

File No: CGWA-26/7/2021-CGWA

Government of India
Ministry of Jal Shakti
Department of Water Resources, River Development & Ganga Rejuvenation Central
Ground Water Authority

PUBLIC ADVISORY 01/2025

New Delhi, Dated 21st January, 2025

PREVENTION OF FATAL ACCIDENTS OF SMALL CHILDREN FALLING INTO OPEN OR ABANDONED BOREWELLS/TUBEWELLS – REG.

Whereas the Central Government constituted the Central Ground Water Authority (hereinafter referred to as the Authority) vide notification Number S.O. 38(E), dated 14th January, 1997, followed by notification number S.O. 1124(E) dated 6th November, 2000 and S.O. 1121 (E) dated 13th May, 2010 of the Government of India in the Ministry of Environment & Forests, for the purposes of regulation and control of ground water development and management in the whole of India and to issue necessary regulatory directions.

And whereas the Hon'ble Supreme Court of India in Writ petition (Civil) 36 of 2009 vide Orders dated 11.02.2010 and 06.08.2010 has issued detailed safety guidelines regarding measures for prevention of fatal accidents of small children due to their falling into abandoned bore wells and tube wells.


And whereas the Central Ground Water Authority issued Public Notice dated 13th July, 2021 directing Project Proponents for strict compliance of guidelines issued by the Hon'ble Supreme Court of India and **provision of Section 9 (vii) of CGWA Guidelines** which provides direction for properly sealing of defunct well which becomes defunct due to mechanical failure.

In order to prevent such unfortunate incidents / fatal accidents of small children falling into open / abandoned borewells and tubewells, the Supreme Court guidelines are hereby reiterated for strict compliance of all concerned -:

- i. The owner of the land/ premises, before taking any steps for constructing bore well/ tube well must inform in writing at least 15 days in advance to the concerned authorities in the area, i.e., District Collector/ District Magistrate/ Sarpanch of the Gram Panchayat/ any other Statutory Authority/ concerned officers of the Department of Ground Water/ Public Health/ Municipal Corporation, as the case may be, about the construction of bore well/ tube well.
- ii. Registration of all the drilling agencies, namely, Government/ Semi Government, Private etc. shall be mandatory with the concerned statutory body. (CGWA Guidelines also provide that State / UT Governments shall be responsible for registering drilling rigs operating within their jurisdiction and for maintaining the database of wells drilled by them).

- iii. Erection of signboard at the time of construction near the well with the following details:-
- a. Complete address of the drilling agency at the time of construction/ rehabilitation of well.
 - b. Complete address of the user agency/owner of the well.
- iv. Erection of barbed wire fencing or any other suitable barrier around the well during construction.
- v. Construction of cement/ concrete platform measuring 0.50x0.50x0.60 meter (0.30 meter above ground level and 0.30 meter below ground level) around the well casing.
- vi. Capping of well assembly by welding steel plate or by providing a strong cap to be fixed to the casing pipe with bolts & nuts.
- vii. In case of pump repair, the tube well is not to be left uncovered.
- viii. Filling of mud pits and channels after completion of works.
- ix. Filling up abandoned bore wells by clay/sand/boulders/pebbles/drill cuttings etc. from bottom to ground level.
- x. On completion of the drilling operations at a particular location, the ground conditions are to be restored as before the start of drilling.
- xi. District Collector is empowered to verify that the above guidelines are being followed and proper monitoring check about the status of bore holes/ tube wells are being taken care through the concerned state/ Central Government agencies.
- xii. District/ Block/ Village wise status of bore wells/tube wells drilled viz. No. of wells in use, No. of abandoned bore wells/ tube wells found open, No. of abandoned bore wells/ tube wells properly filled up to ground level and balance number of abandoned bore wells/ tube wells to be filled up to ground level is to be maintained at District Level. In rural areas, the monitoring of the above is to be done through Village Sarpanch and the Executive from the Agriculture Department. In case of urban areas, the monitoring of the above is to be done through Junior Engineer and the Executive from the concerned Department of Ground Water/Public Health/ Municipal Corporation etc.
- xiii. If a bore well/ tube well is 'Abandoned' at any stage, a certificate from the concerned department of Ground Water/ Public Health/ Municipal Corporation/ Private Contractor etc. must be obtained by the aforesaid agencies that the 'Abandoned' bore well/tube well is properly filled upto the ground level. Random inspection of the abandoned wells is also to be done by the Executive of the concerned agency/ department. Information on all such data on the above are to be maintained in the District Collector/ Block Development Office of the State.

Any violation / non-compliance of the above directions of Hon'ble Supreme Court by the project proponent observed during the site inspections is likely to result in cancellation of NOC, sealing of tube / bore well and imposition of penalties/ initiation of legal proceedings under extant rules and provisions..


21/01/2025
Member CGWA