

MOST URGENT/ NGT MATTER

Department of Environment, Government of NCT of Delhi
6th Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi- 110002.
Telefax: 23392029

F.12-(585)/Env/NGT/OA 673 of 2018 / 501-543

Dated: 18/01/19

MINUTES OF MEETING

Kindly find enclosed the Minutes of the third Meeting of the River Rejuvenation Committee (RRC) constituted in compliance to the directions of the Hon'ble NGT dt. 20.09.2018 passed in OA No. 673/2018 IN THE MATTER OF: NEWS ITEM PUBLISHED IN 'THE HINDU' AUTHORED BY SHRI. JACOB KOSHY Titled "More river stretches are now critically polluted: CPCB" held under the Chairmanship of Secretary (Environment) on 17.01.2019 at Delhi Secretariat, for necessary action please.

Encl.: As above.

(Nigam Agarwal)
Sr. Scientific Officer

Copy to (By email):

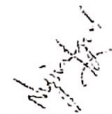
1. Sh. S.S. Gill, Special Secretary, Urban Development Department, GNCTD.
2. Sh. S.M. Ali, MS (Delhi Pollution Control Committee), Kashmere Gate, Delhi.
3. Principal Chief Conservator of Forests, GNCTD.
1. Sh. Nisheet Saxena, IFS, Conservator of Forests, GNCTD.
2. Dr. Anil Kumar, Director, Department of Environment, GNCTD.
3. Sh. Pradeep Khandelwal, Chief Engineer, East MCD.
4. Sh. T.P. Singh, Dy. Commissioner, Industries Department, GNCTD.
5. Ms. Poonam Dewan, Addl. Commissioner (Landscape), DDA.
6. Sh. M.M. S. Dahiya, SE, SDMC.
7. Sh. Rajesh Khanna, SEE, NDMC.
8. Sh. Aniar Singh, North DMC.
9. Sh. Y.K. Sharma, SE, I&FC, GNCTD.
10. Sh. O.P. Shrivastav, CE, I&FC, GNCTD.
11. Sh. Sanjay Saxena, CE, I&FC, GNCTD.
12. Sh. Sharat Kumar, SE (Env.), DSIIDC.
13. Sh. M.C. Ram, SE, DJB.
14. Sh. M.K. Hans, SE, DJB.
15. Sh. Mukul Bhandula, SE, DJB.
16. Sh. Ashutosh Kaushik, CWA, DJB.
17. Sh. D. K. Singh, SEE, DPCC.
18. Sh. Piar Singh, SE (EMS), EDMC.
19. Sh. Laxmi Narain SE/CC-S, DDA.
20. Sh. Arun Kumar, SE (EMS), EDMC.
21. Sh. Indraj Meena, DD (H), DDA.

Contd...

22. Ms. Kawaljeet Kour, Asstt. Director (Planning), Zone-O, DDA.
23. Sh. P.S Pankaj, EE, Water Lab, DPCC.
24. Sh. R.K. Tripathi, EE, PWD, GNCTD.
25. Sh. Manish Agarwal, EE, I&FC, GNCTD.
26. Sh. Gajender Tomar, EE, DJB.
27. Sh. Sanjay Vats, EE, DPCC.
28. Sh. Manoj Kumar, EE (DEMS), North DMC.
29. Sh. Shiv Kumar EE, CD-XIV, I&FC.
30. Dr. Rajesh Kumar, AEE (M), DSIIDC.

Copy for information to (by e-mail):

1. Chairman, Central Pollution Control Board.
2. OSD to Chief Secretary, GNCTD.
3. PS to Vice Chairman, DDA.
4. PS to Pr. Secretary, PWD, GNCTD.
5. PS to Secretary, Irrigation and Flood Control Department, GNCTD.
6. PS to Commissioner (Industries), Industries Department, GNCTD, PS to MD, DSIIDC.
7. PS to MD, DSIIDC.
8. PS to CEO, DJB.
9. PS to Commissioner North Delhi Municipal Corporation.
10. PS to Commissioner South Delhi Municipal Corporation.
11. PS to Commissioner East Delhi Municipal Corporation.
12. PS to Pr. Secretary (Urban Development), Urban Development Department, GNCTD.
13. PS to Pr. Secretary (Environment & Forests) -cum- Chairman (DPCC).


