

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
O.A. No. 104/2023/EZ**

**IN THE MATTER OF:**

**SUBHAS DATTA**

**...APPLICANT**

**VERSUS**

**STATE OF WEST BENGAL & ORS**

**...RESPONDENT (s)**

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1.	Affidavit on behalf of NMCG(R-8)	
2.	Copy of the Order dated 25.09.2023 passed by Hon'ble NGT/PB	

Date:- 29/11/2023

Place:- Kolkata

**Filed by**

*Ashok Prasad*

ASHOK PRASAD, ADVOCATE

Counsel for Union of India

Mobile : 9883069404

E-mail: [ashokadvhc@gmail.com](mailto:ashokadvhc@gmail.com)

Before the Hon'ble National Green Tribunal  
Eastern Zone Bench at Kolkata

OA No 104/2023(EZ)

In the matter of:

Subhas Datta .....

Applicant

Versus

State of West Bengal & Ors ..... Respondents

Counter Affidavit on behalf of the National Mission for Clean  
Ganga, D/o WR,RD&GR, Ministry of Jal Shakti (Respondent  
No 8)

Most Respectfully Showeth

I, Sant Ram son of Shri Ram Kumar, aged 51 years, working as  
Deputy Director in the National Mission for Clean Ganga, Department of  
Water Resources, River Development and Ganga Rejuvenation (Do WR,  
RD&GR), Ministry of Jal Shakti do hereby solemnly affirm and state as  
under:

2. That the deponent is presently working as Deputy Director in the  
National Mission for Clean Ganga(NMCG), Department of Water

**सन्त राम / Sant Ram**  
जल निदेशक (एनएनसी) / Deputy Director (NMCG)  
जल संसाधन विभाग आरडी एंड जीआर  
Department of Water Resources RD & GR  
जल शक्ति मंत्रालय, भारत सरकार  
Ministry of Jal Shakti, Govt. of India  
राष्ट्रीय स्वच्छ गंगा मिशन / National Mission for Clean Ganga  
मैजॉर ध्यानचंद स्टेडियम / Major Dhyan Chand National Stadium  
इन्डिया गेट नं. 110 002 / Near India Gate, New Delhi-110 002

RD&GR), Ministry of Jal Shakti, New Delhi and is conversant with the fact of the case on the basis of official records and is duly authorized and competent and to swear this affidavit on behalf of the answering respondent.

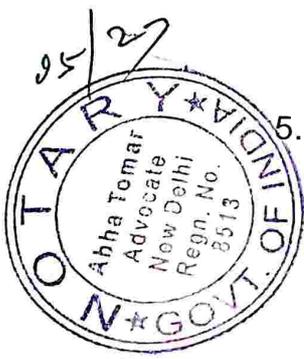
3. That in the aforesaid matter, this Hon'ble Tribunal vide its order dated 10.10.2023 has inter-alia directed the answering respondent to file counter affidavit in the present matter. It is submitted that in the aforesaid Original Application, the applicant is inter-alia seeking directions to the Respondents to take immediate steps for stopping the fouling of river Ganga through discharge of untreated sewage from the hotels/eateries at Howrah Railway Station and also to remove encroachments from the banks of the river at the Howrah Railway Station and to ensure that all drains discharging waste

*Sum*

सन्त राम / Sant Ram  
उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)  
जल संसाधन विभाग आरडी एंड सीआर  
Department of Water Resources RD & GR  
जल शक्ति मंत्रालय, भारत सरकार  
Ministry of Jal Shakti, Govt. of India  
राष्ट्रीय स्वच्छ गंगा मिशन / National Mission for Clean Ganga  
मेजर ध्यानचंद नेशनल स्टेडियम / Major Dhyan Chand National Stadium  
इंदिरा गेट के पास, नई दिल्ली-110 002 / Near India Gate, New Delhi-110 002

from these hotels/eateries are connected to the nearest Sewerage Treatment Plant (STP) near the Howrah Railway Station. 4. That the information regarding alleged pollution from Hotels/ eateries behind Howrah Railway Station, the same may be provided by the West Bengal State Pollution Control Board.

