

COMMISSIONER REPORT – II

**Application No 229/2013 and No 280/2017
& Execution Application 19 of 2018**

GiriRaj Parikrama Sarakshan Sansthan & Others etc

V/S

**Department of Environment and Forest & Others
Mathura Vrindavan Development Authority & Others
State of Rajasthan and Others**

BENCH

Hon'ble Justice Raghvendra S Rathore, Judicial Member

Hon'ble Dr Satywan Singh Garbyal, Expert Member

NATIONAL GREEN TRIBUNAL

To
The Principal Bench
National Green Tribunal
NEW DELHI – 110001

Sub : Original Application No. 229/2013 and No. 280/2017 & Execution Application 19 of 2018

Ref: Giriraj Parikrama Sarakshan Sansthan & Others etc v/s State of Rajasthan & Others

Bench: Hon'ble Justice Raghvendra S Rathore, Judicial Member & Hon'ble Satywan Singh Garbyal Expert Member Order of Tribunal

Respected Sir

As per Order No 1737 of 2018 Dated 14th December 2018, per last para of page 6 & 7 I was directed by Hon'ble bench to visit the Govarddhan Parikrama again and report regard tp the compliance report of the recommendations made by the committee as per order of 4.08.2015 by 02.01.2019.

Because of unavoidable circumstances I could not visit the Parikrama Area in Govardhan by the date given and requested for the extension. Later I camped in the area from 4th January till 8th January 2019 and visited all the concerning spots with the officers concern and a detailed report with photographs of the ground level condition / situation is prepared. I also made it a point to discuss all the points with concerned officers, the DM, SP, EX Ens , Controller Pollution

Control Board, DFO, and some of other concerned persons , public representatives, and residents of the area as such. I also met the VP of the Brij Teerth Vikas Parishad, Officers of the Mathura Brindavan Development Board. Repeated visit of the Parikrama marg, All major Temples, Kunds, STP, ETPs, brought the conclusion, which is submitted for the kind perusal of the Hon'ble Bench of the NGT.

1. **Service Road** : As for this Major issue is concerned, main portion of the order has been taken up by the administration seriously. The SE and Ex En PWD have informed that The Govt of India's organization RITES was given task to conduct survey for the service road . The RITES [Rail India Technical & Economic Services] officers had preliminary visit of the whole parikrama marg in thr first week of Jan 2019, but proper contract was signed by the UP Govt Dy Director Tourism Agra & Aligarh Division [UP Deptt of Tourism] & the General Manger [High Ways] RITES on 11th January 2019 at Agra. This organization's services have been hired as consultant only, no doubt they are professionals and lets us hope that something concrete comes after the detail. The study of the contract [MoU] signed shows that the RITES is authorized to study the Feasibility Report of the Service Road, as per the necessity of the Service Road has already established by the committee and clear direction has already been given to the competent authority, hence it should the Detailed Project Report, not the feasibility report. As per personal discussion with the DM Mathura and ExEn PWD Mathura it is basically DPR, but the term feasibility report is traditionally used for such MoU, and after the report is submitted [Expected] by April 2019, the construction work may be taken up immediately, after sanction by the State Government. It will be not out of place to mention, that our last report had highlighted the availability of Chak Road has been taken into the proposed study by the RITES.
Hopefully by the end of 2019, Govarddhan Parikrama will have the proposed service road.

Before submitting the report I spoke to Mr Sudarshan of RITES, who is handling this project. According to him they are going to conduct proper study, assessment, budget provision taking into consideration of all the possibilities, not feasibility, which already been decided. After their report is submitted in four months time UP Government can immediately go for the tendering procedure for the construction of the proper service road. It is just known as feasibility report. The authorities must understand the immediate necessity of the Service Road, as the Parkirama Marg is No Vehicular Zone Now. Local have protested also, but when we convinced them about the proposed service road , they were happy but asking when we will get this service road.

2. **Ring Road** : The Existing and proposed Ring road is partially completed and and other left over is under construction. Only 2.9 KMs is still not sanctioned and in this area PWD is using using existing village road as connection road to the Ring Road, But for this 2.900 KMs missing link proposal has been sent to the state government for sanction.

The 3.00 KMs Ring Road was initially completed, and last year in 2018 , 11.95 KMs has also been completed, On 10.40 KMs portion work is going on, and hopefully by December 2019, this portion will be also be completed. At two places of 1 KM each water logging is an issue but they are waiting for the summer when this portion will be taken up.

For left over 2.900 KMs ring road the State Govt sanction is still awaited.



ON RING ROAD WATER LOGGING HAS FORCED PWD TO WAIT FOR SUMMER

3. **No Vehicular Traffic on Parikrama Marg** : I am comfortable to mention that the four wheeler traffic is generally not spotted and has come to stand still, but still lots of loopholes to be plugged. The Mathura District Police has identified 26 entry points in the UP Portion, where pole and chains are being installed. [Process going on]

In Rajasthan Portion [Poochari ka Lautha], there are three entry points, where Police staff is taking proper steps, but still its not full proof, Poonchari Police OP needs to be strengthened.

