

WS-IWS-143/2022 - 4346

Date 21/21/22

From

Er. Ashim Kumar Mohapatra,
Engineer-in-Chief, Planning & Design.

To

The Additional Chief Secretary to Govt.
Department of Water Resources,
Odisha, Bhubaneswar-751001.

Sub: Application for allocation of 0.143 cusec (i.e.,350.00 cum/day) of Ground Water from Bore Well/Dug Well near Therubali for domestic use in the colony area in favour of M/S Indian Metals and Ferro Alloys Ltd., At/P.O.- Therubali, Block-Kolnara, Dist-Rayagada, Odisha .

Ref : Application No.- 2021100641000302, dt.06.10.2021.

Madam,

M/s Indian Metals and Ferro Alloys Ltd., At/P.O.- Therubali, Block-Kolnara, Dist-Rayagada, Odisha has applied online vide Application No.-2021100641000302 on dt.06.10.2021 for allocation of 0.143 cusec (i.e.,350.00 cum/day) of Ground Water from Bore Well/Dug Well near Therubali for domestic use in the colony area with intake location at Latitude : 19°-19'-25.964"N; Longitude : 83°-26'-32.035"E.

Previously the industry was allocated 0.551 cusec of Surface Water from Jack Wells adjacent to Sat Nalla (a tributary of river Nagavali) vide DoWR, Odisha Letter No-3733/WR, Dt.11.02.2020. M/s Indian Metals and Ferro Alloys Ltd. now drawing 0.551 cusec of Surface Water and 0.143 cusec of Ground Water.

As it is a case of allocation of Ground Water, the application was forwarded to the Superintending Engineer, Harabhangi Irrigation Division, Adava, Dist-Gajapati for vetting in the DLEC meeting for allocation of water. The DLEC meeting was held on dt.10.12.2021 under the Chairmanship of the Collector & District Magistrate, Rayagada. The S.E., Harabhangi Irrigation Division, Adava, communicated the Proceeding of the DLEC meeting vide his Letter No-4080(WE), dt.15.12.2021 in which the DLEC have

recommended for allocation of 0.143 cusec (i.e.,350.00 cum/day) of Ground Water in favour of M/s Indian Metals and Ferro Alloys Ltd., Therubali.

The case was discussed in the 110th WAC meeting held on dt.04.02.2022. As decided in the meeting, the application is recommended for allocation of 0.143 cusec (i.e.,350.00 cum/day) of Ground Water from Bore Well/Dug Well near Therubali for domestic use in the colony area, without assurance during lean period with the terms & conditions as detailed below.

TERMS AND CONDITIONS:-

1. M/s Indian Metals and Ferro Alloys Ltd., Therubali shall make suitable arrangement to take the water from the Government water source at which it will be supplied. M/s IMFA Ltd., Therubali shall not use the water supplied to him for any purpose other than that which is specified in the schedule.
2. If the water rate/license fees for the aforesaid quantity of water or any part thereof, is not paid on or before the date specified in agreement it shall become payable at once (unless the Government sanctions for special reason an extension of time) and M/s IMFA Ltd., Therubali and the sureties shall be liable jointly and severally to pay the same with compound interest at the rate of two percent *per mensem* from the date of default. All amount due to the Government under terms of these presents shall if not paid in time, be recoverable as a public demand under the Orissa Public Demands Recovery Act, 1962.
3. (i) M/s IMFA Ltd., Therubali shall be liable for criminal and civil action if by drawal of water, the rights of any third party are affected and shall indemnify the Government against all claims for damage preferred by person or persons affected by the permission granted.
(ii) M/s IMFA Ltd., Therubali shall not without prior permission in writing from the Government, lay pipeline on Government or communal lands. If the pipe lines have to pass through Government lands permission of the Government for this shall be taken separately which may be granted subject to the protection of rights of Government or community, as the case may be.
(iii) M/s IMFA Ltd., Therubali shall not draw or lift water more than the quantity mentioned in the requisition or order and not exceeding the volume mentioned in the Schedule except with the prior approval of the Government. The Executive Engineer shall assess the fees to be charged as per Unit quantity of water drawn or allocated whichever is higher. If drawal is more than the allocation, a penal rate at six times the rate specified in Schedule III

shall be charged on the quantity of excess drawal, in addition to the normal bill on allocated quantity. The excess drawal is permissible for a maximum period of six months, within which licensee shall have to apply for a higher allocation of water with reason where the licensee fails to so apply for such higher allocation or where the licensee is refused for such higher allocation, the agreement shall be liable to cancellation and the water supplied shall be stopped thereafter.

