

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH AT  
NEW DELHI**

**O. A. NO. 627 OF 2022**

Prakash Yadav

...Applicants

VERSUS

State of Haryana and Others

...Respondents

Additional reply of Ravinder Pal,  
Superintending Engineer, JLN Water  
Services Circle, Rewari on behalf of the  
Respondent No.5, Principal Secretary,  
Irrigation & Water Resources  
Department, Government of Haryana.

**Respectfully showeth:-**

1. That it is submitted that the present original application is pending before this Hon'ble Tribunal for 20.09.2023.
2. That at the outset it is submitted that the answering respondent has filed a detailed reply dated 21.04.2023, before this Hon'ble Tribunal wherein the alleged issues raised by the applicant have been specifically answered.
3. That it is submitted that this Hon'ble Tribunal considered the reply of the answering respondent No. 5 and vide order dated 24.04.2023, this Hon'ble Tribunal directed the answering respondent to file additional reply pertaining to different issues/concerns.

4. That it is submitted that in Para 13 of order dated 24.04.2023, the Hon'ble Tribunal has directed to consider the remedial measures which can be taken for cleaning of Masani Barrage. In this regard it is submitted that this Hon'ble Tribunal constituted a joint Committee vide order dated 30.09.2022, which submitted its report. The Committee has submitted that all the parameters of water collected from 03 No. Locations from Masani Barrage was found in compliance of the norms prescribed by the State Pollution Control Board meaning thereby that water is of good quality and therefore, cleaning of Masani Barrage is not in question. It is further submitted that the water accumulated in Masani Barrage is not only the STP water, rather most of the water in Barrage is fresh canal water supplied through LBS (Lal Bahadur Shastri ) channel having length 8.114 KM with capacity 316 Cs. offtaking from JLN Canal Km 35.700. So, the water in the barrage is not STP concentrated water rather it is diluted by huge supply of canal water and rain water. It is further submitted that water in Masani Barrage is spread in 250 acres of land having depth 4 ft. However, if there will be any specific issue pertaining to cleaning of barrage, the answering respondent will undertake the remedial measures to clean the barrage. At present, there is no issue regarding cleaning of barrage, as the joint Committee report has already declared the accumulated water of Masani Barrage in compliance of norms prescribed by State Pollution Control Board.
5. That it is submitted that in Para 15 of order dated 24.04.2023, the Hon'ble Tribunal has directed to give

details for up-gradation of STPs / remediation of the deficiency in the functioning of STPs. In this regard it is submitted that the direction have been given to answering respondent inadvertently as most of the STPs including the STP's (i) 9.5 MLD STP, PHED, Village Kharkhara (ii) 6.5 MLD, STP, PHED Village Kaluwas are under the jurisdiction of respondent No.6 i.e. Public Health Engineering Department. Therefore, it is submitted that this information does not relates with the answering respondent. However, since there was direction of this Hon'ble Tribunal, the answering respondent, vide letter 2444-47/22A dated 16.06.2023 has requested the respondent No.6 i.e. Public Health Engineering Department to supply the requisite information before the National Green Tribunal Principal, Bench at New Delhi.

6. That it is submitted that in Para 20 of order dated 24.04.2023, the Hon'ble Tribunal directed to formulate a scheme/action plan for use of treated waste water for irrigation of agriculture land. In this regard, it is submitted that the Irrigation Department through Micro Irrigation and Command Area Development Authority (MICADA), has already launched a scheme of Micro Irrigation by using treated water, for which an online portal has been launched in year 2022 wherein any agriculturist/farmer can apply for micro irrigation through sprinkler or drip irrigation using the treated water. Further it is submitted that for utilization of water accumulated in Masani Barrage, the Irrigation Department through Micro Irrigation and Command Area Development Authority (MICADA) has prepared a scheme to lift the water through

pumps and supply it to the fields of Tauru block, District Nuh through pipe line to be laid along the NH-48. Primarily the water will be collected in the reservoir tanks proposed to be constructed at village – Uton, Rathiwas and Rangala and thereafter it will be supplied through community based Micro Irrigation scheme to the interested farmers as there is no Canal Command Area in Tauru block. It will also be used to recharge the ground water.

