

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

ORIGINAL APPLICATION NO. 1216 OF 2024

IN THE MATTER OF:

Medical Pollution Control Committee

Applicant

Versus

SEIAA, Uttar Pradesh & Others

Respondents

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NEW DELHI  
DATED: 14.05.2025

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

IN

ORIGINAL APPLICATION No. 1216 of 2024

IN THE MATTER OF:-

MEDICAL POLLUTION CONTROL COMMITTEE

....APPLICANT

VERSUS

SEIAA, UTTAR PRADESH & ORS

....RESPONDENT(s)

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.6 MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (MoEF&CC)

MOST RESPECTFULLY SHOWETH:-

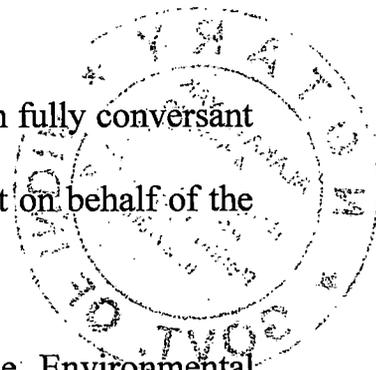
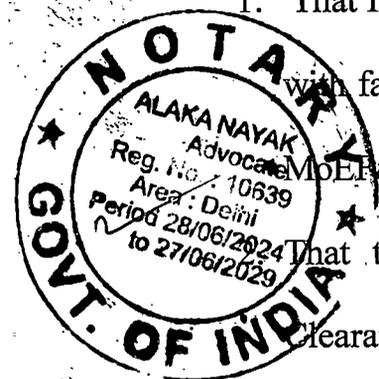
I, Dr. S Prabhu working as Scientist-D in the Ministry of Environment, Forest and Climate Change (MoEF&CC) having office at Indira Prayavaran Bhawan, Jor Bagh, New Delhi-110 003 do hereby solemnly affirm and state as under:

1. That I, in the capacity of Scientist-D in the MoEF&CC, am fully conversant

with facts of the case and competent to swear this affidavit on behalf of the MoEF&CC.

That the instant application has been filed against the Environmental Clearance (EC) dated 10.11.2023 granted by the SEIAA(UP), Consent to Operate (CTO) dated 22.05.2024 and Consent to Establish (CTE) dated

S. Prabhu



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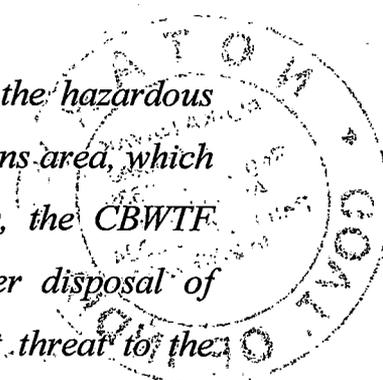
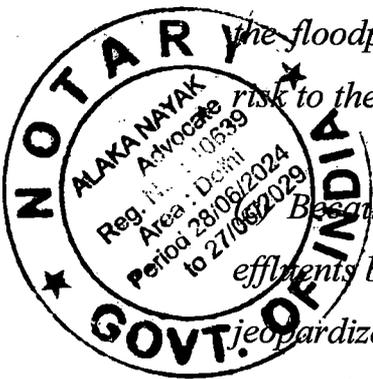
22.09.2022 issued to Respondent No.2 i.e. M/s Rajveer Ventures India Pvt. Ltd. for setting up biomedical waste treatment facility at Gata No. 663, Village Dhowadaber, Utraula, Balrampur, UP. It is alleged that the PP (M/s Rajveer Ventures India Pvt. Ltd) has been permitted to set up bio-medical waste treatment facility in flood plains of river Rapti in violation of the order dated 13.01.2015 passed in OA No. 6 of 2012 and 300 of 2013 titled as Manoj Mishra Vs Union of India.

3. Instant application has been filed on the following **GROUND**S:

(a) *Because the Respondents i.e. SEIAA, UP and UPPCB have miserably failed to fulfil the responsibility of Environmental protection vested in it by the EP Act, 1986 and the EIA Notification, 2006.*

(b) *Because the authorities erred to note down that the CBWTF were categorised under the RED category by the UPPCB and hence, CBWTF in the floodplain of one of the major river namely Rapti, poses a significant risk to the society at large as well as the flora and fauna.*

*Because the authorities didn't grasp the risks posed by the hazardous effluents by the CBWTF if they are established in the floodplains area, which jeopardizes the safety of the nearby habitats. Additionally, the CBWTF established in the floodplains could result in the improper disposal of biomedical waste in the main river stream, posing a great threat to the public health and the environment.*



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(d) Because the authorities, ignored the objections, i.e. the said project CBWTF is in the floodplains of the River Rapti, raised by the Regional officer during the 788th SEAC-2 Minutes of Meetings.

(e) Because the callousness and negligence displayed by the SEAC-2, SEIAA, UP and UPPCB will lead to serious environmental consequences for the state and flora and fauna in the respective areas.

(f) Because the callous attitude of SEAC-2, SEIAA, UP and UPPCB casts a serious doubt on the impartially and unbiased nature of these bodies.

(g) Because it is apparent that the SEAC-2, SEIAA, UP and UPPCB have vested interest in giving the EC and CTO to the said Respondent No.2.

(h) Because by displaying such partisan behaviour the SEAC-2, SEIAA and UPPCB are not only adversely affecting the environment but are also seriously prejudicing the future of people of Uttar Pradesh.

(i) Because environmental governance requires decision makers to bear in mind the principles of sustainable development. The principles of sustainable development require a balance to be drawn between the need for development on the one hand and the protection of the environment on the



(j) Because the policy on river regulation floodplain zone is important as the floodplains have been encroached due to rapid urbanisation and the same was accepted by this Hon'ble NGT in the order dated 13.01.2015 OA No. 06/2012 and OA No. 300/2013, Manoj Misra Vs Union of India and Ors

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reported in 2015 All (I) NGT REPORTER (1) (Delhi) 139 in the context of river Yamuna.

(k) Because the lack of protection of river floodplains from damaging impacts like encroachment and diversion for 'development projects' is tragedy that affects the river as well as those who encroach it adversely.

(l) Because the river suffers as it is unable to occupy and transport flood waters downstream during high rainfall events (monsoon in particular). It is unable to recharge acquifers, wet the lands along its banks or provide life-sustaining conditions to plant and animal habitats along the river margins and banks.

(m) Because the damage to floodplains harms the riverine ecosystem, lessens groundwater recharge capacity and poses threats of flash foods.

"People too suffer an immense loss of life and property, including loss of public infrastructure like bridges, roads, schools etc., during high floods."

Because the cities get ravaged by floods or face drainage congestion time and again, yet the MoEF&CC has failed to implement the RRZ (River Regulation Zone) Policy draft. This policy draft looks at dividing the area of the river floodplain into zones, the one closet to the river channel to be called "no development zone". The above-mentioned draft remained a work in progress and nothing has materialized till date though.

(o) Because the value of the land and the lack of the value for rivers is the major force working against river zone and floodplain protection. Even the Ministry of Water Resources is least sincere about this.




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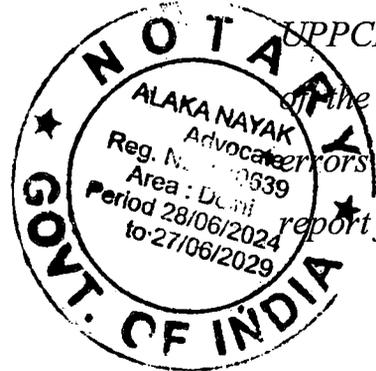
(p) the people around the floodplains also possess the fundamental right under article 21 of the Indian constitution to a healthy and hygienic environment for living. Consequently, the said project facility not only contravenes government regulations but also violates the fundamental rights of thousands of people and their families in that area.

(q) Because there is an urgent requirement to take action in the wake of changing climate and global warming increasing the flood risk in India.

(r) Because the legal right of the applicant as an environmental consultant as well as an active resident of the State of UP is prejudiced by the acts of SEIAA, SEAC-2 and UPPCB.

(s) Because the SEIAA, UP and UPPCB, violates the guidelines outline in the Bio Medical Waste Management Rules, 2016 read with the revised guidelines for CBWTF dated 21.12.2016. This violation relates to the criteria for developing a New CBWTF within a locality or region, as outlined in para 2 of the Revised Guidelines, particularly concerning the conduct of gap analysis.

(t) Because the SEIAA, UP have provided EC and CTO provided by the UPPCB to the said project without appreciating the fact that the EIA reports of the said projects are suffering from serious irregularities, loopholes, errors and based on the inaccurate information about the gap analysis report filed by the UPPCB in respect of the Respondent No.2.



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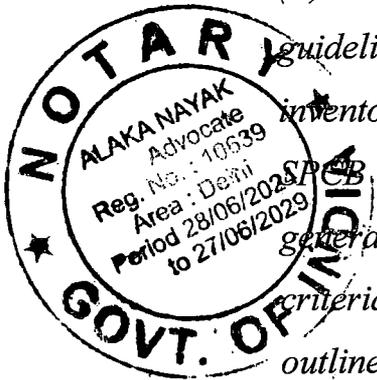
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(u) Because the UPPCB has failed to conduct a gap analysis or prepare an action plan for the development of a new CBWTF, as required by the revised guidelines. This action plan, which must be submitted to the MoEF&CC and the CPCB within six months from the date of the issuance of the revised guidelines for CBWTF, constitutes a mandatory requirement under the said guidelines.

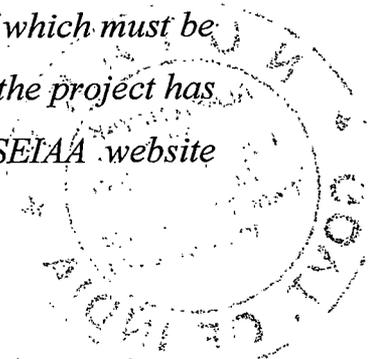
(v) Because the authorities failed to understand that the existing CBWTF in respect of the Respondent No.2 are more than sufficient to handle the bio-medical waste from the Public and Private Health Care Facilities in the respective areas.

(w) Because the UPPCB has not followed the Rule 2 of the revised guidelines, 2016 which states that the SPCB must create or update an inventory of bio-medical waste generation at least every five years and the SPCB also need to predict the amount of bio-medical waste that will be generated in each area for the next ten years. This action goes against the criteria for establishing a new CBWTF within a locality or region, as outlined in Point 2 of the Revised guidelines.

(x) Because the said Respondent No.2, in violation of condition no. X, Sub condition 1 of the EC dated 10.11.2023, failed to communicate the granting of the EC through publication in two local newspapers-one of which must be in the vernacular language-within seven days, indicating that the project has received EC and providing the details of the MoEF&CC/SEIAA website where it is displayed.



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(y) Because the Respondent No.2 did not remove the CBWTF from the floodplain area at the time of flooding in May, June and July 2024, as promised during the objections raised by the Regional Officer in the SEAC-2 meeting.

(z) Because the Respondent No.2 did not remove the CBWTF from the floodplain area at the time of flooding in May, June and July 2024 as promised during the objection raised by the Regional Officer in the SEAC-2 meeting.

4. Instant application has been filed on the following **PRAYERS**:

(a) Keeping in view the facts that a large number of authorities were involved, hence direct the Respondent No.6 (MoEF &CC), to constitute a Special High-Level Committee Chaired by the Secretary, MoEF&CC and of which Add. Secretary, MoEF&CC were also directed to be a member.

(b) Direct the Respondent No.3 (State of Uttar Pradesh), to appoint Local Commissioners to visit the sites in the entire stretch of Rapti River at Gata No.663 Village Dhowadaber, Utraula, UP and to report with regard to removal of establishments and other construction in the Floodplains.

(c) Constitute a High-Powered Committee for the development, beatification and restoration of the Floodplains of River Rapti in Village-Dhowadaber, UP.



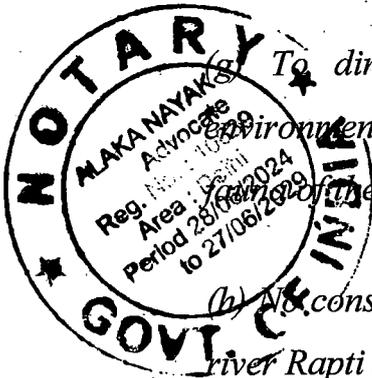
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(d) Direct the authorities for the demarcation of the Floodplains at Village-Dhowadaber and kept them free from any permanent developments and it should be restored to its original position.

(e) Hon'ble Tribunal while invoking the "Polluter Pay Principle" directed that any person who construct any type of building or encroachment, for that matter in any site, shall be liable to compensation of Rs.10 lakhs for causing pollution and/or destroying the floodplains and riverbed and wasting the time and manpower taken for removal of the said establishments from the site in question.

(f) Instruct the concerned authorities to stay the operations and cancel the CTO dated 22.5.2024 and EC dated 10.11.2023 or provide an alternate site to the Respondent No.2 as per the gap analysis;



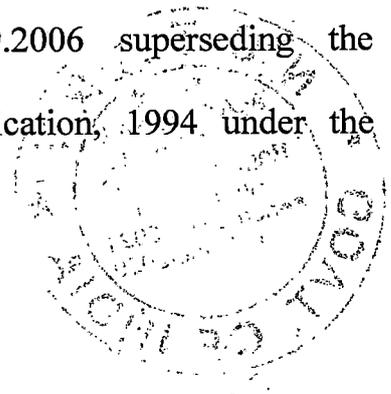
(g) To direct the respondents to compensate and restitution for the environmental damage/degradation against human life as well as flora and fauna of the surrounding areas caused by the ongoing construction activities.

(h) No construction of any kind be allowed forthwith in the floodplains of the river Rapti and also across all the rivers in Uttar Pradesh.

**APPLICABLE PROVISIONS:**

5. That the answering respondent issued an Environmental Impact Assessment Notification vide S.O. 1533(E) dated 14.09.2006 superseding the Environmental Impact Assessment (EIA) Notification, 1994 under the

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Environment (Protection) Act, 1986. The EIA Notification, 2006 regulates developmental projects in respect of construction of new projects/activities/ expansion or modernization of existing projects in different parts of the country under sub section (3) of section 3 of the said Act, in accordance with the procedure specified in the notification under the provisions of the EIA Notification, 2006. **Copy of the EIA Notification, 2006 is annexed as Annexure-R/1.**

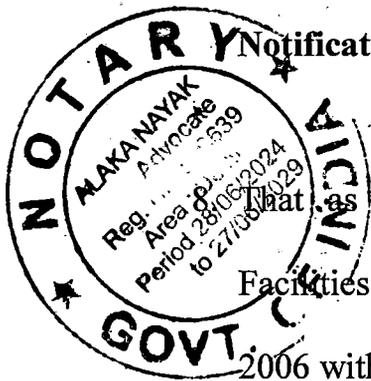
6. That EIA Notification, 2006 covers 38 projects/activities in its Schedule which *inter alia* include different types of infrastructure projects viz. Airports, Ports, Highways, and Building & Construction Projects etc. as specified and classified in the schedule of the said notification. All such projects/activities shall require prior environmental clearance from the concerned regulatory authority, e.g., MoEF&CC in the Central Government for matters falling under Category 'A' in the Schedule and the State Environment Impact Assessment Authority (SEIAA) at State level for matters falling under Category 'B' in the said Schedule, before starting any construction work, or preparation of land by the project management except for securing the land. Broadly following categories projects/activities are covered under the ambit of EIA Notification, 2006:



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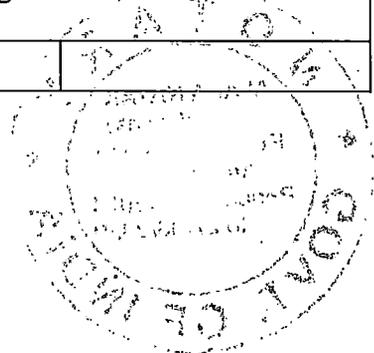
- I. *All new projects or activities listed in the Schedule to the said notification;*
  - II. *Expansion and modernization of existing projects or activities listed in the Schedule to the notification with addition of capacity beyond the threshold limits given in the Schedule, after expansion or modernization; and*
  - III. *Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.*
7. That the answering respondent has issued a Notification vide S.O.1142 (E) dated 17.04.2015 and made amendment to the notification dated S.O.1533 (E) dated 14.09.2006 by inserting the item and entries 7(da) in the schedule of the said notification for the Bio-medical Waste Treatment Facilities. Therefore, any expansion of existing Bio-Medical Waste Plant after 2015 or setting up of new Bio-Medical Waste Plant would require EC. **Copy of Notification dated 17.04.2015 is placed as Annexure-R/2.**



That, as per the extant provisions, the Bio-Medical Waste Treatment Facilities are covered under 7(da) of the Schedule to the EIA Notification, 2006 with details as under:

	Project or Activity	Category with threshold limit		Conditions if any
		A	B	
(1)	(2)	(3)	(4)	(5)
7		Physical Infrastructure including Environmental Services		

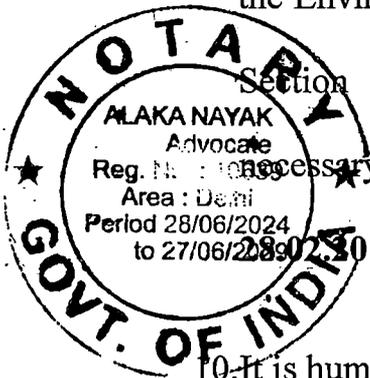
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7(da)	Bio-Medical Waste treatment Facilities	-	All projects	-
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That the Bio-medical Waste Treatment Facilities fall under category 'B' of the EIA Notification, 2006 and require EC. Such projects are required to be appraised by the State Level Expert Appraisal Committees (SEACs) and approved by the State Level Environment Impact Assessment Authorities (SEIAAs). Further, that as per the EIA Notification, 2006, in the absence of a duly constituted SEIAA/SEAC, category 'B' projects shall be considered at the Central Level as category 'B' projects.

9. It is humbly submitted that the answering respondent vide Notification No. SO 637(E) dated 28.02.2014, has authorized the SEIAAs which have been constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 and delegated the powers under the Section 19 of the said Act. Therefore, SEIAA is empowered to take necessary action against the violations, if any. **Copy of Notification dated 28.02.2014 is annexed as Annexure-R/3.**



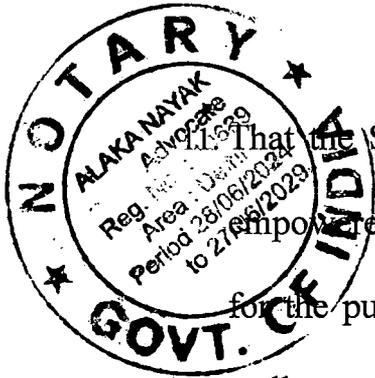
10. It is humbly submitted that Hon'ble Tribunal vide its order dated 13.01.2015 passed in OA No. 6 of 2012 and OA No. 300 of 2013 has observed that "*it is necessary to call upon the authorities to demarcate the floodplains for the flood of once in 25 years and to prohibit any kind of development activity in*

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*the area in question*". In compliance to the aforesaid direction, this Answering Respondent (Ministry) had issued an Office Memorandum dated 14.02.2022 regarding guidelines for siting industries which are close proximity with the river. **Copy of the OM dated 14.02.2022 is annexed as Annexure R/4.**

**CONSENT TO ESTABLISH/CONSENT TO OPERATE**



That the State Pollution Control Boards/Pollution Control Committees are empowered to take all such measures as are deemed necessary or expedient for the purpose of protection and improving the quality of environment as well as prevention, control and abatement of environmental pollution. The issuance of Consent to Establish and Consent to Operate also comes under the purview of the State Pollution Control Board/ Pollution Control Committees concerned.

**RULES REGARDING BIO MEDICAL WASTE MANAGEMENT FACILITY**

12. It is submitted that the Ministry vide Gazette Notification No. G.S.R-343(E) dated 28.03.2016 had notified the Bio-Medical Waste Management Rules, 2016 in supersession of earlier Rules namely the Bio-Medical Waste (Management & Handling) Rules, 1998 with the objectives to improve

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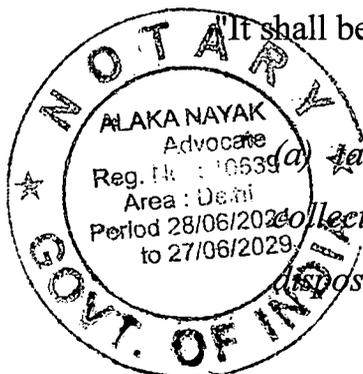
segregation, collection, processing, treatment, and disposal of bio-medical waste in an environmentally sound manner, thereby reducing its impact on the environment. The Ministry has also issued three amendments in the BMWM Rules, 2016 vide GSR No. 234(E) dated 16.03.2018; GSR No.129 (E) dated 19.02.2019, and, 360(E) dated 10.05.2019. **Copy of the principal BMWM Rules, 2016 (amended upto date) is annexed as Annexure- R/5.**

13. It is submitted that the new Biomedical Waste Management (BMWM) Rules, 2016 are also uniformly applicable to all persons and institutions involved in the generation and handling of biomedical waste in the country.

14. It is submitted that the Rule 3 of the BMWM Rules, 2016 titled 'Definitions' defines 'prescribed authority' as "the State Pollution Control Board in respect of a State and Pollution Control Committees in respect of a Union territory;"

15. That, Rule 5 of the BMWM Rules, 2016 titled 'Duties of the operator of a common bio-medical waste treatment and disposal facility', mentions that

It shall be duty of every operator to:



*take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the*

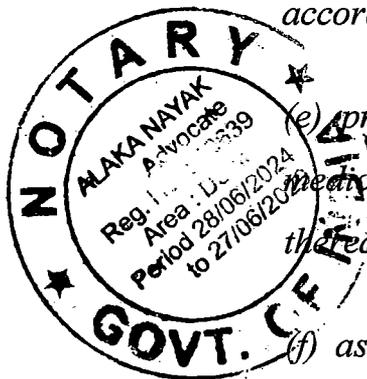
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*environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time;*

*(b) ensure timely collection of bio-medical waste from the occupier as prescribed under these rules;*

*(c) establish bar coding and global positioning system for handling of bio- medical waste in accordance with the guidelines issued by the Central Pollution Control Board by 27th march 2019;*

*(d) inform the prescribed authority immediately regarding the occupiers which are not handing over the segregated bio medical waste in accordance with these rules;*



*(e) provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter;*

*(f) assist the occupier in training conducted by them for bio-medical waste management;*

*(g) undertake appropriate medical examination at the time of induction and at least once in a year and immunise all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio medical waste and maintain the records for the same;*

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(h) ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;

(i) report major accidents including accidents caused by fire hazards, blasts during handling of bio-medical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority and also along with the annual report;

(j) maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation;

(k) allow occupier, who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules;

(l) shall display details of authorisation, treatment, annual report etc on its web-site;

(m) after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorisation or registration from the respective State Pollution Control Board or Pollution Control Committee;

(n) supply non-chlorinated plastic-coloured bags to the occupier on exchangeable basis, if required;



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(o) common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also;

(p) maintain all record for operation of incineration, hydroor autoclaving for a period of five years; and

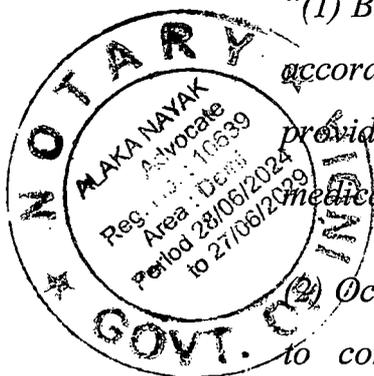
(q) upgrade existing incinerators to achieve the standards for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.”

16. It is submitted that the Rule 6 of the BMW Rules, 2016 titled ‘Duties of Authorities’ mentions that- “The authority specified in column (2) of Scheduled-III shall perform the duties as specified in column (3) thereof in accordance with provisions of these rules.”

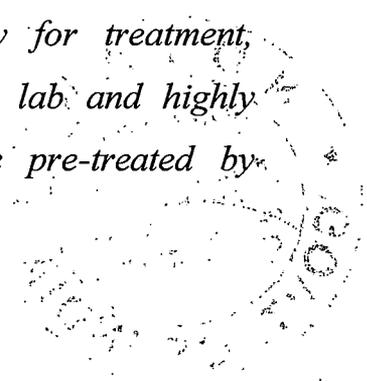
17. It is submitted that the Rule 7 of the BMW Rules, 2016 titled ‘Treatment and Disposal’ mentions that:

“(1) Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II by the health care facilities and common bio-medical waste treatment facility.

(2) Occupier shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal. Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave.



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(3) No occupier shall establish on-site treatment and disposal facility, if a service of common bio-medical waste treatment facility is available at a distance of seventy-five kilometre.

(4) In cases where service of the common bio-medical waste treatment facility is not available, the Occupiers shall set up requisite biomedical waste treatment equipment like incinerator, autoclave or microwave, shredder prior to commencement of its operation, as per the authorisation given by the prescribed authority.

(7) Every operator of common bio-medical waste treatment facility shall set up requisite biomedical waste treatment equipments like incinerator, autoclave or microwave, shredder and effluent treatment plant as a part of treatment, prior to commencement of its operation.....”

18.It is submitted that the Rule 9 of the BMW Rules, 2016 titled ‘Prescribed authority’ mentions that "The prescribed authority for the implementation of the provisions of these rules shall be the State Pollution Control Boards in respect of States and Pollution Control Committees in respect of Union territories" and that the prescribed authorities shall comply with the responsibilities as stipulated in Schedule III of BMW Rules 2016.

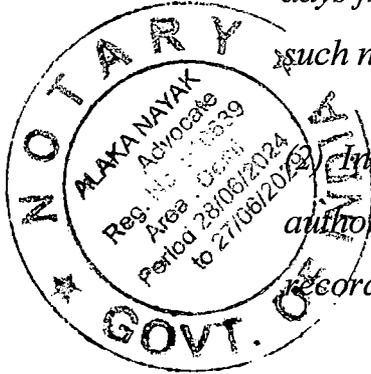
19.It is submitted that Rule 10 of the BMW Rules, 2016 titled "Procedure for Authorization" mentions that:



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*“Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority i.e. State Pollution Control Board and Pollution Control Committee, as the case may be, for grant of authorization and the prescribed authority shall grant the provisional authorization in Form III and the validity of such authorization for bedded health care facility and operator of a common facility shall be synchronized with the validity of the consents.*

*(1) The authorization shall be one time for non-bedded occupiers and the authorization in such cases shall be deemed to have been granted, if not objected by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents.*

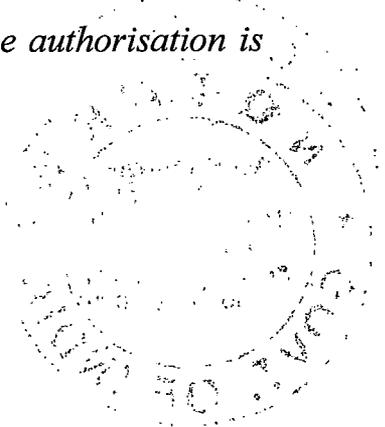


*In case of refusal of renewal, cancellation or suspension of the authorisation by the prescribed authority, the reasons shall be recorded in writing:*

*Provided that the prescribed authority shall give an opportunity of being heard to the applicant before such refusal of the authorisation.*

*(3) Every application for authorisation shall be disposed of by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents, failing which it shall be deemed that the authorisation is granted under these rules.*

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*(4) In case of any change in the bio-medical waste generation, handling, treatment and disposal for which authorisation was earlier granted, the occupier or operator shall intimate to the prescribed authority about the change or variation in the activity and shall submit a fresh application in Form II for modification of the conditions of authorisation.”*

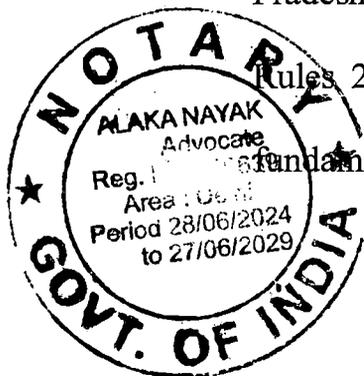
20. That, Rule 17 of the BMW Rules, 2016 titled ‘Site for common bio-medical waste treatment and disposal facility’ states that:

*“(1) Without prejudice to rule 5 of these rules, the department in the business allocation of land assignment shall be responsible for providing suitable site for setting up of common biomedical waste treatment and disposal facility in the State Government or Union territory Administration.*

*(2) The selection of site for setting up of such facility shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board.”*

21. It is submitted that the ministry had issued D.O. letters to the Chairman of UPPCB; SEIAA, Uttar Pradesh, and Principal Secy., Government of Uttar Pradesh to intervene and ensure gap analysis studies & compliance to BMW Rules, 2016/ CPCB guidelines, these provisions must become one of the

fundamental grounds of granting ECs/ Consent/ Authorization to HCFs/



S. J. —

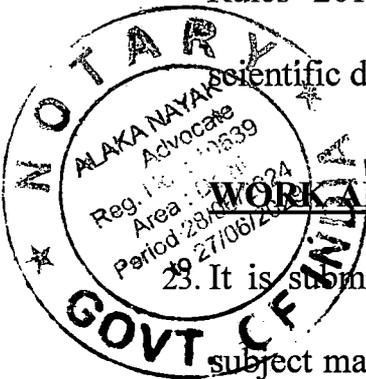
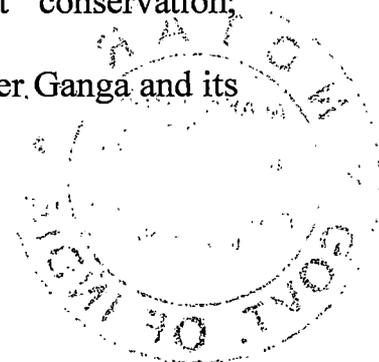
CBWTFs. Also, ensure effective monitoring of CBWTFs within their jurisdiction and come under the ambit of the Online Continuous Emission Monitoring System and connect with the CPCB server. In case of insufficient BMW treatment capacity, proper gap analysis is undertaken, and new facilities may be allowed. Further, non-compliant entities be penalized and asked to deposit requisite environmental compensation. **Copy of the D.O. Letters dated 14.10.2022 & 18.10.2022 are annexed as Annexure-R/6.**

22. It is submitted that the SPCBs and the State Health Departments are the nodal agencies to ensure the enforcement and implementation of BMWM Rules 2016, which include segregation, collection, transportation, and scientific disposal of waste.

**WORK ALLOCATION TO MINISTRY OF JAL SHAKTI**

23. It is submitted that vide S.O 1986 (E) Notification dated 31.07.2014 the subject matter of river Ganga and its tributaries including river Yamuna has been transferred from MOEF&CC to Ministry of Water Resources and Ganga Rejuvenation (MOWR&GR) now renamed as Ministry of Jal Shakti. Vide aforesaid notification, it has been decided that conservation, development, management and abatement of pollution of river Ganga and its

S. J.



tributaries shall be dealt by MOWR&GR. The National Mission for Clean Ganga (NMCG) under the Ministry of Jal Shakti is undertaking and supervising the projects/activities for conservation, protection and abatement of pollution in river Ganga and its Tributaries. **Copy of Notification dated 31.07.2014 is annexed as Annexure-R/7.**

24. It is submitted that vide S.O. 3187(E) notification dated 07.10.2016 the work of Ganga and its Tributaries, including Yamuna, is presently being handled by the National Mission for Clean Ganga under the Ministry of Water Resources, River Development & Ganga Rejuvenation (MoWR, RD&GR). The NMCG is also the nodal body for undertaking works related to conservation, protection and cleaning of River Ganga and its tributaries, and accordingly various projects are being implemented by the NMCG for control of pollution in river Yamuna. The NMCG has been delegated all the powers under section 3(3) of the Environment (Protection) Act, 1986. **Copy of Notification dated 07.10.2016 is annexed as Annexure-R/8.**

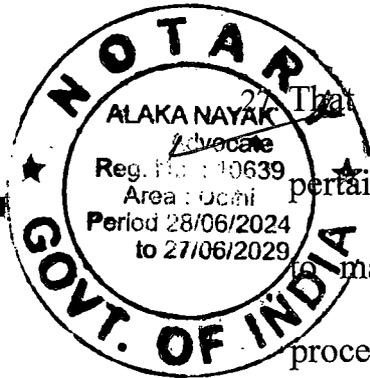


It is submitted that vide Notification S.O. 1972(E) dated 14.06.2019 the Government of India allocated the business relating to "Conservation, development, management and abatement of pollution of rivers" to Department of Water Resources, River Development and Ganga

S. J. —

Rejuvenation under Ministry of Jal Shakti. Copy of Notification dated 14.06.2019 is annexed as Annexure-R/9.

26. It is submitted that the present counter affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.



That other/ancillary issues raised in the application under reply do not pertain to the answering respondent. The Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.

I Identified the deponent who has signed in my presence.

Verified at \_\_\_\_\_ on 16 MAY 2025 this day of \_\_\_\_\_, 2025

of the above affidavit are correct to my knowledge and belief based on official records and nothing material has been concealed therefrom.

VERIFIED THAT THE DEPONENT Shri / Smt. / Km ..... S/o, W/o P/o ..... I identified by Shri / Smt. .... Has solemnly affirmed before me at Delhi on ..... That the contents of the affidavit which have been read & explained to him are true & correct to his knowledge

DEPONENT (डॉ. एस. प्रभु) (Dr. S. PRABHU) वैज्ञानिक 'डी' / Scientist 'D' पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय Min. of Environment, Forest and Climate Change भारत सरकार, नई दिल्ली Govt. of India, New Delhi

DEPONENT (डॉ. एस. प्रभु) (Dr. S. PRABHU) वैज्ञानिक 'डी' / Scientist 'D' पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय Min. of Environment, Forest and Climate Change भारत सरकार, नई दिल्ली Govt. of India, New Delhi

(Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii)  
**MINISTRY OF ENVIRONMENT AND FORESTS**  
 New Delhi 14<sup>th</sup> September, 2006

**Notification**

S.O. 1533(E). - Whereas, a draft notification under sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India<sup>1</sup>, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18<sup>th</sup> May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union territory Administration concerned under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 1324 (E) dated the 15<sup>th</sup> September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15<sup>th</sup> September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27<sup>th</sup> January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment

Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

Includes the territorial waters

**2. Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;
- (iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

**3. State Level Environment Impact Assessment Authority:-** (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub-paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- <sup>1</sup>“(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and copy thereof sent to MoEF.”

#### 4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. <sup>11</sup> “In the absence of a duly constituted SEIAA

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

or SEAC, a Category 'B' project shall be considered at Central Level as a Category 'B' project;"

**5. Screening, Scoping and Appraisal Committees:-**

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

**6. Application for Prior Environmental Clearance (EC):-**

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

## 7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

### I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

### II. Stage (2) - Scoping:

- (i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form 1/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form 1/ Form 1A and the conceptual plan.

- (ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form 1. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form 1, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.
- (iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

### III. Stage (3) - Public Consultation:

- (i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- iii "(cc) maintenance dredging provided the dredged material shall be disposed within port limits.";
- iii "(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification)."
- e) all Category 'B2' projects and activities.
- f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of:-
  - (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
  - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
- (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five ) of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days.

- (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
- (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form, within seven days of the receipt of a written request for arranging the public hearing. Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.
- (vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

#### **IV. Stage (4) - Appraisal:**

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- (i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.
- (ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.
- (iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

**7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:**

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product –mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

**8. Grant or Rejection of Prior Environmental Clearance (EC):**

- (i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.
- (ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.
- (iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

- (iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.
- (v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.
- (vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.

#### 9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

#### 10. Post Environmental Clearance Monitoring:

- IV (i)(a) In respect of Category 'A' project, it shall be mandatory for the project proponent to make public the environment clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently.
- (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of the MoEF website where it is displayed.
- (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Governmental portal.
- (d) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.”;
- IV (ii) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1<sup>st</sup> June and 1<sup>st</sup> December of each calendar year.
- IV (iii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

**11. Transferability of Environmental Clearance (EC):**

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

**12. Operation of EIA Notification, 1994, till disposal of pending cases:**

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27<sup>th</sup> January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

## SCHEDULE

(See paragraph 2 and 7)

## LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
<b>1</b>		<b>Mining, extraction of natural resources and power generation (for a specified production capacity)</b>		
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
v "1(a)	(i) Mining of minerals.  (ii) Slurry pipelines (coal lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.	≥ 50 ha. of mining lease area in respect of non-coal mine lease.  > 150 ha of mining lease area in respect of coal mine lease.  Asbestos mining irrespective of mining area  All projects.	<50 ha ≥ 5 ha .of mining lease area in respect of non-coal mine lease.  ≤ 150 ha ≥ 5 ha of mining lease area in respect of coal mine lease.	General Condition shall apply Note: Mineral prospecting is exempted.”;
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey
1(c)	River Valley projects	(i) ≥ 50 MW hydroelectric power generation; (ii) ≥ 10,000 ha. of culturable command area	(i) < 50 MW ≥ 25 MW hydroelectric power generation; (ii) < 10,000 ha. of culturable command area	v “General Condition shall apply. Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category ‘B’ Projects.”;

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
1(d)	Thermal Power Plants	<sup>v</sup> " ≥ 500 MW (coal / lignite / naphtha & gas based); ≥ 50 MW (Pet coke diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW (based on biomass or non hazardous municipal waste as fuel).";	< 500 MW (coal / lignite / naphtha & gas based); <50 MW ≥ 5MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass); ≥ 20 MW > 15 MW (based on biomass or non hazardous municipal waste as fuel).";	<sup>v</sup> "General Condition shall apply. Note: (i) Power plant up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (ii) Power plant up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt. (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.";
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		<b>Primary Processing</b>		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	<1million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1million ton/annum mineral throughput	< 0.1million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

<b>3</b>				
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>3(a)</b>	<b>Metallurgical industries (ferrous &amp; non ferrous)</b>	<b>a) Primary metallurgical industry</b>  <b>All projects</b>  <b>b) Sponge iron manufacturing ≥ 200TPD</b>  <b>c) Secondary metallurgical processing industry</b>  <b>All toxic and heavy metal producing units ≥ 20,000 tonnes /annum</b>	<b>Sponge iron manufacturing &lt;200TPD</b>  <b>Secondary metallurgical processing industry</b>  <b>i.) All toxic and heavy metal producing units &lt;20,000 tonnes /annum</b>  <b>ii.) All other non –toxic secondary metallurgical processing industries &gt;5000 tonnes/annum</b>	<sup>v</sup> <b>“General condition shall apply. Note: (i) The recycling industrial units registered under the HSM Rules, are exempted. (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electrical arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance. (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted.”</b>
<b>3 (b)</b>	<b>Cement plants</b>	<b>≥ 1.0 million tonnes/annum production capacity</b>	<b>&lt;1.0 million tonnes/annum production capacity. All Stand alone grinding units</b>	<b>General Condition shall apply</b>
<b>4</b>				
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>
<b>4(a)</b>	<b>Petroleum refining industry</b>	<b>All projects</b>	-	-
<b>4(b)</b>	<b>Coke oven plants</b>	<b>≥2,50,000 tonnes/annum</b>	<b>&lt;2,50,000 &amp; ≥25,000 tonnes/annum</b>	<sup>v</sup> <b>“General Condition shall apply.”</b>
<b>4(c)</b>	<b>Asbestos milling and asbestos based products</b>	<b>All projects</b>	-	-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
4(d)	Chlor-alkali industry	≥300 TPD production Capacity or a unit located out side the notified industrial area/ estate	√ "(i) All projects irrespective of the size, if located in a Notified Industrial Area/ Estate. (ii) <300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate."	√ "General as well as specific condition shall apply. No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this notification."
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/ estate	√ "General as well as specific condition shall apply."
<b>5</b>		<b>Manufacturing / Fabrication</b>		
5(a)	Chemical fertilizers	√ "All projects except Single Super Phosphate."	√ "Single Super Phosphate."	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	-
5(d)	Manmade fibers manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	√ "General as well as specific condition shall apply."

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	v "General as well as specific condition shall apply."
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries $\geq 30$ KLD	All Cane juice / non-molasses based distilleries - <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp & Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	$\geq 5000$ tcd cane crushing capacity	General Condition shall apply
5(k)	v Omitted			
6	<b>Service Sectors</b>			
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks / sanctuaries / coral reefs / ecologically sensitive areas including LNG Terminal	All projects		-

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		<b>Physical Infrastructure including Environmental Services</b>		
7(a)	Air ports	<sup>v</sup> "All projects including airstrips, which are for commercial use."	-	<sup>v</sup> "Note: Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted."
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7©	Industrial estates/ parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area.  Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha.  Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	<sup>v</sup> "General as well as special conditions shall apply.  Note: 1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance. 2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mts. And or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be."
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(1)	(2)	(3)	(4)	(5)
7(e)	<sup>v</sup> "Ports, harbours, break waters, dredging."	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	<sup>v</sup> "General Condition shall apply. Note: 1. Capital dredging inside and outside the ports or harbors and channels are included; 2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained."
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	<sup>v</sup> " i) All State Highway Project; and ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas."	General Condition shall apply. Note: Highways include expressways."
7(g)	Aerial ropeways	<sup>v(xvi)(a)</sup> "(i) All projects located at altitude of 1,000 mtr. And above. (ii) All projects located in notified ecologically sensitive areas."	<sup>v(xvi)(b)</sup> "All projects except those covered in column (3)."	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply
8		<b>Building /Construction projects/Area Development projects and Townships</b>		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	++All projects under Item 8(b) shall be appraised as Category B1

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**Note:-****V(xvii) "General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as identified by the Central Pollution Control Board from time to time, (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above."

**Specific Condition (SC):**

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II (I)]  
(R.CHANDRAMOHAN)

JOINT SECRETARY TO THE GOVERNMENT OF INDIA

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**APPENDIX I**  
**(See paragraph – 6)**  
**FORM 1**

**VI(a) “(I) Basic Information**

Serial Number	Item	Details
1.	Name of the project/s	
2.	S. No. in schedule	
3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If Yes, please specify.	
8.	Does it attract the specific condition? If Yes, please specify.	
9.	Location	
	Plot/Survey/Khasra No.	
	Village	
	Tehsil	
	District	
	State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence:	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	
	Fax No.	
16	Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3.
17.	Interlinked Projects	
18	Whether separate application of interlinked project has been submitted?	

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

19.	If yes, date of submission	
20.	If no, reason	
21.	Whether the proposal involves approval/clearance under: If yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z. Notification, 1991 ?	
22.	Whether there is any Government Order/Policy relevant/ relating to the site ?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up ? (a) Name of the Court. (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

**(II) Activity**

1. **Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut And fill or excavations		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		
1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

**2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		
2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, sand / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

**3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**4. Production of solid wastes during construction or operation or decommissioning (MT/month)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		
4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment.		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

**5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources.		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

**6. Generation of Noise and Vibration, and Emissions of Light and Heat:**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

**7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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**8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

**9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality**

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**(III) Environmental Sensitivity**

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, esting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses ( <i>hospitals, schools, places of worship, community facilities</i> )		
10	Areas containing important, high quality or scarce Resources ( <i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i> )		
11	Areas already subjected to pollution or environmental damage. ( <i>those where existing legal environmental standards are exceeded</i> )		
12	Areas susceptible to natural hazard which could cause the project to present environmental Problems ( <i>earthquakes, subsidence, landslides, erosion, Flooding or extreme or adverse climatic conditions</i> )		

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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**(IV). Proposed Terms of Reference for EIA studies**

VI(b) "I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost."

