

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 350 OF 2024

IN THE MATTER OF:

AMIT KUMAR & ANR.

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

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THROUGH

DATE: 02.09.2025
PLACE: NEW DELHI

Gigi.C.George, Advocate
Advocate for Respondent
Ch No. 457, Lawyers Block-1
Delhi High Court, New Delhi

Email- gigicgoerge.adv42@yahoo.in
Mob-9810625315

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
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...RESPONDENTS

**AFFIDAVIT IN COMPLIANCE OF ORDER DATED 08.04.2024 ON BEHALF OF
RESPONDENT NO. 2 ; DoWR, RD&GR**

MOST RESPECTFULLY SHEWETH:

I, Anup Kumar Sirvastava, aged about 58 years, presently working as Executive Director (Technical) in the National Mission for Clean Ganga (NMCG), Ministry of Jal Shakti, Government of India, New Delhi do hereby solemnly affirm and state as under:

1. That I am working as Executive Director (Technical) in the National Mission for Clean Ganga (NMCG), Ministry of Jal Shakti, Government of India, New Delhi. I am duly authorized for and on behalf of DoWR, RD & GR, i.e., R-2 to swear to the present affidavit. I am fully conversant with the facts and circumstances of the present case from the records.
2. That at the outset it is submitted that NMCG is one of the authorities constituted in accordance with the provisions of sub-section 3 of Section 3 of the Environment (Protection) Act, 1986 vide notification no. S.O. No. 3187(E) dated 07.10.2016, published in the gazette of India. NMCG has been mandated with for the



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implementation of programs for protection, prevention and rejuvenation of river Ganga and its tributaries christened as the Namami Gange Programme (NGP) of the Central Government. The NGP focuses on effective abatement of pollution and rejuvenation, protection and management of the river Ganga and its tributaries through interventions like taking up sewerage infrastructure projects for interception, diversion and treatment of waste water discharge from open drains into the river through construction of new STPs and/or rehabilitation and augmentation of existing STPs, laying of sewage pipelines etc.

3. That the issue raised in the present application pertains to illegal mining activities adversely affecting the flow of the Kasawati River in Neem Ka Thana district of Rajasthan and Mahendragarh district of Haryana. The Applicant has alleged that rampant illegal mining is being carried out on the riverbed, resulting in the creation of deep-dug pits, thereby endangering the very existence of the river. It is further alleged that such unregulated mining has caused serious environmental consequences in the region, including depletion of the groundwater table and adverse impact on the livelihood of local communities dependent on the river.
4. That in view of the grievances raised by the applicant, the Department of Water Resources, River Development & Ganga Rejuvenation (DoWR, RD & GR) has requested for status reports from various wings and divisions, including the Central Ground Water Authority and Central Water Commission.
5. That pursuant to the aforesaid request, the Central Water Commission (CWC), vide its communication dated 27.03.2025, has furnished its reply, the relevant submissions whereof are reproduced herein below:
 - a) That it is respectfully submitted that, in view of the Applicant's prayer seeking an environmental assessment of the Kasawati/Kanswati/Krishnawati/Kasaunti



River and the Raipur Patan Dam, including issues of illegal mining, stone-crushing activities and encroachments, it is submitted that appropriate institutional mechanisms are already in place. River Rejuvenation Committees (RRCs) have been constituted in all States to prepare and implement time-bound Action Plans for restoration of polluted river stretches. These Action Plans are approved by the Central Pollution Control Board (CPCB), monitored at the State level under the supervision of the Principal Secretary (Environment), and reviewed at the Central level by the Central Monitoring Committee. The mandate of the RRCs includes, inter alia, interception and diversion of sewage, treatment of industrial effluents, and water quality monitoring, thereby providing an institutional platform to address the issues raised by the Applicant.

- b) The Ministry of Jal Shakti has also been actively involved in protecting rivers from pollution and illegal encroachments through various guidelines and policy measures. Kaswati river, being a tributary of Sahibi river is a part of the Ganga Basin. Government of India has constituted authorities at Central, State and district levels vide the river Ganga (Rejuvenation, Protection and Management) Authorities order, 2016 adopting a basin centric approach towards rejuvenation of river Ganga. This notification, inter-alia has declared that the bank of river Ganga and its floodplain shall be construction free zone and prohibits construction of any structure for residential or commercial or industrial or any other purpose in the River Ganga, bank of river Ganga or its tributaries or active flood area of river Ganga or its tributaries.
- c) The authorities constituted at the Central, State and District levels, shall have powers related to (i) prevention, control and abatement of environmental pollution in river Ganga and its tributaries (ii) emergency measures in case of



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pollution of river Ganga or its tributaries, on account of any noxious or polluting matter entering river Ganga due to any accident or any unseen circumstances and (iii) issue directions in writing as it may consider necessary for abatement of pollution and rejuvenation, protection and management of the River Ganga to the concerned authority or local authority or other authorities or Board or Corporation at their specific levels.

