

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂ:ಗ್ರಾಅಪ/256/ಗ್ರಾನೀಸ(4)2012

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ
ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:21.02.2012

ಇವರಿಂದ:

ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು,
ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂ.ರಾಜ್ ಇಲಾಖೆ.

ಇವರಿಗೆ:

1. ಮುಖ್ಯ ಇಂಜಿನಿಯರ್,
ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ಇಲಾಖೆ,
ಕರ್ನಾಟಕ ಕೊಳಚೆ ನಿರ್ಮೂಲನಾ ಮಂಡಳಿ ಸಂಕೀರ್ಣ,
ನಂ.55, 4ನೇ ಮಹಡಿ, ಅಭಯ ಸಂಕೀರ್ಣ,
ರಿಸಲ್ಡಾರ್ ರಸ್ತೆ, ಶೇಷಾದ್ರಿಪುರಂ, ಬೆಂಗಳೂರು-20.
2. ರಾಜ್ಯದ ಎಲ್ಲಾ 30 ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಗಳು,
ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು.

ಮಾನ್ಯರೆ,

ವಿಷಯ : ಅನುಪಯುಕ್ತ ತೆರೆದಬಾವಿ / ಕೊಳವೆಬಾವಿಗಳಲ್ಲಿ ಮಕ್ಕಳು ಬಿದ್ದು ಅಪಘಾತ / ಪ್ರಾಣಹಾನಿ
ಸಂಭವಿಸದಂತೆ ತಡೆಯಲು ತುರ್ತು ಕ್ರಮ ವಹಿಸುವ ಕುರಿತು.

- ಉಲ್ಲೇಖ : 1. ಸರ್ಕಾರದ ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ/181/ಗ್ರಾನೀಸ(4)2012, ದಿನಾಂಕ:28.07.2012.
2. ಕೇಂದ್ರ ಸರ್ಕಾರದ ಪತ್ರದ ಸಂಖ್ಯೆ: W-11042/20/2012-Water-II, ದಿನಾಂಕ:24.07.2012.
3. National Commission For Protection of Child Rights ಪತ್ರದ ಸಂಖ್ಯೆ: H.R.99099/34782/2012-13/CMPS/24166, ದಿ:22.06.2012.
4. ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯ ಪ್ರಕರಣ ಸಂಖ್ಯೆ: W.P.No.36 of 2009, ದಿನಾಂಕ:11.02.2010ರ ಆದೇಶ.
5. ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: MID/10/AJAA/2012, ದಿನಾಂಕ:31.12.2012.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖ(1)ರ ಸರ್ಕಾರದ ಸುತ್ತೋಲೆಯಲ್ಲಿ ಈಗಾಗಲೇ ಅಗತ್ಯ ಜರೂರು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ತಿಳಿಸಲಾಗಿದ್ದು, ಪುನಃ ಉಲ್ಲೇಖ(3) ಮತ್ತು (4)ರ ಪತ್ರ ಮತ್ತು ಆದೇಶಗಳಲ್ಲಿ ಸೂಚಿಸಿರುವಂತೆ ಅನುಪಯುಕ್ತ ತೆರೆದಬಾವಿ / ಕೊಳವೆಬಾವಿಗಳಲ್ಲಿ ಮಕ್ಕಳು ಬಿದ್ದು ಅಪಘಾತ / ಪ್ರಾಣಹಾನಿ ಸಂಭವಿಸದಂತೆ ತಡೆಯಲು ಈ ಕೂಡಲೇ ತುರ್ತು ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳಲು ತಿಳಿಸಿದೆ. ಸದರಿ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಈಗ ಪುನಃ ಉಲ್ಲೇಖ (5)ರ ಸರ್ಕಾರದ ಆದೇಶದಲ್ಲಿ (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ) ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಹೊರಡಿಸಲಾಗಿದ್ದು, ಅದರಂತೆ ಅಗತ್ಯ ಜರೂರು ಕ್ರಮ ವಹಿಸಲು ಹಾಗೂ ಕೈಗೊಂಡ ಕ್ರಮದ ಕುರಿತು ಅನುಪಾಲನಾ ವರದಿಯನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಲು ಕೋರಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

(ರಾಮಕೃಷ್ಣ)

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ (ಗ್ರಾನೀಸ)
ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂ.ರಾಜ್ ಇಲಾಖೆ.