Date: \_\_\_\_\_

Place: \_\_\_\_\_

Signature of the applicant  
With Name and Full Address  
(Project Proponent/Authorised Signatory)

**NOTE:**

1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z. map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z. (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z. Notification, 1991 for the activities to be located in the CRZ.
2. The projects to be located within 10 km of the National Prks, Sancturries, Biosphere Reserves, Migratory Corridors of Wile Animals, the project proponenet shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."
3. All correspondence with the Ministry of Environment & Forests including aubmission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being and authorized signatory for the specific project."

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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**APPENDIX II**  
(See paragraph 6)

**FORM-1 A (only for construction projects listed under item 8 of the Schedule)**

**CHECK LIST OF ENVIRONMENTAL IMPACTS**

**(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)**

**1. LAND ENVIRONMENT**

**(Attach panoramic view of the project site and the vicinity)**

- 1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.
- 1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.
- 1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).
- 1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).
- 1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)
- 1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 1.7. Give details regarding water supply, waste handling etc during the construction period.
- 1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)
- 1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

## 2. WATER ENVIRONMENT

- 2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.
- 2.2. What is the capacity (dependable flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?

- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

### 3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)
- 3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)
- 3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

### 4. FAUNA

- 4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

- 4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.
- 4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

## 5. AIR ENVIRONMENT

- 5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)
- 5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.
- 5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.
- 5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.
- 5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.
- 5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

## 6. AESTHETICS

- 6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?
- 6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?
- 6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.
- 6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

## 7. SOCIO-ECONOMIC ASPECTS

- 7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

## 8. BUILDING MATERIALS

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

## 9. ENERGY CONSERVATION

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

creation of heat island & inversion effects?

- 9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.
- 9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.
- 9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.
- 9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.
- 9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

#### 10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

## APPENDIX III

(See paragraph 7

## GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> <li>• Purpose of the report</li> <li>• Identification of project &amp; project proponent</li> <li>• Brief description of nature; size, location of the project and its importance to the country, region</li> <li>• Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)</li> </ul>
2.	Project Description	<ul style="list-style-type: none"> <li>• Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> <li>• Type of project</li> <li>• Need for the project</li> <li>• Location (maps showing general location, specific location, project boundary &amp; project site layout)</li> <li>• Size or magnitude of operation (incl. Associated activities required by or for the project)</li> <li>• Proposed schedule for approval and implementation</li> <li>• Technology and process description</li> </ul> </li> <li>• Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose</li> <li>• Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope)</li> <li>• Assessment of New &amp; untested technology for the risk of technological failure</li> </ul>

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

3.	Description of the Environment	<ul style="list-style-type: none"> <li>• Study area, period, components &amp; methodology</li> <li>• Establishment of baseline for valued environmental components, as identified in the scope</li> <li>• Base maps of all environmental components</li> </ul>
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> <li>• Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project</li> <li>• Measures for minimizing and / or offsetting adverse impacts identified</li> <li>• Irreversible and Irretrievable commitments of environmental components</li> <li>• Assessment of significance of impacts (Criteria for determining significance, Assigning significance)</li> <li>• Mitigation measures</li> </ul>
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> <li>• In case, the scoping exercise results in need for alternatives:</li> <li>• Description of each alternative</li> <li>• Summary of adverse impacts of each alternative</li> <li>• Mitigation measures proposed for each alternative and</li> <li>• Selection of alternative</li> </ul>
6.	Environmental Monitoring Program	<ul style="list-style-type: none"> <li>• Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget &amp; procurement schedules)</li> </ul>
7.	Additional Studies	<ul style="list-style-type: none"> <li>• Public Consultation</li> <li>• Risk assessment</li> <li>• Social Impact Assessment. R&amp;R Action Plans</li> </ul>
8.	Project Benefits	<ul style="list-style-type: none"> <li>• Improvements in the physical infrastructure</li> <li>• Improvements in the social infrastructure</li> </ul>

I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

		<ul style="list-style-type: none"> <li>• Employment potential –skilled; semi-skilled and unskilled</li> <li>• Other tangible benefits</li> </ul>
9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> <li>• Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA</li> </ul>
11	Summary & Conclusion (This will constitute the summary of the EIA Report )	<ul style="list-style-type: none"> <li>• Overall justification for implementation of the project</li> <li>• Explanation of how, adverse effects have been mitigated</li> </ul>
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> <li>• The names of the Consultants engaged with their brief resume and nature of Consultancy rendered</li> </ul>

#### APPENDIX III A

(See paragraph 7)

#### CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**APPENDIX IV****(See paragraph 7)****PROCEDURE FOR CONDUCT OF PUBLIC HEARING**

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

**2.0 The Process:**

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the official language of the state/local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/District collector/Deputy commissioner/s
- (b) Zila Parishad or Municipal Corporation or Panchayats Union
- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) / PRIs Concerned / Development authorities.
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the abovementioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

### **3.0 Notice of Public Hearing:**

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio / television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy Commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member – Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate/District collector/Deputy Commissioner and notified afresh as per procedure under 3.1 above.

### **4.0 Supervision and Presiding over the Hearing:**

4.1 The District Magistrate/District collector/Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall Supervise and preside over the entire public hearing process.

### **5.0 Videography**

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while Forwarding it to the Regulatory Authority concerned.

### **6.0 Proceedings**

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

- 6.2 There shall be no quorum required for attendance for starting the proceedings.
- 6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.
- 6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the local/vernacular language and the agreed minutes shall be signed by the District Magistrate/District collector/Deputy Commissioner or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.
- 6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings:
- 6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate/District collector/Deputy Commissioner, and the SPCB or UTPCC . The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the applicant concerned.
- 7.0 Time period for completion of public hearing**
- 7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. Simultaneously, a copy will also be provided to the project proponent. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns.”.
- 7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

#### APPENDIX –V

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

(See paragraph 7)

### PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory:

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC /SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -1or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal.

3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance."

4. Every application shall be placed before the EAC/SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

**Note:** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533 (E), dated 14<sup>th</sup> September, 2006 and amended vide S.O. 1737 (E), dated the 11<sup>th</sup> October, 2007.

### APPENDIX VI

(See paragraph 5)

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

**COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT**

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

**Professional:** The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy ),or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

**Expert:** A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

**Age:** Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

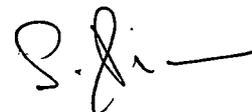
- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**

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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b) , (xiii), (xiv) (a), (b), (xv) (a), (b), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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- **Environmental Economics Expert with experience in project appraisal**
  - 3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.
  - 4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.
  - 5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.
  - 6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.
  - 7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.
  - 8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.
- 



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I; II; III (i), (ii); IV (a), (b); V (i), (ii), (iii)(a), (b), (c), (iv), (v), (vi) (a), (b), (vii), (viii) (a), (b), (ix), (x), (xi), (xii) (a), (b), (xiii), (xiv), (xv), (xvi) (a), (b), (xvii); VI (a), (b); VII & VIII of the Notification, S.O. 3067(E) dated 01.12.2009 of the Ministry of Environment and Forests, (Published in the Gazette of India, Extraordinary, Part-II, and Section 3, Sub-section (ii), No. 2002] New Delhi, Tuesday, November 1, 2009; an amendment to EC notification S.O.1533(E) dated 14.09.2006

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 17 अप्रैल, 2015

का.आ. 1142(अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और धारा 3 की उपधारा (2) के खंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, लोक हित में उक्त नियम के नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की आवश्यकता से छूट के पश्चात्, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533(अ), तारीख 14 सितंबर, 2006 का निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची में मद 7(घ) और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित मद और प्रविष्टियां अंतःस्थापित की जाएगी, अर्थात्:—

(1)	(2)	(3)	(4)	(5)
"7(घ)(क)	जैव-चिकित्सा (बायो-मैडिकल) अपशिष्ट उपचार सुविधाएं		सभी परियोजनाएं	

[फा.सं.3-9/2014-आईए. III]

मनोज कुमार सिंह, संयुक्त सचिव

टिप्पण: मूल नियम भारत के राजपत्र, असाधारण, भाग 2; खंड 3, उपखंड (ii) में अधिसूचना सं.का.आ.1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और निम्नानुसार पश्चात्तवर्ती संशोधन किए गए:—

1. का.आ.1737(अ), तारीख 11 अक्टूबर, 2007;
2. का.आ.3067(अ), तारीख 1 दिसंबर, 2009;
3. का.आ.695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ.2893(अ), तारीख 13 दिसंबर, 2012;

5. का.आ.674(अ), तारीख 13 मार्च, 2013;
6. का.आ.2559(अ), तारीख 22 अगस्त, 2013;
7. का.आ.2731(अ), तारीख 9 सितंबर, 2013;
8. का.आ.562(अ), तारीख 26 फरवरी, 2014
9. का.आ.637(अ), तारीख 28 फरवरी, 2014;
10. का.आ.1599(अ), तारीख 25 जून, 2014;
11. का.आ.2601(अ), तारीख 7 अक्टूबर, 2014;
12. का.आ.3252(अ), तारीख 22 दिसंबर, 2014;
13. का.आ.382(अ), तारीख 3 फरवरी, 2015;
14. का.आ.811(अ), तारीख 23 मार्च, 2015; और
15. का.आ.996(अ), तारीख 10 अप्रैल, 2015।

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**MINISTRY OF ENVIRONMENT AND FORESTS**

**NOTIFICATION**

New Delhi, the 17th April, 2015

**S.O.1142(E).**— In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986(29 of 1986) read with sub-rule(4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the Ministry of Environment and Forests number S.O.1533(E), dated the 14th September, 2006 after dispensed with the requirement of notice under clause(a) of sub-rule(3) of the said rule 5 in public interest, namely:—

In the said notification, in the Schedule, after item 7(d) and the entries relating thereto, the following item and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
"7(da)	Bio-Medical Waste Treatment Facilities		All projects	

[F. No. 3-9/2014-IA.III]

MANOJ KUMAR SINGH, Jt. Secy.

**Note:-** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533 (E), dated the 14th September, 2006 and subsequently amended as follows:-

1. S.O.1737(E) dated the 11th October, 2007
2. S.O. 3067(E) dated the 1st December, 2009
3. S.O.695(E) dated the 4th April, 2011
4. S.O.2896(E) dated the 13th December, 2012
5. S.O.674(E) dated the 13th March, 2013
6. S.O.2559(E) dated the 22nd August, 2013
7. S.O. 2731(E) dated the 9th September, 2013
8. S.O. 562(E) dated the 26th February, 2014
9. S.O.637(E) dated the 28th February, 2014
10. S.O. 1599(E) dated the 25th June, 2014
11. S.O. 2601 (E) dated 7th October, 2014
12. S.O. 3252(E) dated 22nd December, 2014
13. S.O. 382 (E) dated 3rd February, 2015
14. S.O. 811(E) dated 23rd March, 2015
15. S.O. 996(E) dated 10th April, 2015.



(डॉ. एस. प्रभु)  
(Dr. S. PRABHU)

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Ministry of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

का.आ. 637(अ).—केंद्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 23 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की धारा 5 के अधीन इसमें निहित शक्तियों को पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उप-धारा (3) के अधीन केंद्रीय सरकार द्वारा गठित किए गए सभी राज्य और संघराज्यक्षेत्र पर्यावरण समाघात प्राधिकरणों (जिन्हें इसमें इसके पश्चात् उक्त प्राधिकरण कहा गया है) को उक्त प्राधिकरणों द्वारा अपनी अधिकारिता के भीतर परियोजनाओं या क्रिया कलापों को जारी पर्यावरण अनापत्तियों की शर्तों के अतिक्रमण की दशा में परियोजना प्रस्तावकों को कारण बताओ नोटिस जारी करने तथा इस शर्त के अधीन कि केंद्रीय सरकार शक्तियों के ऐसे प्रत्यायोजन का प्रतिसंहरण कर सकेगी या उक्त अधिनियम की धारा 5 के उपबंधों को स्वयं अवलंब ले सकेगी, यदि केंद्रीय सरकार की राय में लोक हित में ऐसी कार्यवाही आवश्यक है, यदि अपेक्षित हो तो अतिक्रमणों के लिए उक्त परियोजना प्रस्तावकों को ऐसी पर्यावरण अनापत्तियों को उन्हें प्रास्थगित रखने या वापस लिए जाने हेतु निदेश जारी करने की शक्तियों का प्रत्यायोजन करती है।

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 28th February, 2014

S.O. 637(E).—In exercise of the powers conferred by section 23 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby delegates the powers vested in it under section 5 of the said Act to all the State and Union Territory Environment Impact Assessment Authorities (Hereinafter referred to as the said Authorities) constituted by the Central Government under sub-section (3) of section 3 of Environment (Protection) Act, 1986, to issue show cause notice to project proponents in case of violation of the conditions of the environment clearances issued by the said Authorities to projects or activities within their jurisdiction and to issue directions to the said project proponents for keeping such environment clearances in abeyance or withdrawing them, if required, for violations, subject to the condition that the Central Government may revoke such delegations of powers or may itself invoke the provisions of section 5 of the said Act, if in the opinion of the Central Government such a Course of action is necessary in the public interest.

[No. J-11013/2/2013-IA. (I)]

AJAY TYAGI, Jt. Secy.

## अधिसूचना

नई दिल्ली, 28 फरवरी, 2014

**का.आ. 638(अ).**—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 19 के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त की धारा के प्रयोजन के लिए इससे उपाबद्ध उस सारणी के स्तंभ (3) में उनमें से प्रत्येक के सामने उल्लिखित अधिकारिता के साथ उस सारणी के स्तंभ (2) में उल्लिखित प्राधिकरण या अधिकारी को प्रातिकृत करती है:

## सारणी

क्रम संख्यांक	प्राधिकरण/अधिकारी	अधिकारिता
(1)	(2)	(3)
1.	पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन केंद्रीय सरकार द्वारा गठित राज्य या संघ राज्यक्षेत्र स्तर पर्यावरण समाघात प्राधिकरण (एस.ई.आई.ए.ए.)	संपूर्ण राज्य या संघ राज्यक्षेत्र
2.	पर्यावरण और वन मंत्रालय (एम.ओ.ई.एफ.) के किन्हीं प्रादेशिक कार्यालयों में तैनात कोई निदेशक, वन संरक्षक या अपर प्रधान मुख्य वन संरक्षक	पर्यावरण और वन मंत्रालय द्वारा यथा-विनिश्चित प्रादेशिक कार्यालय की अधिकारिता

[सं. जे-11013/2/2013-आई ए (आई)]

अजय त्यागी, संयुक्त सचिव

## NOTIFICATION

New Delhi, the 28th February, 2014

**S.O. 638(E).**—In exercise of the powers conferred by clause (a) of section 19 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby authorises the Authority or officer mentioned in column (2) of the Table hereto for the purpose of the said section with the jurisdiction mentioned against each of them in column (3) of that Table:

## TABLE

S.No.	Authority/Officer	Jurisdiction
(1)	(2)	(3)
1.	State or Union Territory level Environment Impact Assessment Authority (SEIAA) constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986.	Whole of State or Union Territory
2.	Any Director, Conservator of Forests or Additional Principal Chief Conservator of Forests Posted in any of the Regional Offices of the Ministry of Environment and Forests (MoEF).	Jurisdiction of the Regional Office as decided by the Ministry of Environment and Forests

[No. J-11013/2/2013-IA. (I)]

AJAYTYAGI, Jt. Secy.


(डॉ. एस. प्रभु)  
(Dr. S. PRABHU)वैज्ञानिक 'डी' / Scientist 'D'  
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Govt. of India, New Delhi

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**F. No. 22-39/2020-IA.III**  
Government of India  
Ministry of Environment, Forest and Climate Change  
Impact Assessment Division

\*\*\*\*\*

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
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Date: 14<sup>th</sup> February, 2022

**Office Memorandum**

**Subject: Guidelines for siting industries which are in close proximity with the river - reg.**

In light of various court directions about the criteria for siting of industries, which are in close proximity to a river, the requirement for framing specific criteria with regards to siting of industries has arisen.

2. The "Environmental guidelines for industries" of the Ministry with regard to siting of industries prescribes that industrial sites shall maintain at least ½ km., from flood plain or modified flood plain affected by dam in the upstream or by flood control systems.
3. The Hon'ble National Green Tribunal while considering restoration measures for Yamuna and Ganga rivers dealt with the issue of flood plains vide judgment dated 13.01.2015 in OA No. 6/2012 and O.A. No. 300/2013, in the context of river Yamuna, observed that, "it is necessary to call upon the authorities to demarcate the floodplain for the flood of once in 25 years and to prohibit any kind of development activity in the area in question".
4. Further vide judgement dated 13.07.2017 in OA No. 200/2014, M.C. Mehta vs. Union of India & Ors. reported in 2017 NGTR (3) PB1 in the context of river Ganga, it was observed that "till the demarcation of the floodplains and identification of permissible and non-permissible activities by the State Government of this judgement, we direct that 100 meters from the edge of the river would be treated as no development/ construction zone in Segment-B of Phase-I (Haridwar to Unnao, Kanpur)".
5. Based on the above, the aspect related to siting of industries was deliberated in the Ministry and suggestions/comments/observations were sought from different Ministries including Ministry of Jal Shakti (MoJS). Based on the inputs received, it is hereby directed that the following criteria for siting of industries in close proximity to rivers shall be followed:

*"Industries shall not be located within the river flood plain corresponding to one in 25 years flood, as certified by concerned District Magistrate/ Executive Engineer from state water resource Deptt. or any other officer authorised by State Govt. for this purpose."*

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6. This above criterion is subjected to following conditions:
- The activities undertaken under Namami Gange Programme like construction/development / renovation of STPs, CETPs, RFDs, bathing ghats, crematoria, toilets etc. for pollution abatement of river Ganga and its tributaries are not prohibited. Further, any "developmental project" taken by MoJS under the said program are also exempted from these guidelines.
  - River Ganga (Rejuvenation, Protection and Management) Authorities Order notified vide Notification no. S.O. 3187(E) dated 07.10.2016 which defines the floodplain as such area of river Ganga and its tributaries which comes under water on either side of it due to floods corresponding to its greatest flow or with water on either side of it due to floods corresponding to its greatest frown or with a flood or frequency once in hundred years, will prevail over any other guideline.
  - Further, in respect of regulatory activities in floodplain of the river Ganga and its tributaries, prior approval of National Mission on Clean Ganga (NMCG) is required to be taken by the concerned authorities/ departments/agencies /persons.
  - As per the draft Flood Plain Zoning Bill, 2020 prepared by Central Water Commission (CWC), a Flood Plain Zoning Authority shall, on the basis of the remote sensing/modeling results/ground survey, establish flood plain zones of different frequencies. After its creation, guidelines/decisions/orders of Flood Plain Zoning Authority will prevail over above guidelines.
  - Any other directions/judgments of Courts/Tribunals with regard to siting of Industries in the proximity of rivers and/or demarcation of flood plain.
7. The siting criteria prescribed in "Environmental guidelines for industries" in respect of flood plains of the riverine systems shall get modified to this extent.
8. This is issued with the approval of the competent authority.

  
(A K Agrawal)  
Director

To

- Chairman of all the Expert Appraisal Committees
- Chairperson/Member Secretaries of all the SEIAAs/SEACs
- Chairperson of all State/UT Pollution Control Boards and Pollution Control Committees

Copy for information to

- PS to Hon'ble Minister for Environment, Forest and Climate Change
- PS to Hon'ble MoS (EF&CC)
- PPS to Secretary (EF&CC)
- PPS to AS (TK)/ AS(RS)/ AS (NPG)/JS (SKB)
- Website MoEF&CC/Guard file

  
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Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

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Annexure-R/S

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**THE BIO-MEDICAL  
WASTE MANAGEMENT  
RULES, 2016**

**(as amended to date)**

JS

**MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

**NOTIFICATION**

New Delhi, the 28th March, 2016

**G.S.R. 343(E).**—Whereas the Bio-Medical Waste (Management and Handling) Rules, 1998 was published *vide* notification number S.O. 630 (E) dated the 20<sup>th</sup> July, 1998, by the Government of India in the erstwhile Ministry of Environment and Forests, provided a regulatory frame work for management of bio-medical waste generated in the country;

And whereas, to implement these rules more effectively and to improve the collection, segregation, processing, treatment and disposal of these bio-medical wastes in an environmentally sound management thereby, reducing the bio- medical waste generation and its impact on the environment, the Central Government reviewed the existing rules;

And whereas, in exercise of the powers conferred by sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government published the draft rules in the Gazette *vide* number G.S.R. 450 (E), dated the 3<sup>rd</sup> June, 2015 inviting objections or suggestions from the public within sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the Gazette containing the said draft rules were made available to the public on the 3<sup>rd</sup> June, 2015;

And whereas, the objections or comments received within the specified period from the public in respect of the said draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Bio-Medical Waste (Management and Handling) Rules, 1998, except as respects things done or omitted to be done before such suppression, the Central Government hereby makes the following rules, namely: -

**1. Short title and commencement.** -(1) these rules may be called the Bio-Medical Waste Management Rules, 2016.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Application. -**

(1) These rules shall apply to all persons who generate, collect, receive, store, transport, treat, dispose, or handle bio medical waste in any form including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories, blood banks, ayush hospitals, clinical establishments, research or educational institutions, health camps, medical or surgical camps, vaccination camps, blood donation camps, first aid rooms of schools, forensic laboratories and research labs.

(2) These rules shall not apply to, -

- (a) radioactive wastes as covered under the provisions of the Atomic Energy Act, 1962(33 of 1962) and the rules made there under;
- (b) hazardous chemicals covered under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 made under the Act;
- (c) solid wastes covered under the <sup>1</sup>[Solid Waste Management Rules, 2016] made under the Act;
- (d) the lead acid batteries covered under the Batteries (Management and Handling) Rules,

<sup>1</sup> Substituted *vide* G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

2001 made under the Act;

- (e) hazardous wastes covered under the <sup>1</sup>[Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016] made under the Act;
- (f) waste covered under the <sup>2</sup>[E-Waste (Management) Rules, 2016] made under the Act; and
- (g) hazardous microorganisms, genetically engineered microorganisms and cells covered under the Manufacture, Use, Import, Export and Storage of Hazardous Microorganisms, Genetically Engineered Microorganisms or Cells Rules, 1989 made under the Act.

**3. Definitions.** -In these rules, unless the context otherwise requires, -

- (a) "Act" means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) "animal house" means a place where animals are reared or kept for the purpose of experiments or testing;
- (c) "authorisation" means permission granted by the prescribed authority for the generation, collection, reception, storage, transportation, treatment, processing, disposal or any other form of handling of bio-medical waste in accordance with these rules and guidelines issued by the Central Government or Central Pollution Control Board as the case may be;
- (d) "authorised person" means an occupier or operator authorised by the prescribed authority to generate, collect, receive, store, transport, treat, process, dispose or handle bio-medical waste in accordance with these rules and the guidelines issued by the Central Government or the Central Pollution Control Board, as the case may be;
- (e) "biological" means any preparation made from organisms or micro-organisms or product of metabolism and biochemical reactions intended for use in the diagnosis, immunization or the treatment of human beings or animals or in research activities pertaining there to;
- (f) "bio-medical waste" means any waste, which is generated during the diagnosis, treatment or immunisation of human beings or animals or research activities pertaining thereto or in the production or testing of biological or in health camps, including the categories mentioned in Schedule I appended to these rules;
- (g) "bio-medical waste treatment and disposal facility" means any facility wherein treatment, disposal of bio-medical waste or processes incidental to such treatment and disposal is carried out, and includes common bio-medical waste treatment facilities;
- (h) "Form" means the Form appended to these rules;
- (i) "handling" in relation to bio-medical waste includes the generation, sorting, segregation, collection, use, storage, packaging, loading, transportation, unloading, processing, treatment, destruction, conversion, or offering for sale, transfer, disposal of such waste;
- (j) "health care facility" means a place where diagnosis, treatment or immunization of human beings or animals is provided irrespective of type and size of health treatment system, and research activity pertaining thereto;
- (k) "major accident" means accident occurring while handling of bio-medical waste having potential to affect large masses of public and includes toppling of the truck carrying bio-medical waste, accidental release of bio-medical waste in any water body but exclude accidents like needle prick injuries, mercury spills;
- (l) "management" includes all steps required to ensure that bio- medical waste is managed in such a manner as to protect health and environment against any adverse effects due to handling of such waste;
- (m) "occupier" means a person having administrative control over the institution and the premises

<sup>1</sup> Substituted vide G.S.R.234 (E) dated 16th March, 2018.

<sup>2</sup> Substituted vide G.S.R.234 (E) dated 16th March, 2018.

generating bio- medical waste, which includes a hospital, nursing home, clinic, dispensary, veterinary institution, animal house, pathological laboratory, blood bank, health care facility and clinical establishment, irrespective of their system of medicine and by whatever name they are called;

- (n) "operator of a common bio-medical waste treatment facility" means a person who owns or controls a Common Bio-medical Waste Treatment Facility (CBMWTF) for the collection, reception, storage, transport, treatment, disposal or any other form of handling of bio-medical waste;
- (o) "prescribed authority" means the State Pollution Control Board in respect of a State and Pollution Control Committees in respect of an Union territory;
- (p) "Schedule" means the Schedule appended to these rules.

**4. Duties of the Occupier.** -It shall be the duty of every occupier to-

- (a) Take all necessary steps to ensure that bio-medical waste is handled without any adverse effect to human health and the environment and in accordance with these rules;
  - (b) make a provision within the premises for a safe, ventilated and secured location for storage of segregated biomedical waste in colored bags or containers in the manner as specified in Schedule I, to ensure that there shall be no secondary handling, pilferage of recyclables or inadvertent scattering or spillage by animals and the bio-medical waste from such place or premises shall be directly transported in the manner as prescribed in these rules to the common bio-medical waste treatment facility or for the appropriate treatment and disposal, as the case may be, in the manner as prescribed in Schedule I;
  - (c) pre-treat the laboratory waste, microbiological waste, blood samples and blood bags through disinfection or sterilisation on-site in the manner as prescribed by the World Health Organisation (WHO) <sup>1</sup>[, guidelines on Safe management of wastes from health care activities and WHO Blue Book, 2014 and then sent to the Common bio-medical waste treatment facility for final disposal];
  - (d) <sup>2</sup>[phase out use of chlorinated plastic bags (excluding blood bags) and gloves by the 27th March, 2019]<sup>1</sup>;
- <sup>3</sup>[**Explanation.** - For removal of doubts, it is hereby clarified that the expression "Chlorinated plastic bags" shall not include urine bags, effluent bags, abdominal bags and chest drainage bags.]
- (e) dispose of solid waste other than bio-medical waste in accordance with the provisions of respective waste management rules made under the relevant laws and amended from time to time;
  - (f) not to give treated bio-medical waste with municipal solid waste;
  - (g) provide training to all its health care workers and others, involved in handling of bio medical waste at the time of induction and thereafter at least once every year and the details of training programmes conducted, number of personnel trained and number of personnel not undergone any training shall be provided in the Annual Report;
  - (h) immunise all its health care workers and others, involved in handling of bio-medical waste for protection against diseases including Hepatitis B and Tetanus that are likely to be transmitted by handling of bio-medical waste, in the manner as prescribed in the National Immunisation Policy or the guidelines of the Ministry of Health and Family Welfare issued from time to time;
  - (i) establish a Bar- Code System for bags or containers containing bio-medical waste to be sent out

<sup>1</sup> Substituted vide G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

<sup>2</sup> Substituted vide G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

<sup>3</sup> Substituted vide G.S.R.260 (E) dated 10<sup>th</sup> May, 2019.

of the premises or <sup>1</sup>[for the further treatment and disposal in accordance with the guidelines issued by the Central Pollution Control Board by 27<sup>th</sup> March, 2019];

- (j) ensure segregation of liquid chemical waste at source and ensure pre-treatment or neutralisation prior to mixing with other effluent generated from health care facilities;
- (k) ensure treatment and disposal of liquid waste in accordance with the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);
- (l) ensure occupational safety of all its health care workers and others involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipments;
- (m) conduct health check up at the time of induction and at least once in a year for all its health care workers and others involved in handling of bio- medical waste and maintain the records for the same;
- (n) <sup>2</sup>[in case of all bedded health care units, maintain and update on day to day basis the bio-medical waste management register and display the monthly record on its website according to the bio-medical waste generated in terms of category and colour coding as specified in Schedule I]
- (o) report major accidents including accidents caused by fire hazards, blasts during handling of bio-medical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority and also along with the annual report;
- (p) <sup>3</sup>[in case of all bedded health care facilities (any number of beds), make available the annual report on its web-site within a period of two years from the date of publication of the Bio-Medical Waste Management (Amendment) Rules, 2018];
- (q) inform the prescribed authority immediately in case the operator of a facility does not collect the bio-medical waste within the intended time or as per the agreed time;
- (r) establish a system to review and monitor the activities related to bio-medical waste management, either through an existing committee or by forming a new committee and the Committee shall meet once in every six months and the record of the minutes of the meetings of this committee shall be submitted along with the annual report to the prescribed authority and the healthcare establishments having less than thirty beds shall designate a qualified person to review and monitor the activities relating to bio-medical waste management within that establishment and submit the annual report;
- (s) maintain all record for operation of incineration, hydro or autoclaving etc., for a period of five years;
- (t) existing incinerators to achieve the standards for treatment and disposal of bio-medical waste as specified in Schedule II for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

**5. Duties of the operator of a common bio-medical waste treatment and disposal facility. -It shall be the duty of every operator to-**

- (a) take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time;
- (b) ensure timely collection of bio-medical waste from the occupier as prescribed under these

<sup>1</sup> Substituted vide G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

<sup>2</sup> Substituted vide G.S.R 129 (E) dated 19<sup>th</sup> February, 2019

<sup>3</sup> Substituted vide G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

rules;

- (c) establish bar coding and global positioning system for handling of bio- medical waste <sup>1</sup>[in accordance with the guidelines issued by the Central Pollution Control Board by 27<sup>th</sup> March, 2019];
- (d) inform the prescribed authority immediately regarding the occupiers which are not handing over the segregated bio-medical waste in accordance with these rules;
- (e) provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter;
- (f) assist the occupier in training conducted by them for bio-medical waste management;
- (g) undertake appropriate medical examination at the time of induction and atleast once in a year and immunize all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same;
- (h) ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;
- (i) report major accidents including accidents caused by fire hazards, blasts during handling of bio-medical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority **and also** along with the annual report;
- (j) maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation;
- (k) allow occupier, who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules;
- (l) shall display details of authorisation, treatment, annual report etc. on its web-site;
- (m) after ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorization or registration from the respective State Pollution Control Board or Pollution Control Committee;
- (n) supply non-chlorinated plastic coloured bags to the occupier on chargeable basis, if required;
- (o) common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also;
- (p) maintain all record for operation of incineration, hydro or autoclaving for a period of five years; and
- (q) upgrade existing incinerators to achieve the standards for retention time in secondary chamber and Dioxin and Furans within two years from the date of this notification.

**6. Duties of authorities.** -The Authority specified in column (2) of Schedule-III shall perform the duties as specified in column (3) thereof in accordance with the provisions of these rules.

**7. Treatment and disposal.** - (1) Bio-medical waste shall be treated and disposed of in accordance with Schedule I, and in compliance with the standards provided in Schedule-II by the healthcare facilities and common bio-medical waste treatment facility.

<sup>1</sup> Substituted vide G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

- (2) Occupier shall hand over segregated waste as per the Schedule-I to common bio-medical waste treatment facility for treatment, processing and final disposal:

Provided that the lab and highly infectious bio-medical waste generated shall be pre-treated by equipment like autoclave or microwave.

- (3) No occupier shall establish on-site treatment and disposal facility, if a service of common bio-medical waste treatment facility is available at a distance of seventy-five kilometer.

(4) In cases where service of the common bio-medical waste treatment facility is not available, the Occupiers shall set up requisite biomedical waste treatment equipment like incinerator, autoclave or microwave, shredder prior to commencement of its operation, as per the authorization given by the prescribed authority.

(5) Any person including an occupier or operator of a common biomedical waste treatment facility, intending to use new technologies for treatment of biomedical waste other than those listed in Schedule I shall request the Central Government for laying down the standards or operating parameters.

(6) On receipt of a request referred to in sub-rule (5), the Central Government may determine the standards and operating parameters for new technology which may be published in Gazette by the Central Government.

(7) Every operator of common bio-medical waste treatment facility shall set up requisite biomedical waste treatment equipments like incinerator, autoclave or microwave, shredder and effluent treatment plant as a part of treatment, prior to commencement of its operation.

(8) Every occupier shall <sup>1</sup>[phase out use of chlorinated plastic bags] within two years from the date of publication of these rules and after two years from such publication of these rules, the chlorinated plastic bags shall not be used for storing and transporting of bio-medical waste and the occupier or operator of a common bio-medical waste treatment facility shall not dispose of such plastics by incineration and the bags used for storing and transporting biomedical waste shall be in compliance with the Bureau of Indian Standards. Till the Standards are published, the carry bags shall be as per <sup>1</sup>[the Plastic Waste Management Rules, 2016].

(9) After ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass shall be given to such recyclers having valid authorisation or registration from the respective prescribed authority.

(10) The Occupier or Operator of a common bio-medical waste treatment facility shall maintain a record of recyclable wastes referred to in sub-rule (9) which are auctioned or sold and the same shall be submitted to the prescribed authority as part of its annual report. The record shall be open for inspection by the prescribed authorities.

(11) The handling and disposal of all the mercury waste and lead waste shall be in accordance with the respective rules and regulations.

**8. Segregation, packaging, transportation and storage.** -(1) Non treated bio-medical waste shall be mixed with other wastes.

(2) The bio-medical waste shall be segregated into containers or bags at the point of generation in accordance with Schedule I prior to its storage, transportation, treatment and disposal.

(3) The containers or bags referred to in sub-rule (2) shall be labeled as specified in Schedule IV.

(4) Bar code and global positioning system shall be added by the Occupier and common bio-medical waste treatment facility in one year time.

<sup>1</sup> Substituted vide G.S.R.234 (E) dated 16<sup>th</sup> March, 2018.

(5) The operator of common bio-medical waste treatment facility shall transport the bio-medical waste from the premises of an occupier to any off-site bio-medical waste treatment facility only in the vehicles having label as provided in part 'A' of the Schedule IV along with necessary information as specified in part 'B' of the Schedule IV.

(6) The vehicles used for transportation of bio-medical waste shall comply with the conditions if any stipulated by the State Pollution Control Board or Pollution Control Committee in addition to the requirement contained in the Motor Vehicles Act, 1988 (59 of 1988), if any or the rules made there under for transportation of such infectious waste.

(7) Untreated human anatomical waste, animal anatomical waste, soiled waste and, biotechnology waste shall not be stored beyond a period of forty –eight hours:

Provided that in case for any reason it becomes necessary to store such waste beyond such a period, the occupier shall take appropriate measures to ensure that the waste does not adversely affect human health and the environment and inform the prescribed authority along with the reasons for doing so.

(8) Microbiology waste and all other clinical laboratory waste shall be pre-treated by sterilisation to Log 6 or disinfection to Log 4, as per the World Health Organisation guidelines before packing and sending to the common bio-medical waste treatment facility.

**9. Prescribed authority.** -(1) The prescribed authority for implementation of the provisions of these rules shall be the State Pollution Control Boards in respect of States and Pollution Control Committees in respect of Union territories.

(2) The prescribed authority for enforcement of the provisions of these rules in respect of all health care establishments including hospitals, nursing homes, clinics, dispensaries, veterinary institutions, animal houses, pathological laboratories and blood banks of the Armed Forces under the Ministry of Defence shall be the Director General, Armed Forces Medical Services, who shall function under the supervision and control of the Ministry of Defence.

(3) The prescribed authorities shall comply with the responsibilities as stipulated in Schedule III of these rules.

**10. Procedure for authorisation.**-Every occupier or operator handling bio-medical waste, irrespective of the quantity shall make an application in Form II to the prescribed authority i.e. State Pollution Control Board and Pollution Control Committee, as the case may be, for grant of authorisation and the prescribed authority shall grant the provisional authorisation in Form III and the validity of such authorisation for bedded health care facility and operator of a common facility shall be synchronised with the validity of the consents.

(1) The authorisation shall be one time for non-bedded occupiers and the authorisation in such cases shall be deemed to have been granted, if not objected by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents.

(2) In case of refusal of renewal, cancellation or suspension of the authorisation by the prescribed authority, the reasons shall be recorded in writing:

Provided that the prescribed authority shall give an opportunity of being heard to the applicant before such refusal of the authorisation.

(3) Every application for authorisation shall be disposed of by the prescribed authority within a period of ninety days from the date of receipt of duly completed application along with such necessary documents, failing which it shall be deemed that the authorisation is granted under these rules.

(4) In case of any change in the bio-medical waste generation, handling, treatment and disposal for which authorisation was earlier granted, the occupier or operator shall intimate to the prescribed

authority about the change or variation in the activity and shall submit a fresh application in Form II for modification of the conditions of authorisation.

**11. Advisory Committee.** -(1) Every State Government or Union territory Administration shall constitute an Advisory Committee for the respective State or Union territory under the chairmanship of the respective health secretary to oversee the implementation of the rules in the respective state and to advise any improvements and the Advisory Committee shall include representatives from the Departments of Health, Environment, Urban Development, Animal Husbandry and Veterinary Sciences of that State Government or Union territory Administration, State Pollution Control Board or Pollution Control Committee, urban local bodies or local bodies or Municipal Corporation, representatives from Indian Medical Association, common bio-medical waste treatment facility and non-governmental organization

(2) Notwithstanding anything contained in sub-rule (1), the Ministry of Defence shall constitute the Advisory Committee (Defence) under the chairmanship of Director General of Health Services of Armed Forces consisting of representatives from the Ministry of Defence, Ministry of Environment, Forest and Climate Change, Central Pollution Control Board, Ministry of Health and Family Welfare, Armed Forces Medical College or Command Hospital.

(3) The Advisory Committee constituted under sub-rule (1) and (2) shall meet at least once in six months and review all matters related to implementation of the provisions of these rules in the State and Armed Forces Health Care Facilities, as the case may be.

(4) The Ministry of Health and Defence may co-opt representatives from the other Governmental and non- governmental organisations having expertise in the field of bio-medical waste management.

**12. Monitoring of implementation of the rules in health care facilities.** -(1) The Ministry of Environment, Forest and Climate Change shall review the implementation of the rules in the country once in a year through the State Health Secretaries and Chairmen or Member Secretary of State Pollution Control Boards and Central Pollution Control Board and the Ministry may also invite experts in the field of bio-medical waste management, if required.

(2) The Central Pollution Control Board shall monitor the implementation of these rules in respect of all the Armed Forces health care establishments under the Ministry of Defence.

(3) The Central Pollution Control Board along with one or more representatives of the Advisory Committee constituted under sub-rule (2) of rule 11; may inspect any Armed Forces health care establishments after prior intimation to the Director General Armed Forces Medical Services.

(4) Every State Government or Union territory Administration shall constitute District Level Monitoring Committee in the districts under the chairmanship of District Collector or District Magistrate or Deputy Commissioner or Additional District Magistrate to monitor the compliance of the provisions of these rules in the health care facilities generating bio-medical waste and in the common bio-medical waste treatment and disposal facilities, where the bio-medical waste is treated and disposed of.

(5) The District Level Monitoring Committee constituted under sub-rule (4) shall submit its report once in six months to the State Advisory Committee and a copy thereof shall also be forwarded to State Pollution Control Board or Pollution Control Committee concerned for taking further necessary action.

(6) The District Level Monitoring Committee shall comprise of District Medical Officer or District Health Officer, representatives from State Pollution Control Board or Pollution Control Committee, Public Health Engineering Department, local bodies or municipal corporation, Indian Medical Association, common bio-medical waste treatment facility and registered non-governmental organisations working in the field of bio-medical waste management and the Committee may co-opt other members and experts, if necessary and the District Medical Officer shall be the Member Secretary of this Committee.

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**13. Annual Report.** -(1) Every occupier or operator of common bio-medical waste treatment facility shall submit an annual report to the prescribed authority in Form-IV, on or before the 30<sup>th</sup> June of every year.

(2) The prescribed authority shall compile, review and analyse the information received and send this information to the <sup>1</sup>[Central Pollution Control Board in Form IVA before] the 31<sup>st</sup> July of every year.

(3) The Central Pollution Control Board shall compile, review and analyse the information received and send this information, along with its comments or suggestions or observations to the Ministry of Environment, Forest and Climate Change on or before 31<sup>st</sup> August every year.

(4) The Annual Reports shall also be available online on the websites of Occupiers, State Pollution Control Boards and Central Pollution Control Board.

**14. Maintenance of records.** -(1) Every authorised person shall maintain records related to the generation, collection, reception, storage, transportation, treatment, disposal or any other form of handling of bio-medical waste, for a period of five years, in accordance with these rules and guidelines issued by the Central Government or the Central Pollution Control Board or the prescribed authority as the case maybe.

(2) All records shall be subject to inspection and verification by the prescribed authority or the Ministry of Environment, Forest and Climate Change at any time.

**15. Accident Reporting.** -(1) In case of any major accident at any institution or facility or any other site while handling bio-medical waste, the authorised person shall intimate immediately to the prescribed authority about such accident and forward a report within twenty-four hours in writing regarding the remedial steps taken in Form I.

(2) Information regarding all other accidents and remedial steps taken shall be provided in the annual report in accordance with rule 13 by the occupier.

**16. Appeal.** -(1) Any person aggrieved by an order made by the prescribed authority under these rules may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal in Form-V to the Secretary (Environment) of the State Government or Union territory administration.

(2) Any person aggrieved by an order of the Director General Armed Forces Medical Services under these rules may, within thirty days from the date on which the order is communicated to him, prefer an appeal in Form V to the Secretary, Ministry of Environment, Forest and Climate Change.

(3) The authority referred to in sub-para (1) and (2) as the case may be, may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) The appeal shall be disposed of within a period of ninety days from the date of its filing.

**17. Site for common bio-medical waste treatment and disposal facility.** -(1) Without prejudice to rule 5 of these rules, the department in the business allocation of land assignment shall be responsible for providing suitable site for setting up of common biomedical waste treatment and disposal facility in the State Government or Union territory Administration.

(2) The selection of site for setting up of such facility shall be made in consultation with the prescribed authority, other stakeholders and in accordance with guidelines published by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board.

**18. Liability of the occupier, operator of a facility.** - (1) The occupier or an operator of a common bio-medical waste treatment facility shall be liable for all the damages caused to the

<sup>1</sup> Substituted vide G.S.R. 234(E) dated 16<sup>th</sup> March, 2018

environment or the public due to improper handling of bio- medical wastes.

(2) The occupier or operator of common bio-medical waste treatment facility shall be liable for action under section 5 and section 15 of the Act, in case of any violation.

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## SCHEDULE I

[See rules 3 (e), 4(b), 7(1), 7(2), 7(5), 7 (6) and 8(2)]

## Part-1

Biomedical wastes categories and their segregation, collection, treatment, processing and disposal options

Category	Type of Waste	Type of Bag or Container to be used	Treatment and Disposal options
(1)	(2)	(3)	(4)
Yellow	<b>(a) Human Anatomical Waste:</b> Human tissues, organs, body parts and fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time).	Yellow coloured non-chlorinated plastic bags	Incineration or Plasma Pyrolysis or deep burial*
	<b>(b) Animal Anatomical Waste:</b> Experimental animal carcasses, body parts, organs, tissues, including the waste generated from animals used in experiments or testing in veterinary hospitals or colleges or animal houses.		
	<b>(c) Soiled Waste:</b> Items contaminated with blood, body fluids like dressings, plaster casts, cotton swabs and bags containing residual or discarded blood and blood components.		Incineration or Plasma Pyrolysis or deep burial* In absence of above facilities, autoclaving or micro-waving/ hydroclaving followed by shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent for energy recovery.
	<b>(d) Expired or Discarded Medicines:</b> Pharmaceutical waste like antibiotics, cytotoxic drugs including all items contaminated with cytotoxic drugs along with glass or plastic ampoules, vials etc.	Yellow coloured non-chlorinated plastic bags or containers	Expired cytotoxic drugs and items contaminated with cytotoxic drugs to be returned back to the manufacturer or supplier for incineration at temperature >1200 °C or to common bio-medical waste treatment facility or hazardous waste treatment, storage and disposal facility for incineration at >1200 °C Or Encapsulation or Plasma Pyrolysis at >1200 °C. All other discarded medicines shall be either sent back to manufacturer or disposed by incineration.