5. That it is, however, submitted that NMCG is providing financial assistance to state of West Bengal for pollution abatement projects in Howrah (Arupara STP 65 MLD capacity) along with other STP projects of Bally (40 MLD) and Kamarhati-Baranagar (60 MLD)



उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)  
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The cumulative cost of the clubbed project is (Rupees five hundred Ninety-five crore and seventy-two lakhs (Rs 595.72 Crs). The project is being executed by Kolkata Metropolitan Development Authority (KMDA) and implemented by State Program Management Group (SPMG). The project is expected to be completed by March 2024.

6. That it is further submitted that matter related to pollution in river Gang and its tributaries is already seized before the Principal Bench of the National Green Tribunal in a matter OA no 200/2014- M.C. Mehta vs Union of India & Ors. The Principal Bench of the Hon'ble NGT is considering the issues relating to pollution and rejuvenation of river Ganga and its tributaries in the stretches falling in the States of Uttarakhand, Uttar Pradesh, Bihar and Jharkhand and West Bengal. The issues arising in the matter related to stretch in the State of West Bengal was further considered by the Principal Bench of the NGT on

25.09.2023. Amongst other the key issues identified are detailed in para 7 of the Hon'ble NGT(PB) order dated 25.09.2023. The concerned District Ganga Protection Committees(DGPCs) in the State of West Bengal have been directed to submit their report in the matter and the matter will be listed before the Principal Bench of the

Hon'ble NGT on 06.12.2023 . A copy of the order dated 25.09.2023,

उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)

जल संसाधन विभाग आरडी एंड सीआर

Department of Water Resources

जल शक्ति मंत्रालय, भारत सरकार

Ministry of Jal Shakti, Govt. of India

राष्ट्रीय स्वच्छ गंगा मिशन / National Mission for Clean Ganga

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7. That in view of the forgoing, it is submitted that the matter may be considered to be transferred to the Principal Bench of this Tribunal

*Sant Ram*  
 Deponent  
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 जल संसाधन विभाग आरडी एंड सीआर  
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 जल शक्ति मंत्रालय, भारत सरकार  
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Verification

7 NOV 2023

Verified at New Delhi on this day of 7<sup>th</sup> November, 2023 that the contents of this affidavit are correct based on the information available on record and nothing material has been concealed therein



*Sant Ram*  
 Deponent  
 सन्त राम / Sant Ram  
 उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)  
 जल संसाधन विभाग आरडी एंड सीआर  
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I certify that the deponent has signed in my presence

Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

TIS Correct Notary Delhi

7 NOV 2023



सन्त राम / Sant Ram  
 उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)  
 जल संसाधन विभाग आरडी एंड सीआर  
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 राष्ट्रीय स्वच्छ गंगा मिशन / National Mission for Clean Ganga  
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(8)

ANNEXURE

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**Original Application No. 200/2014  
(C.W.P. No. 3727/1985)  
(I.A. No. 340/2022)

M.C. Mehta

Applicant

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 25.09.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Katyayni, Advocate

Respondent: Ms. Madhumita Bhattacharjee, Advocate for State of West Bengal  
Mr. Gigi C. George, Adv. for NMCG (Through VC)**ORDER**

1. In terms of earlier order of the Tribunal dated 28.08.2023, the issue relating to prevention and control of pollution of river Ganga is being taken up by the Tribunal State-wise, District-wise and City-wise covering the entire stretch from where the river Ganga and its tributaries flow.

2. Earlier, the Tribunal has considered the issue relating to stretches in the States of Uttarakhand, Uttar Pradesh, Bihar and Jharkhand and today, the matter is being taken up for the State of West Bengal.

3. Learned Counsel appearing for the Petitioner has submitted a synopsis containing the details concerning the State of West Bengal. As per the information submitted, river Ganga (also known as Bhagirathi -

**सन्त राम / Sant Ram**  
उप निदेशक (एनएमसी) / Deputy Director (NMCG)  
जल संसाधन विभाग आरडी एंड सीआर  
Department of Water Resources RD & GR  
जल शक्ति मंत्रालय, भारत सरकार  
Ministry of Jal Shakti, Govt. of India  
राष्ट्रीय स्वच्छ गंगा मिशन / National Mission for Clean Ganga  
मैजोर ध्यान चंद नेशनल सर्विस सेंटर / Major Dhyanchand National Service Centre  
इंडिया गेट, नई दिल्ली-110 002 / Near India Gate, New Delhi-110 002

