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Ministry of Water Resources

Notification

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S. R. O. No. 250 Act/2018: ---- The following rules are formulated by the Government in accordance to power delegated by section 45 of Bangladesh Water Act 2013 (Act No. 14 of 2013): ---

First chapter

Preliminary

- 1. Title and introduction:** ---- (1) The rules will be known as Bangladesh Water Rules 2018.
(2) It will come into force immediately.

- 2. Definitions:** --- In these rules, unless there is anything repugnant in the subject or context,
 - 1) "No objection" means any No Objection issued under rule 33;
 - 2) "Authority to issue No Objection" means authority mentioned in rule 30;
 - 3) "Removal Order" means any order issued under section 13;

- 4) "Act" means Bangladesh Water Act 2013 (Act No. 14 of 2013);
- 5) "Applicant" means any suitable authority, person or organization submitting application under the rules;
- 6) "Application" means any application submitted under the rules for the following purpose:
- a) Permission, No Objection or Project clearance certificate; or
 - b) Certified copy of Permission, No Objection or project clearance certificate; or
 - c) Repeal of rejection order of permission, No Objection or project clearance certificate;
- or
- d) Collection of data from the Database under the Water Resources Planning Organization;
- or
- e) Any application under these rules apart from the aforesaid applications;
- 7) "Union Committee" means Union Integrated Water Resources Management Committee formed under rule 16;
- 8) "Coast" means coastal areas including the coastal estuaries;
- 9) "Upazila Committee" means Upazila Integrated Water Resources Management Committee formed under rule 15;
- 10) "Appropriate Authority" means appropriate authority as defined in clause (1) of section 2;
- 11) "Committee" means one or more committee(s) of district, upazila or unions as mentioned in these rules;
- 12) "Technical Committee" means technical committee formed under rule 21;
- 13) "Technical report" means any report prepared under rule 22;
- 14) "Agriculture" means-----
- a) production of grains or any other crops;
 - b) horticulture;
 - c) forestry;
 - d) fishery and fish production;
 - e) livestock and its products;
 - f) poultry and production of animal feed;
 - g) management of poultry farms;

- h) Management of dairy farm;
 - i) bee keeping;
 - j) silk cultivation; and
 - k) any such agriculture-based production or processing;
- 15) “National Water Resources Planning” means National Water Resources Planning as mentioned under section 15;
- 16) “District Committee” means District Integrated Water Management Committee constituted under section 14;
- 17) “Dam and Barrage” means any infrastructure made by soil, concrete, rubber or any other material diagonally across the river stream;
- 18) “Section” means any section under the Act;
- 19) “Tube well” means any tube well used for water extraction, water supply or for irrigation, such as: -----
- a) “Shallow Tube well” means such tube well that can extract water from underground aquifer by suction method with centrifugal pump as the prime mover;
 - b) “Deep Tube well” means such tube well that can extract water from underground aquifer by force mode with the help of submersible pump set or attached turbine pump as the prime mover;
 - c) “Deep-set Shallow Tube well” means such tube well that is set below the earth surface to extract water by suction method with centrifugal pump attached as its prime mover;
 - d) “Hand Tube well” means such tube well that can extract water by suction method;
 - e) “Deep Hand Tube well” means such tube well that is run by hand in force mode with the pump valve set below the ground by a rod or any other method;
- 20) “Executive Committee” means a committee as defined under clause (9) of section 2;
- 21) “Integrated Development of Water Resources” means such a process that will promote integrated development of water, land and other related resources for economic and social welfare without disturbing the balance of nature;
- 22) “Inspection Report” means any inspection report prepared under these rules;
- 23) “Flood Area” means such areas that are flooded by river water during normal rainfall;
- 24) “Project” means one or more than one development project(s) related to water resources as mentioned in rule 19;

- 25) "Project Clearance Certificate" means project clearance certificate issued under rule 23;
- 26) "Project Clearance Certificate Issuing Authority" means project clearance certificate issuing authority mentioned in rule no. 13;
- 27) "Project Clearance Certificate Holder" means such person whose application has been approved by the project clearance certificate issuing authority and to whom a project clearance certificate has been issued;
- 28) "Form" means any form mentioned in the schedules of these rules or issued by the Director General time to time;
- 29) "Fee" means any fee as prescribed under rule 47;
- 30) "Person" means any person as mentioned in clause (25) of section 2;
- 31) "Overall Planning" means short-term, medium-term and long-term planning formulated for integrated development of water resources;
- 32) "Safe Water" means drinkable safe water;
- 33) "Establishment" means to include any kind of physical establishment;
- 34) "Authorized Officer" means Director General or any other official authorized by the Executive Committee.
2. All the words and expressions, nor defined in these Rules, will carry the same meaning as words and expressions, as defined in the Act.

Second chapter

Water Rights

3. Right to safe water and water used for cleaning and sewerage-

(1) The Water Resources Planning Organization will implement the directives of the Executive Committee regarding usage of water under section 3 with the objective to ensure safe water and water used for cleanliness and sewerage.

(2) Government can determine, from time to time, the daily minimum requirement for each person of safe water, and water required for cleaning and sewerage, the extent of water availability and the desirable maximum distance between the water sources with the objective to implement people's right to water under bylaw (1) after considering the scientific analysis of Water Resources Planning Organization and the geographical conditions.

(3) The Water Resources Planning Organization will formulate necessary recommendations with relevant data and information for investigation and evaluation from time to time with a view to supervise proper implementation of the water rights of all citizens, and present those to the Executive Committee in order to determine future course of action.

(4) The concerned government, semi-government, autonomous and society-based organizations and all other non-government organizations and persons will be obligated to extend cooperation to the Water Resources Planning Organization under bylaw (3).

Third chapter

International and regional collaboration

4. National Water Resources Database: (1) To fulfil the objectives of section 7 aiming at mutual cooperation between different countries and agencies, the concerned authorities will collect data related to inland rivers and other water resources under their jurisdiction and deliver them to the National Water Resources Database (NWRD) under Water Resources Planning Organization with a view to preserve the same.

(2) National Water Resources Database (NWRD) will provide data in order to carry out all necessary activities related to inland water.

(3) The Water Resources Planning Organization will cooperate with the government regarding exchange with foreign countries and agencies of any kind of data related to water resources.

(4) The Water Resources Planning Organization will extend cooperation to the Joint River Commission, Bangladesh in their programme of scientific research and investigation on inland water.

(5) All data and research outcomes available from inside and outside the country will be preserved in the National Water Resource Database.

(6) As per the declared policy of the government, data can be provided from the National Water Resources Database with the condition that classified data as specified by the government cannot be supplied to any person or organization without the permission of the government.

(7) With the objectives of enhancing capability in integrated utilization, planning and research of water resources in other countries, the Water Resources Planning Organization on its own or in partnership

(a) Can organize trainings, workshops and seminars in the country and participate in similar trainings, workshops and seminars abroad; and

(b) Conserve the knowledge and outcomes received from the trainings, workshops and seminars as mentioned in clause (a) in the National Database.

Fourth chapter

National Water Policy

5. Formulation of National Water Policy: --- 1) The Water Resources Planning Organization will, on behalf of the government, will collect necessary data and analyze the same and, basing on discussions with the concerned stakeholders and suggestions received from them, prepare a draft with the objective to formulate National Water Policy and update it time to time with the matters mentioned in the aforesaid sub-section (3) of section 1.

2) The Water Resources Planning Organization will organize public hearing on the draft prepared under sub-section (1) and collect suggestions therefrom.

3) The Water Resources Planning Organization will, on behalf of the government, carry out the responsibility of organizing public hearing under sub-section (2) and for this purpose, can form a committee together with the Director-General himself and one or more representatives from the Water Resources Planning Organization.

4) The objective of the public hearing will be to collect suggestions through exchange of opinions on matters related to National Water Policy with stakeholder people and organizations, and with such other persons whose knowledge and experiences may be helpful in finalizing the National Water Policy.

5) The Water Resources Planning Organization, for organizing the public hearing, will issue a public notification thereby inviting concerned government, non-government and autonomous organizations, NGOs, any other non-government organizations or persons, social organizations and appropriate authorities to participate in the said hearing.

6) The following subjects will be mentioned in the public notification, issued under sub-section (5), such as: ---

a) the purpose of the hearing;

b) The time, date and place of the hearing;

c) Identity of the persons conducting the hearing;

d) Copy of the draft National Water Policy;

e) Name, address, email and phone number of the official(s) communicating the public hearing;

7) The public notification under sub-section (5) -----

a) will be uploaded in the website of the Water Resources Planning Organization at least 15 (fifteen) days prior to the hearing;

b) will be published in one daily Bengali newspaper and one national daily English newspaper, both having wide circulations, at least 15 (fifteen) days prior to the hearing.

8) Public hearings under these rules can be organized, in public interest, at different places and/or more than once in the same place and will be open for public.

6. Procedures of public hearing: --- 1) The public hearing(s) will be held at the specified date, time and place as notified by the Water Resources Planning Organization.

2) The Water Resources Planning Organization will decide the procedures of the public hearing(s) and explain the procedures and agenda of the hearing(s) to the stakeholders and experts present in the hearing and ensure impartial and fair public hearing by inviting their opinions on those matters.

3) The participants in the public hearing can submit their opinions both orally as well as in written and in case of oral submission, the conductor(s) of the hearing will, as far as possible, record the opinions and preserve the written opinions or their synopsis and any document related to this.

4) If any written opinion is submitted, as mentioned in sub-section (3), it would be sent to the conductor(s) of the public hearing within 15 (fifteen) days of the hearing.

5) The opinions received during the public hearing will be taken into consideration while finalizing the National Water Policy.

7. Inclusion of criteria to determine water charges in National Water Policy: --- 1) To strengthen the government and private water distribution system, water charges will have to be determined under the economic and legal structures, and guidelines to determine the criteria to regulate water charges will be included in the National Water Policy and during updating of the same.

2) While formulating the Policy and during its updating as mentioned in sub-section (1), the following subjects are to be included for consideration apart the matters mentioned in sub-section (3) of section 8, such as: ---

a) Lifesaving (drinking water), Ecosystem services. Equity and pollution control etc.;

b) Availability of water, water crisis, quantity of water being used, cost of water purification and water saving arrangements; and

c) Affordability of the water consumers and financial analysis of actual cost of water supply.

Fifth chapter

Compliance Orders

8. Power to issue Compliance Orders: ---- 1) To fulfil the objectives of sub-section (2) of section 12 and section 42, the Executive Committee can issue compliance orders in Form 1.1 in pursuance of other provisions of this Policy.

2) The Executive Committee or the authorized official(s) will provide the concerned person or appropriate authority reasonable opportunity for hearing before issuing the Compliance Order.

3) The Executive Committee or the authorized person will issue notice for hearing mentioning the causes in Form-1 to the concerned person or appropriate authority.

4) The Hearing will be held according to the date, time and place decided by the Executive Committee or authorized official.

5) The concerned person(s) or the appropriate authority will submit their opinion in written and during the hearing, the Executive Committee or the authorized person(s) will note down such opinions or its summary in case of oral submission.

6) The Executive Committee or the authorized official will verify or examine the opinions or statements given under sub-section (5) by concerned person(s) or appropriate authority and in case the said opinion or statement appear to be unsatisfactory to the Executive Committee or the authorized official, they may decide to issue compliance order under sub-section (1).

7) In the Compliance Order under sub-section (1), the following matters or information have to be furnished: ---

a) Except for appropriate reason, it is obligatory to comply the compliance order; and

b) Non-compliance of the order is fineable and punishable offence.

8) The compliance order may be issued personally or through the Water Resources Planning Organization to the Chief Executive or administrative head of the concerned organization or

agency, whichever is appropriate, or to the concerned person; or the same may be sent by registry post to the address where he/she or his/her representative resides or conduct business or earn livelihood.

9) The Water Resources Planning Organization may take steps to widely publish the contents of the compliance order to the public by issuing public notification in the print and electronic media.

10) The public notification, issued under sub-section (9), will have to be published at least in one widely circulated Bengali newspaper and one national daily English newspaper, and as the case may be, may be publicized through national radio and television or one private radio or television channel or through both.

11) The public notification, issued under sub-section (9), may be publicized, as the case may be, by way of circular, caption, voice message or locally by using mike.

12) The public notification, issued under sub-section (9), shall contain the following information or descriptions, such as: ----

a) Full details along with name(s) and address(es) of the person(s), appropriate authority or concerned person(s) violating the rules or conditions of the compliance order;

b) Description of the violated provisions and conditions;

c) The deadline within which to comply;

d) Any other necessary matter as may be decided by the Water Resources Planning Organization.

Sixth chapter

Removal order

9. Method of issuing removal order: ---- 1) If any person or an appropriate authority undertake any construction or filling up activity on water resource that creates obstruction to the natural flow of water or changes its course, then the Executive Committee or any official authorized by it, to fulfil the objective of section 13 and in accordance with this policy, may issue removal order in Form 2.1 to the said person or to the appropriate authority to ensure the natural flow of water.

2) The Executive Committee or any official authorized by it will provide reasonable opportunity to the concerned person(s) or appropriate authority for hearing before issuing the removal order.

3) The hearing will be held, to fulfil the objective of sub-section (1), at the date, time and place as decided by the Executive Committee or any official authorized by it.

4) The Executive Committee or any official authorized by it may issue the hearing notice with reasons mentioned in Form-2 to the concerned person(s) or appropriate authority.