- d) This notification, inter-alia has declared that the banks of river Ganga and its floodplain shall be construction free zone and prohibits construction of any structure for residential or commercial or industrial or any other purpose in the river Ganga, bank of river Ganga or its tributaries or active flood area of river Ganga or its tributaries.
- e) At the District Level, District Ganga Committees (DGC) have been established under the National Mission for Clean Ganga (NMCG) to ensure effective implementation of the Ganga Rejuvenation Plan at the district level. These committees play a crucial role in coordinating and monitoring activities related to the cleaning and conservation of river Ganga and its tributaries.
- f) In case of rivers in basins other than Ganga basin, a major initiative to clean up the polluted stretches of important rivers of the country has been taken by the Government of India in shape of the National River Conservation Plan (NRCP). The objective of NRCP is to improve the water quality of the rivers through implementation of pollution abatement schemes and by ensuring people's cooperation in abating the pollution of rivers caused by both point and non-point sources.

To finalize the policies and framework and to oversee the implementation of NRCP, Government of India had set up the National River Conservation



Authority (NRCA) with Hon'ble Prime Minister as the Chairman of the Authority, who, inter-alia shall monitor the implementation of various programs/schemes and give instructions to the implementing agencies and approve programs as per the specific action plans. Authority (NRCA) with Hon'ble Prime Minister as the Chairman of the Authority, who, inter-alia shall monitor the implementation of various programs/schemes and give instructions to the implementing agencies and approve programs as per the specific action plans.

- g) Further, a three-tier monitoring mechanism has been established to monitor and prevent river pollution in various rivers across the country. At the central level, the Central Monitoring Committee (CMC) was constituted under the chairmanship of the Secretary, DoWR, RD & GR, Ministry of Jal Shakti to oversee the implementation of action plans for the restoration of polluted river stretches across India. The National Mission for Clean Ganga (NMCG) was made the nodal agency in his regard. The CMC is responsible for overall monitoring the progress of the various states and union territories in addressing the river pollution and ensuring compliance with environmental regulations which, inter-alia also includes the monitoring activities in the flood plain zones.
- h) National Mission for Clean Ganga has also from time to time advised all states in Ganga basin for demarcation, delineation and notification of river floodplains and removal of encroachment from riverbed/floodplain of the river Ganga and its tributaries in adherence to the River Ganga (Rejuvenation, Protection and Management Authorities) Order 2016.



Copy of the CWC letter dated 27.03.2025 is marked herewith as '*Annexure – I*'.



6. That in view of the further prayer of the Applicant seeking immediate removal of all mining activities and illegal encroachments along the basin of the Kasawati/Krishnawati River, it is respectfully submitted that mining activities in the country are strictly regulated under the provisions of the Environment (Protection) Act, 1986, the Environment Impact Assessment (EIA) Notification, 2006 (as amended from time to time), and the Mines and Minerals (Development and Regulation) Act, 1957, as amended. The relevant provisions are summarised hereunder for kind consideration of this Hon'ble Tribunal:

- a) That the MoEF&CC, vide notification no S.O 1533 (E) dated 14.09.2006, has issued Environment Impact Assessment(EIA) Notification, 2006, mandating prior Environment Clearance for regulating potential impacts from certain category of projects, including mining. Further, it is submitted that the regulatory authorities viz the Central Government / State Environment Impact Assessment Authority (SEIAAs), have been constituted, under sub section 3 of section 3 of the Act and these authorities are empowered to grant environment clearance (EC), depending on the category of projects or activities, identified in the schedule, at the central level and at the States/UTs level i.e Category "A" and Category "B" projects in the schedule appended to the Notification, requiring prior environmental clearance from the Central Government /State/UT EIAA, as the case may be. All projects and activates for mining, falling in Category "B" require prior environmental clearance from the SEIAA.
- b) That the EIA Notification, 2006 is amended by the MoEF&CC from time to time. As per the amendment Notification no S.O 1886 (E) dated 20.04.2022, SEIAA have been empowered to grant environment clearance to all minor



minerals mining projects, irrespective of mine leases area.

