



ગુજરાત પાણી પુરવઠા અને ગટર વ્યવસ્થા બોર્ડ,  
(A Government of Gujarat Undertaking)  
“જલસેવા ભવન” છ- રોડ, એરફોર્સ સ્ટેશન સામે, સેક્ટર- ૧૦- એ, ગાંધીનગર.  
પીએબીએક્સ- ૯૯૭૮૪૪૧૧૦૧ થી ૦૫, ફેક્સ- ૨૩૨૨૫૯૭૨- ૭૯

ડી.એમ.પરમાર

મુખ્ય ઇજનેર (યાંત્રિક)

વેબ સાઇટ:-

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જા.નં./મુ.ઇ.(યાં)/NCPCR/બોર/ ૧૧૧૧

તા. ૩૧/૧૨/૨૦૧૯

પ્રતિ,

મુખ્ય ઇજનેરશ્રી,

ઝોન-૧/૨/૩/૪/૫/૬,

વડોદરા/અમદાવાદ/રાજકોટ/જુનાગઢ/સુરત.

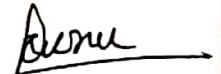
વિષય:- નાના બાળકોને બોર-વેલમાં પડતા અટકાવવા માટે નામ.સુપ્રિમકોર્ટ દ્વારા જાહેર કરવામાં આવેલ ગાઇડલાઇન બાબત.

સંદર્ભ:- ૧ સેક્શન અધિકારીશ્રી, સામાજિક ન્યાય અને અધિકારિકતા વિભાગના પત્ર ક્રમાંક:- જજા/૧૦/૨૦૧૯/૬૨૦૭૭૦/છ તા.૧૩/૧૨/૨૦૧૯

૨ સેક્શન અધિકારીશ્રી, ન.જ.સં.પા.પુ અને ક.વિભાગના પત્ર ક્રમાંક:- પરચ/૧૦૨૦૧૯/૧૨૩૬/ખ તા.૨૧/૧૨/૨૦૧૯

ઉપરોક્ત વિષયે સંદર્ભ-૧ હેઠળના પત્રથી નાના બાળકોને બોર-વેલમાં પડતા અટકાવવા માટે નામ.સુપ્રિમકોર્ટ દ્વારા જાહેર કરવામાં આવેલ ગાઇડલાઇન મળેલ છે. જે આ સાથે બિડાણમાં સામેલ છે. જે અન્વયે ઘટતી કાર્યવાહી કરવા વિનંતી છે.

બિડાણ: ઉપર મુજબ

  
(ડી.એમ.પરમાર)  
મુખ્ય ઇજનેર (યાં)

નકલ જયભારતસહ રવાના પ્રતિ,

- સેક્શન અધિકારીશ્રી, ખ શાખા, ન.જ.સં.પા.પુ અને ક.વિભાગ, બ્લોક નં-૭, નવમો માળ, સચિવાલય, ગાંધીનગર તરફ જાણ સારું.

નકલ રવાના પ્રતિ,

- અધિક્ષક ઇજનેરશ્રી, જા.આ.યાં.વર્તુળ, વડોદરા/અમદાવાદ/રાજકોટ/જુનાગઢ તરફ જાણ તથા ઘટતી કાર્યવાહી કરવા સારું.
- કાર્યપાલક ઇજનેરશ્રી, જા.આ.યાં.વિભાગ (તમામ) તરફ જાણ તથા ઘટતી કાર્યવાહી કરવા સારું.

જાહેર આરોગ્ય યાંત્રિક વર્તુળ, વડોદરા	
આવક નં.	
તારીખ	
શાખા	મંજી તર ૨૦૧૯
કચેરી અધિક્ષક	
અંગત મહદનીશ	
અધિકારક ઇજનેર	



प्रियंक कानूंगो  
Priyank Kanoongo  
अध्यक्ष  
Chairperson

भारत सरकार  
GOVERNMENT OF INDIA  
राष्ट्रीय बाल अधिकार संरक्षण आयोग  
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS  
नई दिल्ली-110 001  
New Delhi - 110 001



C. S. Office  
58/1966  
Dt. 16/11/19

DO. No.1601/04/2016-ChildLabour/NCPDR/104214  
Dated: 04.11.2019

Dear, Dr. Singh.

The National Commission for Protection of Child Rights (hereinafter referred as the 'Commission') is a statutory body constituted under the provisions of the Commission for Protection of Child Rights (CPCR) Act, 2005 (4 of 2006) for the protection of child rights and other related matters.

2. In view of the incidents of small children falling into abandoned bore wells, etc., Supreme Court of India vide its order dated 11.02.2010 and 06.08.2010 in W.P. (C) No. 36 of 2019 had issued comprehensive guidelines for taking necessary measures for prevention of fatal accidents of small children by falling into abandoned bore wells and tube wells.

3. The Commission vide D O letter of even number dated 09.05.2016 circulated the Guidelines of the Hon'ble Apex Court as well as Guidelines issued by the Ministry of Water Resources, Government of India in compliance to the Hon'ble Court's order dated 11.02.2010.

4. The Commission vide another vide D O letter of even number dated 25.11.2016 requested Chief Secretary of the respective States to file an Action Taken Report (ATR) for ensuring due compliance of the guidelines issued by the Hon'ble Court as well as Ministry of Water Resources, Government of India.

5. Though the Commission has received ATR from several States w.r.t. implementation of the guidelines passed by the Hon'ble Supreme Court of India and Ministry of Water Resources, however proper implementation of these guidelines has yet not been ensured by the respective States. Despite receiving these ATRs from various States, incidents of children falling in tube wells, bore wells, etc. are still increasing, which shows lack of proper implementation of these guidelines by the States.