	<b>(e) Chemical Waste:</b> Chemicals used in production of biological and used or discarded disinfectants.	Yellow coloured containers or non-chlorinated plastic bags	Disposed of by incineration or Plasma Pyrolysis or Encapsulation in hazardous waste treatment, storage and disposal facility.
	<b>(f) Chemical Liquid Waste:</b> Liquid waste generated due to use of chemicals in production of biological and used or discarded disinfectants, Silver X-ray film developing liquid, discarded Formalin, infected secretions, aspirated body fluids, liquid from Laboratories and floor washings, cleaning, house-keeping and disinfecting activities etc.	Separate collection system leading to effluent treatment system	After resource recovery, the chemical liquid waste shall be pre-treated before mixing with other wastewater. The combined discharge shall conform to the discharge norms given in Schedule- III.
	<b>(g) Discarded linen, mattresses, beddings contaminated with blood or body fluid <sup>1</sup>[routine mask and gown].</b>	Non-chlorinated yellow plastic bags or suitable packing material	Non-chlorinated disinfection followed by incineration or Plazma Pyrolysis or for energy recovery.  In absence of above facilities, shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent for energy recovery or incineration or Plazma Pyrolysis.
111	<b>(h) Microbiology, Biotechnology and other clinical laboratory waste:</b> Blood bags, Laboratory cultures, stocks or specimens of micro-organisms, live or attenuated vaccines, human and animal cell cultures used in research, industrial laboratories, production of biological, residual toxins, dishes and devices used for cultures.	<sup>2</sup> [Autoclave or Microwave or Hydroclave safe plastic bags or containers]	Pre-treat to sterilize with non-chlorinated chemicals on-site <sup>2</sup> [as per World Health Organisation guidelines on Safe management of wastes from health care activities and WHO Blue Book, 2014 and thereafter sent for incineration]

<sup>1</sup> Inserted vide GSR 234(E) dated 16<sup>th</sup> March, 2018

<sup>2</sup> Substituted vide GSR 234(E) dated 16<sup>th</sup> March, 2018

Red	<b>Contaminated Waste (Recyclable)</b> (a) Wastes generated from disposable items such as tubing, bottles, intravenous tubes and sets, catheters, urine bags, syringes (without needles and <i>fixed needle</i> syringes) and vaccutainers with their needles cut) and gloves.	Red coloured non-chlorinated plastic bags or containers	Autoclaving or microwaving/ hydroclaving followed by shredding or mutilation or combination of sterilization and shredding. Treated waste to be sent to registered or authorized recyclers or for energy recovery or plastics to diesel or fuel oil or for road making, whichever is possible. Plastic waste should not be sent to landfill sites.
White (Translucent)	<b>Waste sharps including Metals:</b> Needles, syringes with fixed needles, needles from needle tip cutter or burner, scalpels, blades, or any other contaminated sharp object that may cause puncture and cuts. This includes both used, discarded and contaminated metal sharps	Puncture proof, Leak proof, tamper proof containers	Autoclaving or Dry Heat Sterilization followed by shredding or mutilation or encapsulation in metal container or cement concrete; combination of shredding cum autoclaving; and sent for final disposal to iron foundries (having consent to operate from the State Pollution Control Boards or Pollution Control Committees) or sanitary landfill or designated concrete waste sharp pit.
Blue	<b>(a) Glassware:</b> Broken or discarded and contaminated glass including medicine vials and ampoules except those contaminated with cytotoxic wastes.	<sup>1</sup> [Puncture proof and leak proof boxes or containers with blue colored marking]	Disinfection (by soaking the washed glass waste after cleaning with detergent and Sodium Hypochlorite treatment) or through autoclaving or microwaving or hydroclaving and then sent for recycling.
	<b>(b) Metallic Body Implants</b>	<sup>2</sup> [Puncture proof and leak proof boxes or containers with blue colored marking]	

\*Disposal by deep burial is permitted only in rural or remote areas where there is no access to common bio- medical waste treatment facility. This will be carried out with prior approval from the prescribed authority and as per the Standards specified in <sup>3</sup>[Schedule-II]. The deep burial facility shall be located as per the provisions and guidelines issued by Central Pollution Control Board from time to time.

<sup>1</sup> Substituted vide GSR 234(E) dated 16<sup>th</sup> March, 2018

<sup>2</sup> Substituted vide G.S.R. 234(E) dated 16<sup>th</sup> March, 2018

<sup>3</sup> Substituted the word and figure "Schedule-II" for the word and figure "Schedule-III" vide G.S.R. 234(E) dated 16<sup>th</sup> March, 2018



## Part -2

- (1) All plastic bags shall be as per BIS standards as and when published, till then the prevailing Plastic Waste Management Rules shall be applicable.
- (2) Chemical treatment using at least <sup>1</sup>[1% to 2%] Sodium Hypochlorite having 30% residual chlorine for twenty minutes or any other equivalent chemical reagent that should demonstrate Log<sub>10</sub>4 reduction efficiency for microorganisms as given in Schedule-III.
- (3) Mutilation or shredding must be to an extent to prevent unauthorized reuse.
- (4) There will be no chemical pretreatment before incineration, except for microbiological, lab and highly infectious waste.
- (5) Incineration ash (ash from incineration of any bio-medical waste) shall be disposed through hazardous waste treatment, storage and disposal facility, if toxic or hazardous constituents are present beyond the prescribed limits as given in the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 or as revised from time to time.
- (6) Dead Fetus below the viability period (as per the Medical Termination of Pregnancy Act 1971, amended from time to time) can be considered as human anatomical waste. Such waste should be handed over to the operator of common bio-medical waste treatment and disposal facility in yellow bag with a copy of the official Medical Termination of Pregnancy certificate from the Obstetrician or the Medical Superintendent of hospital or healthcare establishment.
- (7) Cytotoxic drug vials shall not be handed over to unauthorised person under any circumstances. These shall be sent back to the manufactures for necessary disposal at a single point. As a second option, these may be sent for incineration at common bio-medical waste treatment and disposal facility or TSDFs or plasma pyrolysis at temperature >1200 °C.
- (8) Residual or discarded chemical wastes, used or discarded disinfectants and chemical sludge can be disposed at hazardous waste treatment, storage and disposal facility. In such case, the waste should be sent to hazardous waste treatment, storage and disposal facility through operator of common bio-medical waste treatment and disposal facility only.
- (9) On-site pre-treatment of laboratory waste, microbiological waste, blood samples, blood bags should be disinfected or sterilized as per the Guidelines of World Health Organisation or National AIDS Control Organisation and then given to the common bio-medical waste treatment and disposal facility.
- (10) Installation of in-house incinerator is not allowed. However, in case there is no common biomedical facility nearby, the same may be installed by the occupier after taking authorisation from the State Pollution Control Board.
- (11) Syringes should be either mutilated or needles should be cut and or stored in tamper proof, leak proof and puncture proof containers for sharps storage. Wherever the occupier is not linked to a disposal facility it shall be the responsibility of the occupier to sterilize and dispose in the manner prescribed.
- (12) Bio-medical waste generated in households during healthcare activities shall be segregated as per these rules and handed over in separate bags or containers to municipal waste collectors. Urban Local Bodies shall have tie up with the common bio-medical waste treatment and disposal facility to pickup this waste from the Material Recovery Facility (MRF) or from the house hold directly, for final disposal in the manner as prescribed in this Schedule.

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<sup>1</sup> Substituted the figure "1% to 2%" for the figure "10 %" vide G.S.R. 234(E) dated 16<sup>th</sup> March, 2018

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**SCHEDULE II**  
[See rule 4(t), 7(1) and 7(6)]

**STANDARDS FOR TREATMENT AND DISPOSAL OF BIO- MEDICAL WASTES**

**1. STANDARDS FOR INCINERATION. –**

All incinerators shall meet the following operating and emission standards-

**A. Operating Standards**

- 1) Combustion efficiency (CE) shall be at least 99.00%.
- 2) The Combustion efficiency is computed as follows:

$$C.E. = \frac{\%CO_2}{(\%CO_2 + \%CO)} \times 100$$

- 3) The temperature of the primary chamber shall be a minimum of 800 °C and the secondary chamber shall be minimum of 1050 °C + or – 50 °C.
- 4) The secondary chamber gas residence time shall be at least two seconds.

**B. Emission Standards**

Sl. No. (1)	Parameter (2)	Standards (3)	Standards (4)
		Limiting concentration in <sup>1</sup> [mg/Nm <sup>3</sup> ] unless stated	Sampling Duration in minutes, unless stated
1.	Particulate matter	50	30 or 1 <sup>1</sup> [mg/Nm <sup>3</sup> ] of sample volume, whichever is more
2.	Nitrogen Oxides NO and NO <sub>2</sub> expressed as NO <sub>2</sub>	400	30 for online sampling or grab sample
3.	HCl	50	30 or 1 NM <sup>3</sup> of sample volume, whichever is more
4.	Total Dioxins and Furans	0.1 ng TEQ/Nm <sup>3</sup> (at 11% O <sub>2</sub> )	8 hours or 5 NM <sup>3</sup> of sample volume, whichever is more
5.	Hg and its compounds	0.05	2 hours or 1 NM <sup>3</sup> of sample volume, whichever is more

**C. Stack Height:** Minimum stack height shall be 30 meters above the ground and shall be attached with the necessary monitoring facilities as per requirement of monitoring of 'general parameters' as notified under the Environment (Protection) Act, 1986 and in accordance with the Central Pollution Control Board Guidelines of Emission Regulation **Part-III**.

**Note:**

- (a) The existing incinerators shall comply with the above within a period of two years from the date of the notification.
- (b) The existing incinerators shall comply with the standards for Dioxins and Furans of 0.1 ng TEQ/Nm<sup>3</sup>, as given below within two years from the date of commencement of these rules.

<sup>1</sup> Substituted the letter and figure "mg/Nm<sup>3</sup>" for the letter and figure "mgNm<sup>3</sup>" vide G.S.R. 234(E) dated 16<sup>th</sup> March, 2018

- (c) All upcoming common bio-medical waste treatment facilities having incineration facility or captive incinerator shall comply with standards for Dioxins and Furans.
- (d) The existing secondary combustion chambers of the incinerator and the pollution control devices shall be suitably retrofitted, if necessary, to achieve the emission limits.
- (e) Wastes to be incinerated shall not be chemically treated with any chlorinated disinfectants.
- (f) Ash from incineration of biomedical waste shall be disposed of at common hazardous waste treatment and disposal facility. However, it may be disposed of in municipal landfill, if the toxic metals in incineration ash are within the regulatory quantities as defined under the Hazardous Waste (Management and Handling and Transboundary Movement) Rules, 2008 as amended from time to time.
- (g) Only low Sulphur fuel like Light Diesel Oil or Low Sulphur Heavy Stock or Diesel, Compressed Natural Gas, Liquefied Natural Gas or Liquefied Petroleum Gas shall be used as fuel in the incinerator.
- (h) The occupier or operator of a common bio-medical waste treatment facility shall monitor the stack gaseous emissions (under optimum capacity of the incinerator) once in three months through a laboratory approved under the Environment (Protection) Act, 1986 and record of such analysis results shall be maintained and submitted to the prescribed authority. In case of dioxins and furans, monitoring should be done once in a year.
- (i) The occupier or operator of the common bio-medical waste treatment facility shall install continuous emission monitoring system for the parameters as stipulated by State Pollution Control Board or Pollution Control Committees in authorisation and transmit the data real time to the servers at State Pollution Control Board or Pollution Control Committees and Central Pollution Control Board.
- (j) All monitored values shall be corrected to 11% Oxygen on dry basis.
- (k) Incinerators (combustion chambers) shall be operated with such temperature, retention time and turbulence, as to achieve Total Organic Carbon content in the slag and bottom ashes less than 3% or their loss on ignition shall be less than 5% of the dry weight.
- (l) The occupier or operator of a common bio-medical waste incinerator shall use combustion gas analyzer to measure CO<sub>2</sub>, CO and O<sub>2</sub>.

## 2. Operating and Emission Standards for Disposal by Plasma Pyrolysis or Gasification:

### A. Operating Standards:

All the operators of the Plasma Pyrolysis or Gasification shall meet the following operating and emission standards:

- 1) Combustion Efficiency(CE) shall be at least 99.99%.
- 2) The Combustion Efficiency is computed as follows.

$$C.E. = \frac{\%CO_2}{(\%CO_2 + \%CO)} \times 100$$

- 3) The temperature of the combustion chamber after plasma gasification shall be 1050 ± 50 ° C with gas residence time of at least 2 (two) second, with minimum 3% Oxygen in the stack gas.
- 4) The Stack height should be minimum of 30 m above ground level and shall be attached with the necessary monitoring facilities as per requirement of monitoring of general parameters' as notified under the Environment (Protection) Act, 1986 and in accordance with the CPCB Guidelines of Emission Regulation Part-III.

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**B. Air Emission Standards and Air Pollution Control Measures**

- (i) Emission standards for incinerator, notified at SI No.1 above in this Schedule, and revised from time to time, shall be applicable for the Plasma Pyrolysis or Gasification also.
- (ii) Suitably designed air pollution control devices shall be installed or retrofitted with the 'Plasma Pyrolysis or Gasification to achieve the above emission limits, if necessary.
- (iii) Wastes to be treated using Plasma Pyrolysis or Gasification shall not be chemically treated with any chlorinated disinfectants and chlorinated plastics shall not be treated in the system.

**C. Disposal of Ash Vitrified Material:** The ash or vitrified material generated from the 'Plasma Pyrolysis or Gasification shall be disposed off in accordance with the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008 and revisions made thereafter in case the constituents exceed the limits prescribed under Schedule II of the said Rules or else in accordance with the provisions of the Environment (Protection) Act, 1986, whichever is applicable.

**3. STANDARDS FOR AUTOCLAVING OF BIO-MEDICAL WASTE. –**

The autoclave should be dedicated for the purposes of disinfecting and treating bio-medical waste.

- (1) When operating a gravity flow autoclave, medical waste shall be subjected to:
  - (i) a temperature of not less than 121 °C and pressure of 15 pounds per square inch (psi) for an autoclave residence time of not less than 60 minutes; or
  - (ii) a temperature of not less than 135 °C and a pressure of 31 psi for an autoclave residence time of not less than 45 minutes; or
  - (iii) a temperature of not less than 149 °C and a pressure of 52 psi for an autoclave residence time of not less than 30 minutes.
- (2) When operating a vacuum autoclave, medical waste shall be subjected to a minimum of three pre-vacuum pulse to purge the autoclave of all air. The air removed during the pre-vacuum, cycle should be decontaminated by means of HEPA and activated carbon filtration, steam treatment, or any other method to prevent release of pathogen. The waste shall be subjected to the following:
  - (i) a temperature of not less than 121 °C and pressure of 15 psi per an autoclave residence time of not less than 45 minutes; or
  - (ii) a temperature of not less than 135 °C and a pressure of 31 psi for an autoclave residence time of not less than 30 minutes;

Medical waste shall not be considered as properly treated unless the time, temperature and pressure indicators indicate that the required time, temperature and pressure were reached during the autoclave process. If for any reasons, time temperature or pressure indicator indicates that the required temperature, pressure or residence time was not reached, the entire load of medical waste must be autoclaved again until the proper temperature, pressure and residence time were achieved.

- (3) **Recording of operational parameters:** Each autoclave shall have graphic or computer recording devices which will automatically and continuously monitor and record dates, time of day, load identification number and operating parameters throughout the entire length of the autoclave cycle.
- (4) **Validation test for autoclave:** The validation test shall use four biological indicator strips, one shall be used as a control and left at room temperature, and three shall be placed in the approximate center of three containers with the waste. Personal protective equipment (gloves, face mask and coveralls) shall be used when opening containers for the purpose of placing the biological indicators. At least one of the containers with a biological indicator should be placed in the most difficult location for steam to penetrate, generally the bottom center of the waste pile. The occupier

or operator shall conduct this test three consecutive times to define the minimum operating conditions. The temperature, pressure and residence time at which all biological indicator vials or strips for three consecutive tests show complete inactivation of the spores shall define the minimum operating conditions for the autoclave. After determining the minimum temperature, pressure and residence time, the occupier or operator of a common biomedical waste treatment facility shall conduct this test once in three months and records in this regard shall be maintained.

(5) **Routine Test:** A chemical indicator strip or tape that changes colour when a certain temperature is reached can be used to verify that a specific temperature has been achieved. It may be necessary to use more than one strip over the waste package at different locations to ensure that the inner content of the package has been adequately autoclaved. The occupier or operator of a common bio medical waste treatment facility shall conduct this test during autoclaving of each batch and records in this regard shall be maintained.

(6) **Spore testing:** The autoclave should completely and consistently kill the approved biological indicator at the maximum design capacity of each autoclave unit. Biological indicator for autoclave shall be *Geobacillusstearothermophilus* spores using vials or spore Strips; with at least  $1 \times 10^6$  spores. Under no circumstances will an autoclave have minimum operating parameters less than a residence time of 30 minutes, a temperature less than 121 °C or a pressure less than 15 psi. The occupier or operator of a common bio medical waste treatment and disposal facility shall conduct this test at least once in every week and records in this regard shall be maintained.

#### 4. STANDARDS OF MICROWAVING. –

(1) Microwave treatment shall not be used for cytotoxic, hazardous or radioactive wastes, contaminated animal carcasses, body parts and large metal items.

(2) The microwave system shall comply with the efficacy test or routine tests and a performance guarantee may be provided by the supplier before operation of the limit.

(3) The microwave should completely and consistently kill the bacteria and other pathogenic organisms that are ensured by approved biological indicator at the maximum design capacity of each microwave unit. Biological indicators for microwave shall be *Bacillus atrophaeus* spores using vials or spore strips with at least  $1 \times 10^4$  spores per detachable strip. The biological indicator shall be placed with waste and exposed to same conditions as the waste during a normal treatment cycle.

5. **STANDARDS FOR DEEP BURIAL.** - (1) A pit or trench should be dug about two meters deep. It should be half filled with waste, then covered with lime within 50 cm of the surface, before filling the rest of the pit with soil.

(2) It must be ensured that animals do not have any access to burial sites. Covers of galvanised iron or wire meshes may be used.

(3) On each occasion, when wastes are added to the pit, a layer of 10 cm of soil shall be added to cover the wastes.

(4) Burial must be performed under close and dedicated supervision.

(5) The deep burial site should be relatively impermeable and no shallow well should be close to the site.

(6) The pits should be distant from habitation, and located so as to ensure that no contamination occurs to surface water or ground water. The area should not be prone to flooding or erosion.

(7) The location of the deep burial site shall be authorised by the prescribed authority.

(8) The institution shall maintain a record of all pits used for deep burial.

(9) The ground water table level should be a minimum of six meters below the lower level of deep burial pit.

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**6. STANDARDS FOR EFFICACY OF CHEMICAL DISINFECTION**

Microbial inactivation efficacy is equated to "Log10 kill" which is defined as the difference between the logarithms of number of test microorganisms before and after chemical treatment. Chemical disinfection methods shall demonstrate a 4 Log10 reduction or greater for *Bacillus Subtilis* (ATCC 19659) in chemical treatment systems.

**7. STANDARDS FOR DRY HEAT STERILIZATION**

Waste sharps can be treated by dry heat sterilization at a temperature not less than 185°C, at least for a residence period of 150 minutes in each cycle, which sterilization period of 90 minutes. There should be automatic recording system to monitor operating parameters.

**(i) Validation test for Sharps sterilization unit**

Waste sharps sterilization unit should completely and consistently kill the biological indicator *Geobacillus Stearothermophilus* or *Bacillus Atropheauspoers* using vials with at least log<sub>10</sub>6 spores per ml. The test shall be carried out once in three months

**(ii) Routine test**

A chemical indicator strip or tape that changes colour when a certain temperature is reached can be used to verify that a specific temperature has been achieved. It may be necessary to use more than one strip over the waste to ensure that the inner content of the sharps has been adequately disinfected. This test shall be performed once in week and records in this regard shall be maintained.

**8. STANDARDS FOR LIQUID WASTE. -**

(1) The effluent generated or treated from the premises of occupier or operator of a common bio medical waste treatment and disposal facility, before discharge into the sewer should conform to the following limits-

PARAMETERS	PERMISSIBLE LIMITS
pH	6.5-9.0
Suspended solids	100 mg/l
Oil and grease	10 mg/l
BOD	30 mg/l
COD	250 mg/l
Bio-assay test	90% survival of fish after 96 hours in 100% effluent.

**<sup>1</sup>["Note-**

1. *Above limits are applicable to the occupiers of Health Care Facilities (bedded) which are either connected with sewerage network without terminal sewage treatment plant or not connected to public sewers.*
2. *For discharge into public sewers with terminal facilities, the general standards as notified under the Environment (Protection) Act, 1986 (29 of 1986) shall be applicable.<sup>1</sup>*
3. *<sup>2</sup>{Health Care Facilities having less than ten beds shall have to comply with the output discharge standard for liquid waste by 31st December, 2019.}*
4. *Non-bedded occupiers shall dispose infectious liquid wastes only after treatment by disinfection as per Schedule – II (6) of the principal rules.".]*

(2) Sludge from Effluent Treatment Plant shall be given to common bio-medical waste treatment facility for incineration or to hazardous waste treatment, storage and disposal facility for disposal.

<sup>1</sup> Inserted vide G.S.R 234(E) dated 16<sup>th</sup> March, 2018

<sup>2</sup> Substituted vide G.S.R 129(E) dated 19<sup>th</sup> February, 2019

## Schedule III

[See rule 6 and 9(3)]

## List of Prescribed Authorities and the Corresponding Duties

Sl. No. (1)	Authority (2)	Corresponding Duties (3)
1	Ministry of Environment, Forest and Climate Change, Government of India	(i) Making Policies concerning bio-medical waste Management in the Country including notification of Rules and amendments to the Rules as and when required. (ii) Providing financial assistance for training and awareness programmes on bio-medical waste management related activities to for the State Pollution Control Boards or Pollution Control Committees. (iii) Facilitating financial assistance for setting up or up- gradation of common bio-medical waste treatment facilities. (iv) Undertake or support operational research and assessment with reference to risks to environment and health due to bio-medical waste and previously unknown disposables and wastes from new types of equipment. (v) Constitution of Monitoring Committee for implementation of the rules. (vi) Hearing Appeals and give decision made in Form- V against order passed by the prescribed authorities. (vii) Develop Standard manual for Trainers and Training.
2	Central or State Ministry of Health and Family Welfare, Central Ministry for Animal Husbandry and Veterinary or State Department of Animal Husbandry and Veterinary.	(i) Grant of license to health care facilities or nursing homes or veterinary establishments with a condition to obtain authorisation from the prescribed authority for bio-medical waste management. (ii) Monitoring, Refusal or Cancellation of license for health care facilities or nursing homes or veterinary establishments for violations of conditions of authorisation or provisions under these Rules. (iii). Publication of list of registered health care facilities with regard to bio-medical waste generation, treatment and disposal. (iv) Undertake or support operational research and assessment with reference to risks to environment and health due to bio-medical waste and previously unknown disposables and wastes from new types of equipment. (v) Coordinate with State Pollution Control Boards for organizing training programmes to staff of health care facilities and municipal workers on bio-medical waste. (vi) Constitution of Expert Committees at National or State level for overall review and promotion of clean or new technologies for bio-medical waste management. (vii) Organizing or Sponsoring of trainings for the regulatory authorities and health care facilities on bio-medical waste management related activities. (viii) Sponsoring of mass awareness campaigns in electronic media and print media.

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3	Ministry of Defence	<p>(i) Grant and renewal of authorisation to Armed Forces health care facilities or common bio-medical waste treatment facilities <sup>1</sup>[(Rule 10)].</p> <p>(ii) Conduct training courses for authorities dealing with management of bio-medical wastes in Armed Forces health care facilities or treatment facilities in association with State Pollution Control Boards or Pollution Control Committees or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change.</p> <p>(iii) Publication of inventory of occupiers and bio-medical waste generation from Armed Forces health care facilities or occupiers</p> <p>(iv) Constitution of Advisory Committee for implementation of the rules.</p> <p>(v) Review of management of bio-medical waste generation in the Armed Forces health care facilities through its Advisory Committee (Rule 11).</p> <p>(vi) Submission of annual report to Central Pollution Control Board within the stipulated time period (Rule 13).</p> <p><sup>2</sup><sup>3</sup>{(vii)} Inspection and monitoring of Medical Inspection (MI) rooms, sick bays onboard ships or submarines, station medical centres and field hospitals in forward locations operated by the Director General, Armed Force Medical Services.];</p>
4	Central Pollution Control Board	<p>(i) Prepare Guidelines on bio-medical waste Management and submit to the Ministry of Environment, Forest and Climate Change.</p> <p>(ii) Co-ordination of activities of State Pollution Control Boards or Pollution Control Committees on bio-medical waste.</p> <p>(iii) Conduct training courses for authorities dealing with management of bio-medical waste.</p> <p>(iv) Lay down standards for new technologies for treatment and disposal of bio-medical waste (Rule 7) and prescribe specifications for treatment and disposal of bio-medical wastes (Rule 7).</p> <p>(v) Lay down Criteria for establishing common bio-medical waste treatment facilities in the Country.</p> <p>(vi) Random inspection or monitoring of health care facilities and common bio-medical waste treatment facilities.</p> <p>(vii) Review and analysis of data submitted by the State Pollution Control Boards on bio-medical waste and submission of compiled information in the form of annual report along with its observations to Ministry of Environment, Forest and Climate Change.</p> <p><sup>4</sup>{(viii)} Inspection and monitoring of health care facilities other than Medical Inspection (MI) rooms, sick bays on board ships or submarines, station medical centres and field hospitals in forward locations operated by the Director General, Armed Forces Medical Services <sup>5</sup>{(Rule-9)}.]</p> <p>(ix) Undertake or support research or operational research regarding</p>

<sup>1</sup> Substituted the word and figure "(Rule 10)", for the word and figure "(Rule 9)" vide GSR 234(E) dated 16<sup>th</sup> March, 2018

<sup>2</sup> Inserted vide G.S.R 129(E) dated 19<sup>th</sup> February, 2019

<sup>3</sup> Substituted bracket and letter (vii) against the bracket and letter (viii) vide G.S.R. 360(E) dated 10<sup>th</sup> May, 2019

<sup>4</sup> Substituted vide G.S.R 129(E) dated 19<sup>th</sup> February, 2019

<sup>5</sup> Substituted the word and figure "(Rule 12)", for the word and figure "(Rule 9)" vide GSR 234(E) dated 16<sup>th</sup> March, 2018

		bio-medical waste.
5	State Government of Health or Union Territory Government or Administration	<p>(i) To ensure implementation of the rule in all health care facilities or occupiers.</p> <p>(ii) Allocation of adequate funds to Government healthcare facilities for bio-medical waste management.</p> <p>(iii) Procurement and allocation of treatment equipments and make provision for consumables for bio-medical waste management in Government health care facilities.</p> <p>(iv) Constitute State or District Level Advisory Committees under the District Magistrate or Additional District Magistrate to oversee the bio-medical waste management in the Districts.</p> <p>(v) Advise State Pollution Control Boards or Pollution Control Committees on implementation of these Rules.</p> <p>(vi) Implementation of recommendations of the Advisory Committee in all the healthcare facilities.</p>
6	State Pollution Control Boards or Pollution Control Committees	<p>(i) Inventorisation of Occupiers and data on bio-medical waste generation, treatment &amp; disposal.</p> <p>(ii) Compilation of data and submission of the same in annual report to Central Pollution Control Board within the stipulated time period.</p> <p>(iii) Grant and renewal, suspension or refusal cancellation or of authorisation under these rules (Rule 7, 8 and 10).</p> <p>(iv) Monitoring of compliance of various provisions and conditions of authorisation.</p> <p>(v) Action against health care facilities or common bio- medical waste treatment facilities for violation of these rules (Rule 18).</p> <p>(vi) Organizing training programmes to staff of health care facilities and common bio-medical waste treatment facilities and State Pollution Control Boards or Pollution Control Committees Staff on segregation, collection, storage, transportation, treatment and disposal of bio- medical wastes.</p> <p>(vii) Undertake or support research or operational research regarding bio-medical waste management.</p> <p>(viii) Any other function under these rules assigned by Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.</p> <p>(ix) Implementation of recommendations of the Advisory Committee.</p> <p>(x) Publish the list of Registered or Authorised (or give consent) Recyclers.</p> <p>(xi) Undertake and support third party audits of the common bio-medical waste treatment facilities in their State.</p>
7	Municipalities or Corporations, Urban Local Bodies and Gram Panchayats	<p>(i) Provide or allocate suitable land for development of common bio-medical waste treatment facilities in their respective jurisdictions as per the guidelines of Central Pollution Control Board.</p> <p>(ii) Collect other solid waste (other than the bio-medical waste) from the health care facilities as per the Municipal Solid Waste (Management and handling) Rules, 2000 or as amended time to time.</p> <p>(iii) Any other function stipulated under these Rules.</p>

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**SCHEDULE-IV**

[See rule 8(3) and (5)]

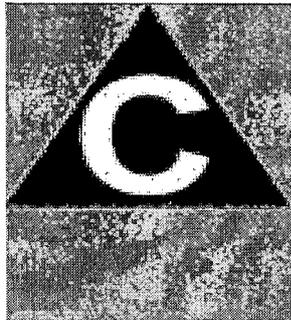
**Part A**

**LABEL FOR BIO-MEDICAL WASTE CONTAINERS or BAGS**



HANDLE WITH CARE

**CYTOTOXIC HAZARD SYMBOL**



HANDLE WITH CARE

**Part B**

**LABEL FOR TRANSPORTING BIO-MEDICAL WASTE BAGS OR CONTAINERS**

Day .....Month .....

Year .....

Date of generation .....

Waste category Number .....

Waste quantity.....

Sender's Name and Address

Phone Number .....

Receiver's Name and Address:

Phone Number .....

Fax Number.....

Fax Number .....

Contact Person .....

Contact Person .....

In case of emergency please contact:

Name and Address:

Phone No.

Note: Label shall be non-washable and prominently visible.

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**FORM – I**

[(See rule 4(o), 5(i) and 15 (2))]

**ACCIDENT REPORTING**

1. Date and time of accident:
2. Type of Accident:
3. Sequence of events leading to accident:
4. Has the Authority been informed immediately:
5. The type of waste involved in accident:
6. Assessment of the effects of the accidents on human health and the environment:
7. Emergency measures taken:
8. Steps taken to alleviate the effects of accidents:
9. Steps taken to prevent the recurrence of such an accident:
10. Does you facility has an Emergency Control policy? If yes give details:

Date: .....

Signature .....

Place: .....

Designation .....

## FORM - II

(See rule 10)

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## APPLICATION FOR AUTHORISATION OR RENEWAL OF AUTHORISATION

(To be submitted by occupier of health care facility or common bio-medical waste treatment facility)

To

The Prescribed Authority  
(Name of the State or UT Administration)  
Address.

## 1. Particulars of Applicant:

(i) Name of the Applicant:

(In block letters &amp; in full)

(ii) Name of the health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

(iii) Address for correspondence:

(iv) Tele No., Fax No.:

(v) Email:

(vi) Website Address:

## 2. Activity for which authorisation is sought:

Activity

Please tick

Generation, segregation

Collection,

Storage

packaging

Reception

Transportation

Treatment or processing or conversion

Recycling

Disposal or destruction

use

offering for sale, transfer

Any other form of handling

3. Application for  fresh or  renewal of authorisation (please tick whatever is applicable):

(i) Applied for CTO/CTE Yes/No

(ii) In case of renewal previous authorisation number and date:

.....

(iii) Status of Consents:

(a) under the Water (Prevention and Control of Pollution) Act, 1974

.....

(b) under the Air (Prevention and Control of Pollution) Act, 1981:

## 4. (i) Address of the health care facility (HCF) or common bio-medical waste treatment facility

.....

(CBWTF):

- (ii) GPS coordinates of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

## 5. Details of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF):

- (i) Number of beds of HCF:  
(ii) Number of patients treated per month by HCF:  
(iii) Number healthcare facilities covered by CBMWTF: \_\_\_\_\_  
(iv) No of beds covered by CBMWTF: \_\_\_\_\_  
(v) Installed treatment and disposal capacity of CBMWTF: \_\_\_\_\_ kg per day  
(vi) Quantity of biomedical waste treated or disposed by CBMWTF: \_\_\_\_\_ kg/ day  
(vii) Area or distance covered by CBMWTF: \_\_\_\_\_  
(pl. attach map a map with GPS locations of CBMWTF and area of coverage)  
(viii) Quantity of Biomedical waste handled, treated or disposed:

Category	Type of Waste	Quantity Generated or Collected, kg/day	Method of Treatment and Disposal (Refer Schedule-I)
(1)	(2)	(3)	(4)
Yellow	(a) Human Anatomical Waste:		
	(b) Animal Anatomical Waste :		
	(c) Soiled Waste:		
	(d) Expired or Discarded Medicines:		
	(e) Chemical Solid Waste:		
	(f) Chemical Liquid Waste :		
	(g) Discarded linen, mattresses, beddings contaminated with blood or body fluid.		
	(h) Microbiology, Biotechnology and other clinical laboratory waste:		
Red	Contaminated Waste (Recyclable)		
White (Translucent)	Waste sharps including Metals:		
Blue	Glassware:		
	Metallic Body Implants		

## 6. Brief description of arrangements for handling of biomedical waste (attach details):

- (i) Mode of transportation (if any) of bio-medical waste:  
(ii) Details of treatment equipment (please give details such as the number, type & capacity of each unit)

No of units                  Capacity of each unit

Incinerators:

Plasma Pyrolysis:

Autoclaves:

Microwave:

Hydroclave:

Shredder:

Needle tip cutter or destroyer

Sharps encapsulation or

concrete pit:

Deep burial pits:

Chemical disinfection:

Any other treatment

equipment:

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7. Contingency plan of common bio-medical waste treatment facility (CBWTF) (attach documents):
8. Details of directions or notices or legal actions if any during the period of earlier authorization
9. Declaration

I do hereby declare that the statements made and information given above are true to the best of my knowledge and belief and that I have not concealed any information.

I do also hereby undertake to provide any further information sought by the prescribed authority in relation to these rules and to fulfill any conditions stipulated by the prescribed authority.

Date:  
Place:

Signature of the Applicant  
Designation of the Applicant

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**FORM –III**

(See rule 10)

**AUTHORISATION**

(Authorisation for operating a facility for generation, collection, reception, treatment, storage, transport and disposal of biomedical wastes)

1. File number of authorisation and date of issue.....
2. M/s \_\_\_\_\_ an occupier or operator of the facility located at \_\_\_\_\_ is hereby granted an authorisation for;

- | Activity                              | Please tick |
|---------------------------------------|-------------|
| Generation, segregation               |             |
| Collection,                           |             |
| Storage                               |             |
| packaging                             |             |
| Reception                             |             |
| Transportation                        |             |
| Treatment or processing or conversion |             |
| Recycling                             |             |
| Disposal or destruction               |             |
| use                                   |             |
| offering for sale, transfer           |             |
| Any other form of handling            |             |

3. M/s \_\_\_\_\_ is hereby authorized for handling of biomedical waste as per the capacity given below;

- (i) Number of beds of HCF: \_\_\_\_\_
- (ii) Number healthcare facilities covered by CBMWTF: \_\_\_\_\_
- (iii) Installed treatment and disposal capacity: \_\_\_\_\_ kg per day
- (iv) Area or distance covered by CBMWTF: \_\_\_\_\_
- (v) Quantity of Biomedical waste handled, treated or disposed: \_\_\_\_\_

Type of Waste Category	Quantity permitted for Handling
Yellow	
Red	
White (Translucent)	
Blue	

4. This authorisation shall be in force for a period of ..... Years from the date of issue.
5. This authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986.

Date .....  
Place: .....

Signature.....  
Designation .....

**Terms and conditions of authorisation \***

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1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made there under.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the prescribed authority.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the biomedical wastes without obtaining prior permission of the prescribed authority.
4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.
5. It is the duty of the authorised person to take prior permission of the prescribed authority to close down the facility and such other terms and conditions may be stipulated by the prescribed authority.

## FORM - IV

(See rule 13)

## ANNUAL REPORT

[To be submitted to the prescribed authority on or before 30th June every year for the period from January to December of the preceding year, by the occupier of health care facility (HCF) or common bio-medical waste treatment facility (CBWTF)]

Sl. No.	Particulars		
1.	Particulars of the Occupier	:	
	(i) Name of the authorised person (occupier or operator of facility)	:	
	(ii) Name of HCF or CBMWTF	:	
	(iii) Address for Correspondence	:	
	(iv) Address of Facility	:	
	(v) Tel. No, Fax. No	:	
	(vi) E-mail ID	:	
	(vii) URL of Website	:	
	(viii) GPS coordinates of HCF or CBMWTF	:	
	(ix) Ownership of HCF or CBMWTF	:	(State Government or Private or Semi Govt. or any other)
	(x) Status of Authorisation under the Bio-Medical Waste (Management and Handling) Rules	:	Authorisation No.: ..... .....valid up to .....
(xi) Status of Consents under Water Act and Air Act	:	Valid up to:	
2.	Type of Health Care Facility	:	
	(i) Bedded Hospital	:	No. of Beds:.....
	(ii) Non-bedded hospital (Clinic or Blood Bank or Clinical Laboratory or Research Institute or Veterinary Hospital or any other)	:	
	(iii) License number and its date of expiry	:	
3.	Details of CBMWTF	:	
	(i) Number healthcare facilities covered by CBMWTF	:	
	(ii) No of beds covered by CBMWTF	:	
	(iii) Installed treatment and disposal capacity of CBMWTF:	:	_____ kg per day
	(iv) Quantity of biomedical waste treated or disposed by CBMWTF	:	_____ Kg/day
4.	Quantity of waste generated or disposed in Kg per annum (on monthly average basis)	:	Yellow Category :
		:	Red Category :
		:	White:
		:	Blue Category :
		:	General Solid waste:

5.	Details of the Storage, treatment, transportation, processing and Disposal Facility	:				
	(i) Details of the on-site storage facility	:	Size :			
			Capacity :			
			Provision of on-site storage: (cold storage or any other provision)			
	disposal facilities	:	Type of treatment equipment	No of units	Capacity Kg/day	Quantity treated or disposed in kg per annum
		:	Incinerators			
			Plasma Pyrolysis			
			Autoclaves			
			Microwave			
			Hydroclave			
			Shredder			
			Needle tip cutter or destroyer		-	
			Sharps encapsulation or concrete pit		-	
			Deep burial pits:			
			Chemical disinfection:		-	
			Any other treatment equipment:			
	(iii) Quantity of recyclable wastes sold to authorized recyclers after treatment in kg per annum.	:	Red Category (like plastic, glass etc.)			
	(iv) No of vehicles used for collection and transportation of biomedical waste					
	(v) Details of incineration ash and ETP sludge generated and disposed during the treatment of wastes in Kg per annum	:	Incineration Ash	Quantity generated	Where disposed	
			ETP Sludge			
	(vi) Name of the Common Bio-Medical Waste Treatment Facility Operator through which wastes are disposed of					

	(vii) List of member HCF not handed over bio-medical waste.		
6.	Do you have bio-medical waste management committee? If yes, attach minutes of the meetings held during the reporting period		
7.	Details trainings conducted on BMW		
	(i) Number of trainings conducted on BMW Management.		
	(ii) number of personnel trained		
	(iii) number of personnel trained at the time of induction		
	(iv) number of personnel not undergone any training so far		
	(v) whether standard manual for training is available?		
	(vi) any other information)		
8.	Details of the accident occurred during the year		
	(i) Number of Accidents occurred		
	(ii) Number of the persons affected		
	(iii) Remedial Action taken (Please attach details if any)		
	(iv) Any Fatality occurred, details.		
9.	Are you meeting the standards of air Pollution from the incinerator? How many times in last year could not met the standards?		
	Details of Continuous online emission monitoring systems installed		
10.	Liquid waste generated and treatment methods in place. How many times you have not met the standards in a year?		
11.	Is the disinfection method or sterilization meeting the log 4 standards? How many times you have not met the standards in a year?		
12.	Any other relevant information	:	(Air Pollution Control Devices attached with the Incinerator)

Certified that the above report is for the period from

.....  
 .....  
 .....

Name and Signature of the Head of the Institution

Date:  
 Place

<sup>1</sup>[Form IVA  
[See Rule 13(2)]

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Format for Submission of the Annual Report Information on Bio-medical Waste Management (to be submitted by the State Pollution Control Boards or Pollution Control Committees and Director General Armed Forces Medical Services to Central Pollution Control Board on or before 31<sup>st</sup> July of every year for the period from January to December of the preceding calendar year)

**Part-1 (Summary of Information)**

- |     |  |   |              |
|-----|--|---|--------------|
| (1) | Name of the Organisation   | : |              |
| (2) | Name of the Nodal Officer with contact telephone number and e-mail   | : |              |
| (3) | Total no. of Health Care Facilities / Occupiers  | : |              |
|     | (i) Bedded Hospitals and Nursing Homes (bedded)  | : |              |
|     | (ii) Clinics, dispensaries   | : |              |
|     | (iii) Veterinary institutions  | : |              |
|     | (iv) Animal houses   | : |              |
|     | (v) Pathological laboratories  | : |              |
|     | (vi) Blood banks   | : |              |
|     | (vii) Clinical establishment   | : |              |
|     | (viii) Research Institutions   | : |              |
|     | (ix) AYUSH   | : |              |
| (4) | Total no. of beds  | : |              |
| (5) | Status of authorisation  | : |              |
|     | (i) Total number of Occupiers applied for authorisation  | : |              |
|     | (ii) Total number of Occupiers granted authorisation   | : |              |
|     | (iii) Total number of application under consideration  | : |              |
|     | (iv) Total number of applications rejected   | : |              |
|     | (v) Total number of Occupiers in operation without applying for authorisation:   | : |              |
| (6) | Quantity of Bio-medical Waste Generation (in kg/day)   | : |              |
|     | (please enclose District Wise Bio-medical Waste Generation as per Part-2)  | : |              |
|     | (i) Bio-medical waste generation by bedded hospitals(in kg/day)  | : |              |
|     | (ii) Bio-medical waste generation by non-bedded hospitals (in kg/day)  | : |              |
|     | (iii) Any other  | : |              |
|     | Total  | : | _____ kg/day |
| (7) | Bio-medical waste treatment and disposal   | : |              |
| (a) | By Captive bio-medical waste treatment and disposal by Health Care Facilities (please enclose details as per Part-3)             | : |              |
|     | (i) Number of Health Care Facilities having captive treatment and Disposal facilities  | : |              |
|     | (ii) Total bio-medical waste treated and disposed by captive treatment facilities in kg/day                                      | : |              |
| (b) | Bio-medical waste treatment and disposal by Common Bio Medical Waste Treatment Facilities (please enclose details as per Part 4) | : |              |
|     | (i) Number of Common Bio Medical Waste Treatment Facilities in Operation   | : |              |

<sup>1</sup> Inserted vide G.S.R. 234(E), dated 16<sup>th</sup> March, 2018

- (ii) Number of Common Bio Medical Waste Treatment Facilities under construction :  
 (iii) Total bio-medical waste treated in kg/day :  
 (iv) Total treated bio-medical waste disposed through authorised recyclers in Kg/day) :  
 (8) Total no. of violation by :  
 (i) Health Care Facilities (bedded and non-bedded) :  
 (ii) Common Bio Medical Waste Treatment Facilities :  
 (iii) Others (please specify) :  
 (9) Show cause notices/directions issued to defaulters :  
 (i) Health Care Facilities (bedded and non-bedded) :  
 (ii) Common Bio Medical Waste Treatment Facilities :  
 (iii) Others :  
 (10) Any other relevant information: :  
 (i) Number of workshops / trainings conducted during the year :  
 (ii) Number of occupiers installed liquid waste treatment facility :  
 (iii) Number of captive incinerators complying to the norms :  
 (iv) Number of occupiers organised trainings :  
 (v) Number of occupiers constituted Bio-medical Waste Management Committees :  
 (vi) Number of occupiers submitted Annual Report for the previous calendar year :  
 (vii) Number of occupiers practising pre-treatment of lab microbiology and Bio-technology waste :  
 (viii) Number of Common Bio Medical Waste Treatment Facilities that have installed Continuous Online Emission Monitoring Systems :

## Part 2: District-wise Bio-medical Waste Generation (for the previous calendar year .....)

S. No.	Name of the State / Union Territory	Name of the District	Bio-medical Waste Generation (in Kg/day)	Existing Total bio-medical waste treatment capacity (both captive and CBMWTF) in kg/day	
				Equipment	Total
				Incinerator:	
				Autoclave:	
				Deep	
				Burial:	
				Any other:	

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Part 3: Information on Health Care Facilities having captive treatment facilities (for the previous calendar Year .....