ಪ್ರತಿ:

1. ಸರ್ಕಾರದ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳು, ವಿಧಾನಸೌಧ, ಬೆಂಗಳೂರು, ಇವರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳ ಮಾಹಿತಿಗಾಗಿ ಕಳುಹಿಸಿದೆ.
2. ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ ಹಾಗೂ ಅಭಿವೃದ್ಧಿ ಆಯುಕ್ತರ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳು, ವಿಧಾನಸೌಧ, ಬೆಂಗಳೂರು ಇವರ ಮಾಹಿತಿಗಾಗಿ ಕಳುಹಿಸಿದೆ.
3. ರಾಜ್ಯದ ಎಲ್ಲಾ 30 ಜಿಲ್ಲೆಗಳ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು, ಇವರ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಸೂಕ್ತ ಜರೂರು ಕ್ರಮಕ್ಕಾಗಿ ಕೋರಿ ಕಳುಹಿಸಿದೆ.
4. ರಾಜ್ಯದ ಎಲ್ಲಾ (8) ಅಧೀಕ್ಷಕ ಅಭಿಯಂತರರು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ವೃತ್ತ, ಬೆಂಗಳೂರು ಇವರಿಗೆ ಮುಂದಿನ ಸೂಕ್ತ ಜರೂರು ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.
5. ರಾಜ್ಯದ ಎಲ್ಲಾ (38) ಕಾರ್ಯಪಾಲಕ ಇಂಜಿನಿಯರ್‌ಗಳು, ಪಂಚಾಯತ್ ರಾಜ್ ಇಂಜಿನಿಯರಿಂಗ್ ವಿಭಾಗಗಳು, ಇವರಿಗೆ ಮುಂದಿನ ಸೂಕ್ತ ಜರೂರು ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.
6. ರಾಜ್ಯದ ಎಲ್ಲಾ (176) ತಾಲ್ಲೂಕು ಪಂಚಾಯತ್‌ಗಳ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಧಿಕಾರಿಗಳು ಇವರಿಗೆ ಮುಂದಿನ ಸೂಕ್ತ ಜರೂರು ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.

Proceedings of the Government of Karnataka

Sub: Prevention of fatal accidents of small children falling in to open/abandoned bore wells in the State – issue of guidelines orders relating to.

Read: 1. DO Letter No. Dev/CR/05/2012-13 dated: 25.06.2012 of the Regional Commissioner, Bangalore Division, Bangalore, addressed to Secretary to Government, Water Resources Department (Minor Irrigation), Bangalore

2. Government letter : ಸಂಖ್ಯೆ: ಸನೀಇ 10 ಅಜಲ 2012, ದಿನಾಂಕ: 30-06-2012.

3. Letter NO.DMG/GWS/Lokadalat/2012-13/Dated: 21.07.2012 from the Director of Mines and Geology.

In the D.O letter dated 25.06.2012 read at serial No.(1) above, the Regional Commissioner, Bangalore Division, Bangalore has informed about the incidence of fatal accidents of small children falling in to open /abandoned bore wells. In the note annexed to this letter, he has referred to the fact that the Lok Adalat in its sitting held on 23.06.2012, after hearing the submission made by the advocate for the petitioners in the WP No.(1) 13473/1998 and (2) 33645/1998 (both Public Interest Litigations) to the effect that the Hon'ble Supreme Court has issued detailed guidelines in writ petition (Civil No. 36 of 2009) in order to prevent such fatal accidents of small children falling in to open /abandoned bore wells and tube wells, has desired that action be taken to issue appropriate guidelines in pursuance of the orders of the Hon'ble Supreme Court to prevent such fatal accidents stated above.

The Hon'ble Supreme Court in its order dated 11.02.2010 passed in Writ Petition (Civil) No.36/2009 has laid down detailed guidelines as to the measures to be taken to prevent fatal accidents of small children falling into open/abandoned bore wells and tube wells taking note of the number of such incidents that have taken place in the recent times.