In UP Sufficient Police / Traffic staff is not available and the SP of Mathura District has taken up this seriously, he promised that proper arrangements will be done, but on the day of discussion the SP, who was taking keen interest has been shifted.

We hope the full proof arrangements will be made by the District Police. CO Govardhan has planned to issue permit to the locals and emergency vehicles, which requires proper monitoring to stop complaints; which is made by the media of the misuse of such permission.

As already mentioned by the District Police Detailed plan has been sent and more traffic regulatory staff has been requested by the Distt Police from Police HQ. As per present requirement they need 6 Sis, 22 HCs, 64 Constables, 6 Lady Constables have been requisitioned. Present situation about Parikrama Marg is to be regularly observed as No Vehicular zone is satisfactory, although not full proof yet.

4. **No Construction Zone** : The whole Govarddhan Parikrama Marg area has been declared “NO CONSTRUCTION ZONE” by both UP & Rajasthan Government. Notification has been issued. Now it is the duty of District Administration and MVDA to ensure strict compliance of the notification in UP and the SDM Deeg in Rajasthan portion, and any violation may be dealt with strict legal and exemplary action.
5. **Sewerage Connection**: As submitted in the earlier report total 4511 houses are located in main Govarddhan town, out of which 1820 houses around Mansi Ganga were taken in the first stage and according to the Jal Nigam officers all houses have been connected. I visited the sewerage connecting area and the junction / jointing points. For rest of the 2691 houses, still detailed plan / project is to be prepared in the second stage. The NGT orders are clear that all the houses of Govarddhan town are to be connected to the STP without any doubt about it.

As far as the Regular Functioning and Maintenance of the very old STP is concerned, its in a deplorable condition. Neither the Pollution Control Board nor the Local Municipal Agency have any maintenance budget for the Sewerage Treatment Plants, on which the old large pumps are rusting, brick lining are broken , no repair has been planned or proposed, as both the agencies have no budget for the same. PCB board says , we have handed over the STP to the Nagar Panchayat and NP authority says we have no budget to do that. I am sure if not maintained properly this STP working will collapse in

couple of years. The management of disposal water from the STP has to be taken care.

As per Administration for full proof sewerage connection of Govarddhan and Radhakunfd a detail report was prepared and have been submitted for budget sanction for Rs 9337.53 Lakhs. Another project for clearing water logging problem at Anyor Radhakund and Jatipura area Budget provision for Rs 829.44 Lakhs and Rs 307.01 have been sent for sanction respectively. The Authorities concerned should take up the matter with Government of Uttar Pradesh as soon as possible.





GARBAGE COLLECTION AND SORTING

6. **Garbage / Solid Waste Management** : The State Govt through the Local Body [Nagar Panchayat] has identified and given door to door collection, sorting and dumping / disposal to one NGO “Muskan Jyoti Samiti”. They have engaged Rickshaw collection open trolleys and the way they are working can’t be said to be full proof. I met the supervisor of the NGO, they have not been paid for last six months by the Nagar Panchayat. As per the authorities of Nagar Panchayat initially they didn’t have funds, but for last two months they have been allotted sufficient budget, but payment was held for some scrutiny. The DM Mathura was requested to expedite the matter with his personal intervention, which he took up immediately, and hopefully by the time spot report is submitted to Hon’ble NGT, due Payment to the NGO is made.

But the way said NGO is collecting the solid waste is primitive in open rickshaws, the sorting (Recyclable – Perishable) system is also not satisfactory, after sorting the garbage proper disposal of solid waste is still to be ensured & supervised, which is not complete yet. The

NGO should be asked to put small but covered tempos, instead of open rickshaws.



7. Cleanliness of the Town and Parikrama

Pollution Control Board and Municipal authorities have to work more genuinely to make the Govarddhan Town A Pious Town, really clean and pious, which is prime facie not visible. I myself visited on foot, on bike, on battery operated vehicle just to see the factual position on ground, The nullah close to the Mansi Ganga was full of perishing garbage, and I had to ask the officer concerned to clean that within 24 hours, and it was 90% cleaned,



ONLY 200 METERS FROM MAIN TEMPLE

why we need a direction to do that, which is openly lying. Same this was in Jatipura , the whole lane which is only 200 meters from the temple was stinking , which was cleared by the team of DPRO, after it was asked for.

Same ways the lane entering Jatipura Temple is full of Cows and Bulls, Oxen, creating threat to safety and security of the visiting pilgrimages and one authority should take responsibility of this. The local police officers were concerned and were asked to take help of the local panchayat authorities to put animal catchers both ways, or barricade to stop animals entering the small lane.