S. No.	Name and address of the Health Care Facility	Quantity of Bio-medical Waste Generation (in kg/day)					Total Installed Treatment Capacity in kg/day				Total bio-medical waste treated and disposed by Health Care Facilities in kg/day		
		Yellow	Red	Blue	White	Total bio-medical waste generated (in kg/day)	Incinerator	Autoclave	Deep Burial	Any other			
												Incinerator:	
												Autoclave:	
												Deep Burial:	
												Any other:	
												Total:	

## Part 4: Information on Common Bio-Medical Waste Treatment and Disposal Facilities (for the previous calendar Year .....

S.No.	Name and Address of the Common Bio Medical Waste Treatment Facilities with contact person name and telephone number	GPS Coordinates	Coverage Area in KMS	Name of the cities/ areas covered by Common Bio-Medical Waste Treatment Facilities	Total number of Health Care Facilities being covered	Total number of beds covered	Total Quantity of Bio-Medical Waste collected from member Health Care Facilities (in Kg/day)	Capacity of Treatment equipments installed by Common Bio Medical Waste Treatment Facilities			Total Bio-Medical waste treated in kg/day	Method of Disposal of treated wastes (Incineration Ash/Sharps/Plastics)
								Equipment	Numbers	Total installed capacity (kg/day)		
								Incinerator				Incineration Ash:
								Plasma Pyrolysis				Quantity: Disposed by:
								Autoclave Hydroclave				Sharps: Quantity: Disposed by:
								Microwave				Plastics: Quantity: Disposed by:
								Shredder				
								Sharps encapsulation or concrete pit				
								Deep burial pits				

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								Any other equipment				ETP Sludge: Quantity: Disposed by:
								Effluent Treatment Plant				
								Sub-total				

- (a) Total Number of transportation vehicles used for collection of Bio-medical Waste on daily basis by the Common Bio-Medical Waste Treatment Facilities:
- (b) List of Health Care Facilities not having membership with the Common Bio-Medical Waste Treatment Facilities and neither having captive treatment facilities:
- (c) Number of trainings organised by the Common Bio-Medical Waste Treatment Facility operators:
- (d) Number of Accidents reported by the Common Bio Medical Waste Treatment Facilities:]

## FORM -V

(See rule 16)

## Application for filing appeal against order passed by the prescribed authority

1. Name and address of the person applying for appeal:
2. Number, date of order and address of the authority which passed the order, against which appeal is being made (certified copy of order to be attached):
3. Ground on which the appeal is being made:
4. List of enclosures other than the order referred in para 2 against which appeal is being filed:

Date:

Signature .....

Name and Address.....

[F. No. 3-1/2000-HSMD]

BISHWANATH SINHA, Jt. Secy.

\*\*\*\*\*



(डॉ. एस. प्रभु)  
(Dr. S. PRABHU)  
पैज्ञानिक 'डी' / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

नरेश पाल गंगवार, आई.एस.  
Naresh Pal Gangwar, IAS



अपर सचिव 113  
भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
ADDITIONAL SECRETARY  
GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST  
AND CLIMATE CHANGE

D.O. No. 20/4/2021-HSMD

Dated: 14<sup>th</sup> October, 2022

Respected Sir,

The Ministry of Environment, Forest and Climate Change (MoEFCC) is administering the Bio-medical Waste Management (BMW) Rules, 2016 for scientific disposal of BMW. Further, to assist stakeholders in the implementation of the BMW Rules, 2016, the Central Pollution Control Board (CPCB) has also formulated various guidelines.

2. I would like to emphasize here that the purpose of these rules is to uniformly implement its provisions across the country with support of various stakeholders like the Ministry of Health and Family Welfare, State Health Department, State Pollution Control Boards/ Pollution Control Committees (SPCBs/ PCCs), Occupiers (waste generators), Common Bio-Medical Waste Treatment Facility Operators (CBWTFs) etc. In this regard, it is noteworthy to mention here the important role played by various stakeholders and facilities during the COVID-19 pandemic period towards effective management of COVID-19 waste.

3. May I highlight here that the Ministry often comes across media reports, and receive representations from civil society/ stakeholder groups on non-compliance of BMW Rules, 2016/ CPCB Guidelines. The major issues highlighted in such complaints are related to unscientific/ non-compliant functioning of Healthcare Facilities (HCFs)/ CBWTFs, lack of gap-analysis studies & monitoring by SPCBs/ PCCs, non-consideration of gap-analysis reports while grant of environmental clearances by SEIAA, illegal dumping of BMW by HCFs/ CBWTFs, earmarking of HCFs for BMW treatment to CBWTFs against distance criteria etc. It is to be noted that new facilities may be allowed on the basis of gap analysis by SPCBs wherever required.

4. In light of the above, I would request you to intervene in the matter and ensure that gap-analysis studies and BMW Rules, 2016/ CPCB guideline provisions must become the one of the fundamental grounds of granting ECs to HCFs/ CBWTFs. Further, the SPCBs/ PCCs may be directed to ensure effective monitoring of CBWTFs and ensure that all CBWTFs within their jurisdiction come under the ambit of Online Continuous Emission Monitoring System and connect with CPCB server. In case of insufficient capacity, proper gap analysis be made and new facilities may be allowed. If required, the non-compliant entities can be penalized, and asked to deposit of requisite environmental compensation.

With regards,

Yours sincerely,

(Naresh Pal Gangwar)

Shri Manoj Singh  
Principal Secretary,  
Environment, Forest and  
Climate Change Department,  
Government of Uttar Pradesh,  
Bapu Bhawan, 2<sup>nd</sup> Floor, Lucknow- 226 001.  
psforest2015@gmail.com



पृथ्वी विंग, पांचवा तल, कमरा नं. 505, इंदिरा पर्यावरण भवन, जोर बाग रोड,  
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आजादी का  
अमृत महोत्सव

HSM-20/4/2021-HSM

नरेश पाल गंगवार, आई.ए.एस.  
Naresh Pal Gangwar, IAS



D.O. No. 20/4/2021-HSMD

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अपर सचिव  
भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
ADDITIONAL SECRETARY  
GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FOREST  
AND CLIMATE CHANGE

Dated: 18<sup>th</sup> October, 2022

Respected Sir,

The Ministry of Environment, Forest and Climate Change (MoEFCC) is administering the Bio-medical Waste Management (BMW) Rules, 2016 for scientific disposal of BMW. Further, to assist stakeholders in the implementation of the BMW Rules, 2016, the Central Pollution Control Board (CPCB) has also formulated various guidelines. The purpose of these rules is to uniformly implement its provisions across the country with support of various stakeholders like the Ministry of Health and Family Welfare, State Health Department, State Pollution Control Boards/ Pollution Control Committees (SPCBs/ PCCs), Occupiers (waste generators), Common Bio-Medical Waste Treatment Facility Operators (CBWTFs) etc.

2. May I highlight here that the Ministry often comes across media reports, and receive representations from civil society/ stakeholder groups on non-compliance of BMW Rules, 2016/ CPCB Guidelines. The major issues highlighted in such complaints are related to unscientific/ non-compliant functioning of Healthcare Facilities (HCFs)/ CBWTFs, lack of gap-analysis studies & monitoring by SPCBs/ PCCs, non-consideration of gap-analysis reports while grant of environmental clearances by SEIAA, illegal dumping of BMW by HCFs/ CBWTFs, earmarking of HCFs for BMW treatment to CBWTFs against distance criteria etc.

3. In compliance to the Hon'ble NGT's directions in the matter of O.A. No. 180 of 2021 (Mukul Kumar vs. Uttar Pradesh Pollution Control Board & Ors.), the Ministry had coordinated with CPCB for preparation of a 'Standard Monitoring Framework', which has been submitted to Hon'ble NGT. The provisions of framework aim to facilitate SPCBs/ PCCs in compliance monitoring of HCFs/ CBWTFs. A copy of the same is attached for implementation.

4. In light of the above, I would request you to intervene in the matter and ensure that compliance to BMW Rules, 2016/ CPCB guideline provisions must become the fundamental ground for grant/ renewal of consent and authorization to HCFs/ CBWTFs. All the CBWTFs be brought under the ambit of Online Continuous Emission Monitoring System and connect with CPCB server. In case of insufficient BMW treatment capacity, proper gap analysis be undertaken, and new facilities may be allowed. Further, non-compliant entities be penalized, and asked to deposit requisite environmental compensation.

With regards,

Yours sincerely,

(Naresh Pal Gangwar)

Shri Manoj Singh,  
Chairman  
Uttar Pradesh Pollution Control Board,  
Building No.TC-12V Vibhuti Khand, Gomti Nagar,  
Lucknow- 226010.  
chairman@uppcb.in

(डॉ. एस. प्रभु)  
(Dr. S. PRABHU)

वैज्ञानिक 'डी' /Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min.of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
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पृथ्वी विंग, पांचवा तल, कमरा नं. 505, इंदिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110003, फोन: (011) 20819247, ई-मेल: asnpg.mefcc@gov.in

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आज्ञादीय  
अभिनव प्रहलद



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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NEW DELHI, FRIDAY, AUGUST 1, 2014/SHRAVANA 10, 1936

मंत्रिमंडल सचिवालय

अधिसूचना

नई दिल्ली, 31 जुलाई, 2014

का.आ. 1986(अ).—राष्ट्रपति, संविधान के अनुच्छेद 77 के खण्ड (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार (कार्य-आबंटन) नियम, 1961 का और संशोधन करने के लिए, निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) इन नियमों का संक्षिप्त नाम भारत सरकार (कार्य-आबंटन) तीन सौ छठवां संशोधन नियम, 2014 है।  
(2) ये तुरंत प्रवृत्त होंगे।
2. भारत सरकार (कार्य-आबंटन) नियम, 1961 में,—  
(1) प्रथम अनुसूची में,—  
(क) "11. पर्यावरण और वन मंत्रालय" शीर्षक के स्थान पर, निम्नलिखित शीर्षक रखा जाएगा, अर्थात्:—  
"11. पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय";  
(ख) "32. पोत परिवहन मंत्रालय" शीर्षक के पश्चात्, निम्नलिखित शीर्षक और उप-शीर्षक अंतःस्थापित किए जाएंगे, अर्थात्:—  
"33. कौशल विकास, उद्यमशीलता, युवक कार्यक्रम और खेल मंत्रालय।  
(i) कौशल विकास और उद्यमशीलता विभाग

- (ii) युवक कार्यक्रम विभाग  
(iii) खेल विभाग";

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(ग) "41. जल संसाधन मंत्रालय" शीर्षक के स्थान पर, निम्नलिखित शीर्षक रखा जाएगा, अर्थात् :—

"41. जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय";

(घ) "42. युवक कार्यक्रम और खेल मंत्रालय" शीर्षक और उसके अधीन के उप-शीर्षकों का लोप किया जाएगा;

(2) द्वितीय अनुसूची में,-

(क) "पर्यावरण तथा वन मंत्रालय" शीर्षक के स्थान पर, निम्नलिखित शीर्षक रखा जाएगा, अर्थात् :—

"पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय";

(ख) इस प्रकार प्रतिस्थापित "पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय" शीर्षक के अधीन,—

(i) प्रविष्टि 8 के स्थान पर, निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात्:—

"8. गंगा नदी और उसकी सहायक नदियों को छोड़कर नदियों का संरक्षण, विकास, प्रबंधन और प्रदूषण का उपशमन।

8क. राष्ट्रीय नदी संरक्षण निदेशालय।";

(ii) प्रविष्टि 36 के पश्चात्, निम्नलिखित प्रविष्टि अंतःस्थापित की जाएगी, अर्थात्:—

"36क. जलवायु परिवर्तन और उससे संबंधित अन्य सभी मामले।";

(ग) "वित्त मंत्रालय" शीर्षक के अधीन, "क. आर्थिक कार्य विभाग" उप-शीर्षक के अधीन, प्रविष्टि 81क और 81ख का लोप किया जाएगा।;

(घ) "पोत परिवहन मंत्रालय" शीर्षक के अधीन, प्रविष्टि 5 के पश्चात्, निम्नलिखित प्रविष्टि अंतःस्थापित की जाएगी, अर्थात्:—

"5क. पोत भंजन।";

(ङ) "पोत परिवहन मंत्रालय" शीर्षक, और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित शीर्षक, उप-शीर्षक और प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात्:—

"कौशल विकास, उद्यमशीलता, युवक कार्यक्रम और खेल मंत्रालय

क. कौशल विकास और उद्यमशीलता विभाग

1. उपयुक्त कौशल विकास ढांचा तैयार करने हेतु सभी संबंधितों के साथ समन्वय, विद्यमान नौकरियों के लिए ही नहीं अपितु आगे सृजित की जाने वाली नौकरियों के लिए भी व्यावसायिक तथा तकनीकी प्रशिक्षण, कौशल उन्नयन, नई दक्षता बनाने, नवाचारी सोच और प्रतिभाओं की मार्फत कुशल जनशक्ति में मांग और पूर्ति के बीच अंतर को हटाना।

2. विद्यमान कौशलों की मैपिंग और उनका प्रमाणीकरण।

3. शैक्षिक संस्थाओं, व्यापारिक और अन्य सामुदायिक संगठनों के बीच सुदृढ भागीदारी स्थापित करके युवक उद्यमशीलता शिक्षा और क्षमता का विस्तार और इसके लिए राष्ट्रीय मानक स्थापित करना।
4. कौशल विकास संबंधी समन्वय की भूमिका।
5. बाजार संबंधी अनुसंधान करना तथा महत्वपूर्ण सेक्टरों में प्रशिक्षण पाठ्यक्रम तैयार करना।
6. उद्योग-संस्थान संपर्क।
7. इस क्रियाकलाप में सार्वजनिक-निजी भागीदारी का घटक लाना - कुशल जनशक्ति की आवश्यकता वाले उद्योग के साथ भागीदारी।
8. बाजार की अपेक्षाओं तथा कौशल विकास के संबंध में अन्य सभी मंत्रालयों/विभागों के लिए व्यापक नीतियां बनाना।
9. सॉफ्ट स्किल्स के लिए नीतियां बनाना।
10. कंप्यूटर शिक्षा।
11. कौशल समुच्चयों के अकादमिक समकक्ष।
12. औद्योगिक प्रशिक्षण संस्थानों संबंधी कार्य।
13. (i) राष्ट्रीय कौशल विकास निगम।  
(ii) राष्ट्रीय कौशल विकास अभिकरण।  
(iii) राष्ट्रीय कौशल विकास न्यास।

#### ख. युवक कार्यक्रम विभाग

1. युवा कार्य/युवा नीति।
2. नेहरू युवा केन्द्र संगठन।
3. राष्ट्रीय पुनर्निर्माण कोर स्कीम।
4. राजीव गांधी राष्ट्रीय युवा विकास संस्थान।
5. ग्रामीण युवा और क्रीडा क्लबों को दी जाने वाली सहायता संबंधी स्कीम।
6. राष्ट्रीय युवा आयोग।
7. राष्ट्रीय सेवा स्कीम।
8. स्वयंसेवी युवा संगठन, जिनके अंतर्गत उनको दी जाने वाली वित्तीय सहायता भी है।
9. राष्ट्रीय सेवा स्वयंसेवी स्कीम।
10. राष्ट्रमंडल युवा कार्यक्रम और संयुक्त राष्ट्र स्वयंसेवक।
11. युवा कल्याण क्रियाकलाप, युवा उत्सव, वर्क कैम्प, आदि।
12. ब्वाय-स्काउट और गर्ल-गाइड।
13. युवा हॉस्टल।

14. राष्ट्रीय युवा पुरस्कार ।
15. भूतपूर्व राष्ट्रीय अनुशासन स्कीम का अवशिष्ट कार्य ।
16. विदेशों के साथ युवा प्रतिनिधिमंडल का आदान-प्रदान।

### ग. खेल विभाग

1. क्रीडा नीति ।
  2. क्रीडा और खेल ।
  3. खिलाड़ियों के लिए राष्ट्रीय कल्याण निधि ।
  4. नेताजी सुभाष राष्ट्रीय क्रीडा संस्थान ।
  5. भारतीय क्रीडा प्राधिकरण ।
  6. भारतीय ओलंपिक एसोसिएशन और राष्ट्रीय खेल परिसंघ से संबंधित मामले ।
  7. विदेशों में टूर्नामेंट में भारतीय क्रीडा टीमों द्वारा भाग लेना और भारत में अंतर्राष्ट्रीय टूर्नामेंटों में विदेशी क्रीडा टीमों द्वारा भाग लेना ।
  8. राष्ट्रीय क्रीडा पुरस्कार, जिसके अंतर्गत अर्जुन पुरस्कार भी हैं ।
  9. क्रीडा छात्रवृत्तियां ।
  10. विदेशों के साथ खिलाड़ियों, विशेषज्ञों और टीमों का आदान-प्रदान ।
  11. क्रीडा अवसंरचना, जिसके अंतर्गत ऐसी अवसंरचना के सृजन और विकास के लिए वित्तीय सहायता भी है ।
  12. कोचिंग, टूर्नामेंट, उपस्कर, आदि के लिए वित्तीय सहायता ।
  13. संघ राज्य-क्षेत्रों से संबंधित क्रीडा मामले ।
  14. शारीरिक शिक्षा ।";
- (च) "इस्पात मंत्रालय" शीर्षक के अधीन, प्रविष्टि 1 में, "पोत भंजन सहित" शब्दों का लोप किया जाएगा;
- (छ) "जल संसाधन मंत्रालय" शीर्षक के स्थान पर, निम्नलिखित शीर्षक प्रतिस्थापित किया जाएगा, अर्थात् :—  
"जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय";
- (ज) इस प्रकार प्रतिस्थापित "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शीर्षक के अधीन,—
- (i) प्रविष्टि 1 में, "जल के विविध उपयोगों" शब्दों के पश्चात्, "और नदियों को आपस में जोड़ना" शब्द जोड़े जाएंगे;

- (ii) प्रविष्टि 30 के पश्चात्, निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात्:—
- "30क. राष्ट्रीय गंगा नदी बेसिन प्राधिकरण जिसके अंतर्गत मिशन निदेशालय, स्वच्छ गंगा के लिए राष्ट्रीय मिशन और गंगा संरक्षण से संबंधित अन्य मामले भी हैं ।
- 30ख. गंगा नदी और उसकी सहायक नदियों का संरक्षण, विकास, प्रबंधन और प्रदूषण का उपशमन ।";
- (झ) "युवक कार्यक्रम और खेल मंत्रालय" शीर्षक, उसके अधीन उप-शीर्षक और उससे संबंधित प्रविष्टियों का लोप किया जाएगा ।"

प्रणब मुखर्जी  
राष्ट्रपति

[फा. सं. 1/21/9/2014-मंत्रि.]

संयुक्ता राय, निदेशक

**CABINET SECRETARIAT  
NOTIFICATION**

New Delhi, the 31st July, 2014

**S.O. 1986(E).**—In exercise of the powers conferred by clause (3) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Government of India (Allocation of Business) Rules, 1961, namely:—

1. (1) These rules may be called the Government of India (Allocation of Business) Three Hundred and Sixth Amendment Rules, 2014.
- (2) They shall come into force at once.
2. In the Government of India (Allocation of Business) Rules, 1961,—
  - (1) in THE FIRST SCHEDULE,—
    - (a) for the heading "11. Ministry of Environment and Forests (Paryavaran aur Van Mantralaya)", the following heading shall be substituted, namely :—
 

"11. Ministry of Environment, Forest and Climate Change (Paryavaran, Van aur Jalvaayu Parivartan Mantralaya)";
    - (b) after the heading "32. Ministry of Shipping (Pot Parivahan Mantralaya)", the following heading and sub-headings shall be inserted, namely :—
 

"33. Ministry of Skill Development, Entrepreneurship, Youth Affairs and Sports (Kaushal Vikas, Udyamshilta, Yuvak Karyakram aur Khel Mantralaya).

      - (i) Department of Skill Development and Entrepreneurship (Kaushal Vikas aur Udyamshilta Vibhag)
      - (ii) Department of Youth Affairs (Yuvak Karyakram Vibhag)
      - (iii) Department of Sports (Khel Vibhag)";
    - (c) for the heading "41. Ministry of Water Resources (Jal Sansadhan Mantralaya)", the following heading shall be substituted, namely :—

“41. Ministry of Water Resources, River Development and Ganga Rejuvenation (Jal Sansadhan, Nadi Vikas aur Ganga Sanrakshan Mantralaya)”;

- (d) the heading “42. Ministry of Youth Affairs and Sports (Yuvak Karyakram aur Khel Mantralaya)” and sub-headings thereunder, shall be omitted.

(2) in THE SECOND SCHEDULE,-

- (a) for the heading “MINISTRY OF ENVIRONMENT AND FORESTS (PARYAVARAN TATHA VAN MANTRALAYA)”, the following heading shall be substituted, namely :—

“MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (PARYAVARAN, VAN AUR JALVAAYU PARIVARTAN MANTRALAYA)”;

- (b) under the heading “MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (PARYAVARAN, VAN AUR JALVAAYU PARIVARTAN MANTRALAYA)” as so substituted,—

- (i) for the entry 8, the following entries shall be substituted, namely :—

“8. Conservation, development, management and abatement of pollution of rivers excluding the river Ganga and its tributaries.

8A. National River Conservation Directorate.”;

- (ii) after the entry 36, the following entry shall be inserted, namely :—

“36A. Climate change and all other matters related thereto.”;

- (c) under the heading “MINISTRY OF FINANCE (VITTA MANTRALAYA)”, under the sub-heading “A. DEPARTMENT OF ECONOMIC AFFAIRS (ARTHIK KARYA VIBHAG)”, entries 81A and 81B shall be omitted.;

- (d) under the heading “MINISTRY OF SHIPPING (POT PARIVAHAN MANTRALAYA)”, after the entry 5, the following entry shall be inserted, namely :—

“5A. Ship breaking.”;

- (e) after the heading “MINISTRY OF SHIPPING (POT PARIVAHAN MANTRALAYA)”, and entries relating thereto, the following heading and sub-headings and entries shall be inserted, namely:—

“MINISTRY OF SKILL DEVELOPMENT, ENTREPRENEURSHIP, YOUTH AFFAIRS AND SPORTS (KAUSHAL VIKAS, UDYAMSHILTA, YUVAK KARYAKRAM AUR KHEL MANTRALAYA)

A. DEPARTMENT OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP (KAUSHAL VIKAS AUR UDYAMSHILTA VIBHAG)

1. Coordination with all concerned for evolving an appropriate skill development framework, removal of disconnect between the demand for and supply of skilled manpower through vocational and technical training, skill up-gradation, building of new skills, innovative thinking and talents not only for the existing jobs but also the jobs that are to be created.

2. Mapping of existing skills and their certification.

3. Expansion of youth entrepreneurship education and capacity through forging strong partnership between educational institutions, business and other community organisations and set national standards for it.

4. Role of coordination relating to skill development.

5. Doing market research and devising training curriculum in important sectors.

6. Industry-Institute linkage.
7. Bringing Public Private Partnership element in this activity-partnership with the industry who need the skilled manpower.
8. Making broad policies for all other Ministries/Departments with regard to market requirements and skill development.
9. To frame policies for soft skills.
10. Computer Education.
11. Academic equivalence of skill sets.
12. Work relating to Industrial Training Institutes.
13. (i) National Skill Development Corporation.  
(ii) National Skill Development Agency.  
(iii) National Skill Development Trust.

**B. DEPARTMENT OF YOUTH AFFAIRS (YUVAK KARYAKRAM VIBHAG)**

1. Youth Affairs/Youth Policy.
2. Nehru Yuva Kendra Sangathan.
3. National Reconstruction Corps Scheme.
4. Rajiv Gandhi National Institute of Youth Development.
5. Scheme for assistance to Rural Youth and Sports Clubs.
6. National Commission for Youth.
7. National Service Scheme.
8. Voluntary Youth Organisations including financial assistance to them.
9. National Service Volunteer Scheme.
10. Commonwealth Youth Programme and United Nations Volunteers.
11. Youth welfare activities, youth festivals, work camp, etc.
12. Boy-scouts and girl-guides.
13. Youth Hostels.
14. National Youth Awards.
15. Residual work of the erstwhile National Discipline Scheme.
16. Exchange of Youth Delegation with foreign countries.

**C. DEPARTMENT OF SPORTS (KHEL VIBHAG)**

1. Sports Policy.
2. Sports and Games.
3. National Welfare Fund for Sportsmen.
4. Netaji Subhas National Institute of Sports.
5. Sports Authority of India.
6. Matters relating to the Indian Olympic Association and National Sports Federations.
7. Participation of Indian sports teams in tournaments abroad and participation of foreign sports teams in international tournaments in India.
8. National Sports Awards including Arjuna Awards.

9. Sports Scholarships.
  10. Exchange of Sports persons, experts and teams with foreign countries.
  11. Sports infrastructure including financial assistance for creation and development of such infrastructure.
  12. Financial assistance for coaching, tournaments, equipment, etc.
  13. Sports matters relating to Union territories.
  14. Physical Education.”;
- (f) under the heading “MINISTRY OF STEEL (ISPAT MANTRALAYA)”, in entry 1, the words “including ship breaking” shall be omitted;
- (g) for the heading “MINISTRY OF WATER RESOURCES (JAL SANSADHAN MANTRALAYA)”, the following heading shall be substituted, namely,-  
 “MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (JAL SANSADHAN, NADI VIKAS AUR GANGA SANRAKSHAN MANTRALAYA)”;
- (h) under the heading “MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (JAL SANSADHAN, NADI VIKAS AUR GANGA SANRAKSHAN MANTRALAYA)”, as so substituted,-
- (i) in entry 1, after the words “diverse uses of water” the words “and interlinking of rivers”, shall be added;
  - (ii) after the entry 30, the following entries shall be inserted, namely,-  
 “30A. National Ganga River Basin Authority including the Mission Directorate, National Mission for Clean Ganga and other related matters of Ganga Rejuvenation.  
 30B. Conservation, development, management and abatement of pollution in river Ganga and its tributaries.”;
- (i) the heading “ MINISTRY OF YOUTH AFFAIRS AND SPORTS (YUVAK KARYAKRAM AUR KHEL MANTRALAYA)” and sub-headings thereunder and entries relating thereto shall be omitted.”.

PRANAB MUKHERJEE

President

[F. No. 1/21/9/2014-Cab.]

SANJUKTA RAY, Director



(डॉ. एस. प्रभु)  
(Dr. S. PRABHU)

वैज्ञानिक 'डी' / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi



# भारत का राजपत्र The Gazette of India

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जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय

अधिसूचना

नई दिल्ली, 7 अक्टूबर, 2016

का.आ. 3187(अ).—गंगा नदी में पर्यावरणीय प्रदूषण की रोकथाम, नियंत्रण एवं उपशमन और जल का सतत पर्याप्त प्रवाह सुनिश्चित करने के उपाय करने तथा इससे संबंधित अथवा प्रासंगिक मामलों हेतु केन्द्र, राज्य और जिला स्तर पर प्राधिकरणों का गठन करना जरूरी है, जिससे गंगा नदी का पुनरुद्धार करके इसे इसकी प्राकृतिक एवं मूल स्थिति में लाया जा सके।

जहां, गंगा नदी भौगोलिक, ऐतिहासिक, सामाजिक-सांस्कृतिक एवं आर्थिक कारणों से अद्वितीय महत्व की है जो इसे राष्ट्रीय नदी का दर्जा देता है;

और जहां, गंगा नदी तेजी से हो रहे शहरीकरण एवं औद्योगिकीकरण के कारण सीवेज, औद्योगिक बहिस्त्राव एवं अन्य प्रदूषकों के बढ़ने के कारण गंभीर स्थिति में है;

और जहां, प्रतिस्पर्धी मांग को पूरा करने की आवश्यकता को ध्यान में रखते हुए जनसंख्या, शहरीकरण, औद्योगिकीकरण, अवसंरचना विकास में वृद्धि के कारण सिंचाई, पेयजल आपूर्ति, औद्योगिक उपयोग एवं जल विद्युत के लिए गंगा नदी के जल की मांग बढ़ रही है;

और जहां, अविलंब निम्नलिखित कार्रवाई किए जाने की आवश्यकता है-----

(ए) व्यापक आयोजना एवं प्रबंधन के लिए इस अंतर्राज्यीय एवं अंतर्देशीय समन्वय को प्रोत्साहित करने के लिए नदी बेसिन दृष्टिकोण अपनाकर गंगा नदी में प्रदूषण में प्रभावी कमी तथा नदी का संरक्षण सुनिश्चित करना;

(बी) नदी की पूरी लंबाई के क्षेत्र में सतत प्रवाह सुनिश्चित करने के उद्देश्य से गंगा नदी में पारिस्थितिकीय प्रवाह बनाए रखना जिससे इसकी पारिस्थितिकीय समग्रता को पुनः स्थापित किया जा सके और यह स्वयं अपना पुनरुद्धार करने में सक्षम हो सके;

(सी) गंगा नदी के आस-पास के क्षेत्रों में प्रतिबंध लगाना जहां उद्योग, प्रचालन अथवा प्रक्रियाएं अथवा उद्योगों का वर्ग, प्रचालन अथवा प्रक्रियाएं नहीं की जाएंगी अथवा कुछ सुरक्षा उपायों के साथ की जाएंगी;

(डी) किसी भवन, संयंत्र, उपकरणों, मशीनों, निर्माण अथवा अन्य प्रक्रियाओं, सामग्री अथवा पदार्थों के निरीक्षण का प्रावधान करना और ऐसे प्राधिकरणों, अधिकारियों तथा व्यक्तियों को गंगा नदी में पर्यावरणीय प्रदूषण की रोकथाम, नियंत्रण एवं कमी लाने के लिए कदम उठाने के निर्देश देना जैसा कि यह आवश्यक समझे।

(ई) गंगा नदी में पर्यावरणीय प्रदूषण की समस्या से संबंधित अन्वेषण एवं अनुसंधान करना एवं प्रायोजित करना और पर्यावरणीय प्रदूषण फैलाने वाली संभावित निर्माण प्रक्रियाओं, सामग्री तथा पदार्थों की जांच करना;

(एफ) गंगा नदी में पर्यावरणीय प्रदूषण से संबंधित मामलों के संदर्भ में सूचना एकत्रित एवं प्रसारित करना और पर्यावरणीय प्रदूषण की रोकथाम, नियंत्रण एवं कमी लाने के संबंध में मैनुअल, कोड अथवा गाइड तैयार करना;

और जहां, गंगा के पुनरुद्धार के लिए समान रूप से उत्तरदायी होने के कारण संबंधित राज्य सरकारों को राज्य स्तर पर नदी संरक्षण क्रियाकलापों का समन्वय एवं कार्यान्वयन करना होगा और उनके राज्य में गंगा नदी के व्यापक प्रबंधन के लिए कदम उठाने होंगे;

और जहां, गंगा नदी में प्रदूषण को समाप्त करने और संरक्षण, सुरक्षा और प्रबंधन के लिए इस आदेश के अंतर्गत केंद्र सरकार और राज्य सरकारों तथा प्राधिकरणों के सामूहिक प्रयासों को सुदृढ़ करने के लिए आयोजना, वित्त पोषण, निगरानी और समन्वय की आवश्यकता होगी।

अब, इसलिए, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (इसके बाद उक्त अधिनियम कहा गया है) की धारा 3 तथा 4, 5, 9, 10, 11, 19, 20 और 23 की उपधारा (2) तथा (3) के अनुच्छेद (i), (ii), (v), (vi), (vii), (viii), (ix), (x), (xii) तथा (xiii) के साथ उपधारा (1) द्वारा दी गई शक्तियों का प्रयोग करते हुए और पूर्ववर्ती पर्यावरण एवं वन मंत्रालय में भारत सरकार की 30 सितंबर 2009 की अधिसूचना संख्या का.आ. 1111(अ), 30 सितंबर 2009 की अधिसूचना संख्या का.आ. 2539(अ), 30 सितंबर 2009 की अधिसूचना संख्या का.आ. 2493(अ), 30 सितंबर 2009 की अधिसूचना संख्या का.आ. 2494(अ), 30 सितंबर 2009 की अधिसूचना संख्या का.आ. 2495(अ) और 8 फरवरी 2010 की का.आ. 287(अ) और जल संसाधन, नदी विकास और गंगा संरक्षण में 29 सितंबर 2014 की का.आ. संख्या 2539(अ) का अधिक्रमण करते हुए, ऐसे अधिक्रमण से पहले किए गए अथवा छोड़े गए कार्यों को छोड़कर, केन्द्र सरकार एतद्वारा-

(i) ऐसी शक्तियों तथा कार्यों को करने के उद्देश्य से इस आदेश में उल्लिखित नामों से प्राधिकरण गठित करती है (उक्त अधिनियम की धारा 5 के तहत निर्देश जारी करने की शक्ति के साथ और इस आदेश में उल्लिखित मामलों के संदर्भ में उपाय करने के लिए);

(ii) केन्द्र सरकार के पर्यवेक्षण एवं नियंत्रण और इस आदेश के प्रावधानों के शर्ताधीन इस आदेश में विनिर्दिष्ट प्राधिकारी अथवा प्राधिकारियों को निर्देश देती है कि वे इस आदेश में उल्लिखित शक्तियों का प्रयोग अथवा कार्यों का निष्पादन अथवा उपाय करेंगे जैसे कि इन प्राधिकारियों को उक्त अधिनियम द्वारा इन शक्तियों का प्रयोग करने, इन कार्यों का निष्पादन करने अथवा ऐसे उपाय करने का अधिकार दिया गया है;

(iii) यह निर्देश देती है कि उक्त अधिनियम के किसी प्रावधान के तहत गंगा नदी और उससे जुड़े मामलों के संबंध में इसकी सभी शक्तियों एवं कार्यों (धारा 3 की उपधारा (3) के तहत किसी प्राधिकरण के गठन की शक्ति और उक्त अधिनियम की धारा 6 और 25 के तहत नियम बनाने को छोड़कर) का प्रयोग इस आदेश में विनिर्दिष्ट शर्तों एवं सीमाओं के शर्ताधीन इस आदेश द्वारा गठित प्राधिकरणों और इस आदेश में विनिर्दिष्ट अधिकारियों द्वारा भी किया जा सकेगा।

1. लघु शीर्षक एवं प्रारंभ- (1) इस आदेश को गंगा नदी (संरक्षण, सुरक्षा एवं प्रबंधन) प्राधिकरण आदेश, 2016 कहा जाए।

(2) यह सरकारी राजपत्र में प्रकाशन की तारीख से लागू होगा।

2. आदेश को लागू करने का क्षेत्र- यह आदेश गंगा नदी में प्रदूषण की प्रभावी कमी तथा संरक्षण, सुरक्षा एवं प्रबंधन के उद्देश्य से गंगा नदी बेसिन वाले राज्यों अर्थात् हिमाचल प्रदेश, उत्तराखंड, उत्तर प्रदेश, मध्य प्रदेश, छत्तीसगढ़, बिहार, झारखंड,

हरियाणा, राजस्थान, पश्चिम बंगाल और राष्ट्रीय राजधानी क्षेत्र दिल्ली और ऐसे अन्य राज्य जिनमें गंगा नदी की प्रमुख उपनदियां स्थित हैं, पर लागू होगा, जैसा कि गंगा नदी के संरक्षण, सुरक्षा तथा प्रबंधन के लिए राष्ट्रीय परिषद निर्णय ले।

3. परिभाषाएं, यदि संदर्भ में अन्य रूप में अपेक्षित न हो-

(ए) "अधिनियम" का अर्थ पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) होगा।

(बी) "बेसिन" का अर्थ क्षेत्र में मृदा, जल, वनस्पति तथा अन्य प्राकृतिक संसाधन सहित जल निकाय अथवा जल मार्ग के संपूर्ण आवाह क्षेत्र से है और इसमें आवाह आधार पर भूमि, जल, वनस्पति एवं अन्य प्राकृतिक संसाधन शामिल है।

(सी) "बफर क्षेत्र" का अर्थ उस क्षेत्र से है जो नदी के बाढ़ मैदान से आगे है।

(डी) "आवाह" अथवा "आवाह क्षेत्र" में वह संपूर्ण भूमि क्षेत्र शामिल है जिसमें वर्षा, हिम अथवा बर्फ का अपवाह जल मार्ग के गंगा नदी अथवा इसकी उपनदियों में मिलने अथवा गंगा नदी अथवा इसकी उपनदियों में जल छोड़ने से पहले एक जल निकाय अथवा जल मार्ग में गिरता है।

(ई) "व्यावसायिक मछली पालन" का अर्थ गंगा नदी अथवा इसकी उपनदियों में नेट, जहर अथवा अन्य आधुनिक फिशिंग गेयर अथवा पद्धतियों द्वारा व्यावसायिक प्रयोजन से बड़े पैमाने पर मछली पालन से है।

(एफ) "सक्षम प्राधिकारी" का अर्थ केन्द्र सरकार से है।

(जी) "वनकटाव" का अर्थ विशेष रूप से गंगा नदी के आवाह क्षेत्र में वन क्षेत्र में कमी, विशेषतौर पर मानवजनित क्रियाकलापों द्वारा अथवा वन के वैज्ञानिक प्रबंधन के लिए नियोजित रूप से इस हटाने को छोड़कर वन में पेड़ों अथवा वनस्पति को हटाने से है।

(एच) "अवक्रमित वन" का अर्थ गंगा नदी अथवा इसकी उपनदियों के आस-पास आवाह क्षेत्र में मूल वन क्षेत्र अथवा वनस्पति घनत्व में कमी वाले वन से है।

(आई) "निर्देश" का अर्थ अधिनियम की धारा 5 के तहत जारी निर्देश से है और "निर्देश देने" का अर्थ इसी के अनुसार होगा।

(जे) "जिला गंगा समिति" का आशय, पैराग्राफ 53 में उल्लिखित जिला गंगा सुरक्षा समिति से है।

(के) "इंजीनियर्ड डायवर्जन" का अर्थ गंगा नदी अथवा इसकी उपनदियों के जल को नहरों अथवा अन्य इंजीनियरिंग संरचनाओं में अंतरित करने के लिए बनाई गई अथवा संस्थापित संरचना अथवा यंत्र से है।

(एल) "बाढ़ मैदान" का अर्थ गंगा नदी अथवा इसकी उपनदियों के ऐसे क्षेत्र से है जो इसके अधिकतम प्रवाह के संगत बाढ़ अथवा 100 वर्ष में एक बार आने वाली बाढ़ के समान बाढ़ के कारण दोनों ओर जल के अंदर आ जाता है।

(एम) "घाट" का अर्थ गंगा अथवा इसकी उपनदियों के तट पर ढलान वाले भाग से है जिसमें कृत्रिम रूप से निर्मित सीढ़ियां और गंगा नदी अथवा इसकी उपनदियों के जल तक मानव की सरल पहुंच के लिए प्रयुक्त भूमि के ढलान वाले क्षेत्र शामिल है और धार्मिक अथवा अन्य संबंधित प्रयोजन से ऐसे भागों का प्रयोग शामिल है।

(एन) "स्थानीय प्राधिकरण" में पंचायती राज संस्थाएं, नगरपालिकाएं, जिला बोर्ड, छावनी बोर्ड, नगर नियोजन प्राधिकरण अथवा जिला परिषद अथवा अन्य कोई निकाय अथवा प्राधिकरण, जिस भी नाम से जाना जाता हो, जिसे एक विशिष्ट स्थानीय क्षेत्र में आवश्यक सेवाएं देने हेतु अथवा नागरिक सेवाओं के नियंत्रण एवं प्रबंधन के लिए कानून द्वारा मान्यता दी गई हो।

(ओ) "राष्ट्रीय स्वच्छ गंगा मिशन" का अर्थ पैराग्राफ 31 में उल्लिखित प्राधिकरण है।

(पी) "अधिसूचना" का अर्थ सरकारी राजपत्र में प्रकाशित अधिसूचना से है और "अधिसूचित करने" का अर्थ इसी के अनुसार होगा।

(क्यू) "प्रदूषित पदार्थ" में ठोस अपशिष्ट शामिल होगा जिसमें पशुओं के शव, रसोई अथवा अस्तबल का अपशिष्ट, गोबर, कचरा, सड़ी हुई अथवा दुर्गंधयुक्त सामग्री और किसी भी प्रकार की गंदगी शामिल है जो सीवेज में नहीं आती।

(आर) "व्यक्ति" में निम्नलिखित शामिल है-

- (i) एक व्यक्ति अथवा समूह अथवा व्यक्तियों का संघ शामिल किया गया हो अथवा नहीं;
- (ii) कंपनी अधिनियम, 2013 (2013 का 18) के तहत स्थापित कंपनी;
- (iii) किसी केन्द्रीय अथवा राज्य अधिनियम द्वारा स्थापित कोई निगम;
- (iv) एक स्थानीय प्राधिकरण;
- (V) उपर्युक्त उपखंडों में से किसी में भी न आने वाला प्रत्येक न्यायिक व्यक्ति।

(एस) "नदी तल" का अर्थ गंगा नदी अथवा इसकी उपनदियों के क्षेत्र के सूखे हिस्से से है और इसमें वह स्थान शामिल है जहां गंगा नदी अथवा इसकी उपनदियां बहती हैं जब वे जल से भर जाती हैं और गंगा नदी अथवा इसकी उपनदियों के किनारे स्थित भूमि शामिल है जो जल का सर्वाधिक प्रवाह होने पर अपने प्राकृतिक चैनल में जल को बनाए रखती है।

(टी) "नदी तल खेती" में जल के कम प्रवाह के समय गंगा नदी अथवा इसकी उपनदियों के नदी तल पर मौसमी कृषि अथवा खेती से है।

(यू) "गंगा नदी" धारा का अर्थ उत्तराखंड राज्य में 6 प्रमुख धाराओं की संपूर्ण लंबाई अर्थात् अलकनंदा, धौलीगंगा, नंदाकिनी, पिंडर, मंदाकिनी और भागीरथी से है जो अपने मूल ग्लेशियर से विष्णु प्रयाग, नंद प्रयाग, कर्ण प्रयाग, रूद्र प्रयाग और देव प्रयाग में उनके संबंधित संगम तक है और नदी की मुख्य धारा भी इसमें शामिल है और उसके बाद प्रयागराज सहित गंगा सागर तक और इसकी सभी उपनदियां शामिल हैं।