5) The participants in the hearing can submit their opinions both orally as well as in written and in case of oral submission, the conductor(s) of the hearing will, as far as possible, record the opinions and preserve the written opinions or their synopsis and any document related to this.

6) The Executive Committee or the authorized official will verify or examine the opinions or statements given under sub-section (5) by concerned person(s) or appropriate authority and in case the said opinion or statement appear to be unsatisfactory to the Executive Committee or the authorized official, they may decide to issue compliance order under.

7) The Executive Committee or any official authorized by it will mention definite reason(s) of obstruction to the natural water flow in the removal order and instruct the concerned person or the appropriate authority to comply the order within a precise timeframe.

8) The removal order should contain the following descriptions or information, such as: ---

a) Full details, including names and addresses, of the person(s) or appropriate authority constructing an installation or undertaking filling up activities;

b) Description of the illegal installation or filling up activities;

c) Precise timeframe for removal;

d) Removal of the materials used for the construction or filling up activities by a proper authority in case the concerned person(s) or the appropriate authority fails to do so;

e) In case of removal under clause (d), the expenses of removal to be borne by the concerned person(s) or the appropriate authority;

f) Any other matter as decided by the Executive Committee or any official authorized by it.

9) The removal order, as mentioned in sub-section (1), will be signed with official seal by the Water resources Planning Organization.

10) The removal order may be issued personally or through the Water Resources Planning Organization to the Chief Executive or administrative head of the concerned organization or agency, whichever is appropriate, or to the concerned person; or the same may be sent by

registry post to the address where he/she or his/her representative resides or conduct business or earn livelihood.

11) If any person or appropriate authority fail to remove the installation within the prescribed timeframe or continue filling up activities, then the Executive Committee or any official authorized by it will put up a hearing notice containing the following information along with specific date and time to the said person or appropriate authority with the aim to determine the exact expenses or cost in consideration of the matters mentioned in sub-section (15), such as: ---

- a) Date and time for conducting removal activities;
- b) The officials authorized for this purpose;
- c) The cost of conducting the removal activities;
- d) Method of cost recovery from the responsible person;
- e) Assigned or allotted code for cost recovery in favour of the Water resources Planning Organization.
- f) Time limit to reimburse the cost.

13) If the concerned person(s) or appropriate authority appears in the hearing on the specified date and time after issuance of notice under sub-section (12), the exact cost or expenses will be determined taking into consideration the matters mentioned in sub-section (15).

14) If the concerned person(s) or appropriate authority fails to appear in the hearing on the specified date and time after issuance of notice under sub-section (12), the exact cost or expenses will be determined unilaterally taking into consideration the matters mentioned in sub-section (15).

15) While determining the cost or expenses mentioned in sub-section (12), the following matters will be taken for consideration, such as: ---

- a) The cost of labour engaged in removal activities;
- b) The cost of machineries, vehicles and fuel used in the removal activities;
- c) The cost for transporting the removed materials;
- d) The cost paid as allowances to the official(s), employees and law and order forces engaged in the removal work;
- e) The Cost of disconnecting utility service, if any;
- f) Any other related expenses for this purpose.

16) The notice, as mentioned in sub-section (12), will be considered appropriately issued if it is issued by the process mentioned in section 42.

17) The Water Resources Planning Organization may take steps to widely circulate the matters of removal notice through public notification in one widely circulated Bengali newspaper and one national daily English newspaper, and as the case may be, in national radio and television or one private radio or television channel or through both.

18) The public notification, issued under sub-section (17), may, if necessary, be circulated by means of circular, captions, voice message or by use of mike locally.

19) The public notification, issued under sub-section (17), will contain the following information or details, such as: ---

- a) full details, including names and addresses, of the person(s) or the appropriate authority violating the provisions or conditions of removal order;
- b) Precise description of the installation or filled up parts to be removed;
- c) Timeframe given for removal; and
- d) Any other necessary matter as decided by the Water Resources Planning Organization.

10. Procedure of cost recovery for removing installation or filling: --- 1) The concerned person(s) or appropriate authority will be responsible for reimbursing the removal cost as determined by the Water Resources Planning Organization and mentioned in the notice issued under Rule no. 9.

2) The cost can be reimbursed by pay-order or bank draft of any scheduled bank through the assigned and allotted code for repayment of removal cost in favour of Water Resources Planning Organization.

3) The person(s) or the appropriate authority responsible for repaying the removal cost will repay the same within the specified timeframe and hand over the pay order or bank draft to the official or authority in charge of removal.

4) Notwithstanding the provisions of Rule 9, the Water Resources Planning Organization may increase the timeframe mentioned in the rule in such a way so that the installation or filling up time does not exceed the timeframe specified for removal.

Seventh chapter

Inspection, observation and seizure

11. Inspection procedure: --- 1) To fulfill the objectives of sub-section (3) of section (1), the Director General can, by issuing ordinary or special order, assign responsibility to inspect a place or project mentioned in the order to any executive or employee of the Water Resources Planning Organization or any other organization, who will be known as Inspector for fulfilling the purpose of the law and the same order will contain the responsibility, power and function of the Inspector.

2) In case it is necessary to inspect a place or a project or an organization, the Inspector will have to deliver minimum 7 (seven) days' prior notice mentioning the purpose of the inspection in Form 14 to the occupier or agent of the concerned place.

3) The Inspector will have the following responsibilities and power, such as: ----

a) In case of inspecting the project site and all the related documents and equipment according to the timeframe specified by the Director General, inspection should take place minimum 2 (two) times a year.

b) Preparation and submission of inspection report following the method and within the timeframe specified by the Director General;

c) Take steps to seize the materials and equipment used for illegal activities regarding water resources;

d) Other responsibilities as assigned by the Director General.

4) The Inspector will have the right to examine all kinds of documents and information regarding tube well and the project and enter any area and structure of the same; the project clearance certificate-holder and the NOC-holder will be obliged to provide all support to the inspector in this regard.

5) The Inspection Report, prepared under clause (b) of sub-section (3), will contain the following information, such as: ---

a) Brief statement on the commencement date, time-period and place of implementation of the project;

b) Brief and definite statement of non-compliance of any condition of the project clearance certificate;

c) Brief and definite statement on any violation of the Act or any provisions of the rules formulated under it;

d) Any other information as sought by the Director General.

6) In carrying out the responsibilities assigned under sub-section (4), if the Inspector requires any assistance from the nearest police station, the officers in charge of the concerned police station will provide the same to him/her.

12. Procedure for seizure of materials, equipment and digging instruments used in the illegal work: --- If the concerned person, company, authority or organization fail to comply the compliance order, issued under Rule no. 8, the Inspector will take the help of the nearest police station to seize all materials, equipment and/or digging instruments being used for illegal activities related to water resources and criminal procedure code will be used in such cases.

Eighth chapter

Project clearance certificate

13. Authority to issue project clearance certificate: --- 1) If any person, organization, appropriate authority or local government is willing to plan, prepare and implement a project related to development of water resources by way of constructing any kind of hydraulic infrastructure, conserving riverbank, dredging or such type of programme, activity or initiative for the sake of irrigation, flood control management or water drainage, then the Executive Committee will carry out the responsibility of issuing authority of project clearance certificate to the said person, organization, appropriate authority or local government to fulfill the objectives of section 16 and the Rules through the following authorities, such as: ---

- a) For Water Resources Planning Organization, its Director General;
- b) For District committee, the District Administrator of the concerned district;
- c) For Upazila Committee, Executive Officer of the concerned Upazila; and
- d) For Union Committee, Chairman of the concerned Union Parishad.

2) For fulfilling the objectives of sub-rule (1) ----

a) "Such type programme, activity or initiative" means any structural or infrastructural project related to water resource development or any such project undertaken by any government, private or social community-based organization;

b) "Water Resource Development" means controlling water flow, extracting collecting, distribution, usage, preservation, transformation, processing of water, forecasting of flood and drought, preventing water pollution, sewage and drainage by use of structural or infrastructural system.

14. District Integrated Water Resources Management Committee: --- 1) To fulfill the objectives of these rules, a committee in the name of District Integrated Water Resources Management Committee, referred to as District Committee henceforth, will be formed in every district.

2) The District Committee, as mentioned in sub-rule (1), will be formed combining the following members and technical members, such as: ---

- a) District Administrator- President;
- b) Chief Executive Officer, Zila Parishad- Member
- c) An Additional District Administrator, nominated by the District Administrator- Member;
- d) District Fishery Executive- Technical Member;
- e) Deputy Director, Agricultural Extension Department- Technical member;
- f) Executive Engineer, Bangladesh Water Development Board- Technical member;
- g) Executive Engineer, Local government Engineering Department- Technical member;
- h) Executive Engineer, Public Health Engineering department- Technical member;
- i) Executive Engineer, Bangladesh Agricultural Development Corporation- Technical member;
- j) One representative from the district Chamber of Commerce- Member;
- k) One representative from NGO, nominated by the President- Member;
- l) Executive Engineer of City Corporation (if exists)- Member
- m) Executive Engineer, Barendra Multipurpose Development Authority (if exists)- Member;
- n) District level representative of Bangladesh Small and Cottage Industries Corporation (BSIC) (if exists)- Member;
- o) Executive Engineer, Bangladesh Inland Water Transport Authority (if exists)- Technical member;
- p) District Relief and Rehabilitation Officer- Technical Member;

q) Executive Engineer, Municipality (if any)- Technical Member;

r) One representative of Bangladesh Haor and Wetland Development Department, nominated by its Director General, in Haor area districts- Technical member;

s) Assistant Director, Environment Department (if any)- Member;

t) Representative of Water Resources Development Organization- Member Secretary;

Provided that in the absence of the representative of Water Resource Development Organization, the Technical member mentioned in clause (f), will be the Member-secretary.

3) The District Integrated Water Resources Management Committee can, if necessary, co-opt any member, other the members mentioned in sub-rule (2).

4) The Chairman of Zila Parishad and the local Member of Parliament can provide advice as Advisors to the District Committee.

5) To fulfill the objectives of this Policy, the District Committee will have the following responsibilities, such as: ---

a) Recommend for issuing project clearance certificate according to the expenditure limit estimated in consideration of the report of District Technical Committee;

b) Identify and investigate potential, obstacles and opportunities of water resource utilization and accordingly, for the purpose of sustainable water resource management, recommend for permission water resource planning of the concerned district, if any, under the existing legal framework.

c) Observe the functioning of the Union and Upazila committees and support them, if necessary;

d) Coordinate and supervise the functioning of the government, private or individually owned organizations and agencies working in the water resource sector in the district;

e) Carry out and observe the orders or directives, issued by Water Resources Planning Organization or its authorized organization, agency, person or authority, and accordingly submit report to the Water Resources Planning Organization;

f) Recommend cancellation of clearance certificate in case of violation of the terms and conditions mentioned in the water resource usage and development project clearance certificate;

g) Create database related to water resources and share the same with Water Resources Planning Organization;

h) Ensure integrated development and sustainable management of water resources according to guidelines;

- i) Establish contacts with Upazila Committee and Water Resources Planning Organization for better coordination;
- j) Recommend issuing of Compliance order, Removal order or, as the case may be, security order;
- k) Take steps to resolve the applications received under section 16;
- l) Carry out other responsibilities assigned by the Water Resources Planning Organization.

15. Upazila Integrated Water Resources Management Committee: --- 1) To fulfill the objectives of these rules, every Upazila will have one Upazila Integrated Water Resources Management Committee, henceforth mentioned as Upazila Committee.

2) The Upazila Committee, as mentioned in sub-rule (1), will be constituted in combination of the following members and technical members, such as: ----

- a) Upazila Executive Officer- President;
- b) Assistant Commissioner, Land- Member;
- c) Sub-divisional Commissioner, Bangladesh Water Development Board- Technical member;
- d) Upazila Engineer, Local Government Engineering department- Technical member;
- e) Assistant Engineer, Bangladesh Agricultural Development Corporation, Technical member;
- f) Upazila Fishery Officer- Technical member;
- g) Chairman of the concerned Union Parishad- Member;
- h) One NGO representative nominated by the President- member;
- i) One representative nominated by the district Chamber of Commerce- Member;
- j) One representative from Water Management Cooperative Samiti, nominated by the President (wherever applicable)- Member;
- k) Representative from the Public Health Engineering department (if any)- Member;
- l) Assistant Engineer, concerned municipality (if any)- Member;
- m) Assistant Engineer, BMDA (if any)- Technical member;
- n) Project Implementing Officer- Technical member;

o) One representative of Bangladesh Haor and Wetland Development Department, nominated by its Director General, in Haor area districts- Technical member;

p) One representative from the Water Resources Planning Organization- Member-Secretary;

Provided that in the absence of the representative of Water Resources Planning Organization, the Technical member, mentioned in clause (d) will be the member-secretary.

3) If necessary, the Upazila Committee can coopt any member other than mentioned in the sub-rule (2).

4) The Chairman of the Upazila Parishad can advise the Upazila Committee as an Advisor.