- c) That as regards sand mining, SEIAA is duly empowered to take action for grant of EC to the Project Proponent and in case of violations of the EC conditions and against the said project proponent.
- d) That it is further relevant to mention that as per sub section (2) of section 4-A of the Mines and Minerals (Development and Regulation) Act 1957, as amended, where the State Government is of opinion that it is expedient in the interest of regulation of mines and minerals development, preservation of natural envior environment, control of floods, or to avoid danger to public health or communications or to ensure safety of buildings, monuments or other structures or for such other purposes, as the State Government may deem fit, it may, by an order, in respect of any minor mineral, make premature termination of prospecting license or mining lease with respect to the area or any part thereof covered by such license or lease.
- e) That the State Department of Mines and Geology is the nodal authority, in the State, for dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act 1957, as amended, and has been entrusted with the enforcement and regulation of mining operations in a State including illegal mining. The State Government is also empowered, under Section 23C of the Mines and Minerals (Development and Regulation) Act, 1957, as amended, to frame rules regulating and prevention of illegal mining, transportation and storage of minerals.
- f) That the concerned departments and authorities of the State Government are duly empowered and competent to ensure that no illegal mining activities take place in the state.



- 7. That, the answering respondent herein craves leave of the Hon'ble Tribunal to file additional reply, in future, if required.
- 8. In light of the above submission, it is respectfully submitted that this Answering Respondent DoWR, RD & GR, shall abide by any order(s) or direction(s) passed by this Hon'ble tribunal in this Application.

DEPONENT



Identify the Deponent who Signed before me
VERIFICATION

I, the deponent above named do hereby verify that the contents of the aforesaid affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom. Verified at New Delhi on this 02 day of September 2025.

DEPONENT



Date: 02.09.2025

Place: New Delhi

Identify the Deponent who Signed before me

ATTESTED

NOTARY PUBLIC

02 SEP 2025



Government of India
Central Water Commission
River Conservation Directorate

West- Block2, First Floor,
Sewa Bhawan, New Delhi-66
E-mail: rcddte-cwc@nic.in
Dated 27 /03/2025
Ph : 011-32583390

**Subject : O.A. No. 350/2024 Amit Kumar Vs. UOI & Ors. in National Green
Tribunal, Principal Bench, New Delhi- Input of CWC- reg**

With reference to the subject cited above, please find attached the reply/input for counter Affidavit on the matter as **Annexure-I** for your kind information and further necessary action please.

Encl: As Above

Signed by Avanti Verma
Date: 27-03-2025 16:42:21 .
Reason: Approved
(Avanti Verma)
Director

To The Under Secretary, National River Conservation Directorate. Deendayal
Antyodaya Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.

Copy for kind information to:

1. Chairman, Central Water Commission, New Delhi.
2. Member (RM/WP&P) Wing , CWC
3. Chief Engineer (P&D), CWC, New Delhi.
4. Director (RM/WP&P) Coordination Dte

Annexure-ISub : OA No. 350/2024 Amit Kumar Vs Union of India and Ors**Background:**

The matter is regarding the application filed by Sh. Amit Kumar (main applicant) and Sh. Kailash Meena (co-applicant), residents of Rajasthan in the Hon'ble National Green Tribunal regarding illegal mining affecting the flow of Kaswati river in the Neem Ka Thana district of Rajasthan and Mahendragarh district of Haryana.

A brief synopsis of the application and the details presented by the applicant is reproduced below:

2. Kaswati, a rainfed river, originates in the Aravalli ranges near the Neemod village of the Neem Ka Thana District of Rajasthan. The river flows through Bharala and reaches the Raipur Patan Dam before entering Haryana, wherein it passes through a multitude of villages including Biharipuri, Akbarpur Sirohi, Kutbapur, Nuni Saloni etc. The river is historically, a tributary of the Sahibi river and has played a vital role in sustaining agriculture, supporting biodiversity and serving as a lifeline for a countless villages along its course.

