

Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules, 2015

TAMILNADU

India

Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules, 2015

Rule

TAMIL-NADU-PANCHAYATS-REGULATION-OF-SINKING-OF-WELLS-A of 2015

- Published on 18 February 2015
- Commenced on 18 February 2015
- [This is the version of this document from 18 February 2015.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules, 2015 Published vide Notification No. G.O. Ms. No. 26, Rural Development and Panchayat Raj (SGS-3), 18th February 2015 - No. SRO A-3(a)/2015 G.O. Ms. No. 26. - In exercise of the powers conferred by sections 143-A and 143-B read with section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), the Governor of Tamil Nadu hereby makes the following Rules: -

1. Short title, extent and commencement.

(1) These rules may be called the Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules, 2015. (2) They shall apply to the whole of the areas which come under the purview of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), excluding the revenue villages specified in the Schedule to the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987 (Tamil Nadu Act 27 of 1987). (3) They shall apply to sinking of new wells as well as rehabilitation and deepening of wells. (4) They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994); (b) "Executive Authority" means the President of the Village Panchayat; (c) "Permit" means a permit granted in Form-B for sinking, deepening or rehabilitation of a well; (d) "Certificate of Registration" means a certificate of registration granted in Form-F to carry the business of sinking deepening or rehabilitation of wells.

3. Grant of Permit.

(1) Every application for grant of permit shall be made to the Executive Authority in Form A and shall be accompanied by a fee of Rs.5,000/- (Rupees five thousand only), by means of a Demand Draft. (2) The Executive Authority shall examine the application and may grant the permit in Form-B, subject to such conditions as may be specified therein, within thirty days from the date of receipt of the application. (3) Where the Executive Authority has decided to refuse the grant of permit, he shall intimate the decision to the applicant along with the reasons for such refusal, in writing, within thirty days from the date of receipt of the application. (4) The Executive Authority shall maintain a register in Form-C containing the particulars regarding the grant of permits by him. (5) The Executive Authority shall send a monthly report in Form-D to the District Collector along with an extract of entries made in the register referred in sub-rule (4) during the relevant month.

4. Grant of Certificate of Registration.

(1) Every application for grant of Certificate of Registration shall be made to the District Collector concerned in Form E and shall be accompanied by a fee of Rs.15,000/- (Rupees fifteen thousands only), by means of a Demand Draft. (2) The District Collector shall examine the application and may grant the Certificate of Registration in Form-F subject to such conditions as may be specified therein, within forty five days from the date of receipt of the application. (3) Where the District Collector has decided to refuse to grant Certificate of Registration, he shall intimate the decision to the applicant along with the reasons for such refusal, in writing, within forty five days from the date of receipt of the application. (4) The District Collector shall maintain a register in Form-G containing the particulars regarding the grant of Certificates of Registration by him.

5. Appeal.

(1) Any person aggrieved by the decision of the Executive Authority under rule 3 or sub-rule (1) of rule 7 shall file an appeal, in writing, to the District Collector concerned within fifteen days from the date of receipt of such decision and the orders of the District Collector on the appeal shall be final. (2) Any person aggrieved by the decision of the District Collector under rule 4 or sub-rule (2) of rule 7 shall file an appeal, in writing, to the Government within sixty days from the date of receipt of such decision and the orders of the Government on the appeal shall be final.

6. Safety Measures.

(1) Every holder of the permit or owner of a well in use or disuse, shall, while sinking, deepening or rehabilitation of a well; shall: (a) ensure that the person executing the work has followed all the safety measures prescribed in sub-rule (2); (b) verify that the person executing the work has a valid Certificate of Registration granted under these rules; (c) ensure that the well is not left uncovered during recess or cessation of work; (d) fill up abandoned wells upto the ground level using clay, sand, boulder or any other suitable materials. (2) Every person carrying on the business of sinking wells,