5) To fulfil the objectives of these rules, the Upazila Committee will have the following responsibilities, such as: ----

a) Recommend for issuing project clearance certificate according to the expenditure limit estimated in consideration of the report of the Upazila Technical Committee;

b) Identify and investigate potential, obstacles and opportunities of water resource utilization and accordingly, for the purpose of sustainable water resource management, recommend for permission Upazila water resource planning, if any, under the existing legal framework.

c) Observe the functioning of the Union committees and support them, whenever and whatever necessary;

d) Coordinate and supervise the functioning of the government, private or individually owned organizations and agencies working in the water resource sector in the Upa-zila;

e) Carry out and observe the orders or directives, issued by Water Resources Planning Organization, and accordingly submit report to the District Committee;

f) Recommend cancellation of clearance certificate in case of violation of the terms and conditions mentioned in the water resource usage and development project clearance certificate;

g) Create database related to water resources and share the same with Water Resources Planning Organization;

h) Ensure integrated development and sustainable management of water resources according to guidelines;

i) Establish contacts with District Committee and Water Resources Planning Organization for better coordination;

j) Recommend issuing of Compliance order, Removal order or, as the case may be, security order;

k) Take steps to resolve the applications received under section 16;

l) Carry out other responsibilities assigned by the Water Resources Planning Organization and the District Committee.

16. Union Integrated Water Resources Management Committee: ---- 1) To fulfill the objectives of these rules, every Union will have one Union Integrated Water Resources Management Committee, henceforth mentioned as Union Committee.

2) The Union Committee, as mentioned in sub-rule (1), will be constituted in combination of the following members and technical members, such as: ----

a) Chairman, Union Parishad- President;

b) Ward Members of concerned Union Parishad- Member;

c) Women ward member of concerned Union Parishad- Member;

d) Assistant Officer, Fishery department- Member;

e) Assistant Engineer, Local Government Engineering department, Technical member;

f) Sub-assistant Agricultural Officer, Agricultural Extension department- Technical member;

g) Assistant Engineer, Public Health Engineering department- Technical member;

h) One NGO representative (nominated by the Executive Officer)- Member;

i) One representative from the Water Management Cooperative Samiti- member;

j) One representative from the Bangladesh Water Development Board (if any)- Member;

k) One representative from Bangladesh Agricultural Development Corporation (if any)- Technical Member;

l) Sub-assistant Engineer, BMDA (if any)- Technical Member;

p) One representative from the Water Resources Planning Organization- Member-Secretary;

Provided that in the absence of representative of Water Resources Planning Organization, the Technical member, mentioned in clause (g) will be the member-secretary.

Provided further that in the absence of the technical member, mentioned in clause (g), any Technical member nominated by the Upazila Executive Committee can carry out the responsibility of Member-secretary.

3) To fulfil the objectives of these rules, the Union Committee will have the following responsibilities, such as: ----

a) Recommend for issuing project clearance certificate according to the expenditure limit estimated in consideration of the report of the Union Technical Committee;

b) Identify and investigate potential, obstacles and opportunities of water resource utilization and accordingly, for the purpose of sustainable water resource management, recommend for permission Union water resource planning, if any, under the existing legal framework.

c) Observe the functioning of the Ward Integrated Water Management committees and support them, whenever and whatever necessary;

d) Coordinate and supervise the functioning of the government, private or individually owned organizations and agencies working in the water resource sector in the Union;

e) Carry out and observe the orders or directives, issued by Water Resources Planning Organization, and accordingly submit report to the Upazila Committee;

f) Recommend cancellation of clearance certificate in case of violation of the terms and conditions mentioned in the clearance certificate;

g) Create database related to water resources and share the same with Water Resources Planning Organization;

h) Ensure integrated development and sustainable management of water resources according to guidelines;

i) Recommend issuance of clearance certificate for water resource usage and development according to guidelines;

j) Establish contacts with Upazila Committee, District Committee and Water Resources Planning Organization for better coordination;

k) Recommend issuing of Compliance order, Removal order or, as the case may be, security order;

l) Take steps to resolve the applications received under section 16;

m) Carry out other responsibilities assigned by the Water Resources Planning Organization and the District Committee.

17. Formulation of guidelines for the management of Integrated Water Resources at the District, Upazila and Union levels: --- The government can, as mentioned in these Rules,

formulate necessary guidelines for ensuring integrated water resources management at the district, Upazila and Union levels.

18. Meetings of the Committees: --- 1) To fulfill the objectives of these rules, committee meetings should be held at least once in every 3 (three) months and, if necessary, these meetings can be convened any time.

2) Subject to the provisions of these rules, the committees will decide the procedures of the meetings.

3) The committee meetings will be held according to the place, date and time decided by their presidents.

4) The Presidents will preside over the meetings;

Provided that, in the absence of the president, any other member or technical member, nominated by the president, can preside over the meetings.

5) Presence of two-third members of a committee will be required for quorum and Committee decisions will be taken by opinions majority members present in the meeting; but in case of equal number of votes of the present members casted both for and against, the president will have a decisive vote.

6) The activities or functioning of a committee will not be invalid only because of vacancy existing for a position or any irregularity in the formation of the committee, and no question can be raised for the same.

19. Projects that require project clearance certificates: ---- 1) The following projects, undertaken by any person or appropriate authority, will require clearance certificates under section 16, such as: ----

a) Flood control or management project;

b) Project related to collection, distribution or use of surface water or part of such project;

c) Irrigation project by using surface water;

d) Hydraulic infrastructure construction project;

e) Water preservation project;

f) Development of flooded plain land or wetlands;

g) Project for using surface water for industries;

- h) Riverbank conservation or river governance project;
- i) River excavation or dredging project;
- j) Canal excavation or re-excavation project;
- k) Surface water fishery development project;
- l) Project for extraction, distribution and use of groundwater or part of such project;
- m) Any other project considered appropriate by the Director General.

2) After promulgation of these Rules, no person or appropriate authority will be able to undertake or initiate any visible or physical programme, as mentioned sub-rule (1), without receiving project clearance certificate from the project clearance certificate issuing authority in accordance with the procedures mentioned in these Rules.

3) If any applicant undertakes or initiates any project without project clearance certificate received from project clearance certificate issuing authority, thereby violating the restrictions imposed under sub-rule (2), then legal steps can be taken against the said applicant in accordance with the related Rule of the Act.

20. Procedure to apply for project clearance certificate: ---- 1) After promulgation of these Rules, any person or appropriate authority, interested in undertaking, initiating or implementing any project, will apply for project clearance certificate to the project clearance certificate issuing authority within the estimated cost of the said project, as specified in sub-rule (2), in the following Form in 3 (three) steps, such as: ---

- a) Application for flood control or management project clearance certificate- Form 3.1;
- b) Application for clearance certificate of project related to collection, distribution or use of surface water or part of such project- Form 3.2;
- c) Application for clearance certificate of irrigation project by using surface water- Form 3.3;
- d) Application for clearance certificate of hydraulic infrastructure construction project- Form 3.4;
- e) Application for clearance certificate of surface water preservation project- Form 3.5;
- f) Application for project clearance certificate for development of flooded plain land or wetland- Form 3.6;
- g) Application for clearance certificate of project for using surface water for industries- Form 3.7;

h) Application for clearance certificate for riverbank conservation or river governance project- Form 3.8;

i) Application for clearance certificate for river excavation or dredging project- Form 3.9;

j) Application for clearance certificate for canal excavation or re-excavation project- Form 3.10;

k) Application for clearance certificate for surface water fishery development project- Form 3.11;

l) Application for clearance certificate for any other project considered appropriate by the Director General.

2) According to the estimated cost of the project applied for under sub-rule (1), the following committees will take appropriate steps on the applications:

a) The Union Integrated Water Resources Development Committee in case of projects (apart from the split ones) related to water resources development with estimated cost not more than 10 (ten) lac Takas;

b) The Upazila Integrated Water Resources Development Committee in case of projects (apart the split ones) related to water resources development with estimated cost exceeding 10 (ten) lac Takas, but not more than 20 (twenty) lac Takas;

c) The District Integrated Water Resources Development Committee in case of projects (apart from split ones) related to water resources development with estimated cost exceeding 20 (twenty) lac Takas, but not more than 50 (fifty) lac Takas.

d) The Water Resources Planning Organization, in case of projects related to water resources development with estimated cost of 50 (fifty) lacs and more.

3) Notwithstanding the provisions of sub-rule (2), the following committees will take appropriate steps in case application made under sub-rule (1) as per the estimated costs---

a) Concerned Upazila Committee in case areas of more than one Union is involved;

b) Concerned District Committee in case areas of more than one Upazila is involved;

c) The Water Resources Planning Organization in case areas of more than one district is involved.

4) The Water Resources Planning Organization, from time to time, by departmental order, may revise or change the estimated costs as mentioned in sub-rule (2).

5) Notwithstanding the provisions of sub-rule (1), if any applicant is interested to continue any project undertaken before the promulgation of these Rules, he/she will have to send 3 (three) copies of application to the concerned clearance certificate issuing authority in accordance with

the estimated cost and procedures mentioned in sub-rule (1) within 1 (one) year after promulgation of these Rules, or the time limit prescribed by the Water Resources Planning Organization.

6) The applicant of a project, as mentioned in sub-rule (1) and (5), will submit application with description of the project and information documents required in the application form, subject to clearance of fees.

7) Notwithstanding the provisions of sub-rule (1), the project clearance certificate issuing authority-----

a) can ask for any other document necessary for processing the application from the applicant; or

b) can exempt the applicant from producing any document not necessary or pertinent for considering the application.

8) An applicant will identify any negative impact of the project applied for, and mention the remedial steps for the same.

9) After receiving application under sub-rule (1) and (5), every project clearance certificate issuing authority will enter the same in a register with serial numbers and acknowledge its receipt.

10) The clearance certificate issuing authority or the technical committee of the Water Resources Planning Organization, as the case may be, will send the application received under sub-rule (1) or (5), to the concerned District, Upazila or Union technical committee for verification.

11) The Director General, time to time by issuing necessary departmental order, may form technical committee involving officials of Water Resources Planning Organization, necessary number of nominated representatives from other appropriate authorities having technical knowledge on water resources, professionals and experts.

12) Under sub-rule (1) and (5), any application can be submitted to the clearance certificate issuing authority directly or online in the procedure specified by the Water Resources Planning Organization.

21. Formation of the Technical Committees: --- 1) To fulfil the objectives of these rules, every district, Upazila and Union will have a committee in the name of Technical Committee.

2) The composition of these Technical Committees will be as follows:

a) In case of District Technical Committee---

5 (five) members from among the technical members of District Integrated Water Management Committee, one of them based on seniority will be appointed as convener;

b) In case of Upazila Technical Committee---

5 (five) members from among the technical members of the Upazila Integrated Water Management Committee, one of them based on seniority will be appointed as convener;

c) In case of Union Technical Committee----

5 (five) members from among the technical members of the Union Integrated Water Management Committee, one of them based on seniority will be appointed as convener.

3) No representative of the project implementing agency, mentioned in the application for a project clearance certificate, can be present or participate in the district, Upazila or Union Technical Committee meeting while discussing the said project proposal.

22. Responsibilities of the Technical Committees: --- 1) The concerned Technical Committee will examine the information and documents of the project, applied for under Rule 20, and will determine its compatibility with the National Water Resources Planning basing on the following information, such as: ---

a) whether the project is related to development of water resources by utilization of surface water;

b) whether the project will detach a flood plain with any river or canal and whether remedial steps will be taken for this matter;

c) whether the project will hinder the flow of any existing stream of a river or a canal;

d) whether the project will create waterlogging at any place;

e) whether the project will completely exhaust water from a waterbody;

f) whether the project is in contravention to any existing water use right;

g) whether the project will create obstruction to any water storage or stream in the foreshore, coastal or any other area;

h) whether the project will pollute surface water in any way;

i) whether the project has been prepared by way of involvement or partnership of the people.

2) The District, Upazila or Union Technical committee can, if necessary, take suggestion from Water Resources Planning Organization in any matter.

3) If the Technical committee observes that the applicant has not submitted all documents, descriptions, information and report necessary for submission of application under these rules, then it can recommend for rejection of the application.

4) The Technical Committee will examine and evaluate the following in the light of guidelines prepared by Parishad, Executive Committee or, as the case may be, the Water Resources Planning Organization and other documents, ----

- a) the application sent to it;
- b) documents attached with the application; and
- c) local public opinion

and prepared a report regarding the positive and negative impact of utilization of water resources, as mentioned in the application.

5) While examining and evaluating the application, the Technical Committee will provide the applicant the opportunity of hearing, as it deemed appropriate, and may ask for any information or documents from him/her to ascertain the positive and negative impacts of water resource utilization, as mentioned in the application.

6) The Technical Committee will prepare a reliable technical report following the procedure mentioned in these rules, and, for this purpose, will have the right to examine any document or information, to enter any premises, to collect sample of any material and amass related information from any concerned person and in such a situation, the concerned person, organization or appropriate authority will be obliged to extend cooperation.

7) The Technical Report, prepared under sub-rule (6), will contain the following information, such as: ----

- a) Brief description of the project;
- b) Purpose of the application;
- c) Description of the water resources;
- d) Brief statement of the documents related to report preparation.
- e) Completeness of the information and documents necessary for making decisions on the applications;
- f) Opinions regarding acceptability of the project in view of the National Water Resources Planning;

g) Determination of the positive and negative impact of water resource utilization as mentioned in the application;

h) Means and plans to mitigate the negative impacts; and

i) Recommendation on the acceptability of the application and reasons behind such recommendation.

8) The Technical Committee may take help from any professional for seeking opinions or suggestions on the technical aspects of any project under its consideration.

9) While preparing the Technical and Investigation report, the Technical Committee may provide the applicant or, as the case may be, the project clearance certificate-holder reasonable opportunity for hearing in the way as is deemed appropriate.

10) The hearing under sub-rule (9) will be held on the date, time and place specified by the Technical Committee.

11) The Technical Committee will issue hearing notice to the concerned person of authority mentioning the reasons for the hearing.