7. That it is submitted that in Para 22 of order dated 24.04.2023, the Hon'ble Tribunal directed the respondents No.3 to 8 to ensure that the industrial effluents are treated and reused and not discharged in the Municipal Sewer. In this regard it is submitted that the answering respondent, through Haryana Water Resources Authority has encouraged the project proponents to treat and reuse the domestic/trade effluents and imposed a mandatory conditions in the NOC granted for abstraction of groundwater. However, the action taken report in this regard shall be filed by respondent No. 2 i.e. Haryana State Pollution Control Board as directed by this Hon'ble Tribunal.
8. That it is submitted that in Para 27 of order dated 24.04.2023, the Hon'ble Tribunal has directed that the appropriate remedial measures are required to be taken for restoration and rejuvenation of Sahibi River. In this regard it is submitted that Sahibi River is the inter-state river running through Rajasthan, Haryana and Delhi. The catchment area of the river has been dried and reclaimed by the private land owners. It is submitted that the State of Haryana is still committed for rejuvenation of the Sahibi

River which is evident from the fact that answering respondent i.e. respondent No. 5 has rejuvenated some part of the river by supplying extra canal water into the river channel. The effect of the rejuvenation of the river is that the groundwater level has raised due to which the dried borewells have also started yielding good quality of water for drinking and irrigation purposes. The State of Rajasthan has constructed a series of check dams in 1970s in the upper reaches of Sahibi River, resulting in total drying up of river even during the rainy season. It is submitted that directions be issued to the government of Rajasthan to restore the Sahibi River in their jurisdiction and release sufficient water in the monsoon season. Haryana is committed to the rejuvenation of Sahibi River in parts of respondent jurisdiction. A committee has already been constituted vide EIC, I&WRD, LCU letter No. 2885 dated 11.05.2023 (attached as Annexure-I) to study the revenue record, identify the land of Sahibi River to prepare plans to operate Sahibi River during rains etc. Furthermore, the said committee was also directed by EIC, I&WRD, LCU vide letter No. 5150-51 dated 01.08.2023 to submit the report (attached as Annexure-II). Subsequently letter no. 5892-93 dated 11.09.2023 is issued by EIC, I&WRD, LCU to submit the report by 20.09.2023 (attached as Annexure-III).

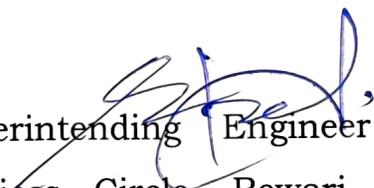
9. Therefore, it is submitted that the answering respondent is fully committed to take all steps possible to rejuvenate the Sahibi River provided that the State of Rajasthan restores the river flow in their jurisdiction. Sahibi River has totally dried up as it enters into Haryana because

Rajasthan has constructed a series of small dams in upper reaches. Neither any consultations have been done with Haryana nor any permission has been sought being interstate rivers. It is prayed that directions be given to the State of Rajasthan to restore the flow in the Sahibi River.

10. Therefore this Hon'ble Principal Branch of NGT, is most respectfully prayed that in the interest of justice, the submissions made here in the above reply may please be taken into consideration and answering respondents undertake to comply with further directions, if any passed by this Hon'ble Tribunal as it deems necessary.

Date: 13-09-2023

Place: Rewari

  
Superintending Engineer JLN Water  
Services Circle, Rewari on behalf of  
Respondent No. 5, Principal Secretary  
Irrigation and Water Resources  
Department, Government of Haryana

Verification :-Verified that the contents of the para no. 1 to 10 of the above mentioned additional reply are true and correct as per information derived from the official concerned and official record and the legal submissions are made as per legal advice.

Date: 13-09-2023  
Place: Rewari.

  
Superintending Engineer,  
JLN Water Services Circle,  
Rewari

P.W. IRRIGATION & W.R. DEPARTMENT HARYANA, PANCHKULA  
"OFFICE ORDER"

No. 2885 XEN-W/EIC/LCU

Dated: 11/05/2023

In reference to orders passed by Principal Bench of Hon'ble National Green Tribunal in OA No. 627 of 2022 dated 24.04.2023 (copy enclosed) a committee is hereby constituted to study/prepare plan for revival of Sahibi River, on the following points.

- i. To study the revenue record and identify the land of Sahibi River.
- ii. To prepare plans to operate Sahibi River during rains.
- iii. To prepare irrigation schemes based on water available in Sahibi River creek.

The committee shall consist of the following :-

- |  |   |                  |
|--|---|------------------|
| 1. Sh. Satish Kumar, Superintending Engineer<br>Jhajjar Water Services Circle, Jhajjar | - | Chairman         |
| 2. Sh. Khivlesh, Executive Engineer,<br>RLI Water Services Division, Jhajjar           | - | Member           |
| 3. Sh. Kuljeet Singh, Executive Engineer<br>MICADA Division, Faridabad                 | - | Member           |
| 4. Sh. J.P. Tanwar, Executive Engineer<br>Water Services Division No.II, Rewari        | - | Member Secretary |

The committee will submit its preliminary report by 15<sup>th</sup> June, 2023. Compliance be reported accordingly.