(वी) "कूड़ा करकट" का अर्थ राख, टूटी हुई ईंटों, गारे, टूटे हुए कांच, धूल अथवा किसी प्रकार के अपशिष्ट और गंदगी से है।

(डब्ल्यू) "मिट्टी के खनन" का अर्थ सूखे चैनल बेल्ट, बाढ़ मैदान अथवा गंगा नदी अथवा इसकी उपनदियों के भाग से नदी में बड़े पैमाने पर मिट्टी को हटाने से है।

(एक्स) "सीवेज अपशिष्ट" का अर्थ किसी सीवरेज प्रणाली अथवा सीवेज निपटान कार्य के बहिस्त्राव से है और इसमें खुले नालों का सीवेज शामिल है।

(वाई) "सीवरेज स्कीम" का अर्थ ऐसी स्कीम से है जो एक स्थानीय प्राधिकरण भूमिगत बंद सीवर के माध्यम से जल को फ्लश करके सीवेज हटाने की प्रक्रिया शुरू करें।

(जेड) "अनुसूची" का अर्थ इस आदेश के साथ संलग्न अनुसूची है।

(जेडए) "विनिर्दिष्ट जिले" का अर्थ हिमाचल प्रदेश, उत्तराखंड, उत्तर प्रदेश, मध्य प्रदेश, छत्तीसगढ़, बिहार, झारखंड, हरियाणा, राजस्थान, पश्चिम बंगाल और राष्ट्रीय राजधानी क्षेत्र दिल्ली और ऐसे अन्य राज्य जिनमें इस आदेश में उल्लिखित गंगा नदी की प्रमुख उपनदियां स्थित हैं, में गंगा नदी अथवा इसकी उपनदियों के 15 किमी. के क्षेत्र में गंगा नदी के आस-पास स्थित प्रत्येक जिले के क्षेत्र से है।

(जेडबी) "राज्य गंगा समिति" का अर्थ पैरा 2 में उल्लिखित राज्यों में से प्रत्येक राज्य के लिए इस आदेश के तहत गठित राज्य गंगा संरक्षण, सुरक्षा एवं प्रबंधन समिति से है।

(जेडसी) राज्य गंगा नदी संरक्षण प्राधिकरण का अर्थ प्रत्येक राज्य में अधिनियम के तहत पूर्व गठित प्राधिकरण से है अर्थात्:-

(i) पर्यावरण एवं वन मंत्रालय में दिनांक 8 फरवरी, 2010 की भारत सरकार की अधिसूचना संख्या का.आ. 287(अ) द्वारा गठित बिहार राज्य गंगा नदी संरक्षण प्राधिकरण।

(ii) पर्यावरण एवं वन मंत्रालय में दिनांक 30 सितंबर, 2009 की भारत सरकार की अधिसूचना संख्या का.आ. 2495(अ) द्वारा गठित झारखंड राज्य गंगा नदी संरक्षण प्राधिकरण।

(iii) पर्यावरण एवं वन मंत्रालय में दिनांक 30 सितंबर, 2009 की भारत सरकार की अधिसूचना संख्या का.आ. 1111(अ) द्वारा गठित उत्तराखंड राज्य गंगा नदी संरक्षण प्राधिकरण।

(iv) पर्यावरण एवं वन मंत्रालय में दिनांक 30 सितंबर, 2009 की भारत सरकार की अधिसूचना संख्या का.आ. 2493(अ) द्वारा गठित उत्तर प्रदेश राज्य गंगा नदी संरक्षण प्राधिकरण।

(v) पर्यावरण एवं वन मंत्रालय में दिनांक 30 सितंबर, 2009 की भारत सरकार की अधिसूचना संख्या का.आ. 2494(अ) द्वारा गठित पश्चिम बंगाल राज्य गंगा नदी संरक्षण प्राधिकरण।

(जेडडी) "धारा" में नदी, जल मार्ग (प्रवाहित हो रहे हों अथवा कुछ समय के लिए सूखे हों), अंतर्देशीय जल (प्राकृतिक अथवा कृत्रिम) और उपक्षेत्र जल शामिल है।

(जेडई) "गंगा नदी की उपनदियों" का अर्थ उन नदियों अथवा धाराओं से है जो गंगा नदी में प्रवाहित होती हैं और इनमें यमुना नदी, सोन नदी, महानंदा नदी, कोसी नदी, गंडक नदी, घाघरा नदी और महाकाली नदी तथा उनकी उपनदियां अथवा ऐसी अन्य नदियां जिन्हें राष्ट्रीय गंगा नदी संरक्षण, सुरक्षा एवं प्रबंधन परिषद इस आदेश के उद्देश्य से विनिर्दिष्ट करे, शामिल हैं।

2. इस आदेश में प्रयुक्त किए गए तथा परिभाषित नहीं किए गए शब्दों एवं पदों का अर्थ यदि पर्यावरण (सुरक्षा) अधिनियम, 1986 (1986 का 29) में परिभाषित किया गया है तो उनका अर्थ वही समझा जाएगा जो उक्त अधिनियम में दिया गया है।

4. गंगा नदी की सुरक्षा, प्रबंधन एवं संरक्षण के लिए उपाय करने हेतु अपनाए जाने वाले सिद्धांत- (1) गंगा नदी के संरक्षण, सुरक्षा एवं प्रबंधन के लिए उपाय करने हेतु निम्नलिखित सिद्धांत अपनाए जाएंगे अर्थात:-

- (i) गंगा नदी को एक एकल प्रणाली के रूप में प्रबंधित किया जाएगा;
  - (ii) गंगा नदी के जल की रासायनिक, भौतिक एवं जीव विज्ञानीय गुणवत्ता को पुनःस्थापित करने एवं इस बनाए रखने का कार्य समयबद्ध ढंग से किया जाएगा;
  - (iii) गंगा नदी को पारिस्थितिकीय ढंग से सतत पद्धति में प्रबंधित किया जाएगा;
  - (iv) गंगा नदी में प्राकृतिक मौसमी विविधता में परिवर्तन किए बिना नदी में प्रवाह बनाए रखा जाएगा;
  - (v) गंगा नदी के देशान्तरीय, लेटरल तथा ऊर्ध्वाधर आयाम (कनेक्टिविटी) नदी प्रबंधन प्रक्रियाओं तथा पद्धतियों में शामिल किए जाएंगे;
  - (vi) सतही प्रवाह तथा उपसतही जल (भूजल) के बीच समग्र संबंध को पुनःस्थापित किया जाएगा एवं बनाए रखा जाएगा;
  - (vii) आवाह क्षेत्र में खोई प्राकृतिक वनस्पति को पुनः सृजित किया जाएगा एवं बनाए रखा जाएगा;
  - (viii) गंगा नदी बेसिन में जलीय एवं तटीय जैव-विविधता को पुनः सृजित एवं संरक्षित किया जाएगा;
  - (ix) प्रदूषण के स्रोत, दबाव को कम करने और इसके प्राकृतिक भूजल पुनर्भरण विशेषताओं को बनाए रखने के लिए गंगा नदी के तट और इसके बाढ़ मैदान को निर्माण मुक्त जोन बनाया जाएगा;
  - (x) संरक्षण, सुरक्षा एवं प्रबंधन में जनता की भागीदारी, किसी विनियम, मानक में संशोधन करना एवं लागू करने, संरक्षण, सुरक्षा एवं प्रबंधन के लिए बहिष्कार न्यूनीकरण योजना अथवा कार्यक्रम को प्रोत्साहन दिया जाए और गंगा नदी के संरक्षण, सुरक्षा एवं प्रबंधन की प्रक्रियाओं एवं पद्धतियों का अभिन्न हिस्सा बनाया जाएगा;
- (2) राष्ट्रीय स्वच्छ गंगा मिशन देश के लोगों की आवश्यकताओं, प्रौद्योगिकी में उन्नयन तथा लोगों की सामाजिक-आर्थिक स्थिति को ध्यान में रखते हुए और राष्ट्रीय संयुक्त संस्तुति की समृद्ध विरासत के संरक्षण के लिए उपपैरा (1) के तहत विनिर्दिष्ट सिद्धांतों के अतिरिक्त सिद्धांत विनिर्दिष्ट कर सकता है।
5. गंगा नदी में जल का पारिस्थितिकीय प्रवाह बनाए रखा जाए- (1) प्रत्येक राज्य सरकार, यह सुनिश्चित करने का प्रयास करेगी कि पैरा के उप पैरा (iv) में दिए गए अनुसार गंगा नदी में हर समय जल का अबाधित प्रवाह बनाए रखा जाए।

(2) प्रत्येक राज्य सरकार भी गंगा नदी में इसकी पारिस्थितिकीय समग्रता को बनाए रखने के लिए विभिन्न मौसम में जल का पर्याप्त प्रवाह बनाए रखने के प्रयास करेगी और इस लक्ष्य को प्राप्त करने के लिए सभी संबंधित प्राधिकरण समयबद्ध ढंग से उचित कार्रवाई करेंगे।

(3) इस पैरा के प्रयोजन से जल के औसत प्रवाह का निर्धारण राष्ट्रीय स्वच्छ गंगा मिशन द्वारा गंगा नदी पर विनिर्दिष्ट बिन्दुओं पर विनिर्दिष्ट जल वैज्ञानिक प्रेक्षण केन्द्रों द्वारा किया जाएगा।

बशर्ते कि राष्ट्रीय स्वच्छ गंगा मिशन द्वारा पारिस्थितिकी को ध्यान में रखते हुए गंगा नदी पर विभिन्न बिन्दुओं के लिए नदी में जल का औसत प्रवाह निर्धारित किया जाए।

#### 6. गंगा नदी और उसकी उप नदियों में पर्यावरणीय प्रदूषण की रोकथाम, नियंत्रण एवं कमी लाना

(1) कोई व्यक्ति गंगा नदी अथवा इसकी उपनदियों अथवा इसके तटों पर प्रत्यक्ष रूप से अथवा अप्रत्यक्ष रूप से अशोधित अथवा शोधित सीवेज अथवा सीवेज कीचड़ नहीं डालेगा;

बशर्ते कि जहां किसी स्थानीय प्राधिकरण के पास इस आदेश के लागू होने की तारीख को सीवेज अथवा कीचड़ के एकत्रण, भंडारण, ले जाने और निपटान के लिए सीवेज स्कीम अथवा अवसंरचना नहीं है अथवा गंगा नदी अथवा इसकी उपनदियों के आस-पास के क्षेत्र में उपर्युक्त तारीख तक ऐसी अवसंरचना प्रचालन में न हों, ऐसा प्रत्येक स्थानीय प्राधिकरण इस आदेश के लागू होने की तारीख से राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विनिर्दिष्ट अवधि में स्थानीय प्राधिकरण के क्षेत्र में सीवेज के एकत्रण, भंडारण, ले जाने एवं निपटान के लिए ऐसी अवसंरचना विकसित करेगा अथवा ऐसी अवसंरचना प्रचालन में लाएगा।

(2) कोई व्यक्ति प्रत्यक्ष रूप से अप्रत्यक्ष रूप से गंगा नदी अथवा इसकी उपनदियों अथवा इनके तटों पर अशोधित अथवा शोधित व्यावसायिक बहिस्त्राव, औद्योगिक अपशिष्ट नहीं छोड़ेगा;

बशर्ते यह भी कि जहां किसी उद्योग अथवा औद्योगिक क्षेत्र प्रबंधन के पास इस आदेश के लागू होने की तारीख को औद्योगिक बहिस्त्राव शोधन स्कीम अथवा अवसंरचना न हो अथवा गंगा नदी अथवा इसकी उपनदियों के आस-पास के क्षेत्र में उपर्युक्त तारीख को ऐसी अवसंरचना प्रचालन में न हो, ऐसा प्रत्येक उद्योग अथवा औद्योगिक क्षेत्र प्रबंधन उद्योग अथवा औद्योगिक क्षेत्र प्रबंधन के कार्यक्षेत्र में इस आदेश के लागू होने की तारीख से राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विनिर्दिष्ट अवधि में व्यावसायिक बहिस्त्राव, औद्योगिक अपशिष्ट के एकत्रण, भंडारण, ले जाने एवं निपटान के लिए अवसंरचना विकसित करेगा अथवा ऐसी अवसंरचना प्रचालन में लाएगा।

(3) कोई व्यक्ति गंगा नदी में अथवा गंगा नदी या इसकी उपनदियों के तट अथवा इनके सक्रिय बाढ़ मैदानी क्षेत्र में आवासीय अथवा वाणिज्यिक अथवा औद्योगिक अथवा अन्य किसी प्रयोजन से स्थायी अथवा अस्थायी संरचना का निर्माण नहीं करेगा;

बशर्ते कि, अपवाद की स्थितियों जैसे प्राकृतिक आपदा अथवा पारंपरिक स्थलों पर धार्मिक आयोजनों के लिए राज्य गंगा समिति और जिला गंगा समिति के माध्यम से राष्ट्रीय स्वच्छ गंगा मिशन की पूर्व अनुमति से अस्थायी संरचनाएं बनायी जा सकती हैं;

बशर्ते यह भी कि इस आदेश के लागू होने से पहले गंगा नदी अथवा इसकी उपनदियों के तट अथवा सक्रिय बाढ़ मैदान में यदि कोई ऐसी संरचना बनाई गई है तो राष्ट्रीय स्वच्छ गंगा मिशन ऐसी संरचनाओं की समीक्षा करेगा ताकि यह जांच की जा सके कि ऐसी संरचनाएं गंगा नदी अथवा इसकी उपनदियों में जल के सतत प्रवाह को बाधित नहीं कर रही अथवा नदी में प्रदूषण नहीं फैला रही और यदि ऐसा है तो यह उन्हें हटाने की कार्रवाई कर सकता है।

(4) कोई व्यक्ति ऐसा कोई क्रियाकलाप अथवा किसी परियोजना अथवा प्रक्रिया अथवा क्रियाकलाप नहीं करेगा अथवा जारी रखेगा। जिससे गंगा नदी में प्रदूषण हो, चाहे यह क्रियाकलाप इस आदेश में उल्लिखित हो या न हो।

(5) राष्ट्रीय स्वच्छ गंगा मिशन का यह कर्तव्य होगा कि प्रत्येक विनिर्दिष्ट राज्य गंगा समिति अथवा विनिर्दिष्ट जिला गंगा संरक्षण समिति, स्थानीय प्राधिकरण और सभी अन्य प्राधिकरण तथा व्यक्ति गंगा नदी और इसकी उपनदियों के आस-पास के प्रत्येक गांव/नगर, शहर तथा अन्य क्षेत्रों में स्थानीय भाषा में रिपोर्टों में दी गई सूचना तथा उपर्युक्त उपायों का विभिन्न माध्यमों से व्यापक प्रचार करेंगे तथा जनता के ध्यान में लाएंगे।

7. गंगा नदी और इसकी सहायक नदियों के प्रदूषण के मामले में आपातकालीन उपाय- किसी दुर्घटना अथवा अनदेखे कार्य अथवा घटना के कारण गंगा नदी में कोई भी विषैला हानिकारक अथवा प्रदूषक कारक पाया जाता है अथवा प्रवेश किया है, और तत्काल कार्रवाई करने की आवश्यकता होती है, तो ऐसे कार्यों को करने के लिए तत्काल कार्रवाई शुरू करनी होगी अथवा

विनिर्दिष्ट राज्य गंगा समिति अथवा विनिर्दिष्ट जिला गंगा समिति अथवा स्थानीय प्राधिकरण अथवा कोई अन्य प्राधिकरण अथवा बोर्ड अथवा निगम द्वारा ऐसे कार्यों को करने हेतु निर्देश दिया जाएगा, चूंकि इसे निम्नलिखित सभी अथवा किसी उद्देश्य के लिए आवश्यक समझा जाए। अर्थात्

(क) प्रदूषक की उपस्थिति के कारण किसी प्रदूषण के उपशमन अथवा निपटान के लिए इस ढंग से जैसा कि विनिर्दिष्ट किया गया है, गंगा नदी से प्रदूषक सामग्री को हटाने की पद्धति और निपटाना के साथ साथ ऐसे कार्यों को करने के लिए यथा उपयुक्त समझा जाता है।

(ख) गंगा नदी में किसी भी विषैले, हानिकारक अथवा प्रदूषक सामग्री को छोड़ने से किसी व्यक्ति अथवा स्थानीय प्राधिकरण अथवा संबंधित अन्य प्राधिकरण अथवा बोर्ड अथवा निगम को नियंत्रित करने अथवा निषेध करने संबंधी निर्देश जारी करना।

(ग) इस प्रकार की आपातकालीन समस्या के समाधान के लिए कोई अतिरिक्त कार्य अथवा कार्य पद्धति शुरू करना जैसा भी आवश्यक हो।

**8. निर्देश जारी करने की शक्ति-** राष्ट्रीय स्वच्छ गंगा मिशन, इस आदेश के तहत अपनी शक्तियों और निष्पादन अथवा अपने कार्य पद्धतियों का प्रयोग कर सकता है, जिसे प्रदूषण का निवारण और गंगा नदी के संरक्षण, संरक्षा एवं प्रबंधन के लिए आवश्यक समझा जाए। संबंधित प्राधिकरण अथवा स्थानीय प्राधिकरण अथवा अन्य प्राधिकरणों अथवा बोर्ड अथवा निगम अथवा व्यक्ति को लिखित में अधिनियम के तहत ऐसे निर्देश जारी करना और वे ऐसे निर्देशों का पालन करने के लिए बाध्य होंगे।

व्याख्या- संदेह के निवारण के लिए एतद द्वारा घोषित किया जाता है कि इस धारा के तहत निर्देश जारी करने की शक्ति शामिल की जाती है लेकिन निर्देश देने की शक्ति को सीमित नहीं किया जाता है-

(क) किसी उद्योग, प्रचालन अथवा प्रक्रिया को बंद करना, निषेध अथवा विनियमन; अथवा

(ख) विद्युत अथवा जल की आपूर्ति अथवा अन्य किसी सेवा को रोकना अथवा विनियमन

(ग) इस आदेश अथवा उल्लिखित अधिनियम अथवा बनाए गए नियम अथवा इसके तहत जारी निर्देशों के विरोधी किसी कार्य को रोकना अथवा बंद करना।

(घ) इस आदेश अथवा उल्लिखित अधिनियम में विनिर्दिष्ट उपायों का प्रभावी कार्यान्वयन

**9. गंगा सुरक्षा लेखा परीक्षा-** प्रत्येक विनिर्दिष्ट जिला गंगा समिति वार्षिक समय ढांचा के भीतर और ऐसे जिला के लिए गंगा नदी के क्षेत्र हेतु राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विनिर्दिष्ट किए जाने वाले प्रोटोकॉल के अनुसार गंगा सुरक्षा लेखा परीक्षकों द्वारा गंगा सुरक्षा लेखा परीक्षा करवाई जाएगी और विनिर्दिष्ट राज्य गंगा समिति तथा राष्ट्रीय स्वच्छ गंगा मिशन को इस संबंध में शुरू की गई सुधारात्मक कार्रवाई सहित इस सुरक्षा लेखा परीक्षा की रिपोर्ट की प्रति अग्रेषित करेगी, जिस पर उपयुक्त कार्रवाई की जाएगी, यदि आवश्यक हो।

**10. गंगा नदी तथा इसकी सहायक नदियों में प्रदूषण की निगरानी किया जाना-** (1) गंगा नदी तथा इसकी सहायक नदियों में प्रदूषण की निगरानी राष्ट्रीय स्वच्छ गंगा मिशन द्वारा स्वयं अथवा उपग्रह के चित्रों तथा अन्य दूरसंवेदी प्रौद्योगिकियों के उपयोग द्वारा विभिन्न राज्य और केन्द्र सरकारी अभिकरणों के साथ-साथ इसके द्वारा विनिर्दिष्ट किए जाने वाले आवधिक आधार पर वास्तविक केन्द्रों, ऑनलाइन निगरानी और स्वतंत्र अभिकरणों के माध्यम से निर्देशों द्वारा की जाएगी।

(2) उप-पैराग्राफ के प्रावधानों के बावजूद (1) केन्द्र सरकार गंगा तथा इसकी सहायक नदियों में ऊपर उल्लिखित प्रदूषण की निगरानी के लिए किसी अन्य तकनीक अथवा पद्धति, जिसे निर्देशों में विनिर्दिष्ट किया जा सके, को अपनाकर गंगा तथा इसकी सहायक नदियों में प्रदूषण की निगरानी के कार्य को किसी अन्य अभिकरण अथवा निकाय अथवा सीधे, प्रौद्योगिकी को अद्यतन करने के उद्देश्य से, सौंप सकती है।

**11. गंगा नदी के संरक्षण, सुरक्षा और प्रबंधन संबंधी राष्ट्रीय परिषद का गठन -** इस आदेश को लागू करने की तिथि से अधिनियम के उद्देश्यों तथा इस आदेश और उल्लिखित अधिनियम के तहत यथा विनिर्दिष्ट शक्तियों का उपयोग करने तथा कार्यों को करने के लिए गंगा नदी के संरक्षण, संरक्षा, प्रबंधन संबंधी राष्ट्रीय परिषद के नाम से (जिसे इस आदेश में इसके पश्चात् राष्ट्रीय गंगा परिषद कहा जाएगा) एक प्राधिकरण का गठन किया जाएगा।

12. राष्ट्रीय गंगा परिषद की संरचना- राष्ट्रीय गंगा परिषद में निम्नलिखित सदस्य शामिल होंगे, नामतः-	
(क) प्रधानमंत्री	अध्यक्ष, पदेन
(ख) केन्द्रीय जल संसाधन, नदी विकास और गंगा संरक्षण मंत्री	उपाध्यक्ष, पदेन
(ग) केन्द्रीय पर्यावरण वन एवं जलवायु परिवर्तन मंत्री	सदस्य, पदेन
(घ) केन्द्रीय वित्त मंत्री	सदस्य, पदेन
(ङ) केन्द्रीय शहरी विकास मंत्री	सदस्य, पदेन
(च) केन्द्रीय विद्युत मंत्री	सदस्य, पदेन
(छ) केन्द्रीय विज्ञान एवं प्रौद्योगिकी मंत्री	सदस्य, पदेन
(ज) केन्द्रीय ग्रामीण विकास मंत्री	सदस्य, पदेन
(झ) केन्द्रीय पेयजल एवं स्वच्छता मंत्री	सदस्य, पदेन
(ञ) केन्द्रीय पोत परिवहन मंत्री	सदस्य, पदेन
(ट) केन्द्रीय पर्यटन राज्य मंत्री	सदस्य, पदेन
(ठ) उपाध्यक्ष, नीति आयोग	सदस्य, पदेन
(ड) मुख्यमंत्री, बिहार	सदस्य, पदेन
(ढ) मुख्यमंत्री, झारखंड	सदस्य, पदेन
(ण) मुख्यमंत्री, उत्तराखंड	सदस्य, पदेन
(त) मुख्यमंत्री, उत्तर प्रदेश	सदस्य, पदेन
(थ) मुख्यमंत्री, पश्चिम बंगाल	सदस्य, पदेन
(द) सचिव, जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय-	सदस्य, पदेन
(ध) महानिदेशक, राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य-सचिव, पदेन

(2) राष्ट्रीय गंगा परिषद सदस्य के रूप में राष्ट्रीय गंगा परिषद में प्रतिनिधित्व नहीं करने वाले ऐसे राज्य के एक अथवा एक से अधिक मुख्यमंत्रियों को शामिल कर सकती है जहां गंगा नदी की प्रमुख सहायक नदियां हैं, जिससे गंगा नदी के जल की गुणवत्ता प्रभावित होने की संभावना है।

(3) राष्ट्रीय गंगा परिषद यदि आवश्यक समझे तो एक अथवा अधिक केन्द्रीय मंत्रियों को भी शामिल कर सकती है।

(4) राष्ट्रीय गंगा परिषद नदी संरक्षण, नदी पारिस्थितिकी और नदी प्रबंधन, जल विज्ञान, पर्यावरण अभियांत्रिकी, सामाजिक जागरूकता के क्षेत्र में तथा अन्य संबंधित क्षेत्रों के विशेषज्ञों तथा विशेषज्ञ संगठनों अथवा संस्थानों के साथ परामर्श कर सकती है।

(5) राष्ट्रीय गंगा परिषद का मुख्यालय नई दिल्ली में अथवा ऐसे किसी अन्य स्थान पर होगा, जैसा निर्धारित किया जाए।

(6) राष्ट्रीय गंगा परिषद का सचिवालय राष्ट्रीय स्वच्छ गंगा मिशन में होगा।

(7) केन्द्र सरकार में जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय नोडल मंत्रालय के रूप में कार्य करेगा।

13. राष्ट्रीय गंगा नदी बेसिन प्राधिकरण का विघटन- (1) पैराग्राफ 11 में राष्ट्रीय गंगा परिषद के गठन की तिथि को और से, जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय, नई दिल्ली की अधिसूचना का.आ. 2539(अ), दिनांक 29 सितम्बर, 2014 के द्वारा गठित राष्ट्रीय गंगा नदी बेसिन प्राधिकरण को विघटित माना जाएगा।

(2) विघटन से पहले राष्ट्रीय गंगा नदी बेसिन प्राधिकरण द्वारा किए गए अथवा छोड़े गए सभी कार्य अथवा शुरू की गई कार्रवाई अथवा खर्च की गई अथवा खर्च किए जाने हेतु प्राधिकृत किसी राशि को इस आदेश के समान प्रावधानों के तहत किया हुआ अथवा शुरू किया जाना माना जाएगा।

14. गंगा नदी के पर्यवेक्षण, निर्देशन और नियंत्रण का कार्य राष्ट्रीय गंगा परिषद को सौंपना- गंगा नदी के पर्यवेक्षण, निर्देशन, विकास और नियंत्रण तथा गंगा नदी में पर्यावरण प्रदूषण के संरक्षण, रोकथाम, नियंत्रण और निवारण के लिए संपूर्ण नदी बेसिन (वित्तीय एवं प्रशासनिक मामलों सहित) तथा इसकी प्राकृतिक और मूल स्थिति का संरक्षण नदी में जल के पर्याप्त बहाव की निरंतरता और इसके साथ जुड़े मामलों के लिए राष्ट्रीय गंगा परिषद, इस आदेश में शामिल किसी भी चीज के बावजूद, संपूर्ण रूप से जिम्मेवार मानी जाएगी।

15. राष्ट्रीय गंगा परिषद का क्षेत्राधिकार- गंगा नदी के संरक्षण, संरक्षा और प्रबंधन संबंधी राष्ट्रीय परिषद का क्षेत्राधिकार पैराग्राफ 2 में दिए गए क्षेत्र तक होगा।

16. गंगा नदी के संरक्षण, संरक्षा और प्रबंधन संबंधी राष्ट्रीय परिषद की बैठक-

(1) राष्ट्रीय गंगा परिषद अपनी बैठकों सहित अपने कार्य को करने के लिए अपनी स्वयं की प्रक्रिया का विनियमन कर सकती है।

(2) राष्ट्रीय गंगा परिषद के अध्यक्ष बैठक की अध्यक्षता करेंगे और उनकी अनुपस्थिति में राष्ट्रीय गंगा परिषद की बैठकों की अध्यक्षता उपाध्यक्ष करेंगे और इसके कार्यव्यवहार को आगे बढ़ाएंगे।

(3) उपाध्यक्ष के पास अगली बैठक में संपुष्टि के शर्ताधीन परिषद की दो बैठकों के आयोजन के बीच में परिषद के उद्देश्य को प्राप्त करने हेतु राष्ट्रीय गंगा परिषद के लिए आवश्यक निर्णय लेने की शक्ति होगी।

(4) राष्ट्रीय गंगा परिषद अपने विवेक से प्रत्येक वर्ष कम से कम एक अथवा अधिक बैठकें आयोजित कर सकती है।

17. प्राधिकरण के रूप में गंगा नदी संबंधी अधिकार प्राप्त कार्यबल का गठन- (1) इस आदेश को जारी करने की तिथि से अधिनियम के उद्देश्यों तथा इस आदेश और उल्लिखित अधिनियम के तहत यथा विनिर्दिष्ट शक्तियों का उपयोग करने तथा कार्यों को करने के लिए गंगा नदी संबंधी अधिकार प्राप्त कार्यबल के नाम से एक प्राधिकरण का गठन किया जाएगा।

2 गंगा नदी संबंधी अधिकार प्राप्त कार्यबल में निम्नलिखित शामिल हैं, नामतः-	
(क) केन्द्रीय जल संसाधन, नदी विकास और गंगा संरक्षण मंत्री	अध्यक्ष, पदेन
(ख) केन्द्रीय जल संसाधन, नदी विकास और गंगा संरक्षण राज्य मंत्री	उपाध्यक्ष, पदेन
(ग) सचिव, जल संसाधन, नदी विकास और गंगा संरक्षण सदस्य,	पदेन
(घ) सचिव, वित्त मंत्रालय (व्यय विभाग)	सदस्य, पदेन
(ङ) सीईओ, नीति आयोग	सदस्य, पदेन
(च) मुख्य सचिव, उत्तराखंड राज्य	सदस्य, पदेन
(छ) मुख्य सचिव, उत्तर प्रदेश राज्य	सदस्य, पदेन
(ज) मुख्य सचिव, बिहार राज्य	सदस्य, पदेन
(झ) मुख्य सचिव, झारखंड राज्य	सदस्य, पदेन
(ञ) मुख्य सचिव, पश्चिम बंगाल राज्य	सदस्य, पदेन
(ट) महानिदेशक, राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य, सचिव

(3) गंगा नदी संबंधी अधिकार प्राप्त कार्यबल, एक अथवा एक से अधिक केन्द्रीय मंत्रालयों के सचिवों अथवा संबंधित अन्य किसी राज्य के मुख्य सचिव को सदस्य के रूप में शामिल कर सकती है, यदि आवश्यक समझा जाए।

(4) गंगा नदी संबंधी अधिकार प्राप्त कार्यबल अपने विवेकानुसार कम से कम प्रत्येक तीन महीने में एक अथवा इससे अधिक बैठकें आयोजित करेगा।

(5) केन्द्र सरकार, जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय में गंगा संबंधी अधिकार प्राप्त कार्यबल को प्रशासनिक और तकनीकी सहायता उपलब्ध कराएगी और यह मंत्रालय ऐसी प्रशासनिक और तकनीकी सहायता देने के उद्देश्य हेतु नोडल मंत्रालय होगा।

**(18) गंगा नदी संबंधी अधिकार प्राप्त कार्यबल के कार्य और शक्तियां-**

(1) गंगा नदी संबंधी अधिकार प्राप्त कार्यबल गंगा नदी और इसकी सहायक नदियों के संरक्षण, संरक्षा और प्रबंधन से संबंधित सभी मामलों में समन्वय करेगा और सलाह देगा।

(2) खासकर और उप-पैराग्राफ (1) के प्रावधानों के पूर्वाग्रह के बिना गंगा नदी संबंधी अधिकार प्राप्त कार्यबल के कार्य और शक्तियों में गंगा नदी के संरक्षण, सुरक्षा और प्रबंधन से संबंधित निम्नलिखित मामलों में से सभी अथवा किसी एक के संबंध में उपायों को शामिल किया जा सकता है। अर्थात्-

(क) यह सुनिश्चित करना कि संबंधित मंत्रालय, विभागों और राज्य सरकारों के पास-

(i) गंगा नदी के संरक्षण और परिरक्षण के उद्देश्य को प्राप्त करने के लिए खास गतिविधियों, उद्देश्यों और समयबद्धता सहित एक कार्य योजना है

(ii) इसकी कार्य योजनाओं के कार्यान्वयन की निगरानी हेतु एक तंत्र है

(ख) समयबद्ध आधार पर इसकी कार्य योजनाओं के कार्यान्वयन के लिए संबंधित मंत्रालयों, विभागों और राज्य सरकारों के बीच समन्वय।

(ग) कार्यान्वयन प्रक्रिया की निगरानी, बाधाओं को दूर करना, शीघ्र कार्यान्वयन सुनिश्चित करने के लिए आवश्यक सुझाव और निर्णय लेना।

(घ) घरेलू और विदेशी सहायता के माध्यम से वित्त पोषित परियोजनाओं सहित नमामि गंगे

(ङ) गंगा नदी के संरक्षण और संरक्षा तथा प्रबंधन के उद्देश्य को प्राप्त करने के लिए यथा आवश्यक समझे गए ऐसे अन्य कार्यों को करना अथवा यथा आवश्यक समझी गई शक्तियों का प्रयोग करना अथवा केन्द्र सरकार द्वारा सौंपा गया हो अथवा राष्ट्रीय गंगा परिषद द्वारा विनिर्दिष्ट कार्यों को करना।

**19. एक हजार करोड़ रूपए के मूल्य से अधिक की परियोजनाओं के लिए अनुमोदन**

(1) गंगा नदी संबंधी अधिकार प्राप्त कार्यबल, एक हजार करोड़ रूपए के मूल्य से अधिक की प्रत्येक परियोजना के अनुमोदन हेतु जिम्मेवार होगा, समय-समय पर यथा संशोधित।

(2) गंगा नदी संबंधी अधिकार प्राप्त कार्यबल उप-पैराग्राफ (1) के उद्देश्य हेतु इनके सदस्यों के बीच एक अधिकारियों की उप-समिति गठन कर सकता है।

**20. विनिर्दिष्ट राज्य गंगा संरक्षण संरक्षा एवं प्रबंधन समितियों का प्राधिकरणों के रूप में गठन तथा इनका संघटन-** इस आदेश के लागू होने की तारीख से पैरा 2 में दिए गए अनुसार प्रत्येक राज्य में राज्य गंगा संरक्षण, संरक्षा एवं प्रबंधन समिति नामक एक प्राधिकरण गठित किया जाएगा। जिसमें इस आदेश तथा अधिनियम विनिर्दिष्ट शक्तियों का प्रयोग करने तथा कार्यों का निष्पादन करने के लिए अनुसूची में विनिर्दिष्ट किए गए अनुसार एक अध्यक्ष और सदस्य शामिल होंगे।

**21. राज्य गंगा समिति की बैठकें-** (1) प्रत्येक विनिर्दिष्ट राज्य गंगा समिति अपनी बैठकों सहित अपने कार्यों को करने के लिए अपनी स्वयं की प्रक्रिया का विनियमन कर सकती है।

(2) प्रत्येक राज्य गंगा समिति 3 महीने की अवधि में कम से कम अपनी एक बैठक करेगी।

(3) विनिर्दिष्ट राज्य गंगा समिति के अध्यक्ष इसकी बैठकों की अध्यक्षता करेंगे और उनकी अनुपस्थिति में उल्लिखित समिति अपना उपाध्यक्ष का चुनाव करेंगे, जो विनिर्दिष्ट राज्य गंगा समिति की बैठकों की अध्यक्षता करेंगे और इसके कार्य व्यवहार को आगे बढ़ाएंगे।

22. समिति का अधीक्षण, निर्देशन एवं नियंत्रण- गंगा नदी और इसकी सहायक नदियों में संरक्षण, संरक्षा पर्यावरणीय प्रदूषण की रोकथाम, नियंत्रण एवं कमी लाने के उद्देश्य से इस आदेश में किए गए किसी भी प्रावधान के बावजूद जिला गंगा समितियों का अधीक्षण निर्देशन एवं नियंत्रण राज्य गंगा समिति के पास होगा जिससे गंगा नदी प्राकृतिक एवं मूल स्थिति का संरक्षण किया जा सके और संबंधित राज्यों में गंगा नदी के संरक्षण एवं प्रबंधन के लिए गंगानदी में जल का सतत एवं पर्याप्त प्रवाह सुनिश्चित किया जा सके।

23. राज्य समिति के निर्णय बाध्यकारी होंगे--- विनिर्दिष्ट राज्य गंगा समिति की बैठकों में लिए गए निर्णय इस आदेश में निहित किसी भी मामले के बावजूद प्रत्येक जिला गंगा समिति और प्रत्येक स्थानीय प्राधिकरण अथवा अन्य प्राधिकरण अथवा बोर्ड अथवा ऐसे निर्णय में संदर्भित व्यक्ति पर लागू होंगे और वे राज्य गंगा समिति के निर्णयों का अनुपालन करेंगे।

24. राज्य गंगा समितियों के अधिकार, कर्तव्य और कार्य- (1) प्रत्येक राज्य गंगा समिति को इस अधिनियम के प्रावधानों तथा उसके तहत बनाए गए नियमों अथवा उसके तहत जारी निर्देशों तथा इस आदेश के प्रावधानों में निर्धारित नियमों के शर्ताधीन पैरा 6, 7 और 8 में उल्लिखित उपायों सहित ऐसे सभी उपायों जो वह गंगा नदी में प्रभावी प्रदूषण निवारण और नदी के संरक्षण हेतु तथा राष्ट्रीय गंगा परिषद तथा राष्ट्रीय स्वच्छ गंगा मिशन के निर्णयों को लागू करने हेतु आवश्यक अथवा अनिवार्य समझे, को करने का अधिकार होगा।

(2) राज्य गंगा समिति राष्ट्रीय गंगा परिषद और राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विभिन्न कार्यक्रम और परियोजनाएं कार्यान्वित करेगी।

(3) विशेषकर और उप-पैरा (1) और (2) के प्रावधानों की सामान्यता के पूर्वाग्रह के बिना इन उपायों में निम्नलिखित सभी अथवा इनमें से कोई मामला शामिल किया जा सकता है अर्थात्:-

(क) सीवरेज अवसंरचना के संवर्धन, आवाह क्षेत्र सुधार, बाढ़ मैदानों की सुरक्षा, जन जागरूकता फैलाने तथा राज्य स्तरीय अन्य उपायों और गंगा नदी में उसकी जल गुणवत्ता बरकरार करने के लिए उसमें प्रदूषण निवारण, नियंत्रण और कम करने सहित गंगा नदी के संरक्षण संबंधी कार्यों का समन्वय और कार्यान्वयन, तथा नदी इकोलॉजी और संबंधित राज्य में प्रबंधन संबंधी अन्य उपाय करना;

(ख) संबंधित राज्य में नदी बेसिन प्रबंधन योजना का कार्यान्वयन

(ग) संबंधित राज्य में गंगा नदी में न्यूनतम इकोलॉजी प्रवाह को बरकरार रखना और तत्संबंधी कार्य।

(घ) इस आदेश के तहत अपने अधिकारों के प्रयोग और कार्यों के निष्पादन हेतु अधिनियम की धारा 10 के अंतर्गत प्रवेश एवं निरीक्षण तथा धारा 11 के अंतर्गत नमूना लेने का अधिकार;

(4) राज्य गंगा समिति को पैरा 7 में रेखांकित मुद्दों पर निर्देश देने का अधिकार होगा।

(5) राज्य गंगा समिति को पैरा समिति को अधिनियम की धारा 5 के तहत निर्देश देने का अधिकार होगा।

(6) राज्य गंगा समिति के अधिकार और कार्य अधिनियम, के प्रावधानों के अनुरूप न होते पर, किसी केन्द्रीय अथवा राज्य अधिनियम के तहत राज्य सरकार को सौंपे गए किसी अधिकार के पूर्वाग्रह से मुक्त होंगे।

25. जिला गंगा समितियों की योजनाओं और कार्यक्रमों के निष्पादन की निगरानी- प्रत्येक विनिर्दिष्ट राज्य गंगा समिति अपनी सभी जिला गंगा सुरक्षा समितियों तथा अन्य प्राधिकारियों की योजनाओं, कार्यक्रमों और परियोजनाओं के निष्पादन की निगरानी करेगी और तत्संबंधी प्रगति रिपोर्ट राष्ट्रीय स्वच्छ गंगा मिशन को सौंपेगी।

**26. सभी जिला गंगा समितियों की समेकित रिपोर्टें तैयार करना और तत्संबंधी सुधारात्मक उपाय करना—** (i) प्रत्येक राज्य गंगा समिति सभी जिला गंगा सुरक्षा समितियों, स्थानीय प्राधिकरणों अथवा अन्य प्राधिकरणों अथवा बोर्ड अथवा निगम अथवा व्यक्ति द्वारा प्रस्तुत प्रत्येक तिमाही की समेकित रिपोर्ट तैयार करेगी जिसमें गंगा नदी और उसकी सहायक नदियों की सीमा में आने वाले प्रत्येक विनिर्दिष्ट जिले का उल्लेख होगा।

(क) उनके द्वारा कार्यान्वित की जा रही योजनाओं की स्थिति और उनके द्वारा किए गए उपाय तथा गंगा नदी और उसकी सहायक नदियों की दशा के विषय में कोई अन्य कार्य;

(ख) प्रत्येक विनिर्दिष्ट जिले में गंगा नदी और उसकी सहायक नदियों में जल गुणवत्ता तथा तत्संबंधी सुधारात्मक कार्रवाई;

(ग) प्रत्येक विनिर्दिष्ट जिले में गंगा नदी में प्रवाह में कोई अवरोध तथा तत्संबंधी कारण;

(घ) जिला गंगा समिति अथवा स्थानीय प्राधिकरणों अथवा अन्य प्राधिकारियों को की गई शिकायतों के समाधान के लिए किए गए उपाय;

(ङ) प्रत्येक विनिर्दिष्ट जिले में गंगा सुरक्षा लेखापरीक्षा द्वारा की गई कोई प्रतिकूल रिपोर्ट;

(च) गंगा नदी उसकी सहायक नदियों की दशा के संबंध में कोई अन्य सूचना।

(2) उप-पैरा (1) में उल्लिखित रिपोर्ट तत्संबंधी सुधारात्मक उपायों सहित वर्ष की समाप्ति के एक माह के भीतर राष्ट्रीय स्वच्छ गंगा मिशन को सौंपी जाएगी।

**27. गंगा सुरक्षा लेखा परीक्षा का आयोजन और राज्य समितियों द्वारा ऐसी लेखा परीक्षा रिपोर्ट प्रस्तुत करना—** (1) राज्य गंगा समितियों का यह कर्तव्य होगा कि वे जिला गंगा सुरक्षा समितियों द्वारा गंगा लेखा परीक्षा की रिपोर्ट तत्संबंधी की गई सुधारात्मक कार्रवाई सहित राष्ट्रीय स्वच्छ गंगा मिशन को प्रस्तुत करें तथा उसे सार्वजनिक क्षेत्र में उपलब्ध भी कराएं और अपनी वेबसाइट पर भी दर्शाएं।

(2) गंगा सुरक्षा लेखा परीक्षा में ये विवरण शामिल किए जाएंगे और राष्ट्रीय स्वच्छ गंगा मिशन द्वारा जारी अधिसूचना के अनुसार विनिर्दिष्ट अंतरालों (इस आदेश में उल्लिखित अन्यथा सुरक्षित) पर यथा निर्धारित ढंग से लेखा परीक्षा की जाएगी।

**28. राज्य गंगा समिति का नोडल अभिकरण होना—** राज्य गंगा समिति, राज्य में इस आदेश के प्रावधानों के कार्यान्वयन तथा गंगा नदी और उसकी सहायक नदियों में प्रदूषण के प्रभावी निवारण तथा नदी का संरक्षण, सुरक्षा एवं प्रबंधन के लिए राज्य व्यापी नोडल अभिकरण होगी।