12) During the hearing any person may submit his/her opinions verbally or in written or by both and, in case of verbal submission, the Technical Committee will note down the said submission or opinion or its summary as far as possible or make arrangement for the same.

13) Apart from carrying out the responsibilities mentioned in sub-rule (1), the district, Upazila and Union Technical Committee, from time to time, will accomplish other activities as directed by the Director General or, as the case may be, convener of the concerned committee.

23. Procedure to issue project clearance certificate: --- 1) In case an application is submitted for a project clearance certificate with associated documents and information as mentioned in the Rules of this chapter, the project certificate issuing authority will, within 7 (seven) days of receiving the application, send the same to the Technical committee for preparing a technical report regarding the said application within the timeframe specified by it.

2) Within 21 (twenty one) days of receiving the technical report under sub-rule (1), the project clearance certificate issuing authority will send the same to the concerned committee for consideration, and the committee will give necessary recommendation on issuing or non-issuing the clearance certificate.

3) According to the recommendations received under sub-rule (2), the project clearance certificate issuing authority will----

a) grant the application and issue project clearance certificate, with or without conditions, within 15 (fifteen) days of receiving the recommendation; or

b) reject the application mentioning reasons and inform the same immediately to the applicant.

4) Once decision taken for clearing an application, the project clearance certificate issuing authority or any other person authorized for this purpose will receive a pledge in Form no. 4 and issue project clearance certificate in favour of the applicant in the following Forms, such as:

a) Project clearance certificate for flood control or management - Form 5.1;

b) Application for clearance certificate of project related to collection, distribution or use of surface water or part of such project- Form 5.2;

c) Project clearance certificate of irrigation projects by using surface water- Form 5.3;

d) Application for clearance certificate of hydraulic infrastructure construction project- Form 5.4;

e) Application for project clearance certificate for development of floodplains or wetlands- Form 5.5;

f) Project clearance certificate of surface water preservation project- Form 5.6;

g) Project clearance certificate of projects for using surface water for industries- Form 5.7;

h) Project clearance certificate for riverbank conservation or river governance project- Form 5.8;

i) Project clearance certificate for river excavation or dredging project- Form 5.9;

j) Project clearance certificate for canal excavation or re-excavation project- Form 5.10;

k) Project clearance certificate for surface water fishery development project- Form 5.11;

l) Project clearance certificate for any other project considered appropriate by the Director General.

5) In case of decision taken to reject an application, the project clearance issuing authority or any official authorized for this purpose will, by mentioning the reasons, inform the applicant of the rejection of application.

6) No project clearance certificate can be transferred to anyone without prior permission from the project clearance issuing authority.

24. Cancellation of Project clearance certificate: --- 1) On the basis of Inspection report received the concerned inspector, or information received from any other source, if the project clearance certificate issuing authority have reasons to believe that the project clearance certificate holder---

- a) has violated any condition of the project clearance certificate; or
- b) has been utilizing water resources in such a fashion that creates adverse impact on the water resources and environment; or
- c) has failed to provide any information required or asked for by the Director General; or
- d) has violated any provision of the Act or rules under it or has been accused in a crime;

In that case the said authority can direct the Technical Committee to submit one enquiry report after proper investigation of the matter within the timeframe specified by it.

2) While conducting the enquiry, the Technical Committee, in the manner as deemed appropriate, can provide the applicant the opportunity of hearing and ask for any document or information necessary for preparing the enquiry report.

3) While taking decision on the matter, if the project clearance certificate issuing authority has reasons to believe that the enquiry report received from the Technical Committee is correct and reliable, then it can send the same to Director General or, as the case may be, to a concerned committee for taking decision on the matter.

4) The Committee, after considering the enquiry report, may recommend for cancellation of the project clearance certificate.

5) The project clearance certificate issuing authority will hereafter issue a public notification in a local newspaper on cancellation of the project clearance certificate for public knowledge and publish the same in its own website.

25. Liability of the project clearance certificate issuing authority towards the consumers: ----

1) If an applicant apply to the project clearance certificate issuing authority in writing or online, the authority is obliged to reply the same, and in no circumstances, will leave it unresolved.

2) Each application, mentioned in sub-rule (1), will have the applicant's actual identity along with National Identity Card (NID), mobile number, email ID, address for correspondence or other address, if any, attached with it, so that he/she can be contacted easily for the fulfilment of the objectives of these rules.

3) In the reply, as mentioned in sub-rule (1), along with other matters, probable timeframe should be specified, within which the project clearance certificate issuing authority or any of its official or employee will resolve the matter, mentioned in the application or request as per the sub-rule.

4) The concerned official or employee will be held liable for negligence of departmental responsibility for not taking necessary steps under these rules and if he/she fails to give

satisfactory reply for not taking the said steps, departmental proceedings will be initiated against the accused person.

5) The Water Resource Planning Organization may seek from the project clearance certificate issuing authority any information related to project clearance certificate under these rules and the concerned authority will be obliged to provide the information as required.

Ninth Chapter

Declaration of water-stress area and its management

26. Procedure to declare water-stress area: --- 1) To fulfil the objectives of rule 17 if it is necessary to identify any area as water stress area, the Water Resource Planning Organization will gather necessary information on the water resources and their sources in that area, conduct necessary survey or investigation and, in the procedure determined by it, will collect public opinion by providing opportunity for hearing.

2) To fulfil the objectives of sub-rule (1) -----

a) All service provider organizations related to water resources will regularly supply information regarding probable water crisis to the Water Resources Planning Organization;

b) The Disaster Management and Rehabilitation Ministry will supply information to the Water Resources Planning Organization regarding steps taken by it during emergency situations.

3) The Water Resources Planning Organization will prepare precise report, basing on scientific analysis of information received under sub-rule (1) and (2), which will contain among others the following matters, such as: ----

a) Scientific analysis of socio-economic and environmental impact based on the received information;

b) Concrete reasons behind water stress;

c) Recommendations formulated by the Executive Committee; and

d) Public opinion.

4) For conducting activities under sub-rule (1) or preparing reports under sub-rule (3), the Water Resources Planning Organization, if necessary, may take advice or support from any specialized government or non-government organization or expert persons.

5) The Water Resources Planning Organization will prepare a report and, along with the recommendations, will submit it to the Member-secretary of the Executive Committee.

6) For declaring an area as water stress under sub-rule (7), the following criteria should be taken into consideration, such as: ---

a) whether the safe yield of surface and groundwater has exceeded in the area under consideration;

b) whether water is excessively polluted in the area;

c) whether the water sources of the area have been transformed;

d) Other scientific, socio-economic or environmental criteria, if any.

7) Based on the recommendations of the Executive Committee, the government may declare the proposed area as water stress area as per Rule 17.

8) A public notification declaring an area as water stress area under sub-rule (7) will be published at least in one widely-circulated Bengali and a national English newspaper and broadcasted through the national radio and television or one private radio or television channel and also uploaded in the website of the Water Resources Planning Organization.

9) The public notification will contain the following information and descriptions, such as: ---

a) detail description of the water stress area in the district administrative map, mentioning its police station and mauza;

b) list of priority in water usage as specified in sub-section (1), if not altered according to the sub-section (2) of section 18; and

c) The safe limit of groundwater extraction, usage of groundwater, present and future status of groundwater in the groundwater aquifer (water level and water recharge) and any other necessary restrictions imposed, and management activity or planning undertaken.

27. Management of Water Stress Area: --- To ensure proper management of water stress areas, the Executive Committee, or official authorized by it, can take the following steps, such as: ----

a) Identify ways to resolve the crisis by conducting discussion with the local people;

b) Preparing immediate and long-term programmes for resolution of the crisis;

c) Make arrangements to keep observation on local water resources with a view to resolve the crisis;

d) Provide directions to the concerned appropriate authority or person(s) to manage water resources of the area;

e) Impose necessary restrictions.

Tenth chapter

Protection, conservation and management of groundwater

28. Determination of minimum limit of water extraction from the aquifer: --- 1) To fulfil the objectives of sub-section (1) of section 19, the Water Resources Planning Organization, on behalf of the Executive Committee, will determine minimum limits of water extraction from the dynamic groundwater aquifers in different areas, depending on proper investigation, examination and survey, and with permission of the Executive Committee, will publish the same by notification in Government Gazette.

2) In areas where the survey is to be conducted, the probable person or persons to be affected will be informed beforehand about the survey programme taking into consideration the matter of minimum loss.

29. Exemption from taking NOC: --- 1) Notwithstanding the provisions of this chapter, NOC will not be required in case of water extraction by the following method or for the following purposes, such as: ---

a) In case of maximum 0.5 cusec water extraction for agricultural purposes by using shallow tube well;

b) In case of water extraction by hand pump or deep-set shallow tube well for the purpose of drinking and domestic usage;

c) In case of water extraction by hand-driven deep tube well for the purpose of drinking and domestic usage.

2) Notwithstanding the provisions of sub-rule (1), in areas having acute groundwater crisis, NOC will have to be acquired in the specified method, subject to compliance of specific conditions and in accordance with order issued by the Water Resources Planning Organization.

30. NOC issuing Authority for installing tube well: ---1) To fulfil the objectives of sub-section (3) of section 19, for installing tube wells for extracting water from the groundwater aquifer by suction method for agricultural purposes, the NOC issuing authority will be as follows, such as:

a) Concerned Upazila Committee, in case of water extraction between 0.5 cusec and 1.0 cusec;

b) Concerned District Committee, in case of water extraction between 1.0 cusec to 3.0 cusec.

2) Notwithstanding the provisions of sub-rule (1), for extracting water from groundwater aquifer by suction method by installing tube well for the purpose of non-farm use and for small and medium industries, the concerned District Committee will be the NOC issuing authority.

3) Notwithstanding the provisions of sub-rule (1) and (2), for extracting water by force mode from groundwater aquifer by installing deep tube well for any purpose whatsoever, the Water Resources Planning Organization will be the NOC issuing authority.

4) Extracted water cannot be used for any purpose other than for which NOC has been accepted.

31. Procedure to apply for NOC for tube well: ---- 1) Without having obtained NOC provided by the tube well NOC issuing authority, no person can install tube well at any place.

2) To acquire NOC for installing deep and shallow tube well in groundwater aquifer, application should be submitted to the concerned tube well NOC issuing authority in Form-7.

3) No application will be accepted by the tube well NOC issuing authority unless the application is made along with the application fee, as specified by departmental order of the Water Resources Planning Organization.

4) After receiving application for NOC, the tube well NOC issuing authority will give direction for conducting inspection locally, after which the inspector will send a report on the following matters, such as: ----

a) Status of aquifer at the place, proposed for tube well installation;

b) Distance of the nearest tube well and impact of water extraction;

c) Brief description (availability of water resources and other related matters) of probable area to be benefitted by the tube well;

d) Probable impact on other tube wells, including those used for drinking and domestic purposes;

e) Suitability of the place for tube well installation;

f) Conditions for providing NOC, if any.

5) If the tube well NOC issuing authority, considering the report of the inspector, be satisfied that by the establishment of the tube well applied for----

- a) The area, proposed for tube well installation, will be benefitted;
- b) No adverse impact will be on the surrounding environment;
- c) Benefits are available in other ways; and
- d) No adverse impact will be on the groundwater reserve and its quality,

In that case, the tube well NOC issuing authority may grant NOC on the matter applied for, in Form 7.1, Form 7.2, Form 7.3 or Form 7.5, as the case may be.

6) After receiving application under sub-rule (2), every NOC issuing authority will enter the same with serial number in Form A in a register and acknowledge it.

7) Within 14 (fourteen days) after receiving application under sub-rule (2), the NOC issuing authority will inform the applicant about the completeness of the application.

8) If the tube well NOC issuing authority be satisfied that suspension of NOC is required because of violation of NOC conditions or for any other reason, then it can, by written order and by mentioning the reasons, suspend any tube well NOC temporarily, and inform the Water Resources Planning Organization immediately about the same:

Provided that the tube well NOC issuing authority will not grant any NOC suspension order without giving reasonable opportunity for hearing to the NOC-holder:

Further provided that if the NOC suspension order is not finally approved within 15 (fifteen) days of issuing NOC suspension order, the said suspension order will be regarded as annulled after the said period.

9) The NOC suspension order issued by the tube well NOC issuing authority will be valid up to 45 (forty-five) days since the date of final approval.

10) The person, aggrieved by the NOC suspension order, issued by the tube well NOC issuing authority, can appeal to the Water Resources Planning Organization, and the decision taken by the Water Resources Planning Organization will be taken as final in this regard.

11) The tube well NOC issuing authority, basing on the Inspector's report, may cancel the NOC issued under this chapter, if the said authority be satisfied to the fact that----

- a) the NOC-holder has violated provision(s) mentioned in the NOC; or
- b) the NOC has been suspended 3 (three) times in the year preceding the issuing of cancellation order:

provided that the NOC cannot be cancelled without providing reasonable opportunity for hearing to the NOC-holder.

32. NOC for existing Tube Wells: ---- 1) Notwithstanding the provisions of this chapter, every person, willing to extract water from tube wells existing at the time of promulgation of these rules, except for the tube wells exempted under the provisions of Rule 29, will apply for NOC to the appropriate authority and the local government organization with deposition of specified fee within 6 (six) months after the said promulgation.

2) Subject to appeal from an applicant, the Director General, if deemed reasonable, can extend the said time period for another 3 (three) months.

33. NOC for Water Resources Development Project by using Groundwater: --- 1) For fulfilling the objectives of sub-section (3) of Section 19, the Water Resources Planning Organization will be the NOC issuing authority for any project, or part of a project, related to extraction, distribution and usage of groundwater.