3. Presently, the Kaswati river is on the verge of extinction due to multiple reasons including the major ones listed below:

- (a) **Illegal Sone Crushers and Mining Activities:** - The Kaswati river faces degradation due to unregulated mining activities and the operation of the Stone Crushers in the riverbed. The deep pits created due to illegal mining activities are left in the riverbed, which stop the water from flowing further into the river.
- (b) **Unlawful Encroachments:** - Unauthorized constructions done along the bank of Kaswati river by stone crushers units have disrupted the natural flow and alter the ecosystem. There are also illegal encroachments by the neighboring farmers at several places who uses the floodplains for cultivation.
- (c) **Neglected Maintenance:** - There haven't been ample efforts by the relevant authorities, and hence the lack of proper rainwater harvesting and river management practices such as check dams etc. exacerbates the crisis.

As a result of the activities mentioned from (a) to (c), the ground water levels have drastically been impacted in the area, posing a threat to the livelihoods of the local communities.

4. Following the complaints and RTI applications submitted by Sh. Kailash Meena (one of the applicant), the AE, WRD of Sikar Sub Division had issued notices to several

crusher units and illegal encroachers; but failed to follow up strictly on those notices and most of those crushers are still operating in the riverbed of the Kaswati River.

5. As a result of the disappearance of the Kasawati River, the Raipur Patan Dam, constructed in 1968 is facing serious ill-effects of water depletion. The Raipur Patan Dam contributed to the groundwater recharging as well as to store the rainwater which was then passed onto the Haryana state for irrigation (the applicant has also enclosed the satellite views comparing the water stored in the Raipur Patan Dam in October 2018 and October 2022 and newspaper articles referring to the current situation of Raipur Patan Dam for reference)

6. The condition of Raipur Patan Dam causes the Kasawati river (also known as Krishnawati river in Haryana) to completely dry up as it enters Haryana. This, in turn is causing serious water scarcity in the Mahendragarh district of Haryana.

7. The intensity of the problem mentioned at 7 above was presented through a newspaper article by the Times of India, dated 07.12.2024 which further reported that a letter was written by the Haryana State Irrigation Department (HSID) to Rajasthan Chief Engineer (Water Resources) mentioning that during the rainy season, no water is available for Haryana for recharging the groundwater through Krishnawati /Kasawati River of the district of Mahendragarh. As a result, the sub soil water of Mahendragarh district is depleting rapidly with each passing year, precipitating the crisis of drinking water.

In view of the points mentioned from 1 to 7 above, the applicant has sought attention of the court in light of the ongoing pollution and illegal encroachment activities, compromising the fundamental human right to a clean and healthy environment. The river's decline has posed an existential threat to the region's ecological integrity. The applicant has pleaded the urgent need for a comprehensive rejuvenation effort to restore the ecological balance and ensure the well-being of the affected population.

The applicant seeks the following actions (in brief) from the Hon'ble NGT.

- a. Direct the respondent authorities to conduct a comprehensive environmental assessment of the Kasawati/Kanswati/Krishnawati/Kasaunti River, as well as that of the Raipur Patan Dam, documenting their current state, list all past and present illegal mining & stone crushing activities, areas of illegal encroachments, and to report the findings to this Hon'ble Tribunal.
- b. Order the immediate removal of all mining activities and illegal encroachments along the basin of Kasawati/Krishnawati River and enforce measures in accordance with the Environmental Protection Act, 1986, and other relevant guidelines.

- c. Mandate the implementation of a sustainable river rejuvenation plan for the Kasawati/Krishnawati River that includes measures for rainwater harvesting, groundwater recharge, construction of check dams, and the restoration of native flora and fauna, in line with the National Water Policy and the principles of sustainable development.
- d. Direct the establishment of a monitoring committee comprising environmental experts, local community representatives, and government officials to oversee the execution of the rejuvenation plan and ensure compliance with this Tribunal's directives.
- e. Pass any such other or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case to ensure the effective restoration and preservation of the Kasawati/Krishnawati River for the benefit of current and future generations.

Department of Water Resources, River Development and Ganga Rejuvenation has been made respondent no. 2 in the case.

