

MOST URGENT
NGT MATTER

1004/c

Department of Environment, Government of NCT of Delhi

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F.12 (585)/Env/NGT/OA 673 of 2018 / 6151-6155

Dated: 22/10/18

OFFICE ORDER

Sub: Constitution of River Rejuvenation Committee (RRC) in respect of Delhi in Compliance to the directions of the Hon'ble NGT contained in the order dated 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"

The directions of the Hon'ble Tribunal as contained in the above order said are reproduced below:

"50. In view of above, we consider it necessary to issue the following directions:

- i) All States and Union Territories are directed to prepare action plans within two months 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.*
- ii) The action plans may be prepared by four-member Committee comprising, Director, Environment, Director, Urban Development, Director, Industries, Member Secretary, State Pollution Control Board of concerned State. This Committee will also be the Monitoring Committee for execution of the action plan. The Committee may be called "River Rejuvenation Committee" (RRC). The RRC will function under the overall supervision and coordination of Principal Secretary, Environment of the concerned State/Union Territory.*
- iii) The action plan will include components like identification of polluting sources including functioning/ status of STPs/ETPs/CETP and solid waste management and processing facilities, quantification and characterisation of solid waste, trade and sewage generated in the catchment area of polluted river stretch. The action plan will address issues relating to; ground water extraction, adopting good irrigation practices, protection and management of Flood Plain Zones (FPZ), rain water harvesting, ground water charging, maintaining minimum environmental flow of river and plantation on both sides of the river. Setting up of biodiversity parks on flood plains by removing encroachment shall also be considered as an important component for river rejuvenation. The action plan should focus on proper interception and diversion of sewage carrying drains to the Sewage Treatment Plant (STP) and emphasis should be on utilization of treated sewage so as to minimize extraction of ground or surface water. The action plan should have speedy, definite or specific timelines for execution of steps. Provision may be made to pool the resources, utilizing funds from State budgets, local bodies, State Pollution Control Board/ Committee and out of Central Schemes*

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- iv) The Action Plans may be subjected to a random scrutiny by a task team of the CPCB.
 - v) The Chief Secretaries of the State and Administrators/ Advisors to Administrators of the Union Territories will be personally accountable for failure to formulate action plan, as directed.
 - vi) All States and Union Territories are required to send a copy of Action Plan to CPCB especially w.r.t Priority I & Priority II stretches for approval.
 - vii) The States and the Union Territories concern are directed to set up Special Environment Surveillance Task Force, comprising nominees of District Magistrate, Superintendent of Police, Regional Officer of State Pollution Control Board and one person to be nominated by District Judge in his capacity as Chairman of Legal Services Authority on the pattern of direction of this Tribunal dated 07.08.2018, in Original Application No. 138/2016 (TNHRC Case).), "Stench Grips Mansa's Sacred Ghaggar River (Suo-Motu case)
 - viii) The Task Force will also ensure that no illegal mining takes place in river beds of such polluted stretches.
 - ix) 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.
 - x) 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.

51. We understand that 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.

52. A copy of this be sent by e-mail to all the concerned i.e. the Ministry of Water Resources, Ministry of Environment, Forest & Climate Change, Ministry of Housing and Urban Affairs, the Niti Ayog, National Mission for Clean Ganga, Central Pollution Control Board, Chief Secretaries of all the States and Union Territories for compliance.

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53. The RRCs will send progress reports by e-mail at filing.ngt@gmail.com on or before 15.12.2018.

54. Needless to say, that order of National Green Tribunal is binding as a decree of Court and non-compliance is actionable by way of punitive action including prosecution, in terms of the National Green Tribunal Act, 2010.

55. Put up for consideration of the Report on 19th December, 2018."

Accordingly, as per para 50 (ii), the following four member River Rejuvenation Committee (RRC) is being constituted for Delhi:

1. Director, Department of Environment, GNCTD
2. Director, Department of Urban Development, GNCTD
3. Director, Industries, GNCTD
4. Member Secretary, DPCC

The RRC will function under the overall supervision and coordination of Principal Secretary, Environment of the concerned State/Union Territory.

The committee is to prepare action plans within two months 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.

This Committee will also be the Monitoring Committee for execution of the action plan.

Further, the Special Environment Surveillance Task Force as defined in para 50 (vii) of the above stated Hon'ble NGT Order may be constituted by Divisional Commissioner separately. This Task Force will work in co-ordination of the RRC in addition to dealing with the sand mining issues mentioned in para 50 (viii). Copy of order dt. 07.08.2018 of the Hon'ble NGT issued in Original Application No. 138/2016 (TNHRC Case), "Stench Grips Mansa's Sacred Ghaggar River (Suo-Motu case)" is enclosed for kind reference please.

This issues with the approval of the Chief Secretary, Delhi.

Encl.: As above.


S.M. Ali

Spl. Secretary (Env.)

Copy to :

1. Pr. Secretary, Department of Urban Development, GNCTD.
2. Pr. Secretary & Commissioner, Department of Industries, GNCTD.
3. Member Secretary, DPCC.
4. Director (Env.), Department of Environment.

Copy for information to:

1. Chairman, Central Pollution Control Board.
2. OSD to Chief Secretary, GNCTD.
3. Secretary (Environment)-Cum-Chairman DPCC, Department of Environment, GNCTD.