2) After promulgation of these Rules, any person or appropriate authority, willing to get NOC for any project or part of a project, related to groundwater extraction, distribution and usage, will have to apply in Form 3.12.

3) Notwithstanding the provisions of the sub-rule (2), all applicants, willing to continue any project granted before promulgation of these Rules, will have to apply for NOC for projects, mentioned in sub-rule (2), to the Water Resources Planning Organization within 1 (one) year of promulgation of these Rules or within time, specified by the Water Resources Planning Organization.

4) The applicant of projects, mentioned in sub-rule (2) and (3), subject to payment of fee specified by the Water Resources Planning Organization for this purpose, will have to apply with project description and the specific information and documents, mentioned in the application form.

5) Notwithstanding the provisions of sub-rule (2) and (3), the project NOC issuing authority may---

- a) seek any information from the applicant necessary for processing the application; or
- b) exempt the applicant from providing any information not necessary or relevant for considering the application.

6) The applicant will identify the negative impact of the project and detail the remedial measures in the application.

7) After receiving application under sub-rule (2) and (3), the Water Resources Planning Organization will enter the same in a register with serial number and acknowledge the receipt of the same.

8) Within 7 (seven) days of receiving applications under sub-rule (2) and (3), the applicants will have to be informed about the completeness or incompleteness of the application.

9) The applications, received under sub-rule (2) and (3), will be sent to the Water Resources Planning Organization for verification and sorting.

10) While providing NOC for any project or part of a project related to extraction, supply and usage of groundwater, the Technical Committee will consider the following points, such as: ----

a) Whether the project can be implemented by use of surface water instead of groundwater;

b) Whether the project will lead to decline in existing aquifer and whether remedial measure for the same will be taken;

c) Whether the project will have adverse impact on any similar project existing in the vicinity;

d) Whether the project will extract water from below the safe limit of groundwater;

e) Whether the project has any other purpose, apart from water utilization;

d) Whether the project contradicts the existing water rights in any way;

e) Whether the project has arrangement of recharging the water being extracted;

f) Whether water discharged from the project will have any adverse impact on environment and surface water;

g) Whether the implementation of the project will in any way hamper public interest; and

h) Any other matter decided by the Director General.

11) The Director General, from time to time and by departmental order as deemed necessary, may constitute Technical Committee comprising of officials working in the Water Resources Planning Organization and necessary number of nominated representatives with knowledge of water resources engineering from other appropriate authorities, professional and experts.

12) Any application under sub-rule (2) and (3) can be submitted directly following the process specified by the Water Resources Planning Organization.,

13) If the Water Resources Planning Organization decided to grant an application, it will receive an undertaking from the applicant in Form 4 and issue NOC letter in Form 5.12 in favour of the applicant.

14) Without prior permission of the Water Resources Planning Organization, the NOC will not be transferable.

15) In case NOC is granted under these rules, no clearance certificate will be necessary under Chapter Eight.

Eleventh chapter

Management of normal flow of water course

34. Ensuring normal flow of water course: ---- 1) Any person or organization will have to take permission from appropriate authority under section 20 to stop the normal flow of any water course or create obstacle to its flow or change the direction of any water course, whether it is on the bank or not, by way of constructing any structure or filling any water source or extracting sand or mud from a water source.

2) For taking permission under sub-rule (1), the applicant will have to apply in three steps in Form 15.

3) Subject to payment of fee, the applicant under sub-rule (1) will submit application along with information and documents, specified in the application form.

4) Notwithstanding the provisions of sub-rule (2) and (3), the appropriate authority may----

a) seek any other information, necessary for processing the application, from the applicant; or

b) exempt the applicant from providing such information that are not necessary or relevant for considering the application.

5) After receiving the application under sub-rule (1), the appropriate authority will arrange to enter it in a register with serial number and acknowledge its receipt.

6) Within 10 (ten) days after receiving the application under sub-rule (1), the appropriate authority will inform the applicant about the completeness or incompleteness of the application.

7) The appropriate authority will send the application, received under sub-rule (1), to the Technical Committee of the Water Resources Planning Organization for verification and sorting.

8) While verifying and sorting the application under sub-rule (7), the Technical Committee will consider the following matters: ----

a) whether it is consistent with the Rules of the Act;

b) whether it will detach the link of any river or canal with the floodplain and if so, whether any remedial step will be taken in this regard;

c) whether it will create waterlogging in the surrounding floodplains;

d) whether it will pollute water in any waterbody or surface water in the vicinity;

e) Identifying negative impact and remedial measures thereof;

f) Other matters, as decided by the Director General from time to time.

9) Applications, under sub-rule (1), can be submitted directly or online following procedures, specified by the appropriate authority.

10) Once decision is taken to grant an application, permit will have to be issued in Form 16 in favour of the applicant.

11) If decision is taken to reject an application, the appropriate authority will inform the applicant about the rejection, mentioning reasons, in Form 17.

35. Provisions applicable to Water-stress Areas: ---- Once an area is declared water stress area under sub-section (1) of Section 23, the provisions under section 18 will be applicable there.

36. Restrictions of water storage: ---- 1) For fulfilling the objectives of sub-section (1) of Section 24, the appropriate authority mentioned therein may grant permission to store water in any natural or artificial reservoir of a water stream after considering the following matters:

a) whether it is consistent with the provisions of this Act;

b) whether it will detach the link of any river or canal with the floodplain and if so, whether any remedial step will be taken in this regard;

c) whether it will create obstacle to the natural flow of any river or canal;

d) whether it will create waterlogging in the surrounding floodplains;

e) whether it will completely exhaust any waterbody nearby;

f) whether it contravenes any existing water user right;

g) whether it will pollute surface water in the vicinity;

h) whether it will increase salinity in any coastal or similar reservoir or place;

e) whether the water storage process has association and participation of the people; and

f) Other matters, as specified by the Director General time to time.

2) Notwithstanding the provisions of sub-rule (1), the Executive Committee or officials authorized by it may impose restrictions by protection order to control the water storage activities.

37. Procedure of declaring Flood Control Area: ---- 1) For fulfilling the objectives of Section 25, the Director General can declare, with the approval of the Executive Committee, any wetland as flood control area following the provisions of these Rules.

2) To fulfil the objectives of sub-rule (1), the Director General will, basing on scientific analysis of flood water flow, determine the boundaries of flood control areas by undertaking necessary survey and identification of low-lying catchment areas of river, canals, and as recorded in Cadastral survey (CS) or Revisional Survey (RS) or City Survey reports, publish the same in the Government Gazette.

3) No person can undertake construction of permanent installation, without prior permission of the Director General, in areas where flood water flows.

4) On behalf of the Executive Committee, The Director General, for the protection of flood control areas, will provide necessary information with probable conditions derived by proper investigation, survey and technical examination to the Executive Committee for approval and may declare any activities creating obstacles to flood water flow or changing water course of a reservoir as illegal or impose restrictions on such activities.

5) On behalf of the Executive Committee, the Director General, by special order for the protection of flood control area, subject to the provisions of sub-rule (6), may declare any activity creating obstacles of flood water flow in the specific area or changing water course of a reservoir as illegal, or may impose conditions on the same.

6) For declaring any activity illegal or imposing conditions on it as mentioned in sub-rule (5), the Director General, on behalf of the Executive Committee, will complete the survey and technical investigation speedily to receive the approval of the President of the Executive Committee, and will place the same to the subsequent meeting of the Executive Committee for retrospective approval.

7) Subject to the provisions of sub-rule (5), the Water Resources Planning Organization may impose conditions in Form 18 and Form 19.

Twelfth chapter
Protection Order

38. Procedure to issue Protection Order: --- To fulfil the objectives of Section 27, the Executive Committee may issue Protection Order in Form No 9.1 to any person or appropriate authority in the following matters, such as: ----

- a) Ensuring safe withdrawal from the groundwater aquifer;
 - b) Obstructing violation of any condition of Compliance Order or Removal Order or Clearance Certificate;
 - c) Obstructing violation of the provisions of the Act or these Rules.
- 2) The Executive Committee will clearly mention in the Protection Order about activities that can or cannot be done and inform the same to all concerned.
- 3) The Protection Order can be issued, individually or through the Water Resources Planning Organization, to the chief executive or administrative head of the concerned organization or establishment, whichever is appropriate, or to the concerned person or may be sent by registered post to the address where he/she resides or conducts business or makes a livelihood.

39. Hearing before issuing of Protection Order: ---- 1) Before issuing Protection Order by the Executive Committee, the appropriate authority or the public should be given reasonable opportunity for hearing.

2) For conducting hearing under sub-section (1), the Director General, on behalf of the Executive Committee, may constitute a committee comprising of himself/herself or one or more than one officials of the Water Resources Planning Organization.

3) The aforesaid hearing will be held at the date, time and place specified by the Director General on behalf of the Executive Committee.

4) The Director General, on behalf of the Executive Committee, will issue hearing notice, mentioning reasons in it, in Form-9 to the concerned person or appropriate authority.

5) In the hearing held under these Rules, the participants can submit their opinions verbally or in written, or by both, and in case of verbal submission, the Director General, on behalf of the Executive Committee, will note down or arrange for noting down such statements or opinions or the summary of the same as much as possible.

6) The Director General, on behalf of the Executive Committee, will verify, classify and examine the opinions or statements submitted by the concerned person, appropriate authority or the public, and if such opinions or statements are deemed unsatisfactory, the Director

General, on behalf of the Executive Committee may decide to issue Protection Order on behalf of, and with the knowledge of the Executive Committee.

40. Publication regarding Protection Order: ---- 1) The Water Resources Planning Organization can take steps to widely publish the contents of the Protection Order by Public Notification with the help of print and electronic media.

2) The Public Notification under sub-rule (1) will have to be published at least in one widely-circulated Bengali and one national English newspaper, and, as the case may be, through the national radio and television or one private radio or television channel, or through both the channels.

3) The Public Notification under sub-rule (1) may be circulated in the form of circular, caption, scroll or, as the case may be, by voice message.

4) The Public Notification will contain among others the following information and descriptions, such as: ----

a) Detail description along with name and address of the person or authority violating the provisions or conditions;

b) Description of the violated provisions or conditions;

c) Precise directives regarding the activities, which may or may not be undertaken; and

d) The time limit till when the activities, mentioned in clause (d), may be continued or have to be discontinued.

41. Control of Water Pollution: ---- 1) To fulfil the objectives of Section 28, the Water Resources Planning Organization may collect information regarding control of water pollution from the Environmental Department and any other reliable source.

2) The Water Resources Planning Organization will present the collected information regarding water pollution and its control after analyzing the same to the Executive Committee from time to time.

Thirteenth Chapter

Procedure to impose fine for violating Compliance or Protection Order

42. Procedure to enquire complaints: --- 1) In case a complaint is lodged against a person under sub-section (1) of Section 29, the Executive Committee or official authorized by it will engage one Enquiry Officer, or as the case may be, constitute an Enquiry Committee to enquire the compliant under sub-rule (3), or as the case may be under sub-rule (4), and send a written show-cause notice to the accused person.

2) The accused person can submit his/her reply in self-defense within 15 (fifteen) days after issuance of the show-cause notice under sub-rule (1):

Provided that if the accused person, before expiry of the time limit, apply for more time, the Executive Committee or official authorized by it may extend the time period for submission of written reply for another 7 (seven) days.

3) If the accused person submit his/her written reply in self-defense within the time, specified by sub-rule (2), then the Executive Committee or official authorized by it, will consider the said reply along with witnesses and evidences related to the matter of complaints, and after such consideration, if the Executive Committee or official authorized by it opine as follows:

a) that enough grounds do not exist to further proceed against the accused, then they will withdraw the said charges and, in this way, resolve the matter;

b) that there are enough grounds to proceed against the accused person, then they will appoint an official or constitute a committee with several such officials for enquiring the charges.

4) In case the accused person does not submit written reply in self-defense within the timeframe mentioned under sub-rule (2), the Executive Committee or official authorized by it will appoint an Enquiry Officer or constitute an Enquiry Committee with several such officials within 15 (fifteen) days of the time limit to submit the reply.

5) If an Enquiry Committee is constituted under sub-rule (3), or as the case may be under sub-rule (4), all the provisions of these Rules related to Enquiry Officials will be applicable to the Enquiry Committee as well.

6) In case of absence of any member of the Enquiry Committee, constituted under sub-rule (3) or, as the case may be, sub-rule (4), the activities of the Committee and decisions taken by it will not be invalid, and no question can be raised regarding the matter.

7) The Enquiry Official will hold regular hearing in the concerned matter and will not adjourn it without noting down the causes.

8) Oral evidences will be recorded about the charges that the accused person does not admit, and all related and important documentary evidences on such charges will be considered.

9) The accused person may cross-examine his/her opponent(s), may testify personally and may present any witness in self-defense.

10) If the accused person wants to submit written statement in self-defense or oral statement by appearing in person, he/she will be given such opportunity, and such submission will be recorded in the proceedings.

11) The submission of the accused person and all the documents in support of his/her reply will be duly signed by the accused.

12) The Enquiry Officer may, by reasons recorded, can reject a witness or deny summoning or accepting a testimony.

13) The Executive Committee, or official authorized by it, will appoint a Presenting Officer for presenting before the Enquiry officer matters in support of the complaint.