Dated, Panchkula,  
the 11<sup>th</sup> May, 2023

Dr. Satbir Singh Kadian  
Engineer-in-Chief, Irrigation & W.R. Dept.,  
Lift Canal Unit, MICADA & National Programmes,  
Haryana, Panchkula.

....

Copy of the orders above is forwarded to the following for kind information & taking all actions required to be performed in deference to the orders of Hon'ble National Green Tribunal, New Delhi :-

1. Chief Engineer, Lift Canal Unit, Irrigation & W.R. Department, Haryana, Panchkula.
2. Superintending Engineer, JLN Water Services Circle, Rewari.
3. Superintending Engineer, JWS Circle, Jhajjar.
4. Superintending Engineer, JLN Water Services Circle, Narnaul.
5. Executive Engineer, RLI Water Services Division, Jhajjar.
6. Executive Engineer, MICADA Division, Faridabad.
7. Executive Engineer, Water Services Division No.II, Rewari.

  
 Executive Engineer, LCU 11/05  
 for Engineer-in-Chief, Irrigation & Water Resources Department,  
 Lift Canal Unit, MICADA & National Programmes,  
 Haryana, Panchkula.



OFFICE OF THE ENGINEER-in-CHIEF,  
IRRIGATION & WATER RESOURCES DEPARTMENT,  
HARYANA, PANCHKULA.



**URGENT**

From

Engineer-in-Chief,  
Irrigation & Water Resources Department,  
Lift Canal Unit, MICADA & National Programmes,  
Haryana, Panchkula.

To

Superintending Engineer,  
JWS Circle, Jhajjar  
Irrigation & W.R. Department,  
Haryana.

Memo No. 5150-51/XEN-W/EIC/LCU

Dated: 01.08.2023

**Subject :** Regarding submission of preliminary report by the committee.

Kindly refer to the context cited above.

2. In continuation to this office Order No. 2885/XEN-W/EIC/LCU Dated: 11.05.2023 (copy attached) vide which a committee was constituted to study/prepare plan for revival of Sahibi River, on the following points.

- i. To study the revenue record and identify the land of Sahibi River
- ii. To prepare plans to operate Sahibi River during rains.
- iii. To prepare irrigation schemes based on water available in Sahibi River Creek.

The committee had to submit its preliminary report by 15<sup>th</sup> June, 2023 but the report is still awaited. Further, in continuation to ibid letter it is requested that demarcation be done and encroachment if any, be removed forthwith and report be submitted within 15 days positively.

*Sheyankh Dutt*  
Executive Engineer/LCU, 01/08  
For Engineer-in-Chief,  
Irrigation & Water Resources Department,  
Lift Canal Unit, MICADA & National Programmes,  
Haryana, Panchkula.

CC:

1. PA to EIC/LCU for kind information of W. Engineer-in-Chief, Lift Canal Unit, I&WRD.

Annexure - III



OFFICE OF THE ENGINEER-in-CHIEF,  
IRRIGATION & WATER RESOURCES DEPARTMENT, HARYANA,  
PANCHKULA.

**REMINDER-II****MOST URGENT**  
**TIME BOUND**

From

Engineer-in-Chief,  
Irrigation & Water Resources Department,  
Lift Canal Unit, MICADA & National Programmes,  
Haryana, Panchkula.

To

Superintending Engineer,  
JWS Circle, Jhajjar  
Irrigation & W.R. Department,  
Haryana.

Memo No. 5892-93/XEN-W/EIC/LCU

Dated: 11-09-2023

**Subject :** Regarding submission of preliminary report by the committee.

Kindly refer to the context cited above.

2. In continuation to this office order No. 2885/XEN-W/EIC/LCU dated 11.05.2023 and No. 5150-51/XEN-W/EIC/LCU dated 01.08.2023, it is submitted that the preliminary report of the committee is still awaited. Therefore, you are once again directed to submit the report by 20.09.2023 positively.

*Prakash Dutt*  
Executive Engineer/LCU, II

For Engineer-in-Chief,  
Irrigation & Water Resources Department,  
Lift Canal Unit, MICADA & National Programmes,  
Haryana, Panchkula.

CC:

1. PA to EIC/LCU for kind information of W. Engineer-in-Chief, Lift Canal Unit, I&WRD.