In Government's letter dated 30.06.2012 read at (2) above, the Director of Mines and Geology who is also the Member Secretary of the Karnataka Groundwater Authority, was asked to send necessary proposal to Government to facilitate issue of suitable guidelines in the form of a Government order.

In pursuance thereof, the Director of Mines and Geology in his letter dated 21.07.2012 sent a detailed proposal to Government incorporating the guidelines issued by the Hon'ble Supreme Court with a request to issue circular guidelines in the form of a Government order to all the concerned in the state so that concerted effort is made to prevent fatal accidents of small children falling in to open /abandoned bore wells in the state.

The above proposal has been examined by Government in detail. Hence the following order.

Government Order No.MID 10 AJAA 2012, Bangalore, Dated: 31-12-2012

In the circumstances explained in the preamble, Government is pleased to issue the following guidelines for prevention of fatal accidents of small children falling in to open /abandoned bore wells in the state for strict compliance by all the concerned.

- I. a) The owner of the land / premises, before taking any steps for constructing bore well / tube well must inform in writing to the concerned authorities atleast 15 days in advance in the area i.e.,

Deputy Commissioner and District Magistrate, Panchayat Development Officer of the concerned Grama Panchayat, concerned Village Accountant and concerned officers of the Groundwater Wing of the Department of Mines and Geology and those of the Panchayat Raj Engineering Department, Commissioners of Municipal Corporations and Chief Officers of Municipalities and the concerned authorities of other urban local bodies as the case may be, about the construction of bore well

- b) Before drilling the bore well for extraction of groundwater, a person / agency shall have to take permission from the concerned authority as contemplated under the Karnataka Groundwater Act 2011 in the notified areas.

c) Under the enactment, Borewell Drilling Agencies have to be registered under the Karnataka Groundwater Act. Under this, the borewell Drilling Agencies have to submit the details. This information shall include a combined declaration jointly by both the Drilling Agencies and the Land Owners with a commitment that the borewell drilled,

- (i) in case of successful borewells is safely capped to avoid caving and collapse of the borewell,
- (ii) in case of failed / abandoned borewells it should be completely refilled to avoid caving, collapse thus avoiding further dangers, and the drilling agency declaring the above jointly shall have to submit a proforma prescribed under the Karnataka Groundwater Act and Rules, soon after the completion of the borewell on the same day in the proforma 1 C prescribed in the Karnataka Groundwater Authority Act 2011 and Rules 2012 to the nearest Grama Panchayath or village accountant in case of rural areas and works Junior Engineer working under the respective Municipal Commissioner/ Chief Officers of the Jurisdictional Urban local body. It is responsibility of the Secretary Grama Panchayath or the village Accountant in case of rural areas and Junior Engineer / implementing officer working under the respective Municipal Commissioner/ Chief Officers of the Jurisdictional Urban local body, to keep the total account of the borewells drilled along with the proforma submitted by the agency or individual and forward the same to district administration that is Deputy Commissioner or Chief Administrative Officer, ZP respectively, failing which the drilling agency is liable to the consequences and subjected to the decision of the Authority or the Hon'ble Court.

d) Signboards have to be erected near the site of drilling at the time of construction of bore 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.