14) If the Enquiry Officer is satisfied to the extent that the accused person is obstructing or trying to obstruct in the enquiry proceedings, then he/she will warn the accused person in written; and even after that, in case the Officer finds that the accused person is continuing such activities disregarding the warning, then he/she will record his/her decision in this regard and will conclude the said enquiry in the way he/she feels best for fair play.

15) In case the Enquiry Officer is satisfied to the extent that the attitude of the accused person is offensive towards the authority of the Enquiry Officer(s), then he/she will record all incidents and matters related to it and inform the same to the Executive Committee or the official authorized by it. Then the Executive Committee, or the official authorized by it, may initiate separate proceedings, as deemed appropriate, against that person.

16) Within 10 (ten) days after completion of the enquiry, the Enquiry Officer will submit the enquiry results and, in appropriate cases, will submit an enquiry report, mentioning the amount of monetary loss, to the Executive Committee or official authorized by it.

17) The Enquiry Officer, after reviewing the submissions of the witnesses, the exhibit documents and submission of the accused in self-defense, will give his/her opinions on all the charges with mention of the accused person as guilty or not.

18) If it is apparent to the Executive Committee, or official authorized by it, by reviewing the Enquiry Report under sub-rule (17) that-----

a) this complaint has been lodged for the first time against the accused person, and the accused is willing to pay fine if the charges are proved against him/her, then the Executive Committee, or official authorized by it, will resolve the matter by following the procedure mentioned in these Rules;

b) this complaint has been lodged for the first time against the accused, but the accused is not willing to pay fine after the charges are proved, then the Executive Committee, or official authorized by it, will instruct the concerned authorized officer to file a complaint in written according to the criminal procedure and in such case the provisions of Section 33 will be applicable.

43. Procedure to impose fine for violating Compliance or Protection Order: ---- 1) If it is evident from enquiry, held under Rule 42, that a person has for the first time violated or disregarded the Compliance Order or Protection Order issued by the Executive Committee, or any official authorized by it, then the Executive Committee or official authorized by it will----

a) prepare charge-sheet on the basis of information received from the Enquiry Report, and mention the matter of proposed fine in it, and inform the concerned person the description of the charges based on which the complaint is made, and any other matter that the Executive Committee or its authorized officer want to consider while issuing order;

b) supply the accused person copy of the charge-sheet and statement of complaints;

c) The accused person will have to submit, within 15 (fifteen) working days of receiving the charge-sheet, written submission on self-defense and will show cause why the proposed fine will not be imposed on him/her, and also mention whether he/she propose for personal hearing:

Provided that if the accused person applies for extension of time, before expiration of the aforesaid time limit, then the Executive Committee, or official authorized by it, may allow him/her 10 (ten) days more time to submit written reply.

2) In case the accused person submits his/her reply in self-defense within the timeframe mentioned in clause (c) of sub-rule (1), the Executive Committee, or official authorized by it, will consider the said reply along with evidences about other matters related to the charge, and after such consideration, if the Executive Committee, or official authorized by it, bear the opinion that----

a) Not enough grounds exist for the proceedings initiate against the accused, then they will withdraw the said charges and resolve the matter accordingly;

b) enough grounds exist for initiating proceedings against the person, then the Executive Committee, or official authorized by it, will accept the decision, with reasons noted in it, to impose fine on the accused person, and instruct the accused person in written, according to accepted decision, to deposit the imposed fine in the Government Treasury, by treasury challan, and submit the main copy of the challan within not more than 15 (fifteen) days of receiving the order.

3) After receiving the main copy of the receipt of imposed fine within specified time under clause (b) of sub-rule 2, the Executive Committee, or official authorized by it, will record the matter of receiving the fine and resolve the matter by writing off the charges lodged against him/her for the first time.

4) If the concerned person fails to submit the imposed fine within the timeframe, mentioned in sub-rule (2), the same will be recoverable from him/her as Government debt under Public Demands Recovery Act 1913 (Act III of 1913).

5) The Enquiry proceedings under these Rules will contain records of enough evidences, and in case an Enquiry Officer or Enquiry Committee is appointed, then the report of the said officer or committee will comprise of reasonable causes.

6) The enquiry proceedings under these Rules will be regarded as confidential.

44. Limit of Fine Imposed: --- If any person violates or defies any Compliance Order of Protection Order issued by Executive Committee, or official authorized by it, under this Act, then the Executive Committee, or official authorized by it, may impose fine on the person twice the amount of loss incurred due to the violation or defiance or 50 (fifty) lakh Takas, whichever is less.

Fourteenth Chapter

Miscellaneous

45. Appeal: --- 1) If any application is denied or project clearance certificate or permit or NOC is rejected, the aggrieved person may appeal to the following appeal authority within 30 (thirty) days of receiving the denial or rejection order, such as: ---

Serial no.	Type of appeal	Appeal authority
1	Against order of the Union Committee	Upazila Committee
2	Against order of Upazila Committee	District Committee
3	Against order of District Committee	Water Resources Planning Organization
4	Against Water Resources Planning Organization	Executive Committee

2) The appeal authority will, following procedures determined by it and within not more than 60 (sixty) days, resolve the appeal and preserve the necessary register in this regard.

3) The decision of the appeal authority will be final, and the project clearance certificate issuing authority will take necessary steps regarding the appeal.

46. Coordination and cooperation with other organizations: --- 1) The Director General, in the form and procedure as deemed appropriate, may coordinate and cooperate with project clearance certificate issuing authority or any other government or non-government organization for the following purposes, such as: ---

a) ensuring the effectiveness and compliance of the Act and the Rules formulated under it, and undertake other necessary activities; and

b) take steps to monitor and supervise project activities.

2) To fulfill the objectives of sub-rule (1), the Director General, or any person authorized for this purpose, may examine all bounded or unbounded documents of any government or non-government organization.

3) The Committee will decide the proceedings of its meetings.

4) The Committee will recommend to the Government, from time to time, for determining, along with fees under sub-rule (1), other fees and service charges related to water resources and updating.

5) The applicant will pay the fee, as mentioned in sub-rule (1), by pay-order or bank draft in the bank specified by the Director General, or by digitally.

6) The Water Resources Planning Organization, for the sake of good governance, may introduce digital method for paying fees and for similar other purposes, as deemed appropriate, to ensure transparency, accountability and discipline.

48. Procedure to collect fees: --- 1) To fulfil the objectives of Section 43, the concerned person will be responsible for paying the imposed fine or estimated cost or arrears or dues, imposed by the Water Resources Planning Organization, under this Act.

2) The removal cost may be collected by pay order or bank draft of any scheduled bank or digitally estimated in favour of the Water Resources Planning Organization by allotted or specified code, as mentioned in sub-rule (1).

3) For paying the estimated removal cost, the concerned person will pay it within the specified timeframe and send the copy of the pay order or bank draft to the concerned officer of the Water Resources Planning Organization.

4) The Water Resources Planning Organization may request any bank to freeze the bank account of the concerned person, organization or authority until the realization of the dues.

5) The imposed fine by the Water Resources Planning Organization or arrear dues under this Act will be recoverable as government debts under the Public Demands Recovery Act 1913 (Act III of 1913).

49. Considering the Records as Public Documents: --- 1) All the documents, reports, database and registers, prepared, supplied, preserved and maintained under these Rules, will be regarded as public documents as defined in the Evidence Act 1872 (Act I of 1872).

2) The project clearance certificate issuing authority will destroy all public documents, subject to their preservation till the specified time period and its directives, except the register mentioned in the sub-rule (1).

50. Preservation of register or registration book by the project clearance certificate issuing authority: --- 1) The project clearance certificate issuing authority, for clearance certificated issued in Form 10 following the procedure mentioned of these Rules, will maintain a registration book to preserve all information submitted in the applications made for project clearance.

2) The project clearance certificate issuing authority, apart from the registration book mentioned in sub-rule (1), may preserve registration books for conserving information or descriptions in the following matters, such as: ---

- a) Technical Committee (Technical Committee Registration Book);
- b) Inspectors (Inspector's Registration Book);
- c) Technical Reports (Technical Reports Registration Book);
- d) Enquiry Reports (Enquiry Report Registration Book);
- e) Observation and Evaluation Reports (Observation and Evaluation Registration Book);
- f) Public Notification (Public Notification Registration Book);
- g) Other Registration Books, if necessary.

3) The project clearance certificate issuing authority will preserve the registration books, mentioned in sub-rule (2), in the method as deemed appropriate.

4) The project clearance certificate issuing authority can rectify any mistake in the registration books, if it is evident to it that the mistake is done by a clerk or has been an unintentional mistake of any employee.

5) Notwithstanding the provisions of sub-rule (2) of Rule 51, the project clearance certificate issuing authority will conserve the registers or registration books preserved under these Rules and will never destroy those.

51. Authority to issue certified copy of project clearance certificate: --- 1) For obtaining certified copy of NOC or project clearance certificate issued under these Rules, application has to be made in Form 11 to the project clearance certificate issuing authority with necessary papers and descriptions, subject to payment of fee specified by the Director General.

2) The project clearance certificate issuing authority, or any official authorized by it for this purpose, will arrange to provide a copy of the project clearance certificate in the project clearance certificate issuing form.

3) The official, authorized for this purpose by the project clearance certificate issuing authority, will certify the principal copy, as zabeda copy, according to the provisions of section 72 of the Evidence Act 1872 (Act I of 1872) under sub-rule (2), with sign and seal and provide the same to the applicant within the timeframe specified by the Director General.

52. Establishing Database for Water Resources and Information Received: --- 1) After promulgation of these Rules, the NOC or the project clearance certificate issuing authority, to fulfill the objectives of this Act or rules formulated under it, will establish a reliable computerized database on water resources and preserve the same.

2) To fulfil the objectives of these Rules, the NOC or the project clearance certificate issuing authority, subject to sanction of the Government, may establish connection with various government or non-government organizations so that it can use or access the said organization's database or information regarding water resources.

3) For obtaining any data or information from the project clearance certificate issuing authority, one has to apply in Form 12, after paying the fee as specified for copy of the data or information.

4) To fulfil the objectives of Section 44, the project clearance certificate issuing authority, or official authorized by it for this purpose, subject to the provisions of Right to Information Act 2009 (Act no. 20 of 2009), will provide a copy of information applied for in an information table in Form 3, following the specified procedure and timeframe.

Schedule

Form-1
(Sample)
[Note: Rule 8 (3)]

Government of the People’s Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Memo No

Date

To

.....

(Name and Address of rule or condition-violating person or authority)

Notice Prior to Issuing Compliance Order

As it has been evident to the undersigned, on the basis of the results of appropriate enquiry, scrutiny or survey, that you or your institution or organization is not complying or obeying and violating or ignoring the following one or more than one rules of Bangladesh Water Act, 2013/ conditions of the protection order or clearance certificate, namely:

(A) Description of the violated rules or conditions (Sections 18, 19, 20, 21, 22, 24, 26, etc. or conditions of protection order or clearance certificate):
.....

(B) Any other matter or information determined by the Executive Committee or by its authorized official (if any):

Hence, to fulfill the objectives of the sub-section (2) of section 12 of Bangladesh Water Act 2013, if you have anything to say or to make any statement on why compliance-order will not be served to you, you are requested to send the same in written or appear in person before the undersigned to deliver your verbal statement within next date on.....

(Signature of authorized official)
And
Seal

Government of the People’s Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Order No.....

Date

To

.....

(Name and Address of rule or condition-violating person or authority)

Compliance Order

As it has been noticed by the undersigned(Executive Committee or authorized official), on the basis of the results of appropriate enquiry, scrutiny or survey, that you or your institution or organization is not complying or obeying and violating or attempting to violate the following rules of Bangladesh Water Act, 2013;

And as you have been given an opportunity of being reasonably heard and considered the views you placed during such hearing (If any views have been placed in that case);

And as it has been proved, considering the above-mentioned matters, that you or your institution or organization is not complying/obeying the following rules of Bangladesh Water Act, 2013 or violating or attempting to violate that rules;

Hence, with the power conferred by section 12 of Bangladesh Water Act, 2013, can be read as issuing the following compliance order:

(A) Violated rules or conditions (Sections 18, 19, 20, 21, 22, 24, 26 of Act etc. or conditions of protection order or clearance certificate or no objection certificate):

.....

(B) Detailed description of violated rules or conditions.....

(C) Time-limit for compliance.....

(D) Any other matter or information determined by Executive Committee or an authorized official.....

(Signature of authorized official)
And seal

Government of the People's Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Memo No

Date

To

.....

(Name and Address of rule or condition-violating person or authority)

Notice for Hearing Prior to Issue Removal Order

As it has been evident to the undersigned, on the basis of the results of appropriate enquiry, scrutiny or survey, that you or your institution or organization have constructed following structure or carrying land filling activities on water resources or have taken initiative to do such activities which either have created or will create impediments in the normal water course, on the other hand either have changed or will change the direction of such water course, namely:

(A) Description regarding construction of illegal structure or land filling activities:

(B) Any other matter or information determined by the Executive Committee or by its authorized official (if any):

Hence, to fulfill the objectives of the sub-section (2) of section 13 of Bangladesh Water Act 2013, if you have anything to say or to make any statement on why removal-order will not be served to you, you are requested to send the same in written or appear in person before the undersigned to deliver your verbal statement within next date on.....