(Nigam Agarwal)
Sr. Scientific Officer

MINUTES OF THE 3rd MEETING OF THE RIVER REJUVENATION COMMITTEE (RRC) CONSTITUTED AS PER THE DIRECTIONS OF THE HON'BLE NGT DT. 20.09.2018 PASSED IN OA NO. 673/2018 IN THE MATTER OF: NEWS ITEM PUBLISHED IN 'THE HINDU' AUTHORED BY SHRI. JACOB KOSHY TITLED "MORE RIVER STRETCHES ARE NOW CRITICALLY POLLUTED: CPCB" CONVENED UNDER THE CHAIRMANSHIP OF SECRETARY (ENVIRONMENT), GNCTD ON 17.01.2019 AT DELHI SECRETARIAT.

The 3rd Meeting of the River Rejuvenation Committee (RRC) constituted in compliance to the directions of the Hon'ble NGT dt. 20.09.2018 passed in OA No. 673/2018 IN THE MATTER OF: NEWS ITEM PUBLISHED IN 'THE HINDU' AUTHORED BY SHRI. JACOB KOSHY Titled "More river stretches are now critically polluted: CPCB" was taken by Secretary (Environment) on 17.01.2019.

As per the directions of the Hon'ble NGT, RRC has to prepare action plan for bringing all the polluted river stretches to be fit at least for bathing purposes (i.e BOD < 3 mg/L and FC < 500 MPN/100 ml) within six months from the date of finalisation of the action plans. As per the Hon'ble NGT order, in case of Delhi, the polluted river stretch has been identified from Wazirabad to Asgarpur village (22 km). As per the directions of the Hon'ble NGT dt. 19.12.2018, The Action Plan has to be submitted to CPCB by 31.01.2019.

Officers from various Departments including Environment, Forests, DPCC, Urban Development, DJB, DSIIDC, Irrigation and Flood Control Department, DDA, North MCD, South MCD and East MCD attended the meeting.

Record of attendance is enclosed.

Secretary (Environment) welcomed all the participants and requested Director (Env.) to appraise the gathering about the subject and initiate deliberations on the issue.

Director (Env.) briefed about the discussions held during the 1st RRC Meeting held on 01.11.2018 and 2nd Meeting held on 20.11.2018.

Subsequently, the following was discussed:

- The matter was listed in Hon'ble NGT on 19.12.2018.
- Department of Environment, GNCTD had filed an Affidavit in the Hon'ble NGT for modification of the order, i.e., exclusion of Delhi from the directions of the Hon'ble NGT dt. 20.09.2018 issued in OA 673/2018 since this is a duplication of work in case of Delhi in light of the Yamuna Monitoring Committee comprising of Smt. Shailaja Chandra and Sh. B. S. Sajwan, constituted by Hon'ble NGT as per order dt. 26.07.2018.
- It has been observed by the Hon'ble NGT that GNCTD has also to prepare the action plan in terms of the previous order (dt. 20.09.2018) as well as order passed on 19.12.2018.

- (12)
- Hon'ble NGT has given the following directions on 19.12.2018:

"10. As already noted, contamination of water and deterioration of water quality are matters to be taken seriously as they affect public health and right of citizen to have access to potable drinking water. Unfortunately, in spite of categorical directions of this Tribunal in the order dated 20.09.2018 based on earlier judgments of the Hon'ble Supreme Court and this Tribunal, 15 States and UTs have failed to carry out the order of this Tribunal. The said States and UTs have not even taken the first requisite step of preparing an action plan, showing total insensitivity to such a serious matter and a public issue. With great regret, we may be left with no option but to take coercive action, if there is further failure.

11. We also find that for 16 States/UTs which have prepared action plans, the action plans are not complete. Base line data has not been given. Preparation of action plans has been assigned to third parties, details of STPs etc. are also not given, timelines given are too long, status of effluent has not been given, action plans are not proposed to be placed on websites to involve educational and other institutions and the public at large. The said States/UTs may now give revised reports on or before 31.01.2019 to CPCB after complying with the deficiencies. The CPCB shall examine the action plans and only if they meet the scientific and technical yardstick shall approve the same and convey it to the respective States/UTs. The States/UTs after its approval shall place/host these action plans on the respective website giving clear timelines for its execution, agencies responsible for its execution along with the matching budgetary provisions.