while sinking, deepening or rehabilitation of a well, shall, -(a)before commencing the work
 -, (i)ensure that necessary permit in Form-B has been obtained by the owner of the well for executing the work; (ii)erect warning signboards in a conspicuous manner at the site of the well, displaying the nature, width and depth of the well, his name, address and contact details and that of the owner of the well; (iii)erect barbed wire fencing or any other suitable barrier around the site of the well; (iv)construct a cement or concrete platform measuring 0.5X0.5X0.6 metre around the well casing in such a manner that it is 0.3 meter above the ground level and 0.3 metre below the ground level; (b)not leave the drilling pit or the well uncovered during the recess of work; (c)after completion of the work -, (i)fill up the mud pits and channels around the well; (ii)restore the ground conditions; (iii)cap the well assembly by welding steel plates or by providing a strong cap to the casing pipe with bolts and nuts. (3)where it appears to the Executive Authority that the safety measures are insufficient in the case of any well, then he may by notice, in writing, require the owner or the person executing the work to undertake such other safety measures and the same shall be complied with.

7. Cancellation of permit and Certificate of Registration.

(1)In case of violation of any of the conditions of the permit, the Executive Authority may cancel the permit after giving an opportunity of hearing to the holder of the permit. (2)In case of violation of any of the conditions of the Certificate of Registration, the District Collector may cancel the Certificate of Registration, after giving an opportunity of hearing to the holder of such certificate. Form-A [See sub-rule (1) of rule 3 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015.] Application For Grant of Permit From Thiru/Tmt/Selvi..... (Name of the Applicant), S/O, W/O, D/O. (Address) To The Executive Authority, Village Panchayat. Sir, I, Thiru./Tmt./Selvi (Name) residing at (address of the individual) intend to sink / deepen / rehabilitate a well (open well/bore well/tube well) in the land bearing Survey No owned by me/by..... (Land owner Name and address) in (habitation) in Village Panchayat, the details of which are given below. I request you to kindly grant me a permit to sink/ deepen/rehabilitate the well. I enclose herewith a Demand Draft for Rs..... (Rupees only) towards the fee. Details of the well:

1. Type of well : Openwell/Borewell/tubewell/Dug-well/Dug-cum-Borewell
2. Purpose of well : Agricultural/Industrial Commercial/ Others (Specify the exact nature of the purpose)
3. Diameter and Depth of the well (in metres) :
4. Nearest places : Schools/hospitals/temples/markets/other places where people assemble generally.
- Distance between the well site and the place mentioned in item 4 (in metres) :
5. and the placement mentioned in item 4 (in metres) :
6. :

Whether the entrance to the well is protected by/compound wall/fencing/barricades, etc.

7. Nature of the soil : Clay/sand/others(specify)

Name of the

8. person/agency/firm going to :
execute the work

Address and contact details of

9. the person/agency/firm :
executing the work

Whether the

person/agency/firm going to
execute the work possesses a

10. valid certificate of Registration : Yes/No
granted in Form F. If yes,
enclose a copy of the Certificate
of Registration.

Declaration (1) I.....hereby declare that the above particulars are true to the best of my knowledge. (2) I also undertake that, - (i) I will not begin the work until the grant of permit by the Executive Authority. (ii) I will follow the safety measures prescribed in sub rule (1) of rule 6 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules, 2015. (iii) I will keep the site of well open at all times for inspection of the Executive Authority or any other higher authority authorized by the District Collector. (iv) I will furnish any information which may be required by the Executive Authority for the grant of permit and also while executing the work. Place: Signature of the Applicant. Date: Form-B (See sub-rule (2) of rule 3 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015) Permit For Sinking Well Thiru./Thirumathi/Selvi.....son/wife/daughter of residing at..... is hereby granted permit for sinking /deepening /rehabilitating a well in.....in plot/R.S. No. in..... Village Panchayat/Panchayat Union District for the purpose of agriculture/Hotel/Industry / Commercial/Irrigation/ Horticulture/.....(other use). This permit is granted for a well conforming to the specifications given below:

(1) Type of well Dug-well/Dug-cum-borewell /Borewell/Open-well/Tube-well.

(2) Diametermetres.

(3) Depthmetres.