- e) The drilling agency shall erect the barbed wire fencing or any other suitable barrier around the well during the construction. After the installation of the rig on the point of drilling, the driller has to put flags 50mts around the point of drilling to avoid entry of people. However, the Geologists, Scientists, Engineers, Competent Authorities with the knowledge of driller can only enter within the 50 mts zone.
- f) The owner of the bore well has to construct around the successful bore well, a cement / concrete platform measuring of 0.50 X 0.50 X 1.20 mts (0.60 mts above ground level and 0.60 mts below ground level) around the well casing.
- g) After the completion of the borewell, the drilling agencies have to cap the borewell properly by welding steel plate / steel cap with bolts and nuts with a threaded cap so that it cannot be removed or handled for the safety of the public. He has to cover the borewell with the drilled wet soil at least 1 to 2 feet above the cap of the borewell in a conical form and fix thorny shrubs over the soil to protect the borewell and prevent people to enter.
- h) In case of pump repair, the owner of the land / premises or implementing agency have to cap the bore well properly by welding steel plate / steel cap with bolts and nuts with a threaded cap so that it cannot be removed or handled for the safety of the public. He has to cover the bore well with the drilled wet soil at least 1 to 2 feet above the cap of the bore well in a conical form and fix thorny shrubs over the soil to protect the bore well and prevent people to enter.
- i) In case the bore well is failed, or in completed the bore hole structure has to be capped and maintained otherwise the entire drilled hole is to be completely filled with soil/mud at least 2 feet above the ground level from the entire drilled depth of the bore well / tube well and fix thorny shrubs on it to avoid further subsidence and collapse.
- j) After the bore well is drilled, the entire site shall be brought to the normal ground level by spreading the entire leftover drilled soil, after complying the protection of the bore well / tube well as contended in (g) and (i).

k) At the time of drilling of bore well water oozed out shall have to be allowed to flow away from the drilling site so that no water should percolate into the bore well creating cracks and cavities and collapsing.

l) Any operating bore wells put for non operation due to repairs shall have to be safely closed and covered to avoid casualties.

m) The drilling agencies are responsible for any such of the casualty that happens due to the faulty handling and in addressing lapses i.e. the safe closer of the bore well.

n) The PDO and the Secretary, Grama Panchayath and Junior Engineers and Chief Officers of the respective urban local body has to keep vigil on the bore well drilled and also the failed / abandoned / repaired bore wells which shall have to be thoroughly closed to avoid human casualties, maintain a register with proper entries and inform to the member secretary of the District Ground Water Authority and Deputy Commissioner from time to time.

o) Under the Karnataka Groundwater Act, time to time information on bore well drilled from the drilling agencies and permissions given for the bore well drilling, has to be informed in writing to the Deputy Commissioner and CEO of the respective Districts once in a month in the proforma enclosed by the Member Secretary of the District Ground Water Authority.

p) The status of the bore well drilling under Government schemes has to be informed by the implementing agencies on safe handling, with numbers of bore well drilled and their status shall have to be informed to the District Administration.

q) Implementing officers of drinking water / irrigation / industrial schemes shall have to see that the operating bore wells shall have to be covered with a pump house.

r) It is the responsibility of the drilling agency and the implementing agency of the scheme whether successful / failed / incompletely drilled / half drilled have to be safely closed and informed to the concerned authorities.

s) In rural areas, the monitoring of the above should be done by Panchayat Development Officer (P.D.O) of Grama Panchayat / concerned authority, Village Accountant and the Executive officer of the jurisdictional Taluk Panchayat (Z.P.) shall ensure it.

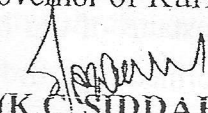
Whereas in case of urban areas, the said monitoring should be got done through the Junior Engineer/implementing officer as per the orders and personal supervision of the Commissioners of respective Corporations / Commissioner of Bruhat Bangalore Mahanagara Palike /Chief Engineer, Bangalore Water Supply and Sewerage Board / Municipal Commissioners/ Chief Officers of the jurisdictional urban local body.

t) Any casualty due to faulty maintenance or otherwise the land owner and drilling agency are responsible in case of private bore wells and left unprotected.

u) Deputy Commissioner being the monitoring authority shall verify /supervise regarding the guidelines are being followed pertaining to the status of boreholes / tube wells through the concerned agencies.

This order issues with the opinion of Law, Justice & Human Rights Department vide their note No.LAW 691 OPN 2012, (Opinion-2), dated: 29-12-2012.

By order and in the name of the
Governor of Karnataka,


(K.C. SIDDAPPA)

Under Secretary to Government
Water Resources Department (Minor Irrigation)

To:

The Compiler, Karnataka Gazette to publish in the special issue of the Gazette and supply 500 copies to Government.