12. By way of last opportunity, we extend the time for preparation of action plans till 31.01.2019 with the stipulation that for every delay thereafter, compensation for damage to the environment will be payable by each of the States/UTs at the rate of Rs. One Crore per month for each of the Priority-I and Priority-II stretches, Rs. 50 lacs per month for stretches in Priority-III and Rs. 25 lacs per month each for Priority-IV and Priority-V stretches. The payment will be the responsibility of the Chief Secretaries of the States/Administrators of the UTs and the amount may be recovered from the erring officers. The CPCB may prominently place the names of the defaulting States and UTs and a notice to this effect on its website.

13. The SPCBs and Pollution Control Committees of UTs may display the quality of the water of polluted river stretches on their respective websites within one month from today, along with action taken, if any, which may be revised every three months. The CPCB may also display the water quality of the river stretches and action/inaction by such States on its websites. It is made clear that BOD will not be the sole criteria to determine whether a particular river stretch is a polluted river stretch. Other parameters including Faecal Coliform (FC) bacteria will also be the criteria for classifying a stretch as polluted or otherwise. CPCB may devise within two weeks a mechanism for classification wherein two criteria pollutants that is BOD and FC shall henceforth be basis of classification in Priority Classes.

14. The CPCB may also examine whether river Rangpo in Sikkim falls in the category of polluted river stretches and if it is so, CPCB may give appropriate directions with regard to the said river also.

15. Any incomplete action plan will be treated as non-compliance. Performance guarantees are to be furnished for implementation of action plans within the above stipulated time to the satisfaction of Central Pollution Control Board in the sum of:

- (i) Rs. 15 crore for each of Priority I & II stretches
- (ii) Rs. 10 crore for each of Priority III stretches
- (iii) Rs. 5 crore for each of Priority IV & V stretches.

river flow consequent to commissioning of Interceptor Sewer projects, setting up / Up gradation of STPs and other connected activities."

"Second, from discussions with all experts it emerges that in the lean months 10 cumecs of water as ordered by the Supreme Court and NGT would be completely insufficient to sustain the flow in the river as the 10 cumecs released at Hathanikund evaporates or percolates as it flows downstream. Resultantly, most parts of the river are completely dry. There is presently no possibility of the release of more water in the river by the upper riparian states like Haryana and UP howsoever much the river runs dry downstream of Hathanikund."

- The implementation plan with timelines w.r.t. the points covered in the Action Plan of the Yamuna Monitoring Committee constituted as per Hon'ble NGT directions dt. 26.07.2018 in OA 6 of 2012 and OA 300 of 2013, has been sent by DJB by e-mail.
- DPCC has also submitted the timelines w.r.t. their points in the Action Plan.
- DDA has also submitted the timelines to Yamuna Monitoring Committee. The same timelines apply for the Action Plan of River Rejuvenation Committee as well.
- Some other directions in the Order dt. 20.09.2018 in OA 673/2018 were also discussed. The direction-wise record of discussion is given below:

S.No.	Direction	Decision
1.	The RRC will have a website inviting public participation from educational institutions, religious institutions and commercial establishments. Achievement and failure may also be published on such website. The Committee may consider suitably rewarding those contributing significantly to the success of the project.	RRC for Delhi will implement this direction. (ACTION: RRC)
2.	The RRCs will have the authority to recover the cost of rejuvenation in Polluter Pays Principle from those who may be responsible for the pollution, to the extent found necessary. In this regard, principle laid down by this Tribunal in order dated 13.07.2017 in O.A. No. 200 of 2014, M.C Mehta Vs. U.O.I will apply. Voluntary donations, CSR contribution, voluntary services and private participation may be considered in consultation with the RRC.	Urban Development Department will implement this direction and seek action taken reports from the concerned agencies including DDA, DJB, I & FC Dept, three MCDs, NDMC, DCB, PWD, DUSIB, DSIIDC etc. on the lines of the Polluter Pays Principle laid down by this Tribunal in order dated 13.07.2017 in O.A No. 200 of 2014, M.C Mehta Vs. U.O.I. As informed by Sh. S.S.