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tributaries such as Fulahar, Jalangi, Churni, Ajoy, Damodar, etc. are flowing from 12 - 15 districts. The details of the districts from where mainstream of river Ganga and its tributaries are flowing as under:

**"LIST OF TRIBUTARIES AND DISTRICTS"**

<b>Rivers</b>	<b>Districts</b>
Bhagirathi- Hooghly	Malda Murshidabad Nadia Purba Burdwan Hooghly North 24 Parganas Howrah Kolkata South 24 Parganas Purba Midnapore
Fulahar	Malda
Mayurakshi (Barkreswar and Dwarka tributaries)	Birbhum, Murshidabad
Jalangi	Murshidabad, Nadia,
Churni (Known as Mathavanga river in Bangladesh)	Nadia
Ajoy/ Ajay (Kunur, Hingla, and Tumuni tributaries)	Pashchim Bardhaman, Asansol, Birbhum
Damodar	Purliya, Purba Bardhaman, Hooghly, Howrah
Kansabati	Midnapore (Kharagpur)
Ghiya	Hooghly
Shilai/ Shilabati	Puruliya, Bankura, Paschim medinipur
Dwarkeshwar (Damodar River tributary)	Bankura, Hooghly
Rupnarayan (is joint flow of silai and dwarkeshwar)	Bankura
Mundeshwari	Hooghly, Howrah (it becomes Rupnarayan at the borders of Howrah and Purba Medinipur)
Kangsabati	Purliya, Bankura, Purba Medinipur, Jhagram, Paschim mednipur
Haldi (Joint flow of Kelaghari and Kangsabati)	Paschim mednipur

सन्त राम / Sant Ram  
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प्लॉट नं. 110/002 / Near India Gate.



सन्त राम / Sant Ram  
उप निदेशक (सहायकी) / Deputy Director (MCG)  
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प्लॉट नं. 110/002 / Near India Gate.

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Rasulpur	Paschim Mednipur
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4. The number of drains which are discharging into river Ganga district-wise have been disclosed as under:

“

S. No.	District	No. of Drains
1	Maldah	
2	Murshidabad	75
3	Nadia	5
4	Purba Bardhaman	7
5	Hooghly	131
6	North 24 Parganas	100
7	Howrah	10
8	Kolkata	44
9	South 24 Parganas	22
10	Purba Medinipur	8

”

(source – Status Report of State of West Bengal, OA 200/2014, dated 21.09.2023, Pg. 24132)

5. The synopsis also contains the CPCB polluted river stretches, 2022 in the tabulated chart, as under:

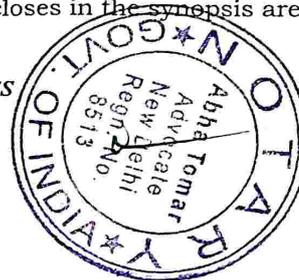
**“CPCB POLLUTED RIVER STRETCHES, 2022**

River	Polluted river stretches/ location	Max BOD (mg/l)	Priority Class
Barakar	Along Asansol	3.1	V
Churni	Bijoypur To Ranaghat	20.8	II
Damodar	Dishergarh To Burdwan	5.2	V
Dwarakeshwar	Along Bankura Town	3.8	V
Dwarka	Along Tarapith	5.7	V
Ganga	Behrampur To Haldia	8.0	IV
Jalangi	Along Krishna Nagar	6.2	IV
Kansi	Along Midnapore	6.3	IV
Rupnarayan	Kolaghat To Geonkhali	3.7	V

सन्त राम / Sant Ram  
उप निदेशक (नलसमीची) / Deputy Director (NMCG)  
जल संसाधन विभाग आरपी, राँची, झारखण्ड  
Department of Water Resources, RD & G, Ranchi, Jharkhand  
जल शक्ति मंत्रालय, भारत सरकार  
Ministry of Jal Shakti, Govt. of India  
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मैजोर ध्यान चन्द्र / Major Dhyan Chand  
इंडिया गेट नजारे 110 002 / Near India Gate

The list of industrial estates falling in the mainstream of river Ganga in the State of West Bengal as disclosed in the synopsis are as follows:

**“LIST OF INDUSTRIAL ESTATES**

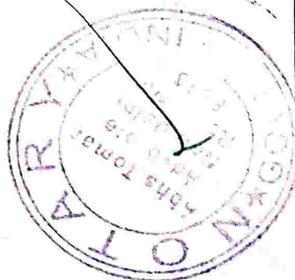


<b>Distriet</b>	<b>Industrial Area/ Estate</b>	<b>Industrial profile</b>
<i>Malda</i>	<i>Malda Industrial Park, Phase I &amp; II</i>	<i>73 industrial units in Malda Phase I industrial park. Agro processing, Starch and Chemicals, warehousing, petroleum products and plastic products, engineering units.</i>
<i>Howrah</i>	<i>Uluberia Park</i>	<i>There exist about 70 industrial units in Uluberia Industrial Park. Iron and Steel casting, food processing, plastic and PVC molding units etc. Drainage of treated industrial and storm sewer is facilitated through network of surface drains.</i>
<i>Nadia</i>	<i>Haringhata Industrial Park  Kalyani Industrial Park in three locations viz. - Kalyani Phase -I, Kalyani Phase -II, Kalyani Phase -III</i>	<i>There are about 21 industrial units in this phase of Kalyani Industrial Park. Engineering/ancillary, chemicals, metal-based etc.</i>
<i>Bankura</i>	<i>Bishnupur Industrial Park</i>	<i>Bishnupur is situated closely to Dwarakeswar river. There are 12 industrial units in Bishnupur Industrial Park. Metal and Metal Alloy, Poultry feed, Cement plant, Steel and related industry. Drainage of treated industrial and storm sewer is facilitated through network of surface drains.</i>
<i>Birbhum</i>	<i>Bolpur Shipa Niketan</i>	<i>There are 4 allotted units in Bolpur Industrial Park.</i>
<i>Paschim Midnapur</i>	<i>Kharagpur Industrial Park</i>	<i>There are 28 industrial units in Kharagpur Industrial Park. Iron and steel, telecom, engineering and food processing. Drainage of treated industrial and storm sewer is facilitated through network of surface drains.</i>
<i>Purba Midnapore</i>	<i>Haldia Industrial Park</i>	<i>Manufacture of Automotive &amp; Heavy Duty Batteries, Vanaspati edible oil, Calcined coke, shipping related activities (storage, warehousing, clearing, forwarding). Haldia also has the "Central Institute of Plastic Engineering and Technology" (CIPET) that caters to the need of plastic and polymer industries. Storm water drains in whole stretch of the Industrial Park is available.</i>
<i>South 24 Parganas</i>	<i>Falta Industrial Park Phase I- comprise of Sector-III &amp; Sector-IV. Phase - II : comprises of Sector V.  Falta Pharmaceutical and Allied Products Park</i>	<i>There are about 25 industrial units in this sector. Engineering units/Ancillary, Chemicals based. Drainage of treated industrial and storm sewer is facilitated through network of surface drains.</i>

(source: <https://wbide.wb.gov.in/growth-centres/>)

\*\*Most industrial estates/ areas are using borewells (ground water)

*Sum*  
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Department of Water Resources RD & GR  
जल शक्ति मंत्रालय, भारत सरकार  
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प्लॉट नं. २२ एम. ३, टि. ११० ००२ / Near Sector 22 Parganas



7. The key issues relating to river Ganga and its tributaries in the State of West Bengal are stated to be following:

**\*Key Issues**

1. Sewage – discharging of untreated sewage from households, hotels, industries, hospitals, educational institutions, and public & private offices etc. directly into the river/tributaries.
2. Industrial effluent discharge (including hazardous waste) – polluted effluents from industrial estates, tanneries, slaughter houses, textile dyeing industries, standalone units/factories, small scale industries, and in-house (illegal) units and find their way into Rivers through sewerage drains, storm channels or uncapped industrial/mixed drains.
3. Encroachment of floodplains and erosion of embankments/river banks.
4. xxx .....xxx.....xxx
5. Municipal Solid waste and legacy waste disposal – there are numerous sources of solid waste generation like domestic waste (household), plastic, electronic waste, non-hazardous medical instruments, industrial waste, and packaging waste etc. This solid waste either end up in a legacy site or find their way into the rivers (through drains/khals/canals). At many Ghats (especially crematorium/puja) there are heaps of organic/degradable waste lying to be washed away by the Ganga River.
6. xxx .....xxx.....xxx
7. Agricultural Run-off.
8. Bio-medical waste.
9. Sand mining – Most of the rivers (tributaries/distributaries) are faced with the problems of illegal sand mining and smuggling.