C.S. - 285  
18-11-19

19/11/19

WCD  
JS (W)

19/11  
WCD

STED 22.11.2019  
14.11.2019  
20.11.19  
21.11.19

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001  
5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001  
दूरभाष /Ph. :011-23478212, 23731583 फैक्स /Fax: 011-23731584  
ई-मेल / E-mail : cp.ncpcr@nic.in वेब /Web:www.ncpcr.gov.in




6. Copies of guidelines issued by the Hon'ble Supreme Court vide its order dated 11.02.2010 & 06.08.2010 and guidelines issued by the Ministry of Water Resources is enclosed herewith for ready reference.

7. In light of the above, I hereby request your good office to look into the above matter and issue necessary directions to the concerned officials for taking appropriate action and submit report to the Commission at the earliest.

**Encl. as above**

With Regards,

Yours sincerely,

  
**(Priyank Kanoongo)**  
Chairperson, NCPCR

**Dr. Jagadp Narayan Singh, IAS**  
Chief Secretary,  
Government of Gujarat,  
New Sachivalaya, Gandhingar-382010.

**Copy to:** 104215

**Smt. Jagruti Haren Pandya**, Chairperson Gujarat State Commission for  
Protection of Child Rights  
Block No. 19, 3rd Floor, Dr. Jivraj Mehta Bhavan, Gandhinagar- 382010.



IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION(C) NO.36 OF 2009

In Re: Measures for Prevention of Fatal Accidents of Small Children Due to Their Falling Into Abandoned Bore Wells and Tube Wells

..... Petitioner

Versus

Union of India & Ors.

..... Respondents

O R D E R

Heard the learned Amicus Curiae and the learned Addl. Solicitor General appearing for the Union of India.

It has been brought to the notice of this Court that in a number of cases children had been trapped and fallen into bore wells and tube wells or abandoned wells. These reports have been coming from various States. Accordingly, we took suo motu initiative and issued notice to the various States to take immediate measures to prevent such kind of incidents.

The Union of India has filed its counter affidavit giving certain guidelines to be followed by the States.

We have perused the affidavit and the guidelines suggested by the Union of India.

Having regard to the number of incidents that have taken place during the recent past and immediate need for preventing such incidents in future, we direct that the following safety measures/guidelines are to be observed by all the States :-

(i) "The owner of the land/premises, before taking any steps for constructing bore well/ tube well must inform in writing at least 15 days in advance to the concerned authorities in the area, i.e., District Collector/ District Magistrate/Sarpanch of the Gram Panchayat/ concerned officers of the Department of Ground Water/ Public Health/ Municipal Corporation, as the case may be, about the construction of bore well/tube well.

(ii) Registration of all the drilling agencies, viz., Govt./Semi Govt./Private etc. should be mandatory with the district administration.

(iii) Erection of signboard at the time of construction near the well with the following details :-



- (a) Complete address of the drilling agency at the time of construction/ rehabilitation of well.  
(b) Complete address of the user agency/ owner of the well.

(iv) Erection of barbed wire fencing or any other suitable barrier around the well during construction.

(v) Construction of cement/concrete platform measuring 0.50 x 0.50 x 0.60 meter (0.30 meter above ground level and 0.30 meter below ground level) around the well casing.

(vi) Capping of well assembly by welding steel plate or by providing a strong cap to be fixed to the casing pipe with bolts & nuts.

(vii) In case of pump repair, the tube well should not be left uncovered.

(viii) Filling of mud pits and channels after completion of works.

(ix) Filling up abandoned borewells by clay/sand /boulders/pebbles/drill cuttings etc. from bottom to ground level.

(x) On completion of the drilling operations at a particular location, the ground conditions are to be restored as before the start of drilling.

(xi) District Collector should be empowered to verify that the above guidelines are being followed and proper monitoring check about the status of boreholes/tubewells are being taken care through the concerned State/Central Government agencies.

(xii) District/Block/Village wise status of bore wells/tubewells drilled viz. No. of wells in use, No. of abandoned bore wells/tube wells found open, No. of abandoned borewells/tubewells properly filled up to ground level and balance number of abandoned borewells/tubewells to be filled up to ground level is to be maintained at District Level.

In rural areas, the monitoring of the above is to be done through Village Sarpanch and the Executive from the Agriculture Department.

In case of urban areas, the monitoring of the above is to be done through Junior Engineer and the Executive from the concerned Department of Ground Water/Public Health/ Municipal Corporation etc.

(xiii) If a borewell/tubewell is 'Abandoned' at any stage, a certificate from the concerned department of Ground Water/Public health/Municipal Corporation/Private contractor etc. must be obtained by the aforesaid agencies that the 'Abandoned' borewell/tubewell is properly filled up to the ground level. Random inspection of the abandoned wells is also to be done by the Executive of the concern agency/department. Information on all such data on the above are to be maintained in the District Collector/ Block Development Office of the State.

The guidelines abovementioned shall be given wide publicity through the national television channels. A copy of this order be sent to the Chief Secretaries of all the States/Union Territories who shall forward the



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same to the District Collectors of all Districts of their respective State.

For further directions post this matter after 12 weeks.

.....CJI.

.....J.  
(Dr. B.S. CHAUHAN)

.....J.  
(C.K. PRASAD)

NEW DELHI;  
FEBRUARY 11, 2010