**29. राष्ट्रीय गंगा परिषद तथा राष्ट्रीय स्वच्छ गंगा मिशन के निर्देश राज्य गंगा समिति पर बाध्यकारी होंगे—** प्रत्येक राज्य गंगा समिति इस आदेश के प्रावधानों को अनदेखा करने के पूर्वाग्रह के बिना इस आदेश के तहत अपने अधिकारों का प्रयोग अथवा कार्यों का निष्पादन करते समय वह ऐसे निर्णयों अथवा निर्देशों (तकनीकी और प्रशासनिक मामलों से संबंधित होने वाले निर्देशों सहित) जो राष्ट्रीय परिषद तथा राष्ट्रीय स्वच्छ गंगा मिशन समय-समय पर गंगा नदी में प्रदूषण निवारण तथा उसके संरक्षण, सुरक्षा एवं प्रबंधन के लिए उसे लिखित में दिए जाएं, का पालन करेगी।

**30. राज्य गंगा नदी संरक्षण प्राधिकरणों और राज्य कार्यकारी समितियों का विघटन—** (1) राज्य गंगा समितियों के गठन की तारीख से, इस आदेश के लागू होने से पहले गठित संबंधित गठित संबंधित राज्य गंगा नदी संरक्षण प्राधिकरणों के साथ-साथ राज्य कार्यकारी समितियों को विघटित हो गया माना जाएगा।

(2) ऐसे विघटन से पहले, उप-पैराग्राफ (1) के अंतर्गत प्राधिकरणों और समितियों द्वारा किए गए अथवा हटा दिए जाने वाले सभी कार्यों अथवा की गई कार्रवाई अथवा खर्च की गई राशि अथवा खर्च के लिए प्राधिकृत राशि को निष्पादन कर लिया माना जाएगा अथवा इस आदेश के संगत प्रावधानों के तहत ले लिया गया माना जाएगा।

**31. एक प्राधिकरण के रूप में राष्ट्रीय स्वच्छ गंगा मिशन का गठन—** (1) इस आदेश के लागू होने के तारीखसे सोसाइटी पंजीकरण अधिनियम, 1860 (1860 का 21) के अंतर्गत पंजीकृत एक सोसाइटी राष्ट्रीय स्वच्छ गंगा मिशन अधिनियम के उद्देश्य से और इस आदेश तथा अधिनियम और इसके तहत बनाए गए नियमों अथवा जारी किए गए निर्देशों के अंतर्गत विनिर्दिष्ट किए गए अनुसार शक्तियों का प्रयोग करने तथा कार्यों का निष्पादन के करने के लिए इस अधिनियम के अंतर्गत इसी नाम से गठित एक प्राधिकरण होगा।

(2) राष्ट्रीय स्वच्छ गंगा मिशन का संघटन पैरा 35 में दिए गए अनुसार होगा।

32. राष्ट्रीय स्वच्छ गंगा मिशन के प्रचालन का क्षेत्र- राष्ट्रीय स्वच्छ गंगा मिशन के प्रचालन का क्षेत्र पैराग्राफ 2 में रूपरेखा दिया गया क्षेत्र होगा।

33. राष्ट्रीय स्वच्छ गंगा मिशन नोडल एजेंसी होगा — इस आदेश के प्रावधानों के राष्ट्र व्यापी कार्यान्वयन तथा प्रदूषण के प्रभावी उपशमन और गंगा नदी तथा उसकी उप-नदियों के पुनरुद्धार, संरक्षण और प्रबंधन के लिए राष्ट्रीय स्वच्छ गंगा मिशन एक नोडल एजेंसी होगा।

34. एक अधिकार प्राप्त संगठन के रूप में राष्ट्रीय स्वच्छ गंगा मिशन- राष्ट्रीय स्वच्छ गंगा मिशन दो स्तरीय प्रबंधन के साथ एक अधिकार प्राप्त संगठन होगा जिसके पास इस आदेश में विनिर्दिष्ट किए गए अनुसार प्रशासनिक, मूल्यांकन एवं अनुमोदन की शक्तियां होंगी और कर्तव्य कार्य तथा शक्तियां होंगी।

35. राष्ट्रीय स्वच्छ गंगा मिशन का संघटन:- राष्ट्रीय स्वच्छ गंगा मिशन टू-टीयर निगरानी संरचना होगी और इसमें गर्वनिंग परिषद और कार्यकारी समितियां शामिल होंगी

(1) गर्वनिंग परिषद में निम्नलिखित सदस्य शामिल होंगे नामतः:

(क)	राष्ट्रीय स्वच्छ गंगा मिशन के महा निदेशक	अध्यक्ष पदेन
(ख)	संयुक्त सचिव, जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय	सदस्य पदेन
(ग)	संयुक्त सचिव, शहरी विकास मंत्रालय	सदस्य पदेन
(घ)	संयुक्त सचिव, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय	सदस्य पदेन
(ङ)	संयुक्त सचिव, व्यय विभाग	सदस्य पदेन
(च)	नीति आयोग के प्रतिनिधि (संयुक्त सचिव के स्तर से कम कम न हो)	सदस्य पदेन
(छ)	अध्यक्ष, केन्द्रीय प्रदूषण नियंत्रण बोर्ड	सदस्य पदेन
(ज)	प्रधान सचिव, शहरी विकास, बिहार सरकार	सदस्य पदेन
(झ)	प्रधान सचिव, शहरी विकास, झारखंड सरकार	सदस्य पदेन
(ञ)	प्रधान सचिव, शहरी विकास, उत्तर प्रदेश सरकार	सदस्य पदेन
(ट)	प्रधान सचिव, पेयजल, उत्तराखंड सरकार	सदस्य पदेन
(ठ)	प्रधान सचिव, शहरी विकास, पश्चिम बंगाल सरकार	सदस्य पदेन
(ड)	एकजीक्यूटिव ऑफिसर (डिप्टी डीजी), राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य पदेन
(ढ)	एकजीक्यूटिव डायरेक्टर (तकनीकी), राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य पदेन
(ण)	एकजीक्यूटिव डायरेक्टर (वित्त), राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य पदेन
(त)	एकजीक्यूटिव डायरेक्टर (परियोजना), राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य पदेन
(थ)	एकजीक्यूटिव डायरेक्टर (प्रशासन), राष्ट्रीय स्वच्छ गंगा मिशन	सदस्य-सचिव

(2) गर्वनिंग परिषद में से गठित की गई कार्यकारिणी समिति में निम्नलिखित सदस्य शामिल होंगे नामतः-

(क) महानिदेशक, राष्ट्रीय स्वच्छ गंगा मिशन-अध्यक्ष पदेन

(ख) संयुक्त सचिव, व्यय विभाग-सदस्य पदेन

- (ग) नीति आयोग के प्रतिनिधि (संयुक्त सचिव के स्तर का) -सदस्य पदेन  
 (घ) संबंधित राज्य (राज्यों) के प्रधान सचिव-सदस्य पदेन  
 (ङ) ऐकजीक्यूटिव अधिकारी (डिप्टी डीजी), राष्ट्रीय स्वच्छ गंगा मिशन - सदस्य पदेन  
 (च) ऐकजीक्यूटिव डायरेक्टर (वित्त) -सदस्य पदेन  
 (छ) ऐकजीक्यूटिव डायरेक्टर (तकनीकी) -सदस्य पदेन  
 (ज) ऐकजीक्यूटिव डायरेक्टर (परियोजनाएं) -सदस्य पदेन

(3) महानिदेशक, राष्ट्रीय स्वच्छ गंगा मिशन यदि आवश्यक समझते हैं तो कार्यकारी समिति, गर्वनिंग परिषद के अन्य कोई सदस्य के साथ काम कर सकते हैं।

(4) गर्वनिंग परिषद अपने सदस्यों में से एक उप-समिति का गठन कर सकती है और परियोजना के मूल्यांकन हेतु कुछ तकनीकी विशेषज्ञों के साथ भी कार्य कर सकते हैं।

(5) संबंधित राज्यों के प्रतिनिधि उप-समिति के सदस्य होंगे।

(6) गर्वनिंग काउंसिल के पास आधे सदस्यों का कोरम होना चाहिए।

36. (1) 1000 करोड़ रुपये तक के सभी अनुमोदन ईसी में निहित होंगे। इसके बदले में ईसी तीन महीने में कम से कम एक बार जीसी को रिपोर्ट करेंगे।

(2) तकनीकी विशेषज्ञों/या मान्यता प्राप्त संस्थाना या भारतीय तकनीकी संस्थानों के कंसॉर्टियम द्वारा परियोजना के तृतीय पक्ष मूल्यांकन के पूर्ण होने के पश्चात जीसी की उप समिति परियोजना का मूल्यांकन करेगी।

(3) तृतीय पक्ष, तकनीकी मूल्यांकन उनके मूल्य को ध्यान में न रखते हुए सभी परियोजनाओं के लिए होगा।

### 37. राष्ट्रीय स्वच्छ गंगा मिशन के महानिदेशक और कार्यकारी निदेशक की नियुक्ति

(1) राष्ट्रीय स्वच्छ गंगा मिशन के महानिदेशक की नियुक्ति केन्द्र सरकार द्वारा की जाएगी। महानिदेशक का पद भारत सरकार के अपर सचिव अथवा सचिव के समकक्ष होगा। नियुक्ति की शर्तें केन्द्र सरकार द्वारा निर्धारित की जाएंगी।

(2) कार्यकारी निदेशक, वित्त की नियुक्ति निर्धारित भर्ती नियमों के अनुसार प्रतिनियुक्ति के आधार पर केन्द्र सरकार की संगठित लेखा सेवाओं के अधिकारियों में से की जाएगी जिसका पद भारत सरकार के संयुक्त सचिव के समकक्ष होगा।

(3) राष्ट्रीय स्वच्छ गंगा मिशन में प्रशासन और परियोजनाओं के लिए अलग-अलग कार्यकारी निदेशक का कम से कम एक पद होगा जिसका ओहदा भारत सरकार के संयुक्त सचिव के समकक्ष।

(4) कार्यकारी निदेशकों में से एक को राष्ट्रीय स्वच्छ गंगा मिशन को उप महानिदेशक के रूप में पदनामित किया जाएगा, जिसकी नियुक्ति केन्द्र सरकार द्वारा की जाएगी।

(5) कार्यकारी समिति को कोई भी मनोनीत सदस्य का स्तर भारत सरकार के संयुक्त सचिव की श्रेणी से कम नहीं होगा।

### 38. (1) राष्ट्रीय स्वच्छ गंगा मिशन के कर्तव्य : राष्ट्रीय स्वच्छ गंगा मिशन के निम्नलिखित कर्तव्य होंगे-

(i) इस आदेश के पैराग्राफ 5 में दिए गए सिद्धांतों और उसमें दिए गए प्रावधानों का अनुसरण करना,

(ii) राष्ट्रीय गंगा परिषद के निर्णयों और निदेशों का अनुपालन करना और इसके द्वारा अनुमोदित गंगा बेसिन प्रबंधन योजना का राष्ट्रीय गंगा परिषद के निर्देशानुसार कार्यान्वयन करना,

(iii) समयबद्ध तरीके से नदी गंगा परिषद के पुनरुद्धार और संरक्षण के लिए सभी कार्यकलापों को समन्वित करना।

(iv) सभी अन्य कार्य करना अथवा कुछ कार्यों को नहीं करना जो गंगा नदी और इसकी उप नदियों के पुनरुद्धार और संरक्षण के लिए आवश्यक हों।

39. राष्ट्रीय स्वच्छ गंगा मिशन के कार्य..... (1) इस आदेश के प्रावधानों के पूर्वाग्रह के बिना राष्ट्रीय स्वच्छ गंगा मिशन निम्नलिखित की पहचान करेगी अथवा पहचान का कारण बनेगी।

(क) सीवरेज और औद्योगिक अपशिष्ट, शवों को जलाने और गाड़ने तथा पशुओं के अवशेषों के निपटान और वाणिज्यिक, मनोरंजन और धार्मिक कार्यकलापों से खतरे सहित गंगा और उसकी उप नदियों के पास जिले के प्रत्येक गांव और कस्बे में गंगा नदी के लिए विशिष्ट खतरे।

(ख) गंगा नदी और इसकी उप-नदियों के पास ऐसे सभी जिलों के प्रत्येक गांव और कस्बे में प्रत्येक गांव में ऐसे खतरों का सामना करने के लिए अपेक्षित उपायों के प्रकार।

(ग) वे विशिष्ट क्षेत्र जहां गंगा नदी और इसकी उप-नदियों के संरक्षण और संरक्षा के लिए ऐसे उपचारात्मक कार्रवाई की जानी अपेक्षित है।

(घ) वे उपाय, जो शोधित जल के पुनः उपयोग के लिए आवश्यक होंगे तथा केन्द्र सरकार के मंत्रालयों जैसे रेलवे, पॉवर और पेट्रोलियम, प्राकृतिक गैस आदि राज्य सरकारों, केन्द्र और राज्य सरकार के स्वायत्त निकायों, मान्यता प्राप्त संस्थानों और सभी अन्य संगठनों के साथ समझौता ज्ञापन करना, जो राष्ट्रीय स्वच्छ गंगा मिशन सही समझे।

(2) राष्ट्रीय स्वच्छ गंगा मिशन, गंगा नदी और इसकी उप-नदियों के पास ऐसे विनिर्दिष्ट जिलों के प्रत्येक गांव और कस्बे में गंगा नदी और इसकी उप-नदियों के संरक्षण और संरक्षा के लिए अन्य वस्तुओं में लागत, समयबद्धता और उत्तरदायित्वों के आवंटन के साथ गंगा नदी बेसिन प्रबंधन योजना बनाएगा अथवा बनाने का कारण, बनेगा और इसके लिए परियोजनाओं का कार्यान्वयन करेगा।

(3) राष्ट्रीय स्वच्छ गंगा मिशन निम्नलिखित कार्य करेगा :-

(क) जल गुणवत्ता सुनिश्चित करने तथा पर्यावरण रूप से स्थायी संरक्षण, गंगा नदी और उसकी उप-नदियों का संरक्षण और प्रबंधन और इसे अधिसूचित करना तथा पर्याप्त पारिस्थितिकीय प्रवाह को बनाए रखने के लिए आवश्यक सभी उपायों को लेने अथवा निर्देशित करने के लिए सभी समयों पर विभिन्न क्षेत्रों में विभिन्न बिंदुओं पर रखे जाने के लिए अपेक्षित गंगा नदी और उसकी उप-नदियों में पारिस्थितिकीय प्रवाह और परिणाम के निर्धारण का कारण बनेगा।

(ख) ऐसे स्थानों को पहचानने का कारण बनना; जहां गंगा नदी के जल के पर्यावरणीय प्रवाह को आशोधित किया गया है तथा इसके सुधार के लिए उपाय करना ताकि गंगा नदी और इसकी उप-नदियों के संरक्षण, संरक्षा और प्रबंधन के लिए जल के सतत प्रवाह को बनाए रखा जा सके।

(ग) जल के इंजीनियर्ड डाइवर्जन अथवा जल के भंडारण अथवा किसी अन्य साधन के कारण गंगा नदी और इसकी उप-नदियों में जल के अंतराल के स्थान पहचानना और इनके संबंध में योजनाएं लागू करना अथवा इसके लिए उपचारात्मक कार्रवाई करना।

(घ) गंगा नदी और इसकी उप-नदियों में जल के प्रवाह और प्रदूषण के स्तर की लगातार निगरानी करने के लिए एक प्रणाली तैयार करना।

(ङ.) ऐसे सभी उपाय करना, जो राष्ट्रीय गंगा परिषद के निर्णय को लागू करने के लिए आवश्यक हों ताकि गंगा नदी और इसकी उप-नदियों में पर्याप्त पारिस्थितिकीय प्रवाह बनाये रखा जा सके।

(च) राज्य सरकारों, विशिष्ट राज्य गंगा समितियों, विनिर्दिष्ट जिला गंगा समितियों अथवा स्थानीय प्राधिकारियों अथवा किसी व्यक्ति अथवा निकाय, किसी प्राधिकरण, बोर्ड या निगम को प्रदूषण के उपशमन और संरक्षण गंगा नदी और इसकी उप-नदियों के संरक्षण और प्रबंधन के लिए विस्तृत परियोजना रिपोर्ट तैयार करने अथवा परियोजनाओं के कार्यान्वयन के लिए किसी एजेंसी द्वारा सहायता प्रदान करना अथवा सहायता का कारण बनना।

(छ) प्रदूषण के उपशमन तथा गंगा नदी और इसकी उप-नदियों के संरक्षण, संरक्षा और प्रबंधन के संबंध में ज्ञान आधार तथा विश्लेषणात्मक उपकरणों के शोध, विकास और प्रसार के लिए एक या अधिक मौजूदा केंद्रों की स्थापना करना या स्थापना को सुकर बनाना अथवा नामोद्दिष्ट और निर्देशित करना।

(ज) कोई अन्य उपाय करना, जो जल के सतत प्रवाह और गंगा और इसकी उप-नदियों में प्रदूषण के उपशमन के लिए आवश्यक हो।

(4) राष्ट्रीय स्वच्छ गंगा मिशन पैराग्राफ 7 में बताए गए सभी ऐसे अन्य आपात उपाय करेगा।

**40. गंगा नदी और इसकी उप-नदियों के किनारे किसी उपयुक्त स्थान पर गंगा नदी मॉनीटरिंग केन्द्र की स्थापना—**— राष्ट्रीय स्वच्छ गंगा मिशन गंगा नदी बेसिन से स्थानों को पहचानेगा अथवा ऐसे स्थानों पर स्थापना करेगा अथवा किसी मौजूदा प्रयोगशाला अथवा केन्द्र अथवा संस्थान को केन्द्र के रूप में नामोद्दिष्ट करेगा जिसे 'रिवर गंगा मॉनीटरिंग सेंटर' कहा जाएगा, जो अन्य बातों में इस आदेश के अंतर्गत यथापेक्षित जल के लगातार प्रवाह और प्रदूषण के स्तर को मॉनीटर करेंगे और वहां उपचारात्मक कार्रवाई करने के लिए राष्ट्रीय स्वच्छ गंगा मिशन को तुरंत रिपोर्ट करेंगे।

**41. राष्ट्रीय स्वच्छ गंगा मिशन की शक्तियां—**— (1) राष्ट्रीय गंगा परिषद के पर्यवेक्षण और निदेश के अंतर्गत गंगा नदी और उसकी उप-नदियों के संरक्षण, संरक्षा और प्रबंधन के कार्य को सुकर बनाने की भूमिका, उत्तरदायित्व और शक्तियों से युक्त राष्ट्रीय एजेंसी होने के कारण राष्ट्रीय स्वच्छ गंगा मिशन गंगा नदी के संरक्षण, संरक्षा और प्रबंधन के लिए राष्ट्रीय परिषद अथवा केन्द्र सरकार को सिफारिश करेगा अथवा स्वयं ही राज्य गंगा समितियों अथवा जिला गंगा समितियों अथवा स्थानीय प्राधिकरण अथवा किसी अन्य प्राधिकरण अथवा किसी व्यक्ति संस्था, समूह अथवा एजेंसी को अपने निर्णयानुसार निदेश जारी करेगा तथा इसके पास ऐसे सभी उपाय करने और कार्य करने की शक्तियां होंगी, जो यह गंगा नदी तथा इसकी उप-नदियों में पर्यावरणीय प्रदूषण के निषेध, नियंत्रण और उपशमन के लिए आवश्यक अथवा उचित समझे, जिनसे गंगा नदी को इसकी प्राकृतिक तथा पुरातन स्थिति तक संरक्षित किया जा सके तथा गंगा नदी तथा इससे संबंधित मामलों के संरक्षण और प्रबंधन के लिए गंगा नदी में जल के सतत तथा पर्याप्त प्रवाह को सुनिश्चित किया जा सके।

2. विशेष रूप से तथा उप-पैराग्राफ 1 के प्रावधानों की सामान्यतया के पूर्वाग्रह के बिना तथा इस आदेश में यथा अन्यथा उपबंधित ऐसे निदेश गंगा नदी के प्रबंधन के सभी अथवा किसी मामले को शामिल कर सकती है, नामतः-

(क) पैराग्राफ 4 में दिए गए सिद्धांतों के अनुसार में इस आदेश के पैराग्राफ 55 में उल्लिखित कार्यों को पूरा करना;

(ख) केन्द्र सरकार के अनुमोदन से प्रदूषण के उपशमन तथा गंगा नदी के संरक्षण, संरक्षा और प्रबंधन के लिए राष्ट्रीय नीति बनाना।

(ग) गंगा नदी और इसकी उप-नदियों में संरक्षण, संरक्षा, प्रदूषण के निषेध, नियंत्रण और उपशमन के लिए गंगा बेसिन प्रबंधन योजना के प्रभावी कार्यान्वयन के लिए केन्द्र सरकार के अनुमोदन से किसी देश अथवा विदेशी एजेंसी के साथ समझौता ज्ञापन करना।

(घ) आशोधनों के साथ अथवा उसके बिना नदी गंगा बेसिन प्रबंधन योजना को अनुमोदित करना और सीधे संशोधन, यदि कोई हो, उस पर करना;

(ङ.) प्रगति रिपोर्ट का पर्यवेक्षण करना, समीक्षा करना और राज्य गंगा समितियों, जिला गंगा संरक्षण समितियों अथवा स्थानीय प्राधिकरणों और अन्य प्राधिकरणों को बुनियादी प्रबंधन योजना और गंगा नदी और इसकी उप-नदियों के मामलों से संबंधित किसी अन्य मामले पर निर्देश जारी करना।

(च) सीवरेज के बढ़ने और बहिस्त्राव शोधन अवसंरचना, आवाह क्षेत्र उपचार, बाढ़ मैदानों के संरक्षण, जन-जागरूकता सृजन करना, जलीय और राइपेरियन जीवन और जैव विविधता के संरक्षण और पर्यावरणीय रूप से स्थायी नदी संरक्षण के संवर्धन के लिए ऐसे अन्य उपायों सहित गंगा नदी में प्रदूषण के उपशमन के लिए कार्यक्रमों की योजना बनाना, वित्तपोषण और कार्यान्वयन अनुमोदित करना।

- (छ) प्रदूषण के निषेध, नियंत्रण और उपशमन तथा गंगा नदी और इसकी उप-नदियों के संरक्षण और प्रबंधन के लिए आरंभ किए गए विभिन्न कार्यक्रमों अथवा कार्यक्रमों के कार्यान्वयन का समन्वय, मॉनीटरिंग और समीक्षा करना।
- (ज) नदी की पारिस्थितिकी को पुनः बहाल करने और नदी गंगा बेसिन राज्यों के प्रबंधन से संगत उपायों को करने के लिए किसी व्यक्ति अथवा प्राधिकरण को निर्देश देना।
- (झ) स्पेशल पर्पज वेहिकल के सृजन के लिए केन्द्र सरकार को सिफारिश करना (चाहे कंपनी अधिनियम, 2013 (2013 का 18) अथवा सोसाइटी पंजीकरण अधिनियम, 1860 (1860 का 21) के अंतर्गत एक कंपनी के रूप में अथवा भारतीय न्यास अधिनियम, 1882 (1882 का 2) के अधीन एक न्यास के रूप में) जैसाकि इस आदेश अथवा उक्त आदेश के प्रयोजन के कार्यान्वयन के लिए उपयुक्त हो।
- (ञ) प्रदूषण के प्रभावी निषेध, नियंत्रण और उपशमन, गंगा नदी और इसकी उप-नदियों में संरक्षण और संरक्षा और प्रबंधन को सुनिश्चित करने के लिए नीति और कार्य के बेहतर समन्वय के लिए ऐसे उपाय करना, जिसे आवश्यक समझा जाए।
- (ट) परियोजनाओं के उपयुक्त तथा शीघ्र कार्यान्वयन के लिए किसी संगत व्यक्ति अथवा प्राधिकारी को ऐसे निदेश जारी करना अथवा ऐसी परियोजनाओं को निरस्त करना अथवा निधियों के जारी रखने को रोकना अथवा पहले से जारी की गई धनराशि को सीधे रिफंड करना और किसी अन्य व्यक्ति अथवा बोर्ड अथवा कॉरपोरेशन को इसे शीघ्र कार्यान्वयन हेतु सौंपना।
- (ठ) पहले से जारी किसी भी कानून के प्रति पूर्वाग्रह रखे बिना लेखों या अन्य दस्तावेजों के रख-रखाव से किसी संबंधित या प्राधिकरण को निर्देश देना जैसा कि राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विनिर्दिष्ट किया जाए;
- (ड) ऐसे अन्य उपाय करना जो कि गंगा नदी और उसकी सहायक नदियों में प्रदूषण के बचाव, नियंत्रण और उपशमन की उपलब्धि, संरक्षण और निवारण और प्रबंधन के लिए आवश्यक है;
- (3) राष्ट्रीय स्वच्छ गंगा मिशन को मुद्दों पर निर्देशों को जारी करने की शक्ति होगी जोकि अधिनियम की धारा 5 में निर्धारित किए गए हैं।
- (4) राष्ट्रीय स्वच्छ गंगा मिशन अपने निर्णयों के कार्यान्वयन हेतु तथा राष्ट्रीय गंगा परिषद के निर्णयों के लिए उपयुक्त प्रणाली तैयार करे।
- (42) कतिपय मामलों में पूर्व अनुमोदन देना---** प्रत्येक व्यक्ति राज्य गंगा समितियां, जिला गंगा संरक्षण समितियां और स्थानीय प्राधिकरण तथा अन्य प्राधिकारी गंगा नदी से संबंधित तथा गंगा नदी या इसकी सहायक नदियों के दायरे में आने वाले क्षेत्र से संबंधित निम्नलिखित मामलों पर, यदि राष्ट्रीय गंगा नदी के निर्णयों को कार्यान्वित करना अपेक्षित है, तो राष्ट्रीय स्वच्छ गंगा मिशन का पूर्व अनुमोदन प्राप्त करना होगा। नामतः-
- (क) गंगा नदी के डाउन स्ट्रीम जल के प्रवाह को प्रभावित किए बिना गंगा नदी में जल के भण्डारण के डाइवर्जन की प्रणाली;
- (ख) गंगा नदी या नदी के तट पर या इसके बाढ़ योजना क्षेत्रों पर पुलों और सहायक सड़कों तथा तटों का निर्माण;
- (ग) घाटों का निर्माण अथवा किसी भी मौजूदा घाट का विस्तार;
- (घ) घाटों का निर्माण;
- (ङ.) जल के संग्रह अथवा डाइवर्जन या नियंत्रण के लिए स्थायी जलीय संरचनाओं का निर्माण अथवा गंगा नदी अथवा इसकी सहायक नदियों का चैनलीकरण;
- (च) पहाड़ी ढलानों और अधिसूचित वन तथा अन्य पर्यावरणीय दृष्टि से संवेदी क्षेत्रों का वन कटाव;
- (छ) कोई अन्य कार्यक्रम जो कि पैराग्राफ 4 में सिद्धांतों के विपरीत निर्धारित किए गए हैं उन्हें राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विनिर्दिष्ट किया जाए।

**43. वित्तीय ढांचा ----** (1) राष्ट्रीय स्वच्छ गंगा मिशन द्वारा बजटीय आवंटन अपने कार्यों, लक्ष्यों और उद्देश्यों को पूरा करने से संबंधित व्यय तथा स्थापना व्यय को वहन करने हेतु उपयोग किया जाएगा। इसके लिए शर्त यह है कि अनुदान, ऋण और उधार के रूप में प्राप्त धन उन्हीं में विनिर्दिष्ट उद्देश्यों के लिए वहन किया जाएगा जिनके लिए यह अनुदान, ऋण और उधार प्राप्त हुआ है।

(2) राष्ट्रीय स्वच्छ गंगा मिशन लेखों तथा अन्य संबद्ध रिकार्डों का उपयुक्त रूप से रख-रखाव रखेगा और वार्षिक व्यय विवरण तैयार करेगा।

(3) राष्ट्रीय स्वच्छ गंगा मिशन के लेखों की सांविधिक लेखा परीक्षा भारत के नियंत्रक और महालेखा परीक्षक द्वारा की जाएगी और वार्षिक लेखा परीक्षा पूरी होने के पश्चात लेखा परीक्षा एजेंसी वार्षिक लेखा परीक्षा प्रमाण पत्र भेजेगी।

(4) राष्ट्रीय स्वच्छ गंगा मिशन के कार्य केन्द्रीय सतर्कता आयोग के नियंत्रण में हैं और सतर्कता संबंधी मामलों की देख रेख के लिए एक सतर्कता अधिकारी होगा।

(5) लेखा परीक्षा रिपोर्ट के साथ वार्षिक व्यय विवरण प्रति वर्ष अधिकार प्राप्त कार्यबल को भेजा जायेगा और केन्द्र सरकार इसे संसद के दोनों सदनों में प्रस्तुत करेगी।

**44. कानून विशेषज्ञों को कार्य पर लगाना** राष्ट्रीय स्वच्छ गंगा मिशन के पास एक उपयुक्त विधायी व्यवस्था होगी जिसके लिए राष्ट्रीय स्वच्छ गंगा मिशन कानूनी विशेषज्ञ परामर्शदाता और विधायी फर्म की सेवाएं लेगी जो कि राष्ट्रीय स्वच्छ गंगा मिशन को विधायी मामलों पर सलाह देने के लिए तथा अपने कर्तव्यों का निर्वाह करने के लिए राष्ट्रीय स्वच्छ गंगा मिशन को सहयोग प्रदान करने के लिए आवश्यक है।

**45. रिपोर्टों की समीक्षा** इसके कार्यकलापों से संबंधित सभी रिपोर्टें तथा राज्य गंगा समिति, जिला गंगा समिति या स्थानीय प्राधिकरण या बोर्ड या निगम या किसी अन्य व्यक्ति से प्राप्त रिपोर्टों की राष्ट्रीय स्वच्छ गंगा मिशन द्वारा समीक्षा की जायेगी और इन रिपोर्टों में बताए गए मामलों पर अपने विचारों के साथ यह रिपोर्टें राष्ट्रीय गंगा परिषद के सम्मुख दिशा-निर्देश हेतु प्रस्तुत की जायेगी, यदि ऐसा आवश्यक है।

**46. गंगा सुरक्षा लेखा परीक्षा रिपोर्टों का समेकन ----** राष्ट्रीय स्वच्छ गंगा मिशन गंगा नदी की गंगा सुरक्षा लेखा परीक्षा की समेकित रिपोर्ट तैयार करेगा तथा उसे राष्ट्रीय गंगा परिषद को उन पर उपचारात्मक कार्रवाई के साथ प्रस्तुत करेगा तथा इसे सार्वजनिक क्षेत्र में भी उपलब्ध कराया जायेगा और इसे वेबसाइट पर दर्शाया जायेगा।

**47. सूचना, निरीक्षण आयोजित करने , रिपोर्टें प्रकाशित करने इत्यादि के संबंध में राष्ट्रीय स्वच्छ गंगा मिशन की शक्तियां ---**  
---- (1) जहां राष्ट्रीय स्वच्छ गंगा मिशन अधिनियम की धारा 5 के तहत इसे आवश्यक समझे उसे वह लिखित में आदेश देकर यह कह सकता है----

(ए) किसी भी राज्य गंगा समितियों, जिला गंगा संरक्षण समितियों या स्थानीय प्राधिकरण या अन्य प्राधिकरण या बोर्ड या निगम या व्यक्ति जिसे भी किसी भी परियोजना के कार्यनिष्पादन या ऐसी परियोजना से संबंधित कोई कार्य सौंपा गया है या किसी भी समय निधियों के उपयोग के बारे में सूचना या परियोजना के कार्य निष्पादन के लिए आवंटित ऐसी परियोजना से संबंधित स्पष्टीकरण या कार्यनिष्पादन या आवंटित निधि के उपयोग के बारे में सूचना को लिखित में या सार्वजनिक रूप से प्रचार-प्रसार करने हेतु पूछा जा सकता है जैसा भी राष्ट्रीय स्वच्छ गंगा मिशन अपेक्षित समझे; अथवा

(बी) एक या एक से अधिक व्यक्ति या किसी प्राधिकरण को नियुक्त करना जो कार्य करने अथवा कार्यनिष्पादन के लिए आवंटित परियोजना तथा आवंटित निधि के उपयोग के संबंध में पूछताछ कर सके।

(सी) अपने किसी भी अधिकारी या कर्मचारी अथवा केन्द्र सरकार या राज्य सरकार अथवा किसी अन्य प्राधिकरण के अधिकारियों और कर्मचारियों को किसी भी आवंटित परियोजना के कार्यकरण अथवा कार्यनिष्पादन अथवा निधि के उपयोग के संबंध में राज्य गंगा समितियों, जिला गंगा संरक्षण समितियों अथवा अन्य प्राधिकरण अथवा बोर्ड अथवा निगम अथवा संबंधित व्यक्ति से उनके लेखों और अन्य दस्तावेजों के निरीक्षण हेतु निर्देश देना।

(डी) ऐसा कोई व्यक्ति, अधिकारी, राज्य सरकार या प्राधिकरण अपेक्षित है जो इसे संबंधित किसी भी प्रकार की रिपोर्ट, रिटर्न, सांख्यिकी और अन्य सूचना भेजे और ऐसा व्यक्ति, अधिकारी, राज्य सरकार अथवा अन्य प्राधिकरण को यह कार्य करना बाध्य होगा।

**48. वित्त पोषण और कार्यान्वयन मॉडल -** (1) राष्ट्रीय स्वच्छ गंगा मिशन का विकास होगा और यह निरंतर अपने वित्तीय मॉडलों को संशोधित करेगा जिससे परियोजनाओं के कार्यानिष्पादन और सततता में सुधार होगा और जिसे प्रदूषण के उपशमन और गंगा नदी के पुनरुद्धार और संरक्षण तथा प्रबंधन के लिए राज्य गंगा समितियों, जिला गंगा संरक्षण समितियों अथवा अन्य प्राधिकरण अथवा व्यक्ति द्वारा अपनाया जा सकता है।

**49. समेकित रिपोर्टों को तैयार करना -** (1) राष्ट्रीय स्वच्छ गंगा मिशन विनिर्दिष्ट राज्य गंगा समितियों, विनिर्दिष्ट जिला गंगा समितियों, स्थानीय प्राधिकरणों, अन्य प्राधिकरण, बोर्ड, निगम अथवा व्यक्ति द्वारा भेजी गयी रिपोर्टों और अन्य सूचना के आधार पर एक समेकित रिपोर्ट तैयार करेगा जिसमें प्रत्येक जिले के द्वारा गंगा नदी और उसकी सहायक नदियों के आस-पास के क्षेत्रों के संबंध में सूचना दी जायेगी।

(ए) उनके द्वारा कार्यानिष्पादित की जा रही योजनाओं की स्थिति और उनके द्वारा किए गए उपाय तथा गंगा नदी और उसकी सहायक नदियों की स्थिति से संबंधित अन्य कार्यकलाप की स्थिति;

(बी) गंगा नदी और उसकी सहायक नदियों में जल की गुणवत्ता और इस संबंध में उपचारात्मक कार्रवाई;

(सी) गंगा नदी में जल की किसी भी रूप में रुकावट और उसके कारण;

(डी) विनिर्दिष्ट जिले में नदी तट और बाढ़ मैदान और आवास की स्थिति;

(अ) जिला गंगा समिति या स्थानीय प्राधिकरणों द्वारा जनता से प्राप्त शिकायतों पर किए गए उपचारात्मक उपाय;

(एफ) प्रस्तावित उपचारात्मक कार्रवाई के साथ आने वाले शेष बाधाओं का पता लगाना;

(जी) रिपोर्ट यदि कोई है, जैसा कि गंगा सुरक्षा लेखा परीक्षकों द्वारा सूचित किया गया है;

(एच) गंगा नदी और उसकी सहायक नदियों की दशा के बारे में संबंधित अन्य सभी सूचना;

(2) राष्ट्रीय स्वच्छ गंगा मिशन उपपैराग्राफ -1 में उल्लिखित समेकित रिपोर्ट की समीक्षा करने के पश्चात कार्यबल को उपचारात्मक कार्रवाई के साथ उसे प्रस्तुत करेगा।

**50. वार्षिक रिपोर्ट-----** (1) राष्ट्रीय स्वच्छ गंगा मिशन अगले वर्ष से तुरंत पहले अपने द्वारा और गंगा नदी के संबंध में अधिकार प्राप्त कार्यबल, विनिर्दिष्ट राज्य गंगा समितियों, विनिर्दिष्ट जिला गंगा संरक्षण समितियों, संबंधित स्थानीय प्राधिकरणों अथवा अन्य प्राधिकरण अथवा बोर्ड अथवा निगम अथवा व्यक्तियों द्वारा किए गए सभी कार्यों की समेकित वार्षिक रिपोर्ट प्रत्येक वर्ष के अंत के 3 माह में तैयार करेगा।

(2) राष्ट्रीय स्वच्छ गंगा मिशन अपने द्वारा किए गए तथा गंगा नदी संबंधी अधिकार प्राप्त कार्यबल, राज्य सरकारों, विनिर्दिष्ट राज्य गंगा समितियों, विनिर्दिष्ट जिला गंगा संरक्षण समितियों, संबंधित स्थानीय प्राधिकरणों अथवा अन्य प्राधिकरण अथवा बोर्ड अथवा निगम अथवा व्यक्तियों द्वारा किए गए सभी कार्यों उपपैरा-1 में उल्लिखित इसकी समेकित वार्षिक रिपोर्ट में अलग-अलग भागों के तहत शामिल करेगी और इस समेकित वार्षिक रिपोर्ट को राष्ट्रीय गंगा परिषद और केन्द्रीय सरकार को प्रेषित करेगी तथा इसे सार्वजनिक क्षेत्र में भी उपलब्ध कराया जायेगा। इसे वेबसाइट पर भी दर्शाया जायेगा।

**51. समितियों का गठन -** राष्ट्रीय स्वच्छ गंगा मिशन अपने सदस्यों में से एक या ज्यादा गंगा नदी प्रबंधन समितियां बनाना और नदियों अथवा जल के क्षेत्र में ऐसे विशेषज्ञ इस आदेश के तहत अपने कार्यों के कुशल निर्वहन के लिए उपयुक्त कदम उठाए।

52. मार्गदर्शन प्राप्त करना- राष्ट्रीय गंगा परिषद के निर्णयों अथवा इस आदेश के प्रावधानों के कार्यान्वयन में यदि कोई समस्या उत्पन्न होती है, तो यह राष्ट्रीय स्वच्छ गंगा मिशन का कर्तव्य होगा कि राष्ट्रीय गंगा परिषद का मार्ग दर्शन प्राप्त करें और तदनुसार उपयुक्त कार्रवाई करें।

53. जिला गंगा संरक्षण समितियों का गठन ---(1) केन्द्र सरकार गंगा नदी में पर्यावरणीय प्रदूषण को रोकने, नियंत्रित करने और समाप्त करने के लिए इस आदेश के प्रारम्भ से एक निश्चित समय के भीतर अधिसूचना द्वारा विनिर्दिष्ट राज्य गंगा समिति के परामर्श से हिमाचल प्रदेश, उत्तराखंड, उत्तर प्रदेश, मध्य प्रदेश, छत्तीसगढ़, बिहार, झारखंड, हरियाणा, राजस्थान, पश्चिम बंगाल और राष्ट्रीय राजधानी क्षेत्र दिल्ली तथा ऐसे अन्य राज्यों में, जहां गंगा नदी की प्रमुख सहायक नदियां हैं, प्रत्येक जिले में (इस आदेश में इसके बाद विनिर्दिष्ट जिला कहा गया है) उक्त अधिनियम की धारा 23 की उपधारा(3) के अंतर्गत "जिला गंगा संरक्षण समितियों" के नाम से एक प्राधिकरण का गठन करेगी।

(2) प्रत्येक विनिर्दिष्ट गंगा जिले में प्रत्येक जिला गंगा समिति में निम्नलिखित सदस्य होंगे, नामतः --	
(ए) विनिर्दिष्ट जिले में जिला कलेक्टर।	अध्यक्ष, पदेन
(बी) विनिर्दिष्ट जिले नगर पालिकाओं और ग्राम पंचायतों से राज्य सरकार द्वारा नामित दो से अधिक प्रतिनिधि सदस्य	
(सी) राष्ट्रीय नदी गंगा के साथ लगने वाले विनिर्दिष्ट जिले में कार्यरत लोक निर्माण, सिंचाई, जन स्वास्थ्य, इंजीनियरिंग और ग्रामीण पेयजल विभाग, और राज्य प्रदूषण नियंत्रण बोर्ड प्रत्येक का एक प्रतिनिधि जो जिला कलेक्टर द्वारा नामित किया जाएगा। सदस्य, पदेन	
(डी) विनिर्दिष्ट जिले में जिला कलेक्टर द्वारा नामित गंगा संरक्षण कार्यकलापों से संबद्ध दो पर्यावरणविद और स्थानीय उद्योग संघ का एक प्रतिनिधि। सदस्य	
(ई) विनिर्दिष्ट जिले का एक डिविजनल वन अधिकारी।	सदस्य, पदेन
(एफ) एक जिला अधिकारी जिसे जिला कलेक्टर लिए नामित करे।	
सदस्य	

(2) जिला कलेक्टर जिला गंगा समिति के अध्यक्ष होंगे और डिविजनल वन अधिकारी जिला गंगा समिति के संयोजक होंगे।

(3) जिला गंगा समितियों की बैठक का समय और स्थान का निर्धारण उस समिति के अध्यक्ष करेंगे और इस आदेश के तहत प्रदत्त की गई शक्तियों और कार्यों का प्रयोग करेंगे।

बशर्ते कि जिला गंगा समिति की कम से कम एक बैठक प्रत्येक तीन माह में आयोजित की जाएगी।

(4) कोई गैर पदेन सदस्य सरकार को अथवा संबंधित जिला कलेक्टर के, जैसा भी मामला हो, लिखित नोटिस देते हुए अपने पद से त्यागपत्र दे सकता है और सरकार द्वारा अथवा जिला कलेक्टर द्वारा, जैसा भी मामला हो, उसका त्यागपत्र स्वीकार किए जाने के बाद सदस्य नहीं रहेगा।

54. जिला गंगा संरक्षण समिति का अधीक्षण, निर्देशन और नियंत्रण – जिला गंगा संरक्षण समिति के प्रबंधन (वित्तीय और प्रशासनिक मामलों सहित) प्रबंधन का अधीक्षण निर्देशन और नियंत्रण इस आदेश में किसी बात के होते हुए राष्ट्रीय स्वच्छ गंगा मिशन में विहित होगा, जो इसके द्वारा प्रत्यक्ष रूप से अथवा विनिर्दिष्ट राज्य गंगा समिति अथवा इसके किसी अधिकारी अथवा इसके द्वारा विनिर्दिष्ट अन्य किसी प्राधिकारी के माध्यम से प्रयोग किया जाएगा।

55. जिला समितियों के कार्य और शक्तियां- (1) प्रत्येक जिला गंगा समिति पैराग्राफ चार में बताए गए सिद्धांतों के अनुसार पैराग्राफ छः और सात में विनिर्दिष्ट किए गए अनुसार प्रत्येक विनिर्दिष्ट जिले में गंगा नदी और इसकी सहायक नदियों के पुनरुद्धार, संरक्षण, मरम्मत और पुनर्वासन के लिए कार्यों का निर्वहन और शक्तियों का प्रयोग करेगी।

(2) विशेष रूप से गंगा नदी और इसकी सहायक नदियों के साथ लगने वाले डिग्रेडेड क्षेत्रों के पुनरुद्धार, संरक्षण, मरम्मत और पुनर्वासन के लिए उप-पैराग्राफ 1 के सामान्य प्रावधानों के अलावा और इस आदेश और अधिनियम के अन्य प्रावधानों तथा इनके अंतर्गत बनाए गए नियमों के अधीन प्रत्येक गंगा समिति को विनिर्दिष्ट जिले में गंगा नदी और इसकी सहायक नदियों के संबंध में निम्नलिखित शक्तियां और अधिकार प्राप्त होंगे नामतः :-