*Sant Ram*  
**सन्त राम / Sant Ram**  
 Deputy Director (MCG)  
 जल संसाधन विभाग आरडी एंड ग्रेडिंग  
 Department of Water Resources RD & GR  
 जल शक्ति मंत्रालय, भारत सरकार  
 Ministry of Jal Shakti, Govt. of India  
 राष्ट्रीय स्वच्छ जल मिशन / National Mission for Clean Ganga  
 आर एन डी एन मिशन / Major River Ganga  
 प्रिय डी. व. ऑफ़ रिज-110 002 / Near India Gate, New Delhi-110 002

In the earlier order, we had taken note of Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 and the set up existing under that order at the Center, State and District level. At the district level, District Magistrate is the Ex-Officio Chairman of the District Ganga Protection Committee which have been entrusted with certain vital responsibilities for preventing pollution in Ganga at the District level. Hence, at this stage, we direct the District Magistrates of all the Districts (mainstream and tributaries) from where mainstream of river Ganga as



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also its tributaries flow in the State of West Bengal to submit their own separate reports on the issues noted above in respect of steps which have been taken by respective District Ganga Protection Committee for prevention and control of pollution of river Ganga in their respective areas.

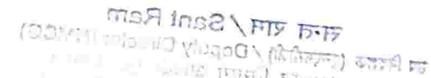
9. Learned Counsel appearing for the State of West Bengal has also submitted that she will ensure that the above District Ganga Protection Committees are conveyed the order of the Tribunal passed today.

10. Learned Counsel appearing for the State of West Bengal has informed that the report in terms of earlier direction giving the comprehensive view relating to pollution sources of River Ganga and its tributaries the State of West Bengal has been filed.

11. Let notice be issued by the Registry of the Tribunal to the concerned District Ganga Protection Committees in the State of West Bengal through their Ex-Officio Chairman for submitting the report. Let report be filed within eight weeks by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

12. List the matter relating to State of West Bengal on 06.12.2023.

  
**सन्त राम / Sant Ram**  
 उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)  
 जल संसाधन विभाग आरडी एंड सीआर  
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 जल शक्ति मंत्रालय, भारत सरकार  
 Ministry of Jal Shakti, Govt. of India  
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 मेजर ध्यानचंद नेशनल स्टेडियम / Major Dhyan Chand National Stadium  
 इंदिया गेट के पास, नई दिल्ली-110 002 / Near India Gate, New Delhi-110 002

  
 Prakash Shrivastava, CP  
 Ministry of Jal Shakti, Govt. of India  
 राष्ट्रीय स्वच्छ गंगा मिशन / National Mission for Clean Ganga  
 मेजर ध्यानचंद नेशनल स्टेडियम / Major Dhyan Chand National Stadium  
 इंदिया गेट के पास, नई दिल्ली-110 002 / Near India Gate, New Delhi-110 002

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

September 25, 2023  
 Original Application No. 200/2014  
 (C.W.P. No. 3727/1985)  
 (I.A. No. 340/2022)  
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भारत सरकार  
गृह मंत्रालय



GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS

वैध तिथि

VALID UPTO

FEB 2026



नाम

सन्त राम

पता

SANT RAM

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उप निदेशक

Designation

DEPUTY DIRECTOR

मंत्रालय कार्यालय

जल शक्ति मंत्रालय

Ministry office

JAL SHAKTI

Blood group : O-

No. Y 215200013376

मुख्य सुरक्षा अधिकारी(CSO)

*P. Singh*

Tel. No. O:  
Tel. No. R:

01123049433  
7503419136

### अनुदेश / INSTRUCTIONS

वैध तिथि समाप्त होने पर कार्ड वापिस करें। इसके खो जाने की रिपोर्ट पुलिस तथा मुख्य सुरक्षा अधिकारी को तत्काल दी जानी चाहिए।  
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Please surrender this card on expiry. Its loss should be reported immediately to the police and the Chief Security Officer. Penalty for loss is Rs. 50/-

Date of issue : 10/02/2021

*Sant Ram*

सन्त राम / Sant Ram

उप निदेशक (एनएमसीजी) / Deputy Director (NMCG)

जल संसाधन विभाग आरडी एंड सीआर

Department of Water Resources RD & GR

जल शक्ति मंत्रालय, भारत सरकार

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