

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH
NEW DELHI
O.A. NO. 203 OF 2022

Kamlesh Singh

...

Applicant

Versus

State of Uttar Pradesh & Ors.

...

Respondents

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Respondents

Through

Place: New Delhi

Dated: 16-09-2024



Gigi. C. George
Advocate Govt. Standing
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m-9810625315

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH

NEW DELHI

O.A. NO. 632 OF 2022

Kamlesh Singh

... Applicant

Versus

State of Uttar Pradesh & Ors.

--- Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDEN NO. 10 &12

I, Nagendra Kumar Singh S/o Late Shri Narayan Singh Rajput Aged 52 Years presently working as Executive Engineer, Central Water Commission do hereby solemnly affirm and sincerely state on oath as follows:

1. That I am authorized by the Respondent No. 10 Ministry of Jal Shakti and Respondent No. 12 Central Water Commission to file the present reply before this Hon'ble Tribunal.
2. That the answering Respondent has been arrayed merely as a proforma party, with no relief whatsoever claimed / or sought against the answering Respondent. Likewise, the petitioner does not make any reference / allegation against the answering Respondent of any kind.
3. That the present OA filed under Section 14 R/W read with section 18 of the National Green Tribunal Act. 2010 has raised the issues relating to water extracted from River Yamuna for irrigation purpose by Kishanpur Canal and also by Thermal Power Stations and a grievance is reflected that on account of such withdrawal of water, water scarcity is created in River Yamuna which will affect the mass bathing during Kumbh Mela at Prayagraj in future.
4. That the water is a state subject. Therefore, works related to the water resources development and management are planned, funded, executed and maintained by the respective State Governments themselves as per their own resources and priorities.
5. That the answering Respondent are entrusted with the general responsibilities of initiating, coordinating and furthering in consultation of the State Governments concerned, schemes for control, conservation and utilization of water resources throughout the country, for purpose of Flood Control, Irrigation, Navigation, Drinking Water Supply and Waterpower Development. It also undertakes the investigations, construction and execution of any such schemes as required.
6. That the Department of Water Resources, River Development and Ganga Rejuvenation (DoWR, RD & GR) is mainly responsible for laying down

policy guidelines and programmes for the development, conservation and management of water as a national resource. It is also responsible for an overall national perspective of water planning and coordination in relation to diverse uses of water; water laws and legislations; addressing inter-State and trans-boundary water issues; bilateral and multi-lateral cooperation; and general policy guidelines and programmes for assessment, development and regulation of the country's water resources.

7. The Department is also allocated the subjects pertaining to regulation and development of inter-State rivers; implementation of awards of Tribunals; technical guidance, scrutiny, clearance and monitoring of the irrigation, flood control and multi-purpose projects; ground water management; flood proofing; water logging; sea erosion and dam safety.
8. That "The Central Water Commission diligently monitors hydrological data at various locations on River Yamuna, Ganga and other rivers and their tributaries.
9. That in this process, the Central Water Commission diligently monitors hydrological data before confluence of River Yamuna with River Ganges at one specific location along the Yamuna River, namely Pratappur (Designated as Gauge & Discharge Site), one specific location along the Ganga River, namely Shahzadpur (Designated as Gauge & Discharge Site) and another specific location along the Ganga River, namely Allahabad (Designated as Gauge & Discharge Site).
10. That the indicative map showing the location of Hydrological Observation sites namely Pratappur, Shahzadpur and Allahabad of Central Water Commission on river Ganga and river Yamuna is annexed as "Annexure-R1".
11. That the Pratappur site is last Discharge observation site maintained by Central Water commission on Yamuna River situated at 46 km upstream of confluence of river Yamuna with river Ganga at Sangam, Prayagraj.
12. That the Shahzadpur site is discharge observation site maintained by Central Water commission on Ganga River at 74 km upstream of confluence of river Yamuna with river Ganga at Sangam, Prayagraj.
13. That the Allahabad site is the first discharge observation site maintained by Central Water commission on Ganga River at 3 km downstream of confluence of river Yamuna with river Ganga at Sangam, Prayagraj.
14. At the Pratappur site on river Yamuna, at the Shahzadpur site on river Ganga and the Allahabad site on river Ganga daily discharge and thrice-daily water level reading are conducted during non-monsoon periods, while daily discharge and hourly water level measurements are carried out during the monsoon periods.



15. That the average annual discharge data of the site Pratappur at river Yamuna, the site Shahzadpur at river Ganga and the site Allahabad at river Ganga during the water year commencing from 01st June of the preceding year to 31st May of the succeeding year from the year 2018-19 to 2022-23 is given as under:

Name of Site : Pratappur (Yamuna)

Year	Average Annual Discharge (Cumecs)
2018-19	1315.3
2019-20	2909.75
2020-21	885.07
2021-22	2039.81
2022-23	2682.15

Name of Site : Shahzadpur (Ganga)

Year	Average Annual Discharge (Cumecs)
2018-19	631.98
2019-20	466.27
2020-21	458.65
2021-22	781.39
2022-23	519.5

Name of Site : Allahabad (Ganga)

Year	Average Annual Discharge (Cumecs)
2018-19	1532.8
2019-20	3350.96
2020-21	1161.16
2021-22	2500.88
2022-23	2692.82

16. That as per inputs received from NMCG Bara Thermal Power Station which has a capacity of 1980MW in Prayagraj requires 75MLD of water for its operation. There is a proposal under consideration of NMCG for constructing of new STP at Naini, Prayagraj with a treatment capacity of 50MLD. Completion time of the said project is 18 months from the date of award of the work. Upon completion treated water from this STP is planned for diversion to Bara Thermal Power Plant. This will reduce the Thermal Power Plant dependence of fresh water resources for its operation.
17. That the answering respondents crave liberty to file the detailed / additional reply with the permission of the Hon'ble Tribunal as and when

need arise. However, answering respondents undertake to comply with directions issued by this Hon'ble Tribunal.

श्रीगुरु
05/09/24

Executive Engineer,
Upper Yamuna Division
For Respondent No. 10 & 12

Through



Gigi. C. George, Advocate
Standing Counsel (UoI)

NGT
M-9810625315