(ए) गंगा नदी अथवा इसकी सहायक नदियों अथवा रिवर बेड के संरक्षण के लिए गंगा नदी के साथ लगने वाले विनिर्दिष्ट जिले के क्षेत्रों में संभावित खतरों की पहचान करना और उसके संबंध में सुधारात्मक कार्रवाई की योजना बनाना और कार्रवाई करना।

(बी) विनिर्दिष्ट जिले में गंगा नदी और इसकी सहायक नदियों अथवा इसके रिवर बेड के संरक्षण के लिए अपनी ओर से सुधारात्मक कार्रवाई करना (इस आदेश के प्रावधानों को छोड़कर)।

(सी) उपचारात्मक कार्रवाई करने की स्थिति में सक्षम न होने पर राष्ट्रीय स्वच्छ गंगा मिशन और संबंधित राज्य सरकार, गंगा राज्य समिति, जैसा भी मामला हो, को गंगा नदी के बचाव के लिए निर्देश जारी करने हेतु रिपोर्टिंग (इलैक्ट्रॉनिक और लिखित में हार्ड कापी भेजकर) और उपयुक्त प्रबंधन अथवा उपचारात्मक कार्रवाई तैयार करना।

(डी) इस आदेश के प्रावधानों को प्रभावी बनाने के लिए उपयुक्त प्रशासनिक और अन्य उपाय करना ताकि इस आदेश के प्रावधानों से अलग न होते हुए या किसी भी कानून को कुछ समय के लिए लागू करने की बजाए गंगा नदी और इसकी सहायक नदियों में पर्यावरणीय प्रदूषण को रोका जा सके।

(3) यदि जिला गंगा संरक्षण समिति का यह मत है कि इस अधिनियम के तहत विसंगतियां की गयी हैं या कोई अन्य कानून कुछ समय के लिए लागू किया जा रहा है या इस आदेश के प्रावधानों से अलग है तो इसे कुछ समय के लिए कानून के अनुरूप करके उपयुक्त कार्रवाई करेगी।

(4) जिला गंगा संरक्षण समिति पैराग्राफ 7 में विनिर्दिष्ट ऐसे सभी आपातकालीन उपाय करेगी।

**56. नोडल अधिकारी का पदनाम-----** (1) प्रत्येक जिला गंगा समिति निम्नलिखित को नोडल अधिकारी के रूप में नामित करेगी--

(ए) गंगा नदी और इसकी सहायक नदियों के आसपास के क्षेत्रों में प्रत्येक गांव के ग्राम सभा के सरपंच

(बी) ऐसे मामले में जो गांव गंगा नदी से सटे हुए नहीं हैं, नगरपालिका योजना समिति या महानगर योजना समिति के अध्यक्ष या किसी स्थानीय प्राधिकरण के अध्यक्ष को इस आदेश के प्रयोजनों हेतु, जिला गंगा संरक्षण समिति के अध्यक्ष के रूप में मनोनीत किया जा सकता है।

(2) प्रत्येक नोडल अधिकारी जो उप-पैराग्राफ के तहत मनोनीत हुआ है (1) गंगा नदी की और उसकी सहायिकाओं में प्रदूषण को रोकने हेतु कदम उठा सकते और स्वयं गंगा नदी और उसकी सहायिकाओं के संरक्षण हेतु उपचारात्मक उपाय कर सकते या उनके नदी तटों जो ऐसे गांवों के साथ सटे हुए हैं या अन्य क्षेत्र, जैसा भी मामला हो, जिसके लिए वह नोडल अधिकारी है और यदि वह ऐसा नहीं कर पाते हैं तो वे इस आदेश की अवहेलना को उपचारात्मक कार्रवाई हेतु जिला गंगा समिति के अध्यक्ष के ध्यान में ला सकते हैं।

(3) उप-पैराग्राफ (2) के तहत रिपोर्ट की प्राप्ति के पश्चात जिला गंगा समिति का अध्यक्ष गंगा नदी या इसके नदी तटों से सटे विनिर्दिष्ट जिलों के संरक्षण हेतु उपचारात्मक कदम उठा सकते हैं।

**57. योजनाओं की तैयारी---** (1) प्रत्येक जिला गंगा संरक्षण समिति गंगा नदी और उसकी सहायिकाओं और उनके नदी तटों से सटे विनिर्दिष्ट जिलों के संरक्षण हेतु अपनी आयोजना की तैयारी करेगा और उक्त को उसके बाद एवं राष्ट्रीय स्वच्छ गंगा मिशन के अनुमोदन के लिए प्रस्तुत करेगा।

(2) उप-पैराग्राफ (1) के तहत योजना में विनिर्दिष्ट जिला गंगा संरक्षण समिति द्वारा गंगा नदी और उसकी सहायिकाओं और उनके नदी तटों से सटे विनिर्दिष्ट जिलों से पर्यावरणीय प्रदूषण से संरक्षण, नियंत्रण और उसे हटाने हेतु उठाए गए कार्यकलाप शामिल होंगे, जिसे राज्य सरकार, राज्य गंगा समितियों या राष्ट्रीय स्वच्छ गंगा मिशन या कोई अन्य प्राधिकरण या बोर्ड और ऐसी योजना हेतु शामिल व्यय संस्तुत किया जा सकता है और समय जिसमें ऐसे कार्यकलापों को पूर्ण किया जाएगा।

(58) बजट की तैयारी और लेखों का रखरखाव— प्रत्येक जिला गंगा संरक्षण समिति प्रत्येक वित्त वर्ष में अपेक्षित फंडों को और उन उद्देश्यों जिसके लिए फंड खर्च किया जाएगा, और समय सीमा जिसके भीतर बजट में उल्लेख किए गए कार्यकलाप को पूरा किया जाएगा को दर्शाते हुए अपने बजट को तैयार करेगी और संबंधित राष्ट्रीय स्वच्छ गंगा मिशन को सूचना देते हुए संबंधित राज्य गंगा समिति को प्रस्तुत करेगी और यह समिति, भारत सरकार के नियंत्रक एवं महालेखा परीक्षक (सीएजी) द्वारा अथवा सीएजी द्वारा नियुक्त किसी अन्य अभिकरण द्वारा लेखा परीक्षा के लिए, राष्ट्रीय स्वच्छ गंगा मिशन द्वारा निर्धारित लेखों का उपयुक्त रखरखाव सुनिश्चित करेगी और यह लेखे राष्ट्रीय गंगा परिषद, राष्ट्रीय स्वच्छ गंगा मिशन राज्य गंगा समिति अथवा उनके द्वारा नियुक्त किसी संस्था द्वारा निरीक्षण के शर्ताधीन होंगे।

(59) मासिक और वार्षिक रिपोर्टें— (1) प्रत्येक गंगा संरक्षण समिति, राष्ट्रीय स्वच्छ गंगा मिशन और राज्य समितियों जैसा कि राष्ट्रीय स्वच्छ गंगा मिशन द्वारा विनिर्दिष्ट समय सीमा के भीतर निर्धारित किया गया है, राष्ट्रीय गंगा परिषद को मासिक और वार्षिक रिपोर्टें प्रस्तुत करेगी।

(2) उप पैरा (1) में उल्लेख की गई वार्षिक रिपोर्ट के अतिरिक्त जिला गंगा संरक्षण समिति राष्ट्रीय स्वच्छ गंगा मिशन को ऐसे समय और ऐसे फॉर्म और तरीके से रिपोर्ट प्रस्तुत करेगी जिससे विनिर्दिष्ट जिले में उसके आसपास के क्षेत्र में गंगा नदी बेसिन योजना हेतु अन्य रिटर्न, विवरण और कोई प्रस्तावित या मौजूदा कार्यक्रम के संबंध में अन्य ब्यौरे हेतु निर्देश दें।

60. बजट आवंटन— राष्ट्रीय स्वच्छ गंगा मिशन बजट आवश्यकता को समेकित और तैयार कर सकता है और उक्त जल संसाधन मंत्रालय, नदी विकास और गंगा संरक्षण मंत्रालय को प्रस्तुत कर सकता है।

61. केंद्रीय सरकार द्वारा निर्देश— इस आदेश में दी गई किसी भी बात के बावजूद, केंद्रीय सरकार के लिए यह विधिपूर्ण हो कि वे मंत्रालय या भारत सरकार के विभागों या राज्य सरकारों तथा राज्य गंगा समितियों, राष्ट्रीय स्वच्छ गंगा मिशन या जिला गंगा समितियों या स्थानीय प्राधिकरण या अन्य प्राधिकरण तथा सांविधिक निकायों या उनके अधिकारी या कर्मचारी, जैसा भी मामला हो लिखित में निर्देश जारी करे जिससे वे गंगा नदी और उसके सहायिकाओं के पुनरुद्धार, संरक्षण और प्रबंधन में सहायता प्रदान कर सके और ऐसा मंत्रालय या विभाग या प्राधिकरण या मिशन या बोर्ड या सरकार और सांविधिक निकाय, अधिकारी या कर्मचारी ऐसे निर्देशों के अनुपालन हेतु बाध्य होंगे।

62. अधिनियम की धारा 19 के तहत शिकायत करना— इस आदेश के तहत गठित सभी प्राधिकरण या ऐसे प्राधिकरणों द्वारा प्राधिकृत किए गए उनके अधिकारी कोर्ट के समक्ष उक्त धारा के अंतर्गत किसी उल्लंघन को संज्ञान में रखते हुए उक्त अधिनियम की धारा 19 के तहत शिकायत कर सकते हैं।

63. अन्य दायित्वों के अतिरिक्त आदेश— इस आदेश के प्रावधान किसी स्थानीय प्राधिकरण या अन्य प्राधिकरण या बोर्ड या कॉरपोरेशन या किसी व्यक्ति द्वारा गंगा नदी में कुशल प्रदूषण नियंत्रण और पुनरुद्धार के प्रयोजन से उपाय करने हेतु अपने कार्यों के निर्वाह में और उसके संरक्षण और प्रबंधन और अभी लागू कोई अन्य कानून में अपने कार्यों के बिना किसी पक्षपात के है।

### अनुसूची

(पैराग्राफ 20 देखें)

#### राज्य और प्रबंधन समितियों की संरचना

क्र.सं.	विनिर्दिष्ट राज्य गंगा संरक्षण और प्रबंधन का नाम	राज्य गंगा संरक्षण और प्रबंधन समितियों की संरचना
(1)	(2)	(3)
1.	(नाम) राज्य गंगा संरक्षण और प्रबंधन समिति	(क) मुख्य सचिव, राज्य सरकार (नाम) पदेन सदस्य
		(ख) प्रधान सचिव, वित्त विभाग राज्य सरकार (नाम) सदस्य, पदेन
		(ग) प्रधान सचिव, शहरी विकास और आवास विभाग, (नाम) सरकार-सदस्य, पदेन
		(घ) प्रधान सचिव, पर्यावरण एवं वन विभाग, राज्य सरकार (नाम)-सदस्य, पदेन
		(ङ) प्रधान सचिव, जल संसाधन विभाग, राज्य सरकार (नाम)-सदस्य, पदेन

	(च) प्रधान सचिव, सार्वजनिक स्वास्थ्य इंजीनियरिंग विभाग, राज्य सरकार (नाम) सदस्य, पदेन
	(छ) अध्यक्ष (नाम) राज्य प्रदूषण नियंत्रण बोर्ड -सदस्य, पदेन
	(झ) (नाम) राज्य में कार्यान्वयन एजेंसी के चीफ ऐक्जीक्यूटिव अधिकारी- सदस्य, पदेन
	(ञ) वनों के प्रधान मुख्य संरक्षक, राज्य सरकार (नाम) -सदस्य, पदेन
	(ट) सरकार (नाम) द्वारा संबंधित क्षेत्रों से पांच विशेषज्ञों से अधिक मनोनीत नहीं किए जाएंगे।-सदस्य

[फा. सं. स्था.-01/2016-17/111/एनएमसीजी]

संजय कुंडू, संयुक्त सचिव

**MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT, AND GANGA REJUVENATION  
NOTIFICATION**

New Delhi, the 7th October, 2016

**S.O. 3187(E).**—Whereas it is necessary to constitute authorities at Central, State and District levels to take measures for prevention, control and abatement of environmental pollution in River Ganga and to ensure continuous adequate flow of water so as to rejuvenate the River Ganga to its natural and pristine condition and for matters connected therewith or incidental thereto;

And whereas the River Ganga is of unique importance ascribed to reasons that are geographical, historical, socio-cultural and economic giving it the status of a National River;

And whereas the River Ganga has been facing serious threat due to discharge of increasing quantities of sewage, trade effluents and other pollutants on account of rapid urbanisation and industrialisation;

And whereas, the demand for water of River Ganga is growing for irrigation, drinking water supplies, industrial use and hydro-power due to increase in population, urbanisation, industrialisation, infrastructural development and taking into account the need to meet competing demands;

And whereas there is an urgent need-

- to ensure effective abatement of pollution and rejuvenation of the River Ganga by adopting a river basin approach to promote inter-State and inter-sectoral co-ordination for comprehensive planning and management;
- to maintain ecological flows in the River Ganga with the aim of ensuring continuous flows throughout its length so as to restore its ecological integrity that enables it to self rejuvenate;
- for imposing restrictions in areas abutting the River Ganga in which industries, operations or processes, or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards;
- to make provision for inspection of any premises, plants, equipment, machineries, manufacturing or other processes, materials or substances and giving direction to the authorities, officers and persons as may be necessary to take steps, for prevention, control and abatement of environmental pollution in the River Ganga;
- for carrying out and sponsoring investigations and research relating to problems of environmental pollution in the River Ganga and examination of such manufacturing processes, material and substance as are likely to cause environmental pollution;
- for collection and dissemination of information in respect of matters relating to environmental pollution in the River Ganga and preparation of manual, codes or guide relating to the prevention, control and abatement of environmental pollution;

And whereas the State Governments concerned, being equally responsible for Ganga rejuvenation, are required to co-ordinate and implement the river conservation activities at the State level, and to take steps for comprehensive management of the River Ganga in their States;

And whereas it is required to have planning, financing, monitoring and coordinating authorities for strengthening the collective efforts of the Central Government and the State Governments and authorities under this Order for effective abatement of pollution and rejuvenation, protection and management of the River Ganga;

Now, therefore, in exercise of the powers conferred by sub-section (1), read with clauses (i), (ii), (v), (vi), (vii), (viii), (ix), (x), (xii) and (xiii) of sub-section (2) and (3) of section 3 and sections 4,5,9,10,11, 19, 20 and 23 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the Act) and in supersession of the notifications of the Government of India in the erstwhile Ministry of Environment and Forests numbers S.O.1111(E), dated the 30<sup>th</sup> September, 2009, S.O. 2493 (E), dated the 30<sup>th</sup> September, 2009, S.O. 2494 (E), dated the 30<sup>th</sup> September 2009, S.O. 2495 (E), dated the 30<sup>th</sup> September 2009, S.O. 287 (E) dated the 8<sup>th</sup> February, 2010 and in the Ministry of Water Resources, River Development and Ganga Rejuvenation No. S.O. 2539 (E), dated the 29<sup>th</sup> September 2014, except as respects things done or omitted to be done before such supersession, the Central Government hereby-----

(i)constitutes the authorities by the names mentioned in this Order for the purpose of exercising and performing such of the powers and functions (including the power to issue directions under section 5 of the Act and for taking measures with respect to the matters as mentioned in this Order;

(ii)directs, subject to the supervision and control of the Central Government and the provisions of this Order, such authority or authorities as specified in this Order that shall exercise the powers or perform the functions or take the measures so mentioned in this Order as if such authorities had been empowered by the Act to exercise those powers, perform those functions, or take such measures;

(iii)directs that all its powers and functions (except the power to constitute any authority under sub-section (3) of section 3 and to make rules under the sections 6 and 25 of the Act) under any provision of the Act shall, in relation to River Ganga and matters connected therewith, be exercisable and discharged also by the authorities constituted by this Order and by the officers specified in this Order, subject to such conditions and limitations and to the extent as specified in this Order.

**1.Short title and commencement.** – (1) This Order may be called the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016.

(2) It shall come into force on the date of its publication in the Official Gazette.

**2. Applicability.-** This Order shall apply to the States comprising River Ganga Basin, namely, Himanchal Pradesh, Uttarakhand, Uttar Pradesh, Madhya Pradesh, Chhattisgarh, Bihar, Jharkhand, Haryana, Rajasthan, West Bengal and the National Capital Territory of Delhi and such other States, having major tributaries of the River Ganga as the National Council for Rejuvenation, Protection and Management of River Ganga may decide for the purpose of effective abatement of pollution and rejuvenation, protection and management of the River Ganga.

**3.Definitions.-** (1) In this Order, unless the context otherwise requires, -

(a) “Act” means the Environment (Protection) Act, 1986 (29 of 1986);

(b) “Basin” means the entire catchment of a water body or water course including the soil, water, vegetation and other natural resources in the area and includes land, water, vegetation and other natural resources on a catchment basis;

(c) “Buffer Area” means an area which extends beyond the flood plain of a stream;

(d) “catchment” or “catchment area” includes the entire land area whose runoff from rain, snow or ice drains into a water body or a water course, before the water course joins River Ganga or its tributaries or discharges water into River Ganga or its tributaries;

(e) “commercial fishing” means large scale fishing for commercial purposes by nets, poisoning, or other modern fishing gear or methods in River Ganga or its tributaries;

(f) Competent authority means “Central Government”

(g) “deforestation” means removal or reduction of forest cover, especially when caused by anthropogenic activities or removal of trees and other vegetation of a forest excluding a planned clearance for scientific management of forest in particular in the catchment area of River Ganga;

(h) “degraded forest” means a forest having loss or reduction of native forest cover or vegetation density in the catchment area abutting River Ganga or its tributaries;

(i) “direction” shall mean direction issued under section 5 of the Act and the expression “direct” shall be construed accordingly;

(j) “District Ganga Committee” means the District Ganga Protection Committee mentioned in paragraph 53;

(k) “engineered diversion” means a structure or device constructed or installed to transfer the water of River Ganga or its tributaries into canals or other engineering structures;

- (l) "flood plain" means such area of River Ganga or its tributaries which comes under water on either side of it due to floods corresponding to its greatest flow or with a flood of frequency once in hundred years;
- (m) "Ghat" means sloping part at Bank of River Ganga or its tributaries with artificially constructed steps or sloping piece of land used for providing easy human access to water of River Ganga or its tributaries and includes usage of such parts for religious or other related purposes;
- (n) "local authority" includes Panchayati raj institutions, municipalities, a district board, cantonment board, town planning authority or Zila Parishad or any other body or authority, by whatever name called, for the time being invested by law, for rendering essential services or with the control and management of civic services, within a specified local area;
- (o) "National Mission for Clean Ganga" means the authority mentioned in paragraph 31.
- (p) "notification" means a notification published in the Official Gazette and the expression 'notifying' shall be construed accordingly;
- (q) "offensive matter" consists of solid waste which includes animal carcasses, kitchen or stable refuse, dung, dirt, putrid or putrefying substances and filth of any kind which is not included in the sewage;
- (r) "person" include ----
- (i) an individual or group or association of individuals whether incorporated or not;
  - (ii) a company established under the Companies Act, 2013 (18 of 2013);
  - (iii) any corporation established by or under any Central or State Act;
  - (iv) a local authority;
  - (v) every juridical person not falling within any of the preceding sub-clauses;
- (s) "River Bed" means the dried portion of the area of River Ganga or its tributaries and includes the place where the River Ganga or its tributaries run its course when it fills with water and includes the land by the side of River Ganga or its tributaries which retains the water in its natural channel, when there is the greatest flow of water;
- (t) "River Bed Farming" includes seasonal agriculture or farming on the River Bed of River Ganga or its tributaries during low flows of water;
- (u) "River Ganga" means the entire length of six head-streams in the State of Uttarakhand namely, Rivers Alakananda, Dhauli Ganga, Nandakini, Pinder, Mandakini and Bhagirathi starting from their originating glaciers up to their respective confluences at Vishnu Prayag, Nand Prayag, Karn Prayag, Rudra Prayag, and Dev Prayag as also the main stem of the river thereafter up to Ganga Sagar including Prayag Raj and includes all its tributaries;
- (v) "rubbish" means ashes, broken brick, mortar, broken glass, dust or refuse of any kind and includes filth;
- (w) "sand mining" means large scale removal of river sand from the dried channel belt, flood plain or a part of River Ganga or its tributaries;
- (x) "sewage effluent" means effluent from any sewerage system or sewage disposal works and includes sewage from open drains;
- (y) "sewerage scheme" means any scheme which a local authority may introduce for removal of sewage by flushing with water through underground closed sewers;
- (z) "Schedule" means Schedule appended to this Order;
- (za) "specified District" means an area of every District abutting the River Ganga, being within a radius of fifteen kilometers of the Ganga River Bank or its tributaries in the States of Himachal Pradesh, Uttarakhand, Uttar Pradesh, Madhya Pradesh, Chhattisgarh, Bihar, Jharkhand, Haryana, Rajasthan, West Bengal and the National Capital Territory of Delhi and such other States, having major tributaries of the River Ganga as referred to in this Order;
- (zb) "State Ganga Committee" means the State Ganga Rejuvenation, Protection and Management Committee constituted under this Order for each of the States mentioned in paragraph 2.
- (zc) State Ganga River Conservation Authority means an authority earlier constituted in each State under the Act as follows, namely:-
- (i) the Bihar State Ganga River Conservation Authority constituted by the notification of the Government of India in the Ministry of Environment and Forests number S.O287 (E), dated 8<sup>th</sup> February 2010;
  - (ii) the Jharkhand State Ganga River Conservation Authority constituted by the notification of the Government of India in the Ministry of Environment and Forests number S.O2495(E), dated 30<sup>th</sup> September 2009;

- (iii) the Uttarakhand State Ganga River Conservation Authority constituted by the notification of the Government of India in the Ministry of Environment and Forests number S.O 1111 (E), dated 30<sup>th</sup> September 2009;
- (iv) the Uttar Pradesh State Ganga River Conservation Authority constituted by the notification of the Government of India in the Ministry of Environment and Forests number S.O2493 (E), dated 30<sup>th</sup> September 2009; and
- (v) the West Bengal State Ganga River Conservation Authority constituted by the notification of the Government of India in the Ministry of Environment and Forests number S.O2494 (E), dated 30<sup>th</sup> September 2009.
- (zd) "stream" includes river, water course (whether flowing or for the time being dry), inland water (whether natural or artificial) and sub-terrain waters;
- (ze) "tributaries of River Ganga" means those rivers or streams which flow into River Ganga and includes Yamuna River, Son River, Mahananda River, Kosi River, Gandak River, Ghaghara River and Mahakali River and their tributaries or such other rivers which National Council for Rejuvenation Protection and Management of River Ganga may, by notification, specify for the purposes of this Order.

2. The words and expressions used herein and not defined but defined in the Environment (Protection) Act, 1986 (29 of 1986) shall have the meanings respectively assigned to them in the Act.

**4. Principles to be followed for rejuvenation, protection and management of River Ganga.** – (1) The following principles shall be followed in taking measures for the rejuvenation, protection and management of River Ganga, namely:-

- (i) the River Ganga shall be managed as a single system;
- (ii) the restoration and maintenance of the chemical, physical, and biological quality of the waters of River Ganga shall be achieved in a time bound manner;
- (iii) the River Ganga shall be managed in an ecologically sustainable manner;
- (iv) the continuity of flow in the River Ganga shall be maintained without altering the natural seasonal variations;
- (v) the longitudinal, lateral and vertical dimensions (connectivities) of River Ganga shall be incorporated into river management processes and practices;
- (vi) the integral relationship between the surface flow and sub-surface water (ground water) shall be restored and maintained;
- (vii) the lost natural vegetation in catchment area shall be regenerated and maintained;
- (viii) the aquatic and riparian biodiversity in River Ganga Basin shall be regenerated and conserved;
- (ix) the bank of River Ganga and its flood plain shall be construction free Zone to reduce pollution sources, pressures and to maintain its natural ground water recharge functions;
- (x) the public participation in rejuvenation, protection and management, revision and enforcement of any regulation, standard, effluent limitation plan, or programme for rejuvenation, protection and management shall be encouraged and made an integral part of processes and practices of

River Ganga rejuvenation, protection and management.

(2) National Mission for Clean Ganga may, having regard to the needs of the people of the country, advances in technology and socio economic conditions of the people and to preserve the rich heritage of national composite culture, specify additional principles in addition to the principles specified under sub-paragraph (1).

**5. Ecological flow of water in River Ganga to be maintained.** – (1) Every State Government, shall endeavor to ensure that uninterrupted flows of water are maintained at all times in River Ganga as required under clause (iv) of paragraph (4).

(2) Every State Government shall also endeavor to maintain adequate flow of water in River Ganga in different seasons to enable River Ganga to sustain its ecological integrity and to achieve the goal, all concerned authorities shall take suitable actions in a time bound manner.

(3) For the purposes of this paragraph, the average flow of water shall be determined by such Hydrology Observation Stations at such points of the River Ganga, as may be specified by the National Mission for Clean Ganga:

Provided that the average flow of water in River Ganga may, having regard to ecology, be determined by the National Mission for Clean Ganga for different points of River Ganga.

**6. Prevention, control and abatement of environmental pollution in River Ganga and its tributaries.-** (1) No person shall discharge, directly or indirectly, any untreated or treated sewage or sewage sludge into the River Ganga or its tributaries or its banks:

Provided that where a local authority does not have, on the date of commencement of this Order, sewerage scheme or infrastructure for collection, storage, transportation and disposal of sewage or sewage sludge or such infrastructure is not functional on the said date in an area abutting the River Ganga or its tributaries, every such local authority shall, within a period, specified by National Mission for Clean Ganga from the date of commencement of this Order, develop such infrastructure or make such infrastructure functional, as the case may be, for collection, storage, transportation and disposal of sewage in the territorial area of the local authority.

(2) No person shall discharge, directly or indirectly, any untreated or treated trade effluent and industrial waste, bio-medical waste, or other hazardous substance into the River Ganga or its tributaries or on their banks:

Provided further that where an industry or industrial area management does not have, on the date of commencement of this Order, industrial effluent treatment scheme or infrastructure for collection, storage, transportation and disposal of trade effluents industrial waste, bio-medical waste, or other hazardous substance, etc. or such infrastructure is not functional on the said date in an area abutting the River Ganga or its tributaries, every such industry or industrial area management shall, within a period so specified by the National Mission for Clean Ganga from the date of commencement of this Order, develop such infrastructure or make such infrastructure functional, as the case may be, for collection, storage, transportation and disposal of trade effluent and industrial waste, bio-medical waste, or other hazardous substance in the jurisdiction of the industry or industrial area management.

(3) No person shall construct any structure, whether permanent or temporary for residential or commercial or industrial or any other purposes in the River Ganga, Bank of River Ganga or its tributaries or active flood plain area of River Ganga or its tributaries:

Provided that in exceptional circumstances like natural calamities or religious events at traditional locations, temporary structures can be raised after prior permission of the National Mission for Clean Ganga acting through the State Ganga Committee and the District Ganga Committee:

Provided further that in case any such construction has been completed, before the commencement of this Order, in the River Bank of River Ganga or its tributaries or active flood plain area of River Ganga or its tributaries, the National Mission for Clean Ganga shall review such constructions so as to examine as to whether such constructions are causing interruption in the continuous flow of water or pollution in River Ganga or its tributaries, and if that be so, it shall cause for removing them.

(4) No person shall do any act or carry on any project or process or activity which, notwithstanding whether such act has been mentioned in this Order or not, has the effect of causing pollution in the River Ganga.

(5) It shall be the duty of the National Mission for Clean Ganga, every Specified State Ganga Committee or specified District Ganga Protection Committee, local authority and all other authorities and persons to disseminate widely and bring to public notice, using various means, information captured in reports and the aforesaid measures in the local language in every village, town, city and other areas abutting River Ganga and its tributaries.

**7. Emergency measures in case of pollution of River Ganga or its tributaries ---** If any poisonous, noxious or polluting matter is present or has entered into the River Ganga due to any accident or other unforeseen act or event, and it is necessary or expedient to take immediate action, the National Mission for Clean Ganga shall take immediate action for carrying out such operations or direct for carrying out such operations by the specified State Ganga Committee or specified District Ganga Committee or local authority or any other authority or Board or Corporation, as it may consider necessary for all or any of the following purposes, namely; -

(a) the manner of removing the matter from River Ganga and disposing it off in such a manner as it may specify, as also, for carrying out such operations as is considered appropriate for mitigation or removal of any pollution caused by such matter;

(b) issuing directions restraining or prohibiting any person concerned from discharging any poisonous, noxious or polluting matter in the River Ganga;

(c) undertaking any additional work or functions as may be necessary to address such emergency.

**8. Power to issue directions. -** The National Mission for Clean Ganga shall, in the exercise of its powers and performance or its functions under this Order, issue such 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 or person and they shall be bound to comply with such directions.

**9. Ganga safety audit.-** Every District Ganga Committee shall cause the Ganga safety audit to be carried out by such Ganga Safety Auditors within such time frame and in accordance with such protocols as may be specified by the

National Mission for Clean Ganga for the area of the River Ganga abutting such district and forward the copy of the report of such safety audit along with remedial action taken thereon to the concerned State Ganga Committee and the National Mission for Clean Ganga, which shall take appropriate action thereon, if required.

**10. Pollution in River Ganga and its tributaries to be monitored.-** (1) The pollution in River Ganga and its tributaries shall be monitored by the National Mission for Clean Ganga on its own or by directions through various State and Central Government agencies by use of satellite imagery and other remote sensing technologies as well as physical stations, online monitoring and independent agencies at a periodicity to be specified by it.

(2) Notwithstanding the provisions of sub-paragraph (1), the Central Government may assign the function of monitoring of pollution in River Ganga and its tributaries to any other agency or body or direct, having regard to advances in technology, to monitor the aforesaid pollution in River Ganga and its tributaries by adopting any other technique or method, as may be specified in the direction.

**11. Constitution of National Council for Rejuvenation, Protection and Management of River Ganga.** - With effect from the date of commencement of this Order, there shall be constituted an authority by the name to be called the National Council for Rejuvenation, Protection and Management of River Ganga, (hereinafter in this Order called as the National Ganga Council) for the purposes of the Act and to exercise powers and discharge functions as specified in this Order and the Act.

**12. Composition of National Ganga Council.-**The National Ganga Council shall consist of the following members, namely:-

(a) Prime Minister	- Chairperson, <i>ex-officio</i>
(b) Union Minister for Water Resources, River Development and Ganga Rejuvenation	- Vice-Chairperson, <i>ex-officio</i>
(c) Union Minister for Environment, Forests and Climate Change	- Member, <i>ex-officio</i> ;
(d) Union Minister for Finance	- Member, <i>ex-officio</i> ;
(e) Union Minister for Urban Development	- Member, <i>ex-officio</i> ;
(f) Union Minister for Power	- Member, <i>ex-officio</i> ;
(g) Union Minister for Science and Technology	- Member, <i>ex-officio</i> ;
(h) Union Minister for Rural Development	- Member, <i>ex-officio</i> ;
(i) Union Minister for Drinking Water and Sanitation	- Member, <i>ex-officio</i> ;
(j) Union Minister for Shipping	- Member, <i>ex-officio</i> ;
(k) Union Minister of State for Tourism	- Member, <i>ex-officio</i> ;
(l) Vice Chairman, NITI Aayog	- Member, <i>ex-officio</i> ;
(m) Chief Minister, Bihar	- Member, <i>ex-officio</i> ;
(n) Chief Minister, Jharkhand	- Member, <i>ex-officio</i> ;
(o) Chief Minister, Uttarakhand	- Member, <i>ex-officio</i> ;
(p) Chief Minister, Uttar Pradesh	- Member, <i>ex-officio</i> ;
(q) Chief Minister, West Bengal	- Member, <i>ex-officio</i> ;
(r) Secretary, Ministry of Water Resources, River Development and Ganga Rejuvenation	- Member, <i>ex-officio</i> ;
(s) Director General, National Mission for Clean Ganga	- Member Secretary, <i>ex-officio</i> .

(2) The National Ganga Council may co-opt one or more Chief Ministers from the States not represented in the National Ganga Council having major tributaries of River Ganga, which are likely to affect the water quality in the River Ganga, as Member.

(3) The National Ganga Council may also co-opt one or more Union Ministers, if it considers necessary, as Member.

(4) The National Ganga Council may consult experts and expert organisations or institutions in the field of river rejuvenation, river ecology and river management, hydrology, environmental engineering, social mobilisation and other relevant fields.

(5) The Headquarter of the National Ganga Council shall be at New Delhi or at such other place as it may decide.

(6) The National Ganga Council shall have its Secretariat in the National Mission for Clean Ganga.

(7) The Central Government in the Ministry of Water Resources, River Development and Ganga Rejuvenation shall serve as the nodal Ministry.

**13. Dissolution of National Ganga River Basin Authority** --- (1) On and from the date of constitution of the National Ganga Council in paragraph 11, the National Ganga River Basin Authority constituted by Notification of the Ministry of Water Resources, River Development and Ganga Rejuvenation, number S.O 2539 (E), dated the 29<sup>th</sup> September 2014 shall stand dissolved.

(2) All things done or omitted to be done or actions taken or any money spent or authorised to be spent by the National Ganga River Basin Authority before such dissolution shall be deemed to have been done or taken under the corresponding provisions of this Order.

**14. Superintendence, direction and control of management of River Ganga to vest in National Ganga Council.** The National Ganga Council shall, notwithstanding anything contained in this Order, be overall responsible for the superintendence, direction, development and control of River Ganga and the entire River Basin (including financial and administrative matters) for the protection, prevention, control and abatement of environmental pollution in River Ganga and its rejuvenation to its natural and pristine condition and to ensure continuous adequate flow of water in the River Ganga and for matters connected therewith.

**15. Jurisdiction of National Ganga Council.** The jurisdiction of the National Ganga Council shall extend to the areas mentioned in paragraph 2.

**16. Meetings of National Ganga Council.** (1) National Ganga Council may regulate its own procedure for transacting its business including its meetings.

(2) The Chairperson of the National Ganga Council shall preside over its meetings and in his absence, its Vice-Chairperson shall, preside over the meetings of the National Ganga Council and conduct its business.

(3) The Vice-Chairperson shall have the power to take decisions necessary for the National Ganga Council to achieve its objectives, in between the conduct of the two meetings of the Council subject to ratification in the next meeting.

(4) The National Ganga Council shall meet at least once every year or more as it may deem necessary.

**17. Constitution of Empowered Task Force on River Ganga as authority.** (1) With effect from the date of commencement of this Order, there shall be constituted an authority by the name to be called the Empowered Task Force on River Ganga for the purposes of the Act and to exercise powers and discharge functions as specified in this Order and the Act.

(2) The Empowered Task Force on River Ganga shall consist of the following members, namely:-	
(a) Union Minister for Water Resources, River Development and Ganga Rejuvenation	- Chairperson, <i>ex-officio</i> ;
(b) Union Minister of State for Water Resources, River Development and Ganga Rejuvenation	- Vice-Chairperson, <i>ex-officio</i> ;
(c) Secretary in the Ministry of Water Resources, River Development and Ganga Rejuvenation	- Member, <i>ex-officio</i>
(d) Secretary in the Ministry of Finance (Department of Expenditure)	- Member, <i>ex-officio</i> ;
(e) Chief Executive Officer, Niti Ayog	- Member, <i>ex-officio</i> ;
(f) Chief Secretary, State of Uttarakhand	- Member, <i>ex-officio</i> ;
(g) Chief Secretary, State of Uttar Pradesh	- Member, <i>ex-officio</i> ;
(h) Chief Secretary, State of Bihar	- Member, <i>ex-officio</i> ;
(i) Chief Secretary, State of Jharkhand	- Member, <i>ex-officio</i> ;
(j) Chief Secretary, State of West Bengal	- Member, <i>ex-officio</i> ;
(k) Director General, National Mission for Clean Ganga	- Member-Secretary

(3) The Empowered Task Force on River Ganga may also co-opt one or more Secretary in the Union Ministries or the Chief Secretary of any other State concerned, if it considers necessary, as member

(4) The Empowered Task Force on River Ganga shall meet at least once every three months or more as it may deem necessary.

(5) The administrative and technical support to the Empowered Task Force on River Ganga shall be provided by the Central Government in the Ministry of Water Resources, River Development and Ganga Rejuvenation which shall be the nodal Ministry for the purposes of such administrative and technical support.

**18. Functions and powers of Empowered Task Force on River Ganga. –**

(1) The Empowered Task Force on River Ganga shall co-ordinate and advise on matters relating to rejuvenation, protection and management of River Ganga and its tributaries.

(2) In particular and without prejudice to the generality of the provisions of sub-paragraph (1), the functions and powers of the Empowered Task Force on River Ganga may include measures with respect to all or any of the following matters in rejuvenation, protection and management of River Ganga, namely:-

(a) ensuring that the Ministries, Departments and State Governments concerned have -

- (i) an action plan with specific activities, milestones, and timelines for achievement of the objective of rejuvenation and protection of River Ganga;
- (ii) a mechanism for monitoring implementation of its action plans;

(b) co-ordination amongst the Ministries and Departments and State Governments concerned for implementation of its action plans in a time bound manner;

(c) to monitor the implementation process, address bottlenecks, suggest and take such decisions as may be necessary to ensure speedy implementation;

(d) all projects under the ambit of Namami Gange including ongoing projects funded domestically and through external assistance;

(e) discharge of such other functions or exercise of such powers as may be considered necessary for achievement of the objective of rejuvenation, protection and management of River Ganga or as may be assigned to it by the Central Government or specified by the National Ganga Council;

**19. Approval for projects exceeding value of rupees one thousand crore.-**

(1) The Empowered Task Force on River Ganga shall be responsible for the approval of every project exceeding a value of rupees one thousand crore, as amended from time to time.

(2) The Empowered Task Force on River Ganga may constitute a sub-committee of officials amongst its members for the purpose of sub-paragraph (1)

**20. Constitution and Composition of Specified State Ganga Rejuvenation, Protection and Management Committees as authorities.-** With effect from the date of commencement of this Order, these shall be constituted, in each State as specified in paragraph 2, an authority to be called the State Ganga Rejuvenation, Protection and Management Committee, which shall consist of a Chairperson and other members as specified in the Schedule to exercise powers and discharge functions as specified in this Order and the Act.

**21. Meetings of State Ganga Committee. –** (1) Every State Ganga Committee may regulate its own procedure for transacting its business including its meetings.

(2) Every State Ganga Committee shall convene its meetings at least once in every three months' time.

(3) The Chairperson of the State Ganga Committee shall preside over its meetings and in his absence, the said Committee shall elect its Vice-Chairperson who shall, preside over the meetings of the State Ganga Committee and conduct its business.

**22. Superintendence, direction and control over Committee.-** The superintendence, direction and control of the District Ganga Committees shall, notwithstanding anything contained in this Order, vest in the State Ganga Committee, for the purposes of rejuvenation, protection, prevention, control and abatement of environmental pollution in River Ganga and its tributaries so as to rejuvenate the River Ganga to its natural and pristine condition and ensure continuous and adequate flow of water in River Ganga and for protection and management of River Ganga in the States concerned.

**23. Decisions of State Ganga Committee to be binding.-** The decision taken at the meetings of the State Ganga Committee shall, notwithstanding anything contained in this Order, be binding upon every District Ganga Committee and every local authority or other authority or Board or person referred to in such decision and they shall comply with the decisions of the State Ganga Committee.

**24. Powers, duties and functions of State Ganga Committees.-** (1) Every State Ganga Committee shall, subject to the provisions of the Act and rules made or directions issued thereunder, have the power to take all such measures, including those in paragraphs 6, 7 and 8, as it deems necessary or expedient for effective abatement of pollution and conservation

of the River Ganga and for implementing the decisions or directions of the National Ganga Council and National Mission for Clean Ganga.

(2) The State Ganga Committee shall implement various programmes and projects of the National Ganga Council and National Mission for Clean Ganga.

(3) In particular and without prejudice to the generality of the provisions of sub-paragraphs (1) and (2), such measures may include all or any of the following matters, namely:-

(a) coordination and implementation of the conservation activities relating to River Ganga including augmentation of sewerage infrastructure, catchment area treatment, protection of flood plains, creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the River Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the State concerned;

(b) implementation of the river basin management plan in the concerned State;

(c) maintenance of minimum ecological flows in the River Ganga in the concerned State and actions thereon;

(d) entry and inspection under section 10 and power to take sample under section 11 of the Act for the purpose of exercising and performing its functions under this Order.

(4) The State Ganga Committee shall undertake all the emergency measures mentioned in paragraph 7.

(5) The State Ganga Committee shall have the powers to issue directions under section 5 of the Act.

(6) The powers and functions of the State Ganga Committee shall be without prejudice to any of the powers conferred upon the State Government under any Central or State Act, being not inconsistent with the provisions of the Act.

**25. Monitoring execution of plans and programmes of District Ganga Committees.-** Every State Ganga Committee shall monitor the execution of plans, programmes, and projects of all their District Ganga Protection Committees and those of other authorities and submit progress in respect thereof to the National Mission for Clean Ganga.

**26. Preparation of consolidated reports of all District Ganga Committees and taking remedial measures in respect thereof.-** (1) Every State Ganga Committee shall prepare a consolidated report of all District Ganga Protection Committees, local authorities or other authorities or Board or Corporation or person for every quarter indicating therein in respect of each specified District abutting River Ganga and its tributaries, ----

(a) the status of the plans being executed and measures taken by them and any other activity relating to the health of River Ganga and its tributaries;

(b) the quality of water in River Ganga and its tributaries in each specified District and remedial action in respect thereof;

(c) any interruption of flow in the River Ganga in each specified District and reasons therefor;

(d) remedial measures taken on the complaints made to the District Ganga Committee or local authorities or other authorities;

(e) adverse report as reported by Ganga safety auditors in each specified District;

(f) any other information relevant to the health of River Ganga and its tributaries.

(2) The report referred to in sub-paragraph (1) shall be submitted within one month at the end of each year to the State Ganga Committee and National Mission for Clean Ganga along with remedial action thereof.

**27. Conducting of Ganga safety audit and submission of such audit reports by State Ganga Committees.-** (1) It shall be the duty of the State Ganga Committees to conduct or causes to be conducted, through the District Ganga Committees, the Ganga safety audit and submit report of the Ganga safety audit to the National Mission for Clean Ganga along with the remedial action taken thereon and also make available the same in public domain and exhibit the same at its website.

(2) The Ganga safety audit shall include such particulars and be done at such intervals (save as otherwise provided in this Order) and in such manner as may be specified, by notification, by the National Mission for Clean Ganga.

**28. State Ganga Committee to be nodal agency.-** The State Ganga Committee shall be the State-wide nodal agency in the State for the implementation of the provisions of this Order and for effective abatement of pollution and rejuvenation, protection and management of the River Ganga and its tributaries.

**29. State Ganga Committees to be bound by direction of National Ganga Council and National Mission for Clean Ganga.-** Every State Ganga Committee, without prejudice to the foregoing provisions of this Order, shall, in exercise of its powers or the performance of its functions under this Order, be bound by the decisions or such directions (including those relating to technical and administrative matters) as the National Ganga Council and the National Mission for Clean

Ganga may give in writing to it from time to time for abatement of pollution and rejuvenation, protection and management of the River Ganga.

**30. Dissolution of State Ganga River Conservation Authorities and State Executive Committees.-** (1) With effect from the date of constitution of the State Ganga Committees, the respective State Ganga River Conservation Authorities and the respective State Executive Committees constituted before the commencement of this Order shall stand dissolved.