8. **ETPs.** It's a matter of great satisfaction that at all the three places marked / directed by the Hon'ble NGT Bench in last order , at the Mansi Ganga, Daan Ghati and Jatipura Effluent Treat Plant have been established and working satisfactorily.

But again maintenance and the proper & smooth functioning of these ETPs to be taken care of. The offerings of Milk [Again a big Question, if it is really milk- Mostly chemical sold as milk/ No food and drug controller officers have bothered to check what's being sold at the of milk here at all three places mentioned above] is diverted to ETPs, treated and discharged. Now this water was supposed to use for the forestation. The Solid waste coming from these ETPs will be a big issue again, very soon. The Pollution Control Board Authority must plan this immediately with the help of the Forest Department. Annual Maintenance Contract of these ETPs are to be signed ASAP.

9. **MBD Area Encroachments** : As per MBD submission 249 Encroachments were initially identified, out of which 187 were marked to be removed , 115 have been removed, 59 are pending in the hearing , in 3 notices have been issued.

More steps be taken in synchronized manner that all the stays are vacated, as these are on the notified Government land. Unnecessarily delay is not a welcome idea.

10. **Shrine Board**

Most important issue concerning Establishment of Shinre Board for the whole Govarddhan Parikram, specially covering Mansi Gnaga, DanGhati and Jatipura in UP, and another Shrine Board for Poonchari ka Lautha in Rajasthan state is concerned, the respective government have given undertaking in the Hon'ble Bench of the NGT that the Proceedings are pending with the State Governemt at Lucknow and Jaipur respectively.

It is basically the responsibility of the State Government to proceed per direction of the NGT, The DM of the concern District can only submit that its in the process, but there should a cut of date, by the time it should come in existence. As far as the UP portion as concerned, all three major Temple or worship destinations viz (1) Mansi-Ganga Mukut Mukharvind, (2) Daan Ghati and (3) Jatipura are the best example of how the things can be mismanaged. No Facilities to visitors, Cleanliness is totally absent, visitors regulatory system is absent.

Formation of The Shrine Board with full powers is a must and only way out to make proper Administration and all three Shrines are properly managed.

As submitted earlier Temple Board at Shri Nathdwara in Rajasthan is the Best Example of the temple management. As informed by the Principal Secretary State of Rajasthan, The process had already started during last State Government, but because of the Change in Government the procedure is little delayed. State Finance Dept raised some queries which Department of Devstahan has clarified and hopefully by next legislative assembly session, the Rajasthan Shrine Board will be constituted, as as informed by the Principal Secretary.

As State of UP is concerned The Add Chief Secretary Culture and Tourism UP is personally looking into the matter and as reported the process has already started and Govt is concerned to constitute the Shrine Board for Govardhhan as soon as possible.

11. **Parking.** As per the Orders of 19.11.2018 of the Hon'ble NGT Bench six places have identified to provide sufficient parking for the four wheelers, buses, other vehicles, [Govarddhan Sonkh Road, Near Community Health Centre on RadhaKund Road, Near DAV School, Near Primery School Radhakund, Near Ne Mandi, and Sakitara]. As per Administration All six places the Parking is in working condition, contract has been given to private contractors.

Now contractors to are to be controlled and monitored. They should be restricted to the Parking place, and shouldn't be allowed to be on the Road, that's the job of the local police, and not of the contractors, which has been reported. It was brought to notice that many unauthorised private parking have come up, local administration must see to it, and any harassment to the pilgrimages should be dealt with.

Another four palces have been identified at Mathura Govarddhan Marg, Barsanan Govarddhan Marg, Chhatikara Radhakund Marg, and Deeg Govarddhan Marg.

At two places, required land have been identified, and land owners have agreed to give land at 3.5 times of the existing market rates, and process has been started, but at two other places there are still some bottleneck and authorities are going for fresh advertisement, the DM Mathura is personally supervising the matter and some action will be taken regarding these two places.

Resulting in Govarddhan Mathura Road & Chhatikara Radhakund Road will soon have new parking places as well.

In Rajasthan also, on Deeg - Poochari Marg Parking has been established by Rajasthan Authorities and on visit was found it in working condition.

12. Parikrama Marg Should not only be kept clean , but properly lit up. In UP proper LED Lightings have been provided. They even have stretched Rajasthan portion also. In Rajasthan District Administration has put LED Light with proper new polls but connection has not been restored to the lights by the electricity department for the want of payment. The Rajasthan State Dev Sthan Dept local authority says they don't have any budget for such lighting.

Electricity Dept cant light up new lights without budget. The District Magistrate Bharatpur has assured to sort out this matter without any further delay.