(Signature of authorized official)

And

Seal

Government of the People's Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Order No

Date

Removal Order

As it has been evident to the undersigned, on the basis of the results of appropriate enquiry, scrutiny or survey, that you or your institution or organization have constructed structure or carried on land filling activities on water resources, violating the rules of Bangladesh Water Act 2013, as a result of which there will create or have created impediments in the normal water course/will change or have already changed the direction of normal flow of such water course;

And as you have been given an opportunity of being reasonably heard and your views, you placed, have been considered during such hearing (If any views have been placed in that case);

And as it has been proved, considering the above-mentioned matters, that you or your institution or organization have constructed following structure or carried on land filling activities on water resources, violating the rules of Bangladesh Water Act 2013, as a result of which there will create or have created impediments in the normal flow of water course/will change or have already changed the direction of normal flow of such water course;

Hence, with the power conferred by section 13 of Bangladesh Water Act, 2013, can be read as issuing the following Removal Order:

- (A) Detailed description with name and address of person or appropriate authority constructing structure or carrying land filling activities.....
- (B) Place of illegal structure or land filling or harmful hydraulic Infrastructure (where applicable):
District....., Upazila....., Union....., Mouza.....
- (C) Description regarding illegal structure or land filling or harmful hydraulic infrastructure (where applicable):
- (D) Time-limit for Removal:
- (E) Any other necessary matter or information determined by the Executive Committee or authorized official:
- (F) Bearing the cost of removal by concerned person or appropriate authority.....

(Signature of authorized official)
And Seal

To.....

(Name and Address of rule or condition-violating person or authority)

Application for Clearance Certificate
(Flood control or management Project)

To
Executive Committee,
National Water Resources Council Project
Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and logicity of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project in base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) Issues and challenges or problems
- (3) Discourse with the stakeholders during drawing up the project
- (4) Analysis of the options to fulfill the purpose
- (5) Design (If necessary)
- (6) Environmental and social impact
- (7) Recommendation for options
- (8) Economic and financial Analysis

C. Compliance of Documents:

- (1) National Water Act
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (as, Policy for coastal region, Agricultural Policy etc. if applicable)

D. Administrative:

- (1) No objection certificate (NOC) of local Authority (where applicable)
- (2) No of Challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant and seal

Application for Project Clearance Certificate

(Project or Part of Project regarding Extraction, Distribution or Use of Surface Water)

To

Executive Committee

National Water Resources Council

Through: Director General, Water Resources Planning Organization / District Magistrate /

Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant:

A. General Information:

- (1) Title of the project
- (2) Past history and logicality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project in base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) Issues and challenges or Problems
- (3) Analysis of use of GW and NW (Availability of water with amount and quality, in case of ground-water use)
- (4) Discourse with the stakeholders during drawing up the Project
- (5) Analysis of the options
- (6) Design (If necessary)
- (7) Environmental and social impact
- (8) Recommendation for options
- (9) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (as, Policy for coastal region, Agricultural Policy etc. if applicable)

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Form-3.3
(Sample)
[Note: Rule 20(1) (C)]

**Application for Project Clearance Certificate
(Irrigation Project by Surface Water)**

To
Executive Committee
National Water Resources Council
Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant:
 - A. General Information:**
 - (1) Title of the project
 - (2) Past history and logicity of the project

- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project in base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) Issues and challenges or Problems
- (3) Analysis of availability of water (GW and NW with amount and quality)
- (4) Discourse with the stakeholders during drawing up the Project
- (5) Analysis of the options
- (6) Recommendation for options
- (7) Environmental and social impact
- (8) Design (If necessary)
- (9) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (As, Policy for coastal region, Agricultural Policy etc. if Applicable)

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Application for Clearance Certificate
(Hydraulic Infrastructure Construction Project)

To
Executive Committee
National Water Resources Council
Through: Director General, Water Resources Planning Organization/District Magistrate/Upazila
Executive Officer/Chairman, Union Parishad.

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant:

A. General Information:

- (1) Title of the project
- (2) Past history and logicality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project in base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) Issues and challenges or Problems
- (3) Discourse with the stakeholders during drawing up the Project
- (4) Analysis of the options
- (5) Design (If necessary)
- (6) Environmental and social impact
- (7) Recommendation
- (8) Mitigation planning (If any)
- (9) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (such as, Policy for coastal region, Agricultural Policy etc. if Applicable.)

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by Government
(If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Application for Clearance Certificate
(Surface Water Conservation Project)

To
Executive Committee
National Water Resources Council
Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant:

A. General Information:

- (1) Title of the project
- (2) Past history and logicity of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project in base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) Issues and challenges or Problems
- (3) Discourse with the stakeholders during drawing up the Project
- (4) Analysis of the options
- (5) Design (If necessary)
- (6) Environmental and social impact
- (7) Recommendation
- (8) Mitigation planning (If any)
- (9) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five year Plan(SFYP) or Sustaining Development Goal (SDG)
- (4) Others (As, Policy for coastal region, Agricultural Policy etc. if Applicable)

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Application for Clearance Certificate
(Floodplain or Wetland Development Project)

To
Executive Committee
National Water Resources Council
Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and logicity of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project in base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related information or situation review
- (2) Land-use map (Approved, as *RAJUK, etc.)
- (3) Land-use plan or planning
- (4) Impact on areas inundated by floodwater
- (5) Environmental and social impact.

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (As, Policy for coastal region, Agricultural Policy etc. if applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant

*Rajuk—Rajdhani Unnayan Kartipakha

Seal

Application for Clearance Certificate
(Project for Use of Surface-Water in Industry)

To
Executive Committee,
National Water Resources Council.

Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and logicity of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project
In base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information
- (2) Availability of water (Ground water or surface water)
- (3) Purpose of use (Ground water or surface water)
- (4) Use of ground water (Amount and quality, if used)
- (5) Environmental and social impact
- (6) Mitigation planning

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by
Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant

Application for Clearance Certificate
(Conservation of Embankment or River Control Project)

To
Executive Committee
National Water Resources Council

Through: Director General, Water Resources Planning Organization / District Magistrate /Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and logicality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project In base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) River morphology
- (3) River hydrology
- (4) Discourse with the stakeholders during drawing up project
- (5) Analysis of the options
- (6) Design (If necessary)
- (7) Environmental and social impact
- (8) Recommendation of option
- (9) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan
- (4) Others (As, Policy for coastal region, if applicable.)

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) Challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Application for Clearance Certificate
(River Excavation or Dredging Project)

To
Executive Committee
National Water Resources Council
Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and rationality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project
In base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline related Information or situation review
- (2) Status of River morphology and River hydrology
- (3) Discourse with the stakeholders during drawing up project
- (4) Planning for dredging
- (5) Environmental and social impact
- (6) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (As, Policy for coastal region, Agricultural Policy etc. if applicable)

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by
Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And Seal

Application for Clearance Certificate
(Canal Excavation or Re-excavation Project)

To
Executive Committee,
National Water Resources Council

Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad.

I or We, the undersigned, is or are willing to undertake and materialize a project
entitled..... and is/are applying, attaching necessary papers and description,
requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant:

A. General Information:

- (1) Title of the project
- (2) Past history and logicality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project
In base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline Information or situation review
- (2) Issues and challenges or problems
- (3) Availability of water or Drainage Analysis
- (4) Discourse with the stakeholders during drawing up project
- (5) Analysis of the options
- (6) Environmental and social impact
- (7) Recommended options
- (8) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources
Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)
- (4) Others (As, Policy for coastal region, Agricultural Policy etc. if
Applicable).

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (where applicable)
- (2) No of challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Application for Clearance Certificate
(Project for Surface Water Pisciculture Development)

To
Executive Committee,
National Water Resources Council

Through: Director General, Water Resources Planning Organization / District Magistrate /Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and logicality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project
In base-map of police station with GEO code)

B. Technical Information:

- (1) Baseline Information or situation review
- (2) Issues and challenges or problems
- (3) Availability of water
- (4) Discussion with the stakeholders
- (5) Analysis of the options
- (6) Environmental and social impact
- (7) Recommended options
- (8) Economic and financial Analysis

N.B: Guideline made by TC and recommended by EC

C. Compliance of Documents:

- (1) National Water Policy
- (2) National Water Management Planning or National Water Resources Planning
- (3) Seventh Five-year Plan (SFYP) or Sustaining Development Goal (SDG)

(4) Others (As, Policy for coastal region, Agricultural Policy etc. if applicable)

D. Administrative:

(1) No objection certificate (NOC) from local Authority (where applicable)

(2) No of challan or Bank Draft or Pay-Order at the rate approved by Government (If applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Application for NOC for the Part of Projects related to Extraction/Use/Distribution
of Ground Water
(Three sets to be submitted)

To
Executive Committee
National Water Resources Council

Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer/Chairman, Union Parishad

I or We, the undersigned, is or are willing to undertake and materialize a project entitled..... and is/are applying, attaching necessary papers and description, requesting to issue clearance certificate for the project.

1. Full Name and Address of applicant

A. General Information:

- (1) Title of the project
- (2) Past history and logicality of the project
- (3) Target of the project
- (4) Purpose of the project
- (5) Location of the project: Union, Upazila, District (Boundary of project
In base-map of police station with GEO code)

B. Technical Information:

- (1) Target of water extraction (Cusec)
- (2) Capacity of the motor used (Horse-power)
- (3) Depth of tube-well (Feet)
- (4) Diameter of pipes used in tube-well (Inch)
- (5) Amount of extracted water daily (Cubic-meter/day)
- (6) Description of the place for waist or ejected water
- (7) Description of the nearest tube-well (Site, Category, Distance, HP)
- (8) Description of the availability of nearest surface water

N.B: Guideline made by TC and recommended by EC

**C. Information Related to Compliance of Documents
(In case of deep tube-well)**

- (1) Whether National Water Policy have been followed or not
- (2) Whether consistent with the National Water Resources
Planning or not
- (3) Whether consistent with the purpose of the ongoing five-year
Planning or not

- (4) Whether supportive to attain the target of sustainable development
- (5) Whether applicant is a violator of the conditions of compliance Order, removal order and protection order.

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (Where applicable)
- (2) Description of re-payment of the price for water (Where applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Undertaking

(Applicable in case of NOC and Project Clearance-certificate)

(In the paper with appropriate stamps)

I,(In case of person or appropriate authority, Chief Executive or Administrative Chief of an Institution or Organization, by whatever name he/she may be called), do hereby undertake, declare and swear that,

1. I or We or Company or Institution is/are owner of the courtyard or building of
..... (description of land by plot or by boundary).
2. I or We is/are willing to use the water resources (ground or surface), subject to prohibitions imposed by Act and rules-regulations and by conditions of clearance certificate, for drinking or household or commercial purposes.
3. I or We, do hereby undertake that we are aware of National Water Resources Planning and Act and rules-regulations related water resources, shall be bound to comply with the orders or directions given by Executive Committee and rule of the rules made by them and conditions of clearance-certificate.
4. If any direction is given by Executive Committee or any person authorized by it, I or we shall be bound to comply with that otherwise shall be liable legally.
5. I or we shall provide all out support to inspectors for inspection and monitoring for the used water resources against clearance certificate.
6. I or we, for violation, contravention or non-compliance of orders or directions given by Executive Committee or person authorized by it, shall be liable legally.

Justification or Verification

Today, on At is hereby attesting that all matters described in this undertaking is true and correct to my or our belief and knowledge.

Witness:

Signature of the person giving undertaking

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green Road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Flood Control Management Project)

Directed by the Executive Committee on the perspective of your application, the Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely: --

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green Road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project or part of the project regarding extraction,
distribution or use of surface water)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for surface water irrigation)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2 (two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from its expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for hydraulic infrastructure construction)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30 (thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive In-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for development of floodplain or Wetland)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for water conservation)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from its expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for use of surface water in industry)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from its expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Protection of embankment or river control project)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Form-5.9

(Sample)

[Note: Rule 23(4) (I)]

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for river excavation or dredging)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge

And

Seal

Form-5.10

(Sample)

[Note: Rule 23(4) (J)]

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for canal excavation or re-excavation)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely:--

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge

And

Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

Project Clearance-certificate
(Project for pisciculture development in surface water)

Directed by the Executive Committee on the perspective of your application, Project Clearance-certificate is being issued to you by the undersigned on the following conditions, Namely: --

Conditions:

- (A) Tenure of clearance-certificate shall be 2(two) years from the date of its issue.
- (B) Clearance-certificate shall have to be renewed before 30(thirty) days from its expiry date.
- (C) Project clearance-certificate shall be considered as cancelled if any condition or Act or any rule of the rules made under this Act is being violated.
- (D) Clearance-certificate shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

Clearance-certificate No:

Date

To

.....

(Name and address of clearance-certificate
Holder)

No Objection Certificate for Project
(Project or part of related projects for extraction,
distribution or use of surface water)

Directed by the Executive Committee on the perspective of your application, no objection certificate is being issued to you by the undersigned on the following conditions:

Conditions:

- (A) Tenure of no objection certificate shall be 2(two) years from the date of its issue.
- (B) No objection certificate shall have to be renewed before 30(thirty) days from it's expiry date.
- (C) No objection certificate shall be considered as cancelled if any condition of it or Act or any rule of the rules made under this Act is being violated.
- (D) NOC shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition of NOC or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

No:

Date

To

.....

(Name and address of applicant)

Application Rejection Order

Directed by the Executive Committee on the perspective of your application, it is to inform you by the undersigned that on the following reasons your application submitted for clearance certificate has been rejected, namely: --

Reasons for rejection:

(A)

(B)

(C)

(D)

2. Appeal may be made under rule 46 against this order within 30 (thirty) days from the date of receiving this order.

Signature and Seal

Application for NOC for Installation of Tube-Well
(Deep/Shallow)

To
Executive Committee
National Water Resources Council

Through: Director General, Water Resources Planning Organization / District Magistrate /
Upazila Executive Officer

I or We, the undersigned, is or are applying, attaching necessary papers and description, with the request to issue NOC for installation of tube-well for the purpose of extraction/use/distribution of water acquiring in suction method/force mode from ground aquifer.