(2) All things done or omitted to be done or actions taken or any money spent or authorised to be spent by the authorities and committees under sub-paragraph (1) before such dissolution shall be deemed to have been done or taken under the corresponding provisions of this Order.

**31. Constitution of National Mission for Clean Ganga as an authority.-**(1) With effect from the date of commencement of this Order, the National Mission for Clean Ganga, a society registered under the Societies Registration Act, 1860 (21 of 1860), shall be an authority constituted under the Act, by the same name for the purposes of the Act and to exercise powers and discharge functions as specified under this Order and the Act and the rules made or directions issued thereunder.

(2) The composition of the National Mission for Clean Ganga shall be as specified in paragraph 35.

**32. Area of operation of National Mission for Clean Ganga.-** The area of operation of the National Mission for Clean Ganga shall be the areas mentioned in paragraph 2.

**33. National Mission for Clean Ganga to be nodal agency.-** The National Mission for Clean Ganga shall be the nodal agency for the nationwide implementation of the provisions of this Order and for effective abatement of pollution and rejuvenation, protection and management of the River Ganga and its tributaries.

**34. National Mission for Clean Ganga to be an empowered organization.-** The National Mission for Clean Ganga shall be an empowered organisation with two tier management having administrative, appraisal and approval powers and duties, functions and powers as specified in this Order.

**35. Composition of National Mission for Clean Ganga.-** The National Mission for Clean Ganga shall have a two-tier management structure and it shall comprise of the Governing Council and the Executive Committee.

(1) The Governing Council shall consist of the following members, namely:-

(a)	Director General of National Mission for Clean Ganga	Chairman, <i>ex-officio</i>
(b)	Joint Secretary, Ministry of Water Resources, River Development and Ganga Rejuvenation	Member, <i>ex-officio</i>
(c)	Joint Secretary, Ministry of Urban Development	Member, <i>ex-officio</i>
(d)	Joint Secretary, Ministry of Environment, Forests and Climate Change	Member, <i>ex-officio</i>
(e)	Joint Secretary, Department of Expenditure	Member, <i>ex-officio</i>
(f)	Representative of NITI Aayog (not below Joint Secretary)	Member, <i>ex-officio</i>
(g)	Chairman, Central Pollution Control Board	Member, <i>ex-officio</i>
(h)	Principal Secretary, Urban Development, Government of Bihar	Member, <i>ex-officio</i>
(i)	Principal Secretary, Urban Development, Government of Jharkhand	Member, <i>ex-officio</i>
(j)	Principal Secretary, Urban Development, Government of Uttar Pradesh	Member, <i>ex-officio</i>
(k)	Principal Secretary, Peyjal, Government of Uttarakhand	Member, <i>ex-officio</i>
(l)	Principal Secretary, Urban Development, Government of West Bengal	Member, <i>ex-officio</i>
(m)	Executive Director (Deputy Director General), National Mission for Clean Ganga	Member, <i>ex-officio</i>
(n)	Executive Director (Technical), National Mission for Clean Ganga	Member, <i>ex-officio</i>

(o)	Executive Director (Finance), National Mission for Clean Ganga	Member, <i>ex-officio</i>
(p)	Executive Director (Projects), National Mission for Clean Ganga	Member, <i>ex-officio</i>
(q)	Executive Director (Administration), National Mission for Clean Ganga	Member- Secretary.

(2) The Executive Committee constituted out of the Governing Council, shall consist of the following members, namely:-

- (a) Director General, National Mission for Clean Ganga – Chairperson, *ex-officio*;
- (b) Joint Secretary, Department of Expenditure – Member, *ex-officio*;
- (c) Representative of NITI Aayog (not below Joint Secretary) – Member, *ex-officio*;
- (d) Principal Secretary of the State concerned – Member, *ex-officio*;
- (e) Executive Director (Deputy Director General)  
National Mission for Clean Ganga – Member, *ex-officio*;
- (f) Executive Director (Finance)  
National Mission for Clean Ganga – Member, *ex-officio*;
- (g) Executive Director (Technical)  
National Mission for Clean Ganga – Member, *ex-officio*;
- (h) Executive Director (Projects)  
National Mission for Clean Ganga – Member, *ex-officio*;
- (i) Executive Director (Administration)  
National Mission for Clean Ganga – Member, *ex-officio*;

(3) The Director General, National Mission for Clean Ganga may, if he considers necessary, may associate with the Executive Committee, any other member from the Governing Council.

(4) The Governing Council may constitute a sub-committee from out of its members and also by associating some technical experts for appraisal of the projects.

(5) The representative of the State concerned shall also be one of the members of sub-committee.

(6) Half of the members of the Governing Council shall form the quorum.

36. (1) All approvals up to one thousand crores rupees shall be granted by the Executive Committee and it shall report to the Governing Council at least once in three months.

(2) The Sub-Committee of the Governing Council shall appraise the project only after completion of Third Party Appraisal of the project by technical experts or consortium of recognized institutes or Indian Institutes of Technology, as the case may be.

(3) The Third Party Appraisal shall be for all projects irrespective of their value.

### 37. Appointment of Director General and Executive Directors of National Mission for Clean Ganga.-

- (1) Director General, National Mission for Clean Ganga shall be appointed by the Central Government who shall be equivalent to the rank of Additional Secretary or Secretary to the Government of India and his terms and conditions of services shall be determined by Central Government.
- (2) The Executive Director (Finance) shall be appointed on deputation from any of the organised accounts services in the Central Government in the rank equivalent to Joint Secretary to Government of India in accordance with the recruitment rules of the said services.
- (3) National Mission for Clean Ganga shall have at least one position for each of the Executive Directors in the rank of Joint Secretary to Government of India.
- (4) One of the Executive Directors shall be designated as Deputy Director General of the National Mission for Clean Ganga and he shall be appointed by the Central Government.
- (5) None of the nominated members of the Executive Committee shall be below the rank of Joint Secretary in Government of India.

38. Duty of National Mission for Clean Ganga.- It shall be the duty of the National Mission for Clean Ganga to -

- (i) follow the principles laid down in paragraph 4

- (ii) comply with the decisions and directions of the National Ganga Council and implement the Ganga Basin Management Plan approved by it;
- (iii) co-ordinate all activities for rejuvenation and protection of River Ganga in a time bound manner as directed by the National Ganga Council;
- (iv) do all other acts or abstain from doing certain act which may be necessary for rejuvenation and protection of River Ganga and its tributaries.

**39. Functions of National Mission for Clean Ganga.-** (1) Without prejudice to the provisions of this Order, the National Mission for Clean Ganga shall identify or cause to be identified -

- (a) the specific threats to the River Ganga in areas in each village and town of such specified District abutting River Ganga and its tributaries, including sewerage and industrial waste, cremation and burial of corpses and disposal of animal carcasses, and threats from commercial, recreational and religious activities;
- (b) the type of measures required to address such threat in each village and town of all districts abutting River Ganga and its tributaries;
- (c) the specific areas where such remedial actions are required to be taken for rejuvenation and protection of River Ganga and its tributaries.
- (d) the measures which may be necessary for reuse of treated water and enter in to Memorandum of Understanding in this regard with the Ministries of the Central Government like Railways, Power, Petroleum and Natural Gas etc., State Governments, autonomous bodies at the Central and State level, recognized Institutes and organizations which the National Mission for Clean Ganga may deem fit.

(2) The National Mission for Clean Ganga shall make or cause to make the River Ganga Basin Management Plan along with cost, timelines and allocation of responsibilities, among other things, for rejuvenation and protection of River Ganga and its tributaries in each village and town of specified District abutting River Ganga and its tributaries and execute projects there for.

(3) The National Mission for Clean Ganga shall -----

- (a) cause to be determined the magnitude of ecological flows in the River Ganga and its tributaries required to be maintained at different points in different areas at all times with the aim of ensuring water quality and environmentally sustainable rejuvenation, protection and management of River Ganga and its tributaries and notifying the same and take or direct all such measures necessary to maintain adequate ecological flows;
- (b) cause to be identified places where the environmental flow of water of River Ganga has been modified and take measures for correction thereof to maintain the continuous flow of water for rejuvenation, protection and management of River Ganga and its tributaries;
- (c) identify places of discontinuity of water in River Ganga and its tributaries due to engineered diversion of water or storage of water or by any other means and execute plans in respect thereof or take remedial action therefor;
- (d) devise a system to be put in place for continuous monitoring of flow of water and pollution levels in River Ganga and its tributaries;
- (e) take all such measures which may be necessary to give effect to the decisions of the National Ganga Council so as to maintain adequate ecological flows in the River Ganga and tributaries;
- (f) render assistance or cause them to be rendered by any agency for preparation of detailed project reports or execution of projects for abatement of pollution and rejuvenation, protection and management of the River Ganga and its tributaries to the State Governments, the State Ganga Committees, District Ganga Committees or local authorities or any person or body, any authority, Board or Corporation;
- (g) set up or facilitate setting up or designate and direct one or more existing centers to research, develop and disseminate knowledge base and analytical tools on abatement of pollution and rejuvenation, protection and management of River Ganga and its tributaries;
- (h) take any other measures which may be necessary for continuous flow of water and abatement of pollution in River Ganga and its tributaries

(4) The National Mission for Clean Ganga shall take all such other emergency measures as outlined in paragraph 7.

**40. Establishment of River Ganga Monitoring Centres at suitable locations along River Ganga and its tributaries.-** The National Mission for Clean Ganga may identify the places in the River Ganga Basin and establish at such places or designate any existing laboratory or station or institute as Centres to be called the "River Ganga

Monitoring Centre" for monitoring amongst other things, continuous flow of water and pollution levels as required under this Order and such Centre shall report immediately to the National Mission for Clean Ganga for taking remedial action therefor.

**41. Powers of National Mission for Clean Ganga.-** (1) The National Mission for Clean Ganga being the national agency charged with the role, responsibility and powers to facilitate the task of rejuvenation, protection and management of River Ganga and its tributaries, under the supervision and direction of the National Ganga Council, shall recommend to the National Ganga Council or Central Government for issuing directions or issue directions itself, to the State Ganga Committees or District Ganga Committees or local authority or any other authority or any person, institution, consortium or agency, as it may decide, for the rejuvenation, protection and management of River Ganga and have the power to take all such measures and discharge such functions as it may deem necessary or expedient for prevention, control and abatement of environmental pollution in River Ganga and its tributaries so as to rejuvenate the River Ganga to its natural and pristine condition and ensure continuous and adequate flow of water in River Ganga and for protection and management of River Ganga and for matters connected therewith.

(2) In particular and without prejudice to the generality of the provisions of sub-paragraph (1), and save as otherwise provided in this Order, such directions may include all or any of the following matters in the management of River Ganga, namely:-

- (a) fulfillment of the functions mentioned in paragraph 55 in accordance with the principles in paragraph 4;
  - (b) formulate, with the approval of the Central Government, the National policy for effective abatement of pollution and rejuvenation, protection and management of River Ganga;
  - (c) enter into memorandum of understanding, with the approval of the Central Government, with any country or foreign agency for effective implementation of the River Ganga Basin Management Plan for rejuvenation, protection, prevention, control and abatement of pollution in the River Ganga and its tributaries;
  - (d) approve, with or without modifications, the River Ganga Basin Management Plan and direct amendments, if any, to be made therein;
  - (e) supervise and review the progress reports, and issue directions to the State Ganga Committees, District Ganga Committees or local authorities and other authorities in the implementation of the River Ganga Basin Management Plan and any other matter connected with affairs of the River Ganga and its tributaries;
  - (f) approve the planning, financing and execution of programmes for abatement of pollution in the River Ganga including augmentation of sewerage and effluent treatment infrastructure, catchment area treatment, protection of flood plains, creating public awareness, conservation of aquatic and riparian life and biodiversity and such other measures for promoting environmentally sustainable river rejuvenation;
  - (g) coordination, monitoring and review of the implementation of various programmes or activities taken up for prevention, control and abatement of pollution and protection and management in the River Ganga and its tributaries;
  - (h) direct any person or authority to take measures for restoration of river ecology and management in the River Ganga Basin States;
  - (i) recommend to the Central Government, for creation of special purpose vehicles (whether as a company under the companies Act, 2013(18 of 2013) or Societies Registration Act, 1860 (21 of 1860) or a Trust under the Indian Trust Act, 1882 (2 of 1882)), as may be considered appropriate, for implementation of this Order and for the purposes of the Act;
  - (j) take such measures as may be necessary for the better co-ordination of policy and action to ensure effective prevention, control and abatement of pollution, rejuvenation and protection and management in the River Ganga and its tributaries;
  - (k) issue such directions to any person or authority, as it may consider necessary, for proper or prompt execution of the projects or cancel such projects or stop release of funds or direct refund of amount already released and assign the same to any other person or authority or Board or Corporation for prompt execution thereof;
  - (l) direct any person or authority to maintain such books of account or other documents, without prejudice to any law for the time being in force, as may be specified by the National Mission for Clean Ganga;
  - (m) take such other measures which may be necessary for achievement of prevention, control and abatement of pollution, rejuvenation and protection and management in the River Ganga and its tributaries;
- (3) The National Mission for Clean Ganga shall have the power to issue directions mentioned under section 5 of the Act.
- (4) The National Mission for Clean Ganga may evolve an appropriate mechanism for implementation of its decisions and the decisions of the National Ganga Council.

**42. Giving of prior approval in certain matters.-** Every person, the State Ganga Committees, District Ganga Protection Committees, local authorities and other authorities shall obtain prior approval of the National Mission for Clean Ganga, on the following matters, relating to River Ganga and any area abutting River Ganga or its tributaries, if required to implement the decisions of the National Ganga Council, namely:-

- (a) engineered diversion and storage of water in River Ganga without affecting the flow of water downstream of the River Ganga;
- (b) construction of bridges and associated roads and embankments over the River Ganga or at its River Bank or its flood plain area;
- (c) construction of Ghats or extension of any existing Ghat;
- (d) construction of jetties;
- (e) construction of permanent hydraulic structures for storage or diversion or control of waters or channelisation of River Ganga or its tributaries;
- (f) deforestation of hill slopes and notified forest and other eco-sensitive areas;
- (g) any other activity which contravenes the principles laid out in paragraph 4 which the National Mission for Clean Ganga may specify.

**43. Financial framework.-** (1) The budgetary allocation shall be utilised by the National Mission for Clean Ganga for meeting expenses in connection with the discharge of its functions, objects and purposes and establishment expenditure: Provided that the money received by way of grants, loans and borrowings shall be expended for the specific purpose for which such grants, loans and borrowings have been received.

(2) The National Mission for Clean Ganga shall maintain proper accounts and other relevant records and prepare an annual expenditure statement.

(3) The audit of National Mission for Clean Ganga accounts shall be done by the Comptroller and Auditor-General of India and after completion of annual audit, the audit agency shall furnish annual audit certificate.

(4) The affairs of National Mission for Clean Ganga shall be subject to the control of Central Vigilance Commission and there shall be a Vigilance Officer to look after vigilance related matters.

(5) The annual expenditure statement with the audit report shall be forwarded annually to the Empowered Task Force, and the Central Government for being laid before each House of Parliament.

**44. Engagement of legal experts.-** The National Mission for Clean Ganga shall have proper legal set up for which it may engage legal experts, consultants and legal firms as may be necessary for advising it on legal matters and providing support for discharging its duties.

**45. Scrutiny of reports.-** All the reports relating to its activities and reports received from the State Ganga Committees, District Ganga Committees, local authority, Board, Corporation or any person shall be scrutinised by the National Mission for Clean Ganga and placed by it along with its views on the matters mentioned in such report before the National Ganga Council for soliciting its guidance thereon, if required.

**46. Consolidated report of Ganga Safety audit.-** The National Mission for Clean Ganga shall prepare and submit a consolidated report of the Ganga safety audits of River Ganga to the National Ganga Council along with the remedial action taken thereon and also make available the same in public domain and exhibit the same at its website.

**47. Powers of National Mission for Clean Ganga to call for information, conduct inspection, publish reports, etc.-**

(1) Where the National Mission for Clean Ganga considers it expedient so to do under section 5 of the Act, it may, by order in writing:-

(a) call upon any State Ganga Committees, District Ganga Protection Committees, local authority, other authority, Board, Corporation or person, who has been allotted any project for execution or connected with such project or utilisation of funds, at any time, to furnish in writing or make public for dissemination such information or explanation relating to such project allotted for execution or executed or utilisation of fund allotted as the National Mission for Clean Ganga may require; or

(b) appoint one or more persons or any authority to make an inquiry in relation to project allotted for execution or executed or utilisation of fund allotted; or

(c) direct any of its officers or employees or the officers or employees of the Central Government or State Government or any other authority to inspect the books of account or other documents of the State Ganga Committees, District Ganga

Committees, local authority, other authority, Board, Corporation or person related to any project allotted for execution or executed or utilisation of funds; or

(d) require any person, officer, State Government or authority to furnish to it any reports, returns, statistics, accounts and other information and such person, officer, State Government or other authority shall be bound to do so.

**48. Financing and implementation model.**— The National Mission for Clean Ganga shall develop and constantly refine financial models that would improve the performance and sustainability of projects, and which can be adopted by the State Ganga Committees, District Ganga Committees, local authority, other authority or person for abatement of pollution and rejuvenation, protection and management of the River Ganga.

**49. Preparation of consolidated reports.**— (1) The National Mission for Clean Ganga shall, on the basis of the reports and other information forwarded by the State Ganga Committees, District Ganga Committees, local authorities, other authorities, Board, Corporation or person, prepare a consolidated report every year indicating therein in respect of each specified District abutting River Ganga and its tributaries.—

(a) the status of the plans being executed and measures taken by them and any other activity relating to the health of River Ganga and its tributaries;

(b) the quality of water in River Ganga and its tributaries and remedial action in respect thereof;

(c) any interruption of water in the River Ganga and reasons therefor;

(d) condition of River Bed and flood plains and habitat in the specified District;

(e) remedial measures taken on the complaints received from public by the District Ganga Committee or local authorities;

(f) threats remaining to be addressed by them with remedial action proposed therefor;

(g) report if any as reported by Ganga safety auditors;

(h) all other information relevant about the health of River Ganga and its tributaries.

(2) The National Mission for Clean Ganga shall submit a consolidated report referred to in sub-paragraph (1) after review thereof to the Empowered Task Force along with remedial action thereof.

**50. Annual report.**— (1) The National Mission for Clean Ganga shall, within three months of the end of every year, prepare an annual report of all work undertaken by it and by the Empowered Task Force on River Ganga, the State Ganga Committees, District Ganga Committees, concerned local authorities, other authorities, Board, Corporation or persons during the immediately preceding year.

(2) The National Mission for Clean Ganga shall include under separate parts in its annual report referred to in sub-paragraph (1), all works undertaken by it and the Empowered Task Force on River Ganga, the State Governments, the State Ganga Committees, District Ganga Committees, concerned local authorities, other authorities, Board, Corporation or person, and forward the said annual report to the National Ganga Council and the Central Government and also make available in public domain and exhibit at its website.

**51. Constitution of Committees.**— The National Mission for Clean Ganga may, constitute one or more River Ganga Management Committees from amongst its members and such experts in the field of rivers or water as it may consider appropriate for the efficient discharge of its functions under this Order.

**52. Soliciting guidance.**— In case any difficulty arises in implementing decisions of the National Ganga Council or the provisions of this Order, it shall be duty of the National Mission for Clean Ganga to solicit the guidance of the National Ganga Council and take appropriate action accordingly.

**53. Constitution of District Ganga Protection Committees.**— (1) The Central Government shall immediately after the commencement of this Order, in consultation with concerned State Ganga Committee, by notification constitute, in every specified District abutting River Ganga and its tributaries in the States mentioned in paragraph 2, the “District Ganga Committees” for the prevention, control and abatement of environmental pollution in the River Ganga.

(2) Every District Ganga Committee in each specified District shall consist of the following members, namely:—

(a) the District Collector in the specified District; - Chairperson, ex-officio;

(b) not more than two nominated representatives from Municipalities and Gram Panchayats of the specified District nominated by the State Government. - Members;

(c) one representative each of the Public Works, Irrigation, Public Health Engineering, and Rural Drinking Water Departments, and State Pollution Control Board working in the specified District abutting River Ganga to be nominated by the District Collector	- Member, ex-officio;
(d) two environmentalists associated with River Ganga protection activities and one representative of local industry association in the specified District to be nominated by the District Collector	- Members,;
(e) one Divisional Forest Officer of the specified District	- Member, ex-officio
(f) one District official to be nominated by the District Collector.	- Member;

(2) The District Collector shall be the Chairperson of the District Ganga Committee and the Divisional Forest Officer shall be the Convener of the District Ganga Committee.

(3) The District Ganga Committees shall meet at such times and at such places as the Chairperson of that Committee may decide and exercise such powers and functions as may be conferred under this Order:

Provided that at least one meeting of the District Ganga Committee shall be held every three months.

(4) A non ex-officio member may resign his office by giving notice in writing thereof to the Central Government or to the District Collector concerned, as the case may be, and shall cease to be a member on his resignation being accepted by the Government or the District Collector concerned, as the case may be.

**54. Superintendence, direction and control of District Ganga Committee.-** The superintendence, direction and control of the management of the District Ganga Committee (including financial and administrative matters) shall, notwithstanding anything contained in this Order, vest in the National Mission for Clean Ganga which may be exercised by it either directly or through the State Ganga Committee or any of its officer or any other authority specified by it.

**55. Functions and powers of District Ganga Committees.-** (1) Every District Ganga Committee shall discharge functions and exercise powers for rejuvenation, protection, restoration and rehabilitation of River Ganga and its tributaries in each specified District as laid out in paragraph 6 and 7 as per the principles specified in paragraph 4.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1) for rejuvenation and protection and restoration or rehabilitation of degraded areas abutting River Ganga and its tributaries and subject to other provisions of this Order and rules made thereunder, every District Ganga Committee shall have the following powers and functions in relation to River Ganga and its tributaries abutting in the area in specified District, namely:-

(a) identifying activities which may be threats in the area of specified District abutting the River Ganga for protection of River Ganga and its tributaries or its River bed and making a plan for remedial action and take remedial action in respect thereof;

(b) taking remedial action at its own end for protection of River Ganga and its tributaries or its River bed abutting in the specified District (excluding enforcement of the provisions of this Order)

(c) in the event of its inability to take remedial action, reporting (electronically as well as by sending written communication in hard copy) to the National Mission for Clean Ganga and concerned State Government, the State Ganga Committee, as the case may be, for issue of direction for protection of River Ganga and to formulate appropriate management or remedial actions.

(d) taking suitable administrative and other measures, to give effect to the provisions of this Order so as to prevent the environmental pollution in the River Ganga and its tributaries, not being inconsistent with the provisions of this Order, or any law for the time being in force.

(3) In case, the District Ganga Committee is of the opinion that any contravention has been made of any other law for the time being in force or in respect of provisions of this Order, it shall take appropriate action in accordance with the law for the time being in force.

(4) The District Ganga Committee shall take all such emergency measures as specified in paragraph 7.

**56. Designation of Nodal Officer.-** (1) Every District Ganga Committee shall nominate as Nodal Officer for the purposes of this Order -

(a) the Sarpanch of Gram Sabha of every village in the areas abutting the River Ganga and its tributaries;

(b) in case of an area, not being village abutting the River Ganga, the Chairperson of Municipality Planning Committee or Metropolitan Planning Committee or Chairperson of any local authority, as the Chairperson of the District Ganga Committee.

(2) Every Nodal Officer nominated under sub-paragraph (1) shall take measures to prevent the pollution of River Ganga and its tributaries and take remedial action for protection of River Ganga and its tributaries or their River bed abutting in such village or other area, as the case may be, of which he is the Nodal Officer and in case of his failure to do so, he shall report the violation of this Order to the Chairperson of the District Ganga Committee for remedial action.

(3) After receipt of the report under sub-paragraph (2), the Chairperson of the District Ganga Committee shall take remedial action for protection of River Ganga or its River bed abutting the specified District.

**57. Preparation of plans.-** (1) Every District Ganga Committee shall prepare its plan for protection of River Ganga and its tributaries and their River bed abutting the specified District and submit the same to the National Mission for Clean Ganga for its approval.

(2) The plan under sub-paragraph (1) shall include the activities to be undertaken by the District Ganga Committee for protection, control and abatement of environmental pollution in River Ganga and its tributaries and their River Bed area abutting the specified District which may be recommended by the State Government, State Ganga Committees, the National Mission for Clean Ganga, any other authority or Board and the expenditure involved for such plan and time within which such activities shall be completed.

**58. Preparation of budget and maintenance of accounts.-** Every District Ganga Committee shall prepare its budget for every financial year indicating therein the funds required and purposes for which such funds shall be spent and the time limit within which the activity mentioned in the budget shall be completed and submit to concerned State Ganga Committee under intimation to National Mission for Clean Ganga and such Committee shall ensure proper maintenance of accounts as directed by National Mission for Clean Ganga, for audit by the Comptroller and Auditor-General of India or any other agency appointed by the Comptroller and Auditor-General of India and such accounts shall be subject to inspection by National Ganga Council, National Mission for Clean Ganga, State Ganga Committee or any of their appointed entities.

**59. Monthly and annual reports.-** (1) Every District Ganga Committee shall, submit monthly and annual reports to the National Ganga Council, National Mission for Clean Ganga and State Ganga Committee as directed by National Mission for Clean Ganga within specified timelines.

(2) In addition to the annual report referred to in sub-paragraph (1), the District Ganga Committee shall furnish to the National Mission for Clean Ganga at such time and in such form and manner it may direct to furnish such other returns, statements and other particulars in regard to any proposed or existing programme for the River Ganga Basin Plan for the abutting area in the specified District.

**60. Budget allocation.-** The National Mission for Clean Ganga shall consolidate and prepare the budget requirement and submit the same to the Ministry of Water Resources, River Development and Ganga Rejuvenation.

**61. Direction by Central Government.-** Notwithstanding anything contained in this Order, it shall be lawful for the Central Government to issue directions in writing to the Ministries or Departments of the Government of India, or the State Government or the State Ganga Committees, the National Mission for Clean Ganga or District Ganga Committees, or local authority or other authority or statutory bodies or any of its officers or employees, as the case may be, to facilitate or assist in the rejuvenation, protection and management of River Ganga and its tributaries in such manner as it may direct, and such Ministry or Department or Authority or Mission or Board, Committee or Government or statutory body, officer or employee shall be bound to comply with such directions.

**62. Making of complaint under section 19 of the Act.-** All the authorities constituted under this Order or their officers authorised by such authorities may make complaint before the court under section 19 of the Act for taking cognizance of any offence under the said section.

**63. Order to be in addition to other laws.-** The provisions of this Order are without prejudice to the discharge of functions by any local authority or other authority or Board or corporation or any person for taking measures for the purposes of effective abatement of pollution and rejuvenation of the River Ganga and its protection and management and any other law for the time being in force.

## SCHEDULE

[See paragraph 20]

## COMPOSITION OF STATE GANGA COMMITTEES

Serial No.	Name of the State Ganga Committee	Composition of the State Ganga Committees
(1)	(2)	(3)
1.	(Name) State Ganga Protection and Management Committee	(a) Chief Secretary, Government of State of (Name) - Chairperson, ex-officio;
		(b) Principal Secretary, Department of Finance, Government of State of (Name) - Member, ex-officio;
		(c) Principal Secretary, Department of Urban Development and Housing, Government of (Name) - Member, ex-officio;
		(d) Principal Secretary, Department of Environment and Forests, Government of State of (Name) - Member, ex-officio
		(e) Principal Secretary, Department of Water Resources, Government of State of (Name) - Member, ex-officio;
		(f) Principal Secretary, Department of Public Health Engineering, Government of State of (Name) - Member, ex-officio
		(g) Chairman, (Name) State Pollution Control Board - Member, ex-officio;
		(h) Chief Executive Officer of executing agency in the State of (Name) - Member, ex-officio;
		(i) Principal Chief Conservator of Forests, Government of State of (Name) - Member, ex-officio;
		(j) not more than five experts from relevant fields to be nominated by the Government of (Name) - Members

[F. No. Estt-01/2016-17/111/NMCG]

SANJAY KUNDU, Jt. Secy.

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# भारत का राजपत्र

## The Gazette of India

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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

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जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय

(राष्ट्रीय स्वच्छ गंगा मिशन)

आदेश

नई दिल्ली, 21 मई, 2019

**का.आ. 1793(अ).**—केंद्र सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धाराओं (2) और (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा गंगा नदी (संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण आदेश, 2016 को संशोधित करने के लिए निम्नलिखित आदेश देती है:-

1. (1) इस आदेश को गंगा नदी (संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण (संशोधन) आदेश, 2019 कहा जाएगा।  
(2) यह आधिकारिक राजपत्र में प्रकाशन की तारीख से लागू होगा।
2. गंगा नदी (संरक्षण, सुरक्षा और प्रबंधन) आदेश, 2016 के अनुच्छेद 56, उप अनुच्छेद (1) के खंड (बी) में लिखे शब्दों "किसी भी स्थानीय प्राधिकारी, जिला गंगा समिति के अध्यक्ष के रूप में" के स्थान पर शब्दों "किसी भी स्थानीय प्राधिकारी" को प्रतिस्थापित किया जाएगा।

[फा. सं. स्था. 01/2016-17/111/एन एम सी जी (खंड-III)]

राजीव किशोर, कार्यकारी निदेशक (प्रशासन)

**नोट:** प्रमुख आदेश भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (ii), का.आ. 3187 (अ), दिनांक 7 अक्टूबर, 2016 को प्रकाशित किया गया था।

**MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA  
REJUVENATION****(National Mission for clean Ganga)****ORDER**New Delhi, the 21<sup>st</sup> May, 2019

**S.O.1793(E).** — In exercise of the powers conferred by sub-sections (2) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following Order to amend the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016, namely: —

1. (1) This Order may be called the River Ganga (Rejuvenation, Protection and Management) Authorities (Amendment) Order, 2019.  
(2) It shall come into force on the date of its publication in the Official Gazette.
2. In the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016, in paragraph 56, in sub-paragraph (1), in clause (b), for the words “any local authority, as the Chairperson of the District Ganga Committee”, the words “any local authority” shall be substituted.

[F. No. Estt.01/2016-17/111/NMCG-Vol-III]

RAJIV KISHORE, Executive Director (Admin.)

**Note:** The principal Order was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), *vide* number S.O. 3187 (E), dated the 7<sup>th</sup> October, 2016.



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, सोमवार, सितम्बर 2, 2019/भाद्र 11, 1941

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NEW DELHI, MONDAY, SEPTEMBER 2, 2019/BHADRA 11, 1941

जल शक्ति मंत्रालय

(जल संसाधन, नदी विकास और गंगा संरक्षण विभाग)

(राष्ट्रीय स्वच्छ गंगा मिशन)

आदेश

नई दिल्ली, 2 सितम्बर, 2019

**का.आ. 3163(अ).**—केंद्रीय सरकार, गंगा नदी में पर्यावरण, प्रदूषण की रोकथाम, नियंत्रण और उपशमन के लिए उपाय करने का और निरंतर पर्याप्त जल प्रवाह को सुनिश्चित करने का आशय रखती है जिससे गंगा नदी का पुनरुद्धार करके इसे इसकी प्राकृतिक और पुरातन अवस्था में लाया जा सके;

और, जबकि उपरोक्त लक्ष्य को प्राप्त करने के लिए केंद्रीय सरकार ने केंद्रीय, राज्य और जिला स्तरों पर विभिन्न प्राधिकरणों के गठन करने का विनिश्चय किया है।

और, जबकि केंद्रीय सरकार के तत्कालीन जल संसाधन नदी विकास और गंगा संरक्षण मंत्रालय ने भारत के राजपत्र, भाग-2, खंड 3, उप-खंड (ii), तारीख 7 अक्टूबर, 2016 में प्रकाशित अधिसूचना सं. का. आ. 3187 (अ) तारीख 7 अक्टूबर, 2016 द्वारा गंगा नदी (संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण आदेश, 2016 किया था ;

जबकि राष्ट्रपति ने संविधान के अनुच्छेद 77 के खंड (3) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए भारत सरकार (कार्य का आवंटन) तीन सौ और पचासवां संशोधन नियम, 2019 बनाया और एक नया मंत्रालय अर्थात् "जल शक्ति मंत्रालय" सृजित किया जिसको अन्य बातों के साथ-साथ, जल संसाधन, नदी विकास और गंगा संरक्षण से संबंधित उन विषयों का आवंटन किया जिन्हें उक्त मंत्रालय द्वारा प्रशासित किया जाए ;

और जबकि, जल शक्ति मंत्रालय के सृजन के परिणामस्वरूप, केंद्रीय सरकार द्वारा उक्त अधिसूचना में और उसमें अंतर्विष्ट गंगा नदी ( संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण आदेश, 2016 में आवश्यक परिणामी संशोधन करने का विनिश्चय लिया गया है ;

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(1)

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अतः, अब, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 के 29) की धारा 3 की उप-धारा (2) और उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिसूचना में निम्नलिखित संशोधन करती है और उसमें अंतर्विष्ट गंगा नदी (संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण के आदेश, 2016 का और संशोधन करती है, अर्थात् ;

1. संक्षिप्त नाम और प्रारंभ — (1) इस आदेश का संक्षिप्त नाम गंगा नदी ( संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण (दूसरा संशोधन) आदेश, 2019 है।  
(2) यह, राजपत्र में, इसके प्रकाशन की तारीख को प्रवृत्त होगा।
2. उक्त अधिसूचना में, "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शीर्षक के स्थान पर "जल शक्ति मंत्रालय" शीर्षक रखा जाएगा।
3. गंगा नदी (संरक्षण, सुरक्षा और प्रबंधन) प्राधिकरण आदेश, 2016 में (जिसे इसमें इसके पश्चात् उक्त आदेश कहा गया है), प्रस्तावना के अब, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (इसके बाद उक्त अधिनियम कहा गया है) की धारा 3 तथा 4,5,9, 10, 11,19,20 और 23 की उपधारा (2) तथा (3) के अनुच्छेद (i), (ii), (v), (vii), (viii), (ix), (x), (xii) तथा (xiii) के साथ उपधारा (i) द्वारा दी गयी शक्तियों के प्रयोग करते हुए शब्दों के साथ प्रारम्भ होने वाले है तथा "केंद्रीय सरकार एतद्वारा" शब्दों के साथ समाप्त होने वाले पैरा में "जल संसाधन मंत्रालय" शब्दों के स्थान पर, "तत्कालीन जल संसाधन मंत्रालय" शब्द रखे जाएंगे।
4. उक्त आदेश के पैरा 12 में,  
(क) उप-पैरा (1) के स्थान पर निम्नलिखित रखा जाएगा:  
(1) राष्ट्रीय गंगा परिषद में निम्नलिखित सदस्य होंगे :

क)	प्रधान मंत्री	-अध्यक्ष, पदेन;
ख)	केंद्रीय जल शक्ति मंत्री	-उपाध्यक्ष, पदेन;
ग)	केंद्रीय पर्यावरण, वन एवं जलवायु परिवर्तन मंत्री	-सदस्य, पदेन
घ)	केंद्रीय वित्त मंत्री	-सदस्य, पदेन
ङ)	केंद्रीय आवास और शहरी कार्य मंत्री	-सदस्य, पदेन
च)	केंद्रीय विद्युत मंत्री	-सदस्य, पदेन
छ)	केंद्रीय विज्ञान एवं प्रौद्योगिकी मंत्री	-सदस्य, पदेन
ज)	केंद्रीय ग्रामीण विकास मंत्री	-सदस्य, पदेन
झ)	केंद्रीय पोत परिवहन मंत्री	-सदस्य, पदेन
ञ)	केंद्रीय पर्यटन राज्य मंत्री	-सदस्य, पदेन
ट)	उपाध्यक्ष नीति आयोग	-सदस्य, पदेन
ठ)	मुख्य मंत्री, बिहार	-सदस्य, पदेन
ड)	मुख्य मंत्री, झारखंड	-सदस्य, पदेन
ढ)	मुख्य मंत्री, उत्तराखंड	-सदस्य, पदेन
ण)	मुख्य मंत्री, उत्तर प्रदेश	-सदस्य, पदेन
त)	मुख्य मंत्री, पश्चिमी बंगाल	-सदस्य, पदेन
थ)	सचिव, जल संसाधन, नदी विकास और गंगा संरक्षण विभाग	-सदस्य, पदेन
द)	सचिव, पेय जल एवं स्वच्छता विभाग	-सदस्य, पदेन
ध)	सचिव, आवास और शहरी कार्य	-सदस्य, पदेन
न)	सचिव, कृषि एवं किसान कल्याण विभाग	-सदस्य, पदेन
त)	महानिदेशक, राष्ट्रीय स्वच्छ गंगा मिशन	-सदस्य सचिव, पदेन

(ख) उप-पैरा (7) में, "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शब्दों के स्थान पर, "जल शक्ति मंत्रालय" शब्द रखे जाएंगे।

5. उक्त आदेश के पैरा 17 में —

(ख) उप-पैरा (2) में, मद (क), (ख) और (ग) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्;

(क) केंद्रीय जल शक्ति मंत्री	-अध्यक्ष, पदेन;
(ख) केंद्रीय जल शक्ति राज्य मंत्री	-उपाध्यक्ष, पदेन;
(ग) सचिव, जल संसाधन, नदी विकास और गंगा संरक्षण विभाग	सदस्य, पदेन;";

(ख) उप-पैरा (5) में, "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शब्दों के स्थान पर "जल शक्ति मंत्रालय (जल संसाधन, नदी विकास और गंगा संरक्षण विभाग)" शब्द और कोष्ठक रखे जाएंगे।

6. उक्त आदेश के पैरा 35 के उप-पैरा (1) में, मद (ख) और मद (ग) और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्;

(ख) संयुक्त सचिव, जल संसाधन, नदी विकास और गंगा संरक्षण विभाग	-सदस्य, पदेन;
(ग) संयुक्त सचिव, आवास और शहरी कार्य विभाग	-सदस्य, पदेन;

7. उक्त आदेश के पैरा 60 में, "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शब्दों के स्थान पर "जल संसाधन, नदी विकास और गंगा संरक्षण विभाग" शब्द रखे जाएंगे।

[फा. सं. स्था. 01/2016-17/0111/एनएमसीजी-खंड-तृतीय]

राजीव किशोर, कार्यकारी निदेशक (प्रशासन)

**टिप्पण :** मूल आदेश, भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उप-खंड (ii) में अधिसूचना संख्या का.आ. 3187 (अ), तारीख 7 अक्टूबर, 2016 और अंतिम बार अधिसूचना संख्या का.आ. 1793 (अ), तारीख 21 मई, 2019 द्वारा संशोधित किया गया था, द्वारा प्रकाशित किया गया था।

## MINISTRY OF JAL SHAKTI

(Department of Water Resources, River Development and Ganga Rejuvenation)

(NATIONAL MISSION FOR CLEAN GANGA)

### ORDER

New Delhi, the 2nd September, 2019

**S.O. 3163(E).**—Whereas, the Central Government intends to take measures for prevention, control and abatement of environmental pollution in river Ganga and to ensure continuous adequate flow of water so as to rejuvenate the river Ganga to its natural and pristine condition;

And whereas, to achieve the aforesaid objective, the Central Government decided to constitute various authorities at Central, State and District levels;

And whereas, *vide* notification number S.O. 3187 (E), dated the 7<sup>th</sup> October, 2016 published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 7<sup>th</sup> October, 2016, the Government of India in the erstwhile Ministry of Water Resources, River Development and Ganga Rejuvenation made the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016;

And whereas, in exercise of the Powers conferred by clause (3) of article 77 of the Constitution, the President made the Government of India (Allocation of Business) Three Hundred and Fiftieth Amendment Rules, 2019 and created a new Ministry, namely "Ministry of Jal Shakti (Jal Shakti (Mantralaya), *inter alia*,

allocating the subject matters relating to water resources, river development and Ganga rejuvenation to be administered by the said Ministry;

And whereas, consequent upon the creation of the Ministry of Jal Shakti, it has been decided by the Central Government to make necessary consequential amendments in the said notification and in the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 contained therein;

Now, therefore, in exercise of the powers conferred by sub-sections (2) and (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendments in the said notification and further amendments in the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 contained therein, namely:—

**1. Short title and commencement.**—(1) This Order may be called the River Ganga (Rejuvenation, Protection and Management) Authorities (Second Amendment) Order, 2019.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the said notification, for the heading “MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT, AND GANGA REJUVENATION”, the heading “THE MINISTRY OF JAL SHAKTI” shall be substituted.

3. In the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 (hereinafter referred to as the said Order), in the preamble, in the paragraph beginning with the words “Now, therefore, in exercise of the powers” and ending with the words “the Central Government hereby”, for the words “Ministry of Water Resources”, the words “erstwhile Ministry of Water Resource” shall be substituted.

4. In the said Order, in paragraph 12,—

(a) for sub-paragraph (1), the following shall be substituted, namely: —

“(1) The National Ganga Council shall consist of the following members, namely:—

(a)	Prime Minister	Chairperson, ex-officio;
(b)	Union Minister for Jal Shakti	-Vice-Chairperson, ex-officio;
(c)	Union Minister for Environment, Forests and Climate Change	-Member, ex-officio;
(d)	Union Minister for Finance	-Member, ex-officio;
(e)	Union Minister for Housing and Urban Affairs	-Member, ex-officio;
(f)	Union Minister for Power	-Member, ex-officio;
(g)	Union Minister for Science and Technology	-Member, ex-officio;
(h)	Union Minister for Rural Development	-Member, ex-officio;
(i)	Union Minister for Shipping	-Member, ex-officio;
(j)	Union Minister of State for Tourism	-Member, ex-officio;
(k)	Vice Chairman, NITI Aayog	-Member, ex-officio;
(l)	Chief Minister, Bihar	-Member, ex-officio;
(m)	Chief Minister, Jharkhand	-Member, ex-officio;
(n)	Chief Minister, Uttarakhand	-Member, ex-officio;
(o)	Chief Minister, Uttar Pradesh	-Member, ex-officio;
(p)	Chief Minister, West Bengal	-Member, ex-officio;
(q)	Secretary, Department of Water Resources, River Development and Ganga Rejuvenation	-Member, ex-officio;
(r)	Secretary, Department of Drinking Water & Sanitation	-Member, ex-officio;

(s)	Secretary, Ministry of Housing and Urban Affairs	-Member,ex-officio;
(t)	Secretary, Department of Agriculture and Farmers' Welfare	-Member,ex-officio;
(u)	Director General, National Mission for Clean Ganga	-Member Secretary, ex-officio.”.

(b) in sub-paragraph (7), for the words “the Ministry of Water Resources, River Development and Ganga Rejuvenation”, the words “the Ministry of Jal Shakti” shall be substituted.

5. In the said Order, in paragraph 17,—

(a) in sub-paragraph (2), for items (a), (b) and (c) and the entries relating thereto, the following shall be substituted, namely:—

“(a) Union Minister for Jal Shakti	-Chairperson, <i>ex-officio</i> ;
(b) Union Minister of State for Jal Shakti	-Vice-Chairperson, <i>ex-officio</i>
(c) Secretary, Department of Water Resources, River Development and Ganga Rejuvenation	-Member, <i>ex-officio</i> .”;

(b) in sub-paragraph (5), for the words “the Ministry of Water Resources, River Development and Ganga Rejuvenation”, the words and brackets “the Ministry of Jal Shakti (Department of Water Resources, River Development and Ganga Rejuvenation)” shall be substituted.

6. In the said Order, in paragraph 35, in sub-paragraph (1), for items (b) and (c) and the entries relating thereto, the following shall be substituted, namely—

“(b) Joint Secretary, Department of Water Resources, River Development and Ganga Rejuvenation	-Member, ex-officio
(c) Joint Secretary, Ministry of