user of groundwater:-

I. contravenes or fail to comply with any of the provisions of this Act or any rule made there under, or

II. obstructs the Groundwater Authority or any other person authorized by it to exercise any of the power under this Act, or

III. Having been required to furnish any information or return under Clause (f) of Sub-Section (I) of Section 8.

a. willfully refuses; or without lawful excuse neglects to furnish such information or return or

b. willfully furnishes or causes to be furnished any information or return which he knows to be false, he shall be punishable:-

i. for the first offence with a fine of Rs.1000/- which may extend to two thousand rupees, and

ii. for the second and subsequent offence, with simple imprisonment for a term which

may extend to six months, with fine which may extend to one thousand five hundred rupees, or with both;

- iii. if any person contravenes the provisions of Sub-Section (I) of Section 13 or Section 5 he shall be punishable with a fine of rupees five thousand in addition to the penalties under Sub-Section (i) and (ii) above, for every day till such contravention continues.

29. **Offences By Companies**

- I. Whenever an offence under this Act has been committed by a Company, every person who at the time the offence is committed was in charge of, or was responsible to the company for the conduct of the business of the Company, as well as the Company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.
- II. Notwithstanding anything contained in Sub-Section (1), where an offence under this Act has been committed by a Company and that the offence has been committed with the consent or connivance or, or is attributable to any neglect on the part of any Director, Manager, Secretary or other officers of the Company, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

**EXPLANATION:-** For the purpose of this Section-

- a. **‘Company’** means any body corporate and includes a firm or other association of individuals, and
- b. **‘Director’** in relation to a firm, means a partner in the firm.

30. **Appeals**

- I. Any person aggrieved by a decision or action of the Groundwater Authority at district for grant or refusal of permit or certificate of registration and for grant or refusal of licence by the Groundwater Authority at headquarter under this Act may within a period of sixty days from the date on which the decision is communicated and on payment of such fees as may be prescribed prefer an appeal to the Divisional Commissioner of the districts following under respective divisions and to Financial Commissioner and Principal Secretary Agriculture at the State level.

Provided that appellate authority may entertain the appeal after the expiry of the said period of sixty days, if it is satisfied that the Applicant was prevented by sufficient cause from filling the appeal in time.

- II. On receipt of an appeal under sub section (1), the appellate Authority shall, after giving the

appellant an opportunity of being heard and after obtaining the comments from concerned quarter or otherwise dispose of the appeal as expeditiously as possible. Every order made by the appellate Authority in such appeal shall be final.

- III. Save as otherwise provided in sub section (1) every order made and every direction issued under this Act shall be final and shall not be called in question in any court.

31. **Power to Make Rules**

- I. The state Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.
- II. In particular and without prejudice to the generality of the foregoing power, such rules may provide for :-
- (a) the term of office and manner of filling vacancies and other conditions of service among the members of the Groundwater Authority;
  - (b) the functions and the terms and conditions of service of the employees of the Groundwater Authority;
  - © any other manner of affecting service of the notification under Clause ( c) of sub-section (II) of section (13)
  - (d) the form of application under sub-section (IV) of section 14 and sub-section (II) of section 17 and the particulars that may be furnished with these applications;
  - (e) the form of application under Section 12;

(f) fees to accompany the application of licence under sub-section (II) of Section 17;

(g) the form of the permit and certificate of registration under sub-section (VII) of Section 14

(h) the form of the licence under sub-section (III) of section 17 and the conditions that may be specified therein;

(i) the manner in which the specimens of soils or other material shall be kept and preserved under Clause (b) of Sub-section (1) of Section 11;

(j) any other matter which is to be or may be prescribed.

III. Every rule made under this Section shall be laid, as soon as may be after it is made, before the legislative Assembly while it is in session for a total period of fifteen days, which may be comprised in one session or in two successive sessions, and if before the expiry of the Session in which it is so laid or the Session immediately following. If the Assembly agrees, in making any modification in the rule or the Assembly agrees that the rule should not be made, the rule thereafter shall have effect only in such modified form or be of no effect, as the case maybe, so however that any such modification or annulment shall be without prejudice to the validity or anything done earlier under that rule.

32. **The fund**

The authority shall create a separate fund to be called the “Haryana State Ground Water Management & Regulatory Authority Fund”, which shall be credited all monies received by the Authority including.

- I. All cesses or surcharges levied and collected under the Act;
- II. All penalties received by the Authority as prescribed under the Act;
- III. All money received by the Authority as fees prescribed under the Act;
- IV. All grants made by the Government.

33. **Budget**

The Authority shall, on or before 31<sup>st</sup> day of October every year prepare in such form as maybe prescribed by the rules an annual budget estimate in respect of the ensuing financial year of the estimated income and expenditure of the Authority including those at district level and shall submit it to the /Government for approval and inclusion in the State budget.

34. **Accounts and Audit**

- I. The Authority shall maintain books of account and other books in relation to the business and transactions in such form in such manner as may be prescribed.
- II. The accounts of the Authority shall be audited by an auditor appointed by the Government.
- III. The Authority shall send a copy of accounts audited together with a copy of the report of the auditor thereon to the Government within nine months from end of the financial year.
- IV. The Government shall cause the accounts of the Authority together with the audit report thereon forwarded to it under sub section (3) to be laid before the Legislative Assembly of the State, as far as possible before the expiry of the year next succeeding the expiry of the year next succeeding the year to which the accounts and report relate.

35. **Powers to Remove Doubts and Difficulties.**

If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.

## Annexure-I

### 4.II CONSTITUTION OF AUTHORITY

As soon as may be after this Act is brought into force the government shall, by notification with effect from such date as may be specified therein constitute an authority called the” **Haryana State Ground Water Management & Regulation Authority**”.

The Authority shall consist of:

1. Agriculture Minister  
Chairperson
2. FC & PS, Agriculture Vice-Chairperson
3. FC & PS, Revenue Member
4. FC & PS, Irrigation Member
5. FC & PS, Town & Country Planning Member
6. FC & PS, Public Health Member
7. FC & PS, Local Bodies Member
8. FC & PS, Industries Member
9. Chairman, Pollution Board Member
10. a. E-in-C, Irrigation Technical Experts
- b. Regional Director, CGWB, Chandigarh. –do-
- c. Representative nominated by CA, HUDA –do-
- d. Chief Hydrologist, Ground water cell –do-
11. Director of Agriculture Member  
Secretary

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