1. Full Name and Address of applicant:
 - A. General Information:**
 - (1) Title of installation of new deep or shallow tube-well
 - (2) Target and purpose of extraction of ground water
 - (3) Location of tube-well: Union, Upazila, District (Location of tube-well in base map of police station with GEO code)
 - B. Technical Information:**
 - (1) Target of water extraction (Cusec)
 - (2) Water extraction method
 - (3) Capacity of the motor used (Horsepower)
 - (4) Depth of tube-well (Feet)
 - (5) Diameter of pipes used in tube-well (Inch)
 - (6) Amount of extracted water daily (Cubic-meter/day)
 - (7) Description of the source of water
 - (8) Description of the place for waist or ejected water
 - (9) Description of the nearest tube-well (Site, Category, Distance, HP)
 - C. Information Related to Compliance of Documents**
(In case of deep tube-well)
 - (1) Whether National Water Policy have been followed or not
 - (2) Whether consistent with the National Water Resources Planning or not
 - (3) Whether consistent with the purpose of the ongoing Five-year Plan or not

- (4) Whether supportive to attain the target of sustainable development
- (5) Whether applicant is a violator of the conditions of compliance Order, removal order and protection order.

D. Administrative:

- (1) No objection certificate (NOC) from local Authority (Where applicable)
- (2) Description of re-payment of the price for water (Where applicable)

I or we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

No Objection Certificate No:

Date

To

.....
(Name and address of NOC Holder)

No Objection Certificate for Tube-well
(From not more than 0.5 cusec up to 1 cusec)

Directed by the Executive Committee on the perspective of your application, no objection certificate for installation of tube-well with capacity of cusec to extract ground water is being issued to you by the undersigned on the following conditions:

Conditions:

- (A) Tenure of no objection certificate shall be 2(two) years from the date of its issue, provided that in the declared water stress area tenure shall be next 1(one) year from the date of its issue.
- (B) No objection certificate shall have to be renewed before 30(thirty) days from its expiry.
- (C) No objection certificate shall be considered as cancelled if any condition of it or Act or any rule of the rules made under this Act is being violated.
- (D) NOC shall not be transferable without prior approval.
- (E) The above-said tube-well shall not exceed the safe yield level or safe extraction limit of groundwater.
- (F) The above-said pump shall not create any adverse impact on environment
- (G) Description of the permissible use of water resources.
- (H) Prohibitions for pollution of water resources.
- (G) If any condition of NOC or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

No Objection Certificate No:

Date

To

.....
(Name and address of NOC Holder)

No Objection Certificate for Tube-well
(From not more than 1 cusec up to 3 cusec)

Directed by the Executive Committee on the perspective of your application, no objection certificate for installation of tube-well with capacity of cusec to extract ground water is being issued to you by the undersigned on the following conditions:

Conditions:

- (A) Tenure of no objection certificate shall be 2(two) years from the date of its issuance, provided that in the declared water stress area tenure shall be next 1(one) year from the date of its issuance.
- (B) No objection certificate shall have to be renewed before 30(thirty) days from its expiry.
- (C) No objection certificate shall be considered as cancelled if any condition of it or Act or any rule of the rules made under this Act is being violated.
- (D) NOC shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition of NOC or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

No Objection Certificate No:

Date

To

.....
(Name and address of NOC Holder)

No Objection Certificate for Tube-well
(For the purpose of small and medium industry)

Directed by the Executive Committee on the perspective of your application, no objection certificate for installation of tube-well with capacity of cusec to extract ground water by suction method for the purpose of small and medium industry is being issued to you by the undersigned on the following conditions:

Conditions:

- (A) Tenure of no objection certificate shall be 2(two) years from the date of its issue.
- (B) No objection certificate shall have to be renewed before 30(thirty) days from it's expiry.
- (C) No objection certificate shall be considered as cancelled if any condition of it or Act or any rule of the rules made under this Act is being violated.
- (D) NOC shall not be transferable without prior approval.
- (E) Description of the permissible use of water resources.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition of NOC or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

No Objection Certificate No:

Date

To

.....

(Name and address of NOC Holder)

No Objection Certificate for Tube-well
(Deep)

Directed by the Executive Committee on the perspective of your application, no objection certificate for installation of deep tube-well to extract ground water in force mode from ground aquifer for the purpose of..... is being issued to you by the undersigned on the following conditions:

Conditions:

- (A) Tenure of no objection certificate shall be 2(two) years from the date of its issue.
- (B) No objection certificate shall have to be renewed before 30(thirty) days from it's expiry.
- (C) No objection certificate shall be considered as cancelled if any condition of it or Act or any rule of the rules made under this Act is being violated.
- (D) NOC shall not be transferable without prior approval.
- (E) Water shall not be used for any purpose except the approved area.
- (F) Prohibitions for pollution of water resources.
- (G) If any condition of NOC or Act or any rule of the rules made under this Act is being violated, in that case monetary penalty and imprisonment shall be imposed and all materials and articles, engaged in unauthorized use of water resources, shall be confiscated.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Form-8
(Sample)
[Note: Rule 31 (6)]

Register for Tube-Well NOC

Serial	Name- Address of applicant	Type of tube-well	Purpose of using water resources	Site of	Tube -well	Method of use	Date of NOC issue	Date of Tenure expiry	Conditions of no objection
				Dist rict	Upaz ila				
1	2	3	4	5	6	7	8	9	10

Government of the People’s Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Memo No

Date

To

.....

(Name and Address of rule or condition-violating person or authority)

Notice Prior to Issue Protection Order

As because it has been noticed that the following rules of the Act have been violated so it is necessary to ensure the safe extraction of water from the ground aquifer.

To fulfill the purpose of sub-section (2) of section 27, you are hereby requested to register your views or statement, if any, on why protection order shall not be served upon you in the office of On at

(A) Violated rules or conditions (section 18, 19, 20, 21, 22, 24, 26 etc. of Act or conditions of protection order or clearance certificate):

.....

(B) Detail description of violated rules or conditions:

.....

(C) Any other matter or information determined by Executive Committee

.....

Signature of authorized official
And
Seal

Government of the People's Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Order No

Date

Protection Order

As it is evident on the basis of the result of enquiry / scrutiny / survey conducted by Technical committee that to fulfill the purpose of Bangladesh Water Act, 2013 (.....)

[Any one or more than one of the following matters should be mentioned as applicable;

- (A) It is urgent necessity to conserve following water sources under section 22/
- (B) It is urgent necessity to ensure the normal flow of following water course Under section 20/
- (C) It is urgent necessity to ensure immaculate management of the following water stress areas under section 17/
- (D) It is urgent necessity to determine the following lowest safe yield level of aquifers under section 19/
- (E) It is urgent necessity to ensure the stability of the following flood control embankments under section 21/
- (F) It is urgent necessity to ensure immaculate management of following water zones under section 23/
- (G) It is urgent necessity to restrict the following water storing activities under section 24/
- (H) It is urgent necessity to ensure immaculate management of following flood control zones under section 25/

And as it has become clear, after the public hearing with the people of concerned area, that it is urgently necessary to take immediate steps about the aforesaid matter;

Hence, the undersigned, with the power bestowed by section 27 of Bangladesh Water Act, 2013, is hereby issuing the protection order to you (person or appropriate authority) to abstain from doing the following activities, namely:

A. Description of the areas under the jurisdiction of protection order:
District....., Upazila....., Union....., Mouza.....

B. Prohibitions:

(1)

(2)

(3)

2. Further it is being mentioned that except adequate reasons it is compulsory to comply the said order and not to comply that order is a penalty incurring and punishable offence.

Signature of authorized official
And
Seal

To
.....
(Name – Address)

Application for Certified Copy

To
Director General
Water Resources Planning Organization...

Sir
I/We, the undersigned, do hereby request you and is/are applying for attested copy or duplicate copy of journal, attaching necessary papers and description, for the following purposes:

- A. **Description:**
 - (a) Full name and address of applicant:
 - (b) Clearance-certificate no and date of issue:
 - (c) Other description, if necessary:
 - (d) No of challan of payable fees or bank draft or pay-order for certified copy or Attested copy or duplicate copy of journal:

- B. **Purpose of obtaining certified copy or attested copy or duplicate copy of journal:**
 - (a)
 - (b)
 - (c)

Signature of applicant

Application for Obtaining Certified Information and Data

To
Director General
Water Resources Planning Organization...

Sir

I/We, the undersigned, do hereby request you and is/are applying for obtaining attested information and data, attaching necessary papers and description, for the following purposes:

A. Description:

- (a) Full name and address of applicant:
- (b) Subject of information and data applied for:
- (c) Other description, if necessary:
- (d) No challan of payable fees or bank draft or pay-order for information and data:

B. Purpose of obtaining information and data:

- (a)
- (b)
- (c)

Signature of applicant

Government of the People's Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

No

Date

To

.....
(Name-Address of applicant)

Information Sketch

Subject of information and data mentioned in application	Supplied information and data

Signature and Seal

Government of the People’s Republic of Bangladesh
Water Resources Planning Organization

Notice of Intention Regarding Inspection

As inspection is necessary and compulsory regarding your institution or project on..... at.....;

Hence, intention notice is being served to you to co-operate, attending by you/ your appropriate representative at the institution or project or place on above-said date and time.

Inspector
Name:
Designation

To.....
.....
.....

Application for Approval
(Approval for blocking normal flow of water course)

To
Executive Committee
National Water Resources Council

Through: Director General, Water Resources Planning Organization

I/we, the undersigned, is/are willing to build construction/lifting sands/filling on the normal flow of water course and applying, attaching necessary papers and description, with the request to issue approval letter in favour of that.

1. Full name and address of applicant:

A. General Information:

- (1) Nature of work (Construction of structure/lifting sands/filling)
- (2) Target, purpose and necessity of the work
- (3) Location of work: Union, Upazila, District (Boundary of work in the base map of police station with GEO code)

B. Technical Information:

- (1) Baseline related information or situation review
- (2) Land-use map (Approved, as RAJUK, etc)
- (3) Land-use plan or planning
- (4) Impact on the normal flow of water course
- (5) Environmental and social impact

I / we declare by swearing that all information and all papers attached herewith are true, correct and free of errors according to my/our knowledge and belief.

Signature of applicant
And
Seal

Government of People's Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green road, Dhaka.

No Objection Certificate No:

Date

To

.....
(Name and address of NOC Holder)

Approval letter
(Approval for blocking normal flow of water course)

Directed by the Executive Committee on the perspective of your application, approval letter for work is being issued to you by the undersigned on the following conditions , namely:

Conditions:

- (A) Tenure of approval letter shall be 2(two) years from the date of its issue.
- (B) Approval letter shall have to be renewed before 30(thirty) days from it's expiry.
- (C) Approval letter for work shall be considered as cancelled if any condition of It or Act or any rule of the rules made under this Act is being violated.
- (D) It shall not be transferable without prior approval.
- (H) Other conditions, if necessary.

Signature of Executive in-charge
And
Seal

Government of People’s Republic of Bangladesh
Ministry of Water Resources
Water resources Planning Organization
72 Green Road, Dhaka.

No:

Date

To

.....
(Name and address of applicant)

Application Rejection Order

Directed by the Executive Committee on the perspective of your application, it is to inform you by the undersigned that on the following reasons your application, submitted for no objection certificate, has been rejected, namely:--

Reasons for rejection:

- (A)
- (B)
- (C)
- (D)

2. Appeal may be made under rule 46 against this order within 30 (thirty) days from the date of receiving this order.

Signature and Seal

Government of the People's Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka

Memo No

Date

To

.....

(Name and Address of rule or condition-violating person or authority)

Notice Prior to Imposing Conditions

As it has been evident to the undersigned, on the basis of the results of appropriate enquiry, scrutiny or survey, that you or your institution or organization have taken the program or initiative for water storing which have become a hindrance to the protection of water resources, namely:

(A) Description regarding program of water resources storing:

(B) Conditions determined by appropriate authority:

Hence, to fulfill the objectives of section 27, if you have anything to say or make any statement on why prohibition of storing will not be imposed on you, you are requested to send the same in written to the undersigned within the next date on.....

Signature of officer in-charge
And
Seal

**Government of the People’s Republic of Bangladesh
Ministry of Water Resources
Water Resources Planning Organization
72 Green Road, Dhaka**

Order No.....

Date

Condition Imposing Order

As it has been noticed by the undersigned on the basis of the results of appropriate enquiry, scrutiny or survey, that you or your institution or organization has illegally stored water resources violating the rules of Bangladesh Water Act, 2013;

And as you have been given an opportunity of being reasonably heard and your views, you placed, have been considered during such hearing (If any views have been placed in that case);

And as it has been proved, considering the above-mentioned matters, that you or your institution or organization has illegally stored water violating the rules of Bangladesh Water Act, 2013;

Hence, with the power conferred by section 24 of Bangladesh Water Act, 2013, can be read as the following conditions are being imposed:

(A) Description of illegal storing (Place: District , Upazila , Union , Mouza.....)

(B) Description related to description of activities of illegal water storing:

(C) Any other matter or information determined by Executive Committee or authorized official:

Signature of authorized official
And
Seal

To

.....
(Name and Address of illegal hoarder of water or condition-violating person or authority)