Copy To:

1. Accountant General (Accounts-I & II) Karnataka, Bangalore.
2. Chief Secretary to Government, Karnataka, Vidhana Soudha, Bengaluru.
3. All Principal Secretary / Secretary.
4. Regional Commissioner, Bangalore, Belgaum, Gulbarga & Mysore.

5. Director, Mines & Geology Department (Ground Water) Khanija Bhaven, Race Course Road, Bangalore.
6. Regional Director, Central Ground Water Board, Government of India, Bhujal Bhavan, 27th Main, 7th Cross, HSR Layout Bangalore-560102.
7. Commissioner for Agriculture / Director, for Agriculture, Bangalore.
8. Commissioner, Bruhat Bangalore Mahanagara Palike, Bangalore.
9. Development Commissioner, Vidhana Soudha, Bangalore.
10. Chairman, State Pollution control Board, Bangalore.
11. Chief Engineer, Rural Development Engineering Department, Bangalore.
12. Chief Engineer, Water Resources Development Organisation, Ananda Rao Circle, Bangalore.
13. Chief Engineer, Karnataka Urban Water Supply and Drainage Board, Cauvery Bhavan, Bangalore.
14. General Manager, NABARD Jeevan Prakash Annex, 113/1 J.C.Road, Bangalore.
15. Chief Engineer, Bangalore City Water Supply and Drainage Board, Bangalore.
16. Chief Engineer, Minor Irrigation, South Zone, Bangalore.
17. Chief Engineer, Minor Irrigation, North Zone, Bijapur.
18. All Deputy Commissioners / All Chief Executive Officers / All Department Heads.
19. All District Superintendent of Police.
20. P.S. to Hon'ble Minister for Minor Irrigation, Vidhana Soudha, Bangalore.
21. Special Officer and Ex-officio Deputy Secretary to Government, Finance Department.
22. P.S. to Secretary to Government, Water Resources Department (Minor Irrigation)
23. All Executive Engineers, Minor Irrigation Division.
24. Weekly Gazette/S.G.F./Spare copies.

Form 1C

(Rule 9 of Karnataka Ground Water Rules 2012)

1.	Name of the Owner and details of the Borewell/Open well	:	District	Taluk
			Village	Sy.No.
2.	Permission letter for drilling from the Karnataka Groundwater Authority, in the over exploited taluks	:		
3.	Borewell Details	:	Hole Diameter	Hole Depth
			Casing: Normal / Perforated	
			Casing depth	
4.	Period taken for completion of borewell	:	Starting time	Closing time Date
5.	First water strike and Static water level and yield	:	I	II III IV
6.	Water level in the borewell after completion	:		
7.	Water level at the end of 6 hours after completion of the borewell	:		
8.	Water quality at site by taste.	:	Sweet	Salt
9.	The quality of discharge water.	:	Clean	Muddy with silt
10.	If successful borewell whether it is properly capped and proper safety measures or taken.	:		
11.	If failed or abandoned borewell, whether it is completely filled from the bottom with the cuttings and mud and proper safety measures or taken.	:		

Declaration: Tick mark whichever is applicable.

- a) We declared that borewell drilled is safely capped and covered with mud and thorny shrubs are fixed to avoid collapse and possible causalities.
- b) We declared that borewell drilled is failed/ abandoned half way and is capped / filled from the bottom with the cuttings and mud and proper safety measures are taken to avoid dangers.
- c) I take the responsibility to complete the safety norms after the check measurement is over.

Signature of the Owner of Borewell
 - / Implementing Officer
 Name and designation

Signature of Bore well Agency
 Name and position of the
 Agency

Register Format

Information and details of Borewells Drilled

Sl. No.	Name of the Grama Panchayat/Town Municipality/Pattana Panchayath/Corperation/ BBMP	Name of the village/ Sy.No location	No of borewells drilled		Thoroughly capped and joint information received	Remarks
			Failure	Successful		

Monthly Abstract

Information and details of Borewells Drilled

Sl. No	Name of the Grama Panchayat/Town Municipality/Pattana Panchayath/Corporation/BBMP	No of borewells drilled		No of borewells safely handled	Remarks
		Failure	Successful		