In this regard, the para wise replies to the prayers submitted by the applicant has been prepared by this office as below:

1. *Direct the respondent authorities to conduct a comprehensive environmental assessment of the Kasawati/Kanswati/Krishnawati/Kasaunti River, as well as that of the Raipur Patan Dam, documenting their current state, list all past and present illegal mining & stone crushing activities, areas of illegal encroachments, and to report the findings to this Hon'ble Tribunal.*

Reply: River Rejuvenation Committees have been established in the states for effective implementation of action plan for restoration of polluted river stretches. These River Rejuvenation Plans are approved by CPCB and comes under the supervision of the Principal Secretary (Environment) of States. These committees develop time-bound action plans for specific polluted river stretches, focusing on issues like sewage interception and diversion, industrial effluent treatment, and water quality monitoring. The actions of the RRCs are monitored at the central level by the Central Monitoring Committee.

2. *Order the immediate removal of all mining activities and illegal encroachments along the basin of Kasawati/Krishnawati River and enforce measures in accordance with the Environmental Protection Act, 1986, and other relevant guidelines.*

Reply: Mining is regulated through Ministry of Environment, Forest and Climate Change and the State Environmental Impact Assessment Authority through environmental clearances.

However, Ministry of Jal Shakti has been taking measures to protect the rivers from pollution and illegal encroachments, in the form of guidelines and policies.

- a. Kaswati river, being a tributary of Sahibi river is a part of the Ganga Basin. Government of India has constituted authorities at Central, State and district levels vide the river Ganga (Rejuvenation, Protection and Management) Authorities order, 2016 adopting a basin centric approach towards rejuvenation of river Ganga. This notification, inter-alia has declared that the bank of river Ganga and its floodplain shall be construction free zone and prohibits construction of any structure for residential or commercial or industrial or any other purpose in the River Ganga, bank of river Ganga or its tributaries or active flood area of river Ganga or its tributaries.

The authorities constituted at the Central, State and District levels, shall have powers related to (i) prevention, control and abatement of environmental pollution in river Ganga and its tributaries (ii) emergency measures in case of pollution of river Ganga or its tributaries, on account of any noxious or polluting matter entering river Ganga due to any accident or any unseen circumstances and (iii) issue directions in writing as it may consider necessary for abatement of pollution and rejuvenation, protection and management of the River Ganga to the concerned authority or local authority or other authorities or Board or Corporation at their specific levels.

At the District Level, District Ganga Committees (DGC) have been established under the National Mission for Clean Ganga (NMCG) to ensure effective implementation of the Ganga Rejuvenation Plan at the district level. These committees play a crucial role in coordinating and monitoring activities related to the cleaning and conservation of river Ganga and its tributaries.

In case of rivers in basins other than Ganga basin, a major initiative to clean up the polluted stretches of important rivers of the country has been taken by the Government of India in shape of the National River Conservation Plan (NRCP). The objective of NRCP is to improve the water quality of the rivers through implementation of pollution abatement schemes and by ensuring people's cooperation in abating the pollution of rivers caused by both point and non-point sources.

To finalize the policies and framework and to oversee the implementation of NRCP, Government of India had set up the National River Conservation

Authority (NRCA) with Hon'ble Prime Minister as the Chairman of the Authority, who, inter-alia shall monitor the implementation of various programs/schemes and give instructions to the implementing agencies and approve programs as per the specific action plans.

Further, a three-tier monitoring mechanism has been established to monitor and prevent river pollution in various rivers across the country. At the central level, the Central Monitoring Committee (CMC) was constituted under the chairmanship of the Secretary, DoWR, RD & GR, Ministry of Jal Shakti to oversee the implementation of action plans for the restoration of polluted river stretches across India. The National Mission for Clean Ganga (NMCG) was made the nodal agency in his regard. The CMC is responsible for overall monitoring the progress of the various states and union territories in addressing the river pollution and ensuring compliance with environmental regulations which, inter-alia also includes the monitoring activities in the flood plain zones.

The primary objectives of the CMC are to:

- Review and monitor the implementation of action plans for the restoration of polluted river stretches.
- Ensure coordination among different agencies and stakeholders involved in river conservation efforts.
- Provide guidance and support to states and union territories in their efforts to improve water quality and reduce pollution levels.
- Submit periodic reports to the NGT on the progress made in restoring polluted river stretches.

b. A National Framework for Sediment Management (NFSM) has been published by Ministry of Jal Shakti in October, 2022. It has been formulated as a **comprehensive framework for managing the sediments in rivers in addition to catchment and reservoirs throughout India in a holistic manner.** The Framework provides reference to all existing guidelines/ policies dealing with the various aspects of the sediment management. It will facilitate the concerned stakeholders such as the State Govts, other Ministries, Departments, etc in planning strategies and implementation of projects giving due consideration to environment and ecology. It will serve as a guidance document for management of sediment across the river basin. **It therefore is meant to assist States in formulating their own plans for**

management of their specific issues related to sediment contribution from various sources. Various aspects related to dredging/desilting are also included in the framework. The same is available for download at the following link:- <https://jalshakti-dowr.gov.in/document/policy-on-sediment-management/>. A brief note on the same is attached for ready reference as **Annexure-II**.