13. **The encroachments** on forest land have been mostly removed except at only three where the Hon'ble Supreme Court has stayed

the action. I personally visited most the places and discussed with concerned authorities. The debris / rubbles were still lying at few places, for which the forest officers promised that these all debris will be removed with a week time. The DM Mathura assured theta he is personally supervising this action. Hopefully it has been completed by now.

Out of total 211 Encroachments as per forest department officer responsible, 202 have been removed. And 9 are still existing because of matter is still pending in various civil courts. Forest Dept should try to get the matter expedite & resolved or get the stay order vacated by putting their proper reply in the competent court.

Some 75 encroachments were identified in the "Resume land" of the forest Department out of which 72 have been removed and there also 3 matters are pending in the court.

33 another encroachments were identified which were transferred to the forest department and the DFO/ Ranger informed that 32 have been removed, two still pending.

One thing clear that all the officers are genuinely concerned are trying to do their best, as for as encroachments are concerned. Some of the



photos

show that the removal was done in haste and many things are lying unclear, for which they promised to complete as soon as possible.

14. Forestation :

The UP forest Department has taken up plantation campaign, which is visible now, DFOs says where ever encroachments were removed they are planting trees to stop any further violation or encroachments. 18,000 trees were planted with good survival percentage. This time more Tamal, Kadam, and are being planted, which are good to prevent the flora and fauna of the Govarddhan Parvat area.

As far as Widening and strengthening of the Kacchi Parikrama Marg towards the road side is concerned, no step have been taken. Neither it is proposed so far. But even if is taken up in future authorities have to doubly ensure not a single tree is removed for such work. 3.90 Hectare Non forest Land has been Re Notified as Forest land, which a welcoming step indeed.

15. Proposed Fencing

The Uttar Pradesh Braj Vikas Parishad has come up idea of putting new fencing also the Parikrama Marg to protect Giriraj

Paravt and forest of the area for which they already have enough budget already lying with them. As far as there is no Concrete construction is involved they may be permitted by the Hon'ble NGT Bench to have a proper aesthetically suitable nice fence, of the whole Parikrama, barring the residential area.

- 16. The Mansi Ganga** and the surrounding area has to be kept clean which is basically the main shrine of the whole parikrama area. One Water Treatment plant was installed which is not working for last 4 to 5 years. What happened no one knows. Nagar Panchayat is not concerned. One NGO has come to clean the water and make it a regular job to keep it clean, but till now nothing has been done so far. The NGO concerned is conducting study at the KrishnKund and RadhaKund and it works they will clean Mansi Ganga also as I was informed. The Mansi Ganga Surrounding and Parikrma doesn't have proper bathrooms for ladies, which is another concern of the visitors. This may be taken up by the Nagar Panchayat. As per my last visit nothing concrete has taken place to clean Manasi ganga except that unabated milk flowing from offering is channelized to ETP which is working properly. The NGO who has been contacted by the Dsitt Administration is the ray of hope that Manasi Ganga will be properly cleaned and crystal clear blue water will flow in this pious Kund.

Conclusion

This time one thing is crystal that every authority concerned with the compliance the Hon'ble NGT Bench orders are really found "concerned". They showed their utmost sincserety to make Govardhan a Echo Friendly, Visitors friendly and pious and Religious place with sanctity. But hurdle is the people with implied interest. Now Administration , which include all, District Administration, Pollution Control Board, Local Municipal Body, Public works Dept, Police Dept , They all want want to put their best, but proper planning in time frame and taking the things casually kills all are initiative. Order or no order works be completed in time frame.

Issues pending at the Government level, may it be Shrine Board or sanction of various pending projects, can sorted out, as soon as possible.

Now in the Last The Shrine Board, The Service Lane, Complete Encroachment Removal With Clearing of Debris, Sewerage Connection to full Govardhhan Town, Cleanliness and Lighting up of the area , Parikrama No vehicular Zone, No Construction Zone, Proper Parking at All Entry Points, Making The whole Govardhhan Clean and Eco Friendly is Mission & Motto of All the Administrative and other Concern Departments.



GARBGE COLLECTION WAY IN GOVARDHCHAN TOWN

With Profound Regards

Yours Truly

Anand V Shukla IPS IG (Retd)

Januray 15th 2019

ANNEX



WELCOME GATE POONCHARI LAUTHA : KACCHI PARIKRAMA



BRAMH KUND : GOVARDHAN



TOILET NEAR POLICE STATION : PUBLIC UTILITY



PARKING CONTRACTORS : REGULATING – CONTORLLING TRAFFIC



HOW FAR ENCHROACHMENT ON MAIN ROAD IS ALLOWED : WHERE IS THE ROAD ?



NEWLY CONSTRUCTED PAVMENT : WATER FLOWING IS FROM SEWAGE



KACCHI PARIKRAMA OR GREDGING GROUND



THIS IS TO BE CLEARED IMMEDIETLY