		Gill, Special Secretary, Urban Development Department, GNCTD, UD Department has also issued an Office Order to this effect on the directions of the Yamuna Monitoring Committee constituted vide Hon'ble NGT Order dt. 26.07.2018. copy of this order is placed in ANNEXURE V. (ACTION: Urban Development Department, GNCTD)
3.	The State Pollution Control Boards or other authorities are having funds deposited under the order of the Tribunal besides funds available under Consent Mechanism. The said funds may be utilized for the purpose of expenditure for the Committees, including preparation and execution of action plans in accordance with the provisions contained in the Water Act, 1974.	DPCC to implement this direction. (ACTION: DPCC)
4.	The SPCBs and Pollution Control Committees of UTs may display the quality of the water of polluted river stretches on their respective websites within one month from today, alongwith action taken, if any, which may be revised every three months.	DPCC to implement this direction. (ACTION: DPCC)

Thereafter, Secretary (Env.) directed all the concerned agencies to submit any additional information to be included in the Action Plan latest by today evening by e-mail at nigam.agarwal@gov.in.

(ACTION: All concerned Agencies/ Departments)

Lastly, Secretary (Env.) directed Environment Department to include/ compile all the additional information received (if any) in the Draft Action Plan and process the same for approval of the Worthy Chief Secretary by 21.01.2019 before it is submitted to CPCB.

(ACTION: Department of Environment, GNCTD)

Meeting ended with a vote of thanks to the Chair.

DEPARTMENT OF ENVIRONMENT, GNCTD

ATTENDANCE SHEET

Date: 17.01.2019 / 11.00 AM

Sub: Third Meeting of the River Rejuvenation Committee (RRC) constituted as per the direction of the Hon'ble National Green Tribunal order dt. 20.09.2018 passed in OA No. 673/2018 IN THE MATTER OF: NEWS ITEM PUBLISHED IN 'THE HINDU' AUTHORED BY SHRI. JACOB KOSHY Titled "More river stretches are now critically polluted: CPCB"

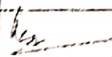
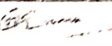
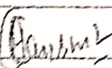
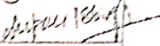
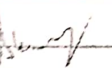
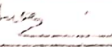
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3.	[Name illegible] Asst Dir	[Dept illegible]	[Phone illegible]	[Email illegible]	[Signature]
4.	Pier Singh SE (Env)	EDMC	9806696631	piersingh@gmail.com	[Signature]
5.	Laxmi Narain SE (CC-5)	DDA	9711147175	supdew@gmail.com	[Signature]
6.	SHIV KUMAR EEO-III	I & EC Dept NCT of Delhi	9958890114	ifecdrive@gmail.com	[Signature]
7.	M. M. Dahiya SE/SDMC	SDMC	880068683	seicm2@gmail.com	[Signature]
8.	Gajender Tomar	DDA	9868187408	sadripdjb@gmail.com	[Signature]
9.	Ganesh Kumar, SE	DDA	93775220	ganeshkumar@gmail.com	[Signature]
10.	[Name illegible] Asst Dir	[Dept illegible]	[Phone illegible]	[Email illegible]	[Signature]
11.	PANANI A Asst Dir	DDA	98022444	panani.a@gmail.com	[Signature]

DEPARTMENT OF ENVIRONMENT, GNCTD

ATTENDANCE SHEET

Date: 17.01.2019/ 11.00 AM

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15.	C. S. Sankar	SE EMS	9719788001	seplanning.djdb@gmail.com	
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18.	Ashwini Kankar	DJB CWA	9650090921	cwa.djb@gmail.com	
19.	J. K. PINGHISEE	SEE, DPCC	9717593512	dk.singh.dpc@gmail.com	
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21.	D. P. Srinivas	CE, DPCC	9871160383		
22.	Dr. Anil Kumar, Director	Dept of Environment Govt of India	9717593505	dr.anilkumar@gmail.com	

DEPARTMENT OF ENVIRONMENT, GNCTD

ATTENDANCE SHEET

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S.No.	Name & Designation	Organization/ Department	Phone Number	E-mail ID	Signature
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25	Secretary (Env.)	Environment Dept GNCTD	—	in chain —	
26					
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