- c. Ministry of Jal Shakti has been advocating the states from time to time to protect their river's floodplains from encroachments by zoning of floodplains and regulating the activities therein. In this regard, MoJS had circulated the Flood Plain Zoning Bill to the states during 1975. The bill envisaged the formation of a Flood Plain Zoning Authority for survey and demarcation of floodplains. But, only 4 states namely Manipur, Rajasthan, Uttarakhand and erstwhile state of Jammu and Kashmir enacted this bill. Other states are yet to take action on the same.
- d. To further sensitize and guide the states about carrying out Flood Plain Zoning, a set of Technical Guidelines were prepared and circulated by MoJS during July 2024. These guidelines highlight the importance of a river's floodplains in providing the 'right of way' to the river and the role it plays in maintaining the overall vitality of the dependant ecosystem. These guidelines urge the states to categorise their river's floodplains into three zones based on return period floods as (i) Protective Zone (1 -in 5 year return period flood), (ii) Regulatory Zone (1-in 25 year return period flood) and (iii) Warning Zone (1 in 100-year return period flood) and regulate the land use within these zones. The guidelines illustrate a set of permissible and prohibitive activities within each zone for reference by the states. Once implemented, these guidelines shall serve as a valuable document in aiding the states in drafting legislations in protecting their rivers from future encroachments.
- e. The guideline mentioned at (d) was circulated to the states for review/suggestions during July 2024. Any comment on the document is yet to be received from the state of Rajasthan.

3. *Mandate the implementation of a sustainable river rejuvenation plan for the Kasawati/Krishnawati River that includes measures for rainwater harvesting, groundwater recharge, construction of check dams, and the restoration of native flora and fauna, in line with the National Water Policy and the principles of sustainable development.*

It is the primary responsibility of States/Union Territories (UTs) and Urban Local Bodies to ensure the required treatment of sewage and industrial effluents to the prescribed norms before discharging into the rivers and other water bodies. The Govt of India is supporting the efforts of States/ UTs through schemes like Namami Gange programme, National River Conservation Plan (NRCP) and Atal Mission for Rejuvenation and Urban Transformation (AMRUT) for pollution abatement of rivers in the country.

The local authorities, communities and NGOs are involved in the efforts for reduction in river pollution across the country.

Some of the initiatives taken for the involvement of stakeholders in river conservation are as below:

- Nationwide, various initiatives have been taken to promote the cleanliness of the rivers, sanitation, and solid waste management under the Swachh Bharat Mission.
- Jal Shakti Abhiyan is launched by the Ministry of Jal Shakti for water conservation and management, reviving water bodies including rivers, public awareness, involvement of local bodies and communities, and promoting efficient irrigation etc.
- In February 2025, under the public awareness campaign, various activities, such as cultural programme, Aarti on the banks of rivers, river cleaning drives, yatras, slogans/drawing/essay competitions etc., were carried out at various places in Andhra Pradesh, Assam, Chhattisgarh, Jammu and Kashmir, Kerala, Manipur, Maharashtra, Nagaland Sikkim, Tamil Nadu, Orissa, Uttar Pradesh and Uttarakhand, etc. for awareness/participation of Public in conservation of rivers.
- Central Pollution Control Board (CPCB), State Pollution Control Boards (SPCB)/Pollution Control Committees (PCCs), and NMCG monitor industries and sewage treatment plants with respect to effluent discharge standards and take punitive action against the non-complying industries and local bodies under the provisions of the Environment (Protection) Act, 1986, and the Water (Prevention & Control of Pollution) Act, 1974.

4. *Direct the establishment of a monitoring committee comprising environmental experts, local community representatives, and government officials to oversee the execution of the rejuvenation plan and ensure compliance with this Tribunal's directives.*

In pursuance of the directions of the Hon'ble NGT in the matter of OA No. 673 of 2018 regarding 351 polluted river stretches, a Central Monitoring Committee (CMC) was constituted under the chairmanship of Secretary, DoWR, RD & GR. The committee holds periodic meetings from time to time to monitor river rejuvenation efforts, including those under the Namami Gange and National River Conservation Plan (NRCP).