(iv) The permission granted shall not be deemed to exempt M/s IMFA Ltd., Therubali from liability to payment of water charges lawfully assessable at the rate as may be prescribed by Govt. from time to time.

(v) Government reserves the right to suspend or cancel the permission in case of violation of any of the covenants.

4. M/s IMFA Ltd., Therubali at his own cost shall install a Flow Meter or a suitable measuring device for measurement of water drawn or lifted by him from the Govt. water source as per the procedure laid down in rule 23-A(b). The Executive Engineer shall visit the location of drawal or lifting of water, verify the quantities of water drawn or lifted by M/s IMFA Ltd., Therubali and ensure such control as may be necessary for administering the drawal or lifting of water. Assessment of water rate shall be made as per the quantity of water drawn or allocated whichever is higher. In case of any defect or non-functioning of the Flow Meter, the licensee shall bring the fact to the notice of the Executive Engineer forthwith and take appropriate steps to remove the defects in the Meter or for replacement thereof within a period of three months and in such cases the fees shall be charged on the quantity of water allocated for the said period of three months or till the defect in the Meter is removed or the Meter replaced, as the case may be whichever is earlier, and where the licensee fails to bring the defect or non-functioning of the Meter to the notice of the Executive Engineer or fails to remove the defects in the Meter or to replace the same, as the case may be, within a period of three months, the agreement shall be liable to cancellation and thereafter the water supply shall be stopped.
5. M/s IMFA Ltd., Therubali shall construct full proof effluent discharge plant before commissioning of the project. For proper test of such effluent there shall be computerized testing system and M/s IMFA Ltd., Therubali shall give details of effluent discharged in the natural source (in river or nala).
6. M/s IMFA Ltd., Therubali would be required to pay 3 (three) months advance water charges in favour of Executive Engineer concerned in shape of

Bank Draft or FDR duly discharged by the company as non – interest bearing security deposit and for 9 (nine) months a Bank Guarantee duly pledged in favour of concerned Executive Engineer. Onus of maintaining the Bank Guarantee lies with the company.

7. The drawal mechanism for raw water and disposal system of effluent to be established by the industry without disturbing existing eco system and environmental set up.
8. In case of any dispute / interpretation required, the decision of the Government in Water Resources Department shall be final.
9. The allocation of water will automatically lapse if the company does not use the water for the purpose applied for within three years of allotment.
10. This agreement shall be valid for a period of three years from the date of execution subject to the renewal of agreement by the Executive Engineer. For renewal of the agreement, the concerned drawee has to apply minimum three months before the expiry of the agreement.
11. If it is found that the industry is drawing water unauthorizedly before signing the agreement/ installation of flow-meter, the Executive Engineer will charge a penal rate at six times the normal rate as provided in Schedule III of the Rule.
12. Government shall be at liberty to review the water allocation unilaterally in case of exigencies.
13. The Executive Engineer or his authorized representative reserves the right to inspect all installations of drawal and disposal mechanism during and after construction including intake structure, flow meter and treatment plant.
14. The agreement to be executed by the Industry/ commercial establishment with local authority/ Executive Engineer must be approved by the DoWR before drawal of water.
15. M/s IMFA Ltd., Therubali will have to adopt water harvesting, rooftop water harvesting, ground water recharge and recycling of waste water measures in its plant premises as per the approved water management plan.
16. M/s IMFA Ltd., Therubali shall follow the zero effluent discharge principle and satisfy State Pollution Control Board (SPCB) norms and obtain requisite permissions from the SPCB, Odisha before drawal of operational water.
17. In case, M/s IMFA Ltd., Therubali intends to supply bulk water to Municipalities, Notified Area Councils, other local authorities and cluster of villages, M/s IMFA Ltd., Therubali shall install separate flow meter or measuring device, as the case may be, at a suitable place along the pipe line to ensure quantum of water supplied to such Municipalities, Notified Area

Councils, other local authorities and cluster of villages for drinking and washing etc. in addition to installation of the flow meter under clause 23-A (1)(b) which shall be treated as industrial or commercial use and license fee for such industrial or commercial use shall be at the rate double the existing rate as provided in item 3 (ii) of Schedule-III.

18. M/s IMFA Ltd., Therubali shall abide by the conditions laid down by the competent authority of DoWR during approval of scheme of drawal.
19. M/s IMFA Ltd., Therubali shall make adequate arrangement for monitoring Ground Water level through installation of piezometer or through any other approved mechanism.
20. M/s IMFA Ltd., Therubali shall abide by the conditions laid down in the NOC issued by CGWA and DLEC.
21. M/s IMFA Ltd., Therubali shall undertake water utilization audit in every three years and make the report available for scrutiny by the competent authority of DoWR.
22. License fees shall be charged and collected at the rate as specified in the Schedule-III per unit or quantity of water actually drawn or allocated whichever is higher and shall be enhanced at the rate of ten percent per annum with effect from the first day of April;
23. M/s IMFA Ltd., Therubali acquired with the irrigated land for industrial purpose under unavoidable circumstances has to comply with the conditions laid down vide DoWR Notification No.-4538, dt.24.02.2016.
24. M/s IMFA Ltd., Therubali shall register the project in the IWCRMC website within 7 days of entry, after due execution of agreement with the concerned Executive Engineer of DoWR.

Yours faithfully,

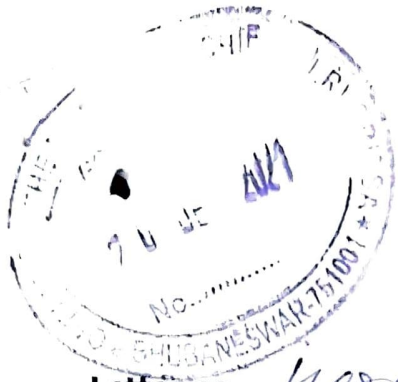

Engineer-in-Chief,
Planning & Design

Memo No 4347 Date 21/2/2022

Copy forwarded to the Superintending Engineer, Harabhangi Irrigation Division, Adava, Dist-Gajapati for information and necessary action.


Engineer-in-Chief,
Planning & Design

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e mail ID – eeharabhangi@gmail.com

OFFICE OF THE SUPERINTENDING ENGINEER,
HARABHANGI IRRIGATION DIVISION, ADAVA.

Letter no. 4080 dated 15.12.21

To

The Chief Engineer, Water Services,
O/o the Engineer-in-Chief, Water Resources,
Odisha, Bhubaneswar.

Sub:- Proceeding of the meeting of District Level Evaluation Committee, Rayagada held on dated 10.12.2021 at 11.00 AM under the Chairmanship of the Collector & District Magistrate, Rayagada for recommendation on application for drawal of Ground Water by M/s IMFA Ltd., Theruballi, Rayagada.

In inviting a kind reference to the subject cited above, it is to intimate that, the District Level Evaluation Committee meeting held on dated 10.12.2021 at 11 AM under the Chairmanship of the Collector & District Magistrate, Rayagada along with all committee members to observation on application for drawal of ground water 350 KLD (0.143 cusec) by M/s IMFA Ltd. Theruballi, Rayagada.

In this connection, all the Committee Members of District Level Evaluation Committee has recommended to drawal of 350 KLD (0.143 cusec) of Ground Water to M/s IMFA Ltd. Theruballi, Rayagada for their domestic use.

This is for favour of your kind information and necessary action.

Yours faithfully,

End:- Recommendation letter of DLEC meeting:-1 No.

Superintending Engineer,
Harabhangi Irr.Division, Adava,
Gajapati (761217)

Memo No.

Dated

Copy submitted to the Chief Engineer & Basin Manager, R.B.V.N. Basin, Berhampur/
Additional Chief Engineer, Vansadhara Nagavalli Basin, Paralakhemundi for favour of kind information
necessary action.

Superintending Engineer,
Harabhangi Irr.Division, Adava,
Gajapati (761217)

DD, Alloc

23/12/21

G.N. Senapati

for m.a.
23/12/21

PROCEEDING OF THE MEETING OF DISTRICT LEVEL EVALUATION COMMITTEE, RAYAGADA HELD ON
DATED . 10.12.22 AT 11.00 AM UNDER THE CHAIRMANSHIP OF THE COLLECTOR & DISTRICT
MAGISTRATE, RAYAGADA FOR RECOMMENDATION ON APPLICATION FOR DRAVAL OF GROUND
WATER BY M/s IMFA LTD., THERUBALI.

The following members of the committee are present

- 1) Sri Saroj Kumar Mishra, OAS,(SAG), Collector & District Magistrate-cum Chairman , DLEC
- 2) Sri Saroj Kumar Gupta, Superintending Engineer, Harabhangi Irrigation Division, Adava & Convener, DLEC, Rayagada
- 3) Sri Prashanta Kumar Kar, Regional Officer, SPCB, Rayagada
- 4) Sri B. Ch. Bain , OAS(SAG), General Manager, RIC, Rayagada
- 5) Sri Sudhiranjan Behera, Hydrologist, GWS& I, Rayagada
- 6) Sri Sanjay Kumar Naik, Scientist-B, CGWB, South Eastern Region, Bhubaneswar
- 7) Sri Kapu Venkateswar Rao, Vice President , Manufacturing (FA), IMFA, Therubali

Initiating the discussion, the Superintending Engineer, Harabhangi Irrigation Division, Adava, Gajapati apprised to the Members of the DLEC that M/s IMFA Ltd. Have applied in Form 'J' along with required processing fees and security deposit for drawal of Ground Water for their domestic use. The observations made by the Committee are summarized below.

- a) The scope for use of surface water is not viable. As such , use of ground water by the Applicant is considered as the only alternative and effective proposition.
- b) All the location of drawl points are in the "Safe Zone" and implies that in case permissions are granted for such drawl , the population in the surrounding area will not be affected for availability of drinking water.
- c) The Committee after field verification agreed to put up the matter before the Collector & District Magistrate, Rayagada & Chairman of DLEC, Rayagada for consideration of recommendation of the proposal to Department of Water Resources , Govt. of Odisha for approval and allocation.

*The Committee however agreed to suggest that the recommendation of District Level Evaluation Committee , Rayagada of the proposals subject to the following conditions.

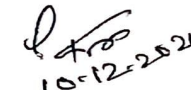
1. The applicant be asked to install pumps of low capacity, i.e. below 10HP in the bore wells and to limit the drawdown so as not to adversely affect level of ground water in the surrounding.
2. The applicant shall make adequate arrangement for monitoring of ground water level through installation of piezometers with telemetry system for automatic water level recording.


3. All the wells to be fitted with digital water flow meters at their own cost and monitoring of ground water abstraction to be undertaken ~~accordingly~~ on regular basis.
4. The applicant shall construct adequate rain water harvesting structures inside their premises to recharge the ground water resource as per the design given by Ground Water Development Division.
5. Non-fulfillment of the conditions laid down may lead to revocation of this allocation.

The details of proposal received and observation/recommendation of the Committee is summarized below.

Sl. No.	Name of the Industry/Location	Type of the Industry	Quantity of ground water applied for	Quantity of Ground Water recommended by DLEC
1	M/s IMFA Ltd., Therubali	Ferro Chrome	350KLD/0.143 cusec	350KLD/0.143 cusec



Scientist-B, CGWB, Bhubaneswar


Regional Officer, SPCB, Rayagada


S.E.H.I.D., Adava


General Manager, RIC, Rayagada


Hydrologist, GWS&I, Rayagada


M/s IMFA Ltd., Therubali


COLLECTOR & DISTRICT MAGISTRATE-CUM-CHAIRMAN,
DLEC, RAYAGADA