Conditions Every holder of the permit, shall, while sinking, deepening or rehabilitating a well:

-(a) ensure that the person executing the work has followed all the safety measures prescribed in sub-rule (2) of Rule 6 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules, 2015. (b) verify that the person executing the work has a valid Certificate of Registration granted in Form-F; (c) ensure that the well is not left uncovered during recess or cessation of work; (d) fill up abandoned wells upto the ground level using clay, sand, boulder or any other suitable materials; (e) ensure that a signboard is erected near the site of the well displaying his name, address and contact details and that of the person executing the work; (f) ensure that the well

conforms to the specifications such as depth, diameter specified above;(g)fill up the mud pits and channels after completion of the work;(h)fill up abandoned wells by clay/ sand / boulders / pebbles / drill cuttings etc., from bottom to ground level,(i)on completion of the work, restore the ground conditions; (j) any other conditions (to be specified)Place:Signature of the Executive Authority.Date:Form-C(See sub-rule (4) of rule 3 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015Register of Grant of Permit For Sinking of WellsName of the Rural Local Body.....

SI. No.	Name of the applicant with address	Date of Application for permit	Nature of the well (Whether bore-well/tubewell)	Diameter and depth in metres)	Date of grant of permit	Name of the person executing the work	Whether work has been completed (Yes/No)	If yes, whether the well is in use (Yes/No)	If the work completed/ well not put into use whether capping of well has been properly done (Yes/No)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Executive Authority.Form-D(See sub-rule (5) of rule 3 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015Monthly Report On Grant of Permit For The Month of.....Name of the Village Panchayat:.....

SI.No.	No. of applications received for granting permission for sinking/deepening rehabilitating the well during the month	No. of applications accepted and permit granted	No. of applications rejected
(1)	(2)	(3)	(4)

Signature of Executive Authority.Form-E(See sub-rule (1) of rule 4 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015Application For Certificate of RegistrationFromThiru./Tmt./Selvi.....(Name of the Applicant),S/o., W/o., D/o.Address:ToThe District Collector,.....District.Sir, We/ I, M/s.....having office at.....(address of the applicant) intend to carry on the business of sinking wells.I request that a Certificate of Registration may be granted to me / us to carry on the said business.I enclose herewith a Demand Draft for Rs...../-(Rupeesonly) towards the fee.Place:Date:Signature of the applicant.Declaration(1)I/ We, hereby declare the above particulars are true to the best of my knowledge.(2)I agree not to sink a well until the permit to do that work is granted in Form B.(3)I agree to follow the safety measures prescribed in sub rule (2) of rule 6 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and Safety Measures) Rules 2015.(4)I agree to stop further progress of work if the Executive Authority instructs accordingly.(5)I agree that if there is any violation of conditions during the work, the District Collector can cancel the certificate of registration.(6)I agree to furnish further information which may be required for issue of Certificate of Registration.Form-F(See sub-rule (2) of rule 4 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015Certificate of RegistrationCertificate No.....Thiru./Tmt./Selvi/Messer's Son/Wife/daughter of residing at

is hereby granted Certificate of Registration for sinking well in.....District.ConditionsEvery person holding this Certificate of Registration, shall -, (1) before commencing the work: (a) ensure that necessary permit in Form-B has been obtained by the owner of the well for executing the work; (b) erect warning signboards in a conspicuous manner at the site of the well displaying the nature, width and depth of the well, his name, address and contact details and that of the owner of the well; (c) erect barbed wire fencing or any other suitable barrier around the site of the well; (d) construct a cement or concrete platform measuring 0.5X0.5X0.6 metre around the well casing in such a manner that it is 0.3 meter above the ground level and 0.3 meter below the ground level; (2) not left the drilling pit or the wall uncovered during the recess of work; (3) after completion of the work -, (a) fill up the mud pits and channels around the well; (b) restore the ground conditions; (c) cap the well assembly by welding steel plates or by providing a strong cap to the casing pipe with bolts and nuts. (4) not deviate in any way from the specifications regarding well mentioned in the permit; (5) not interfere with the normal activities of the locality nor while executing the work nor shall cause any traffic hazard; (6) Any other condition (to be specified): Place: Date: Signature of the District Collector. Form-G (See sub-rule (4) of rule 4 of the Tamil Nadu Panchayats (Regulation of Sinking of Wells and safety measures) Rules, 2015) Register of Certificate of Registration For Sinking of Wells Name of the District:

S.No.	Name and address of the applicant	Date of application	Date of grant of Certificate of Registration	Certificate Number
(1)	(2)	(3)	(4)	(5)