5. *Pass any such other or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case to ensure the effective restoration and preservation of the Kasawati/Krishnawati River for the benefit of current and future generations.*

Nil.

Annexure-II**Broad points in National Framework for Sediment Management (NFSM)**

- (i) More emphasis on reduction in **sediment generation** rather than **silt removal** by way of catchment area treatment plans.
- (ii) Best practices for sediment management in catchment, river and reservoir have been described along with case study.
- (iii) For sand and gravel mining, existing/latest guidelines issued by MoEF&CC to be adhered.
- (iv) Dredging and desilting of dams, reservoirs, weirs, barrages, river and canals for purpose of annual/routine maintenance/upkeep and disaster management, channelization of river for navigation purposes by IWAI are exempted from clearance with pre-condition that it does not cause pollution in river and does not harm flora and fauna.
- (v) Dredging/desilting of **river** other than maintenance work to be undertaken as per following:
 - Allowed only in exceptional circumstances
 - Only exploitable quantity to be dredged
 - Backed by Scientific Study
 - Does not disturb ecology and environment
 - Feasibility Report (including disposal/utilization plan for dredged material) along with Environment Management Plan/ EIA Studies
 - NOC to be obtained from SPCB/ UTPCB for disposal site
 - Safety of structure to be ensured.
 - DPR to be prepared by respective Authority and same may be approved and appraised by State TAC. Concerned regional Chief Engineer of CWC or his representative should be included as one of members of the State TAC.
- (vi) Dredging/desilting from **flood control** point of view:
 - De-silting of rivers for flood control is not an economically viable solution;
 - De-silting of rivers can marginally minimize the magnitude of floods and be effective only for a short period.
 - Selective need-based dredging of certain reaches of rivers coupled with structural and non-structural measures may be considered.
- (vii) Dredging/desilting of **reservoir** other than maintenance work to be undertaken as per following:
 - Regular monitoring of sediment deposition in reservoir should be carried out.
 - Integrated Bathymetry survey with sub-profiling sampling needs to be carried out at prescribed intervals as per Compendium on sedimentation of reservoirs in India (2020).
 - Formulate and select the most viable management alternative, prior to implementing the selected measures.
 - Proper utilization/disposal plan needs to be prepared.
 - Environmental, ecological and social issues to be taken into account.
 - Feasibility Report along with Environment Management Plan as per the guidelines provided in the "Handbook for Assessing and Managing Reservoir Sedimentation", CWC, 2019.

- NOC to be obtained from SPCB/ UTPCB for disposal site
 - Safety of structure to be ensured.
 - DPR to be prepared by respective Authority and same may be approved and appraised by State TAC. Concerned regional Chief Engineer of CWC or his representative should be included as one of members of the State TAC. **In case of a reservoir having interstate implications, the downstream states should have a member in the TAC.**
- (viii) Financing in case of desilting of reservoir:
- Provision for recurrent desilting to be kept in O&M budget.
 - For new facilities/reservoirs: Sediment management to be integral part and must be based on "life cycle approach".
 - Cascades of reservoirs: cost sharing among the concerned state govt.
- (ix) Sediment Management for Lakes/Water Bodies
- "Guidelines for the scheme on Repair, Renovation and Restoration (RRR) of Water Bodies under PMKSY (HKKP) – 2022" to be adhered.

Salient features of National Framework for Sediment Management (NFSM)

- (i) High priority to sediment management in catchment.
- (ii) Lays down the best practices to sediment management in catchment, river and Reservoir.
- (iii) Existing/latest guidelines for sand mining to be adhered in case of desilting/sand mining in rivers.
- (iv) Dredging/desilting of river other than maintenance work to be allowed in exception cases after following set of procedure.
- (v) Safe disposal of dredged material should be ensured.
- (vi) Sediment management measures to be planned backed by scientific study.
- (vii) Safety of structures to be kept in mind.
- (viii) Recurrent desilting may be done using O&M budget.
- (ix) DPR to be prepared by respective Authority and same may be approved and appraised by State TAC. Concerned regional Chief Engineer of CWC or his representative should be included as one of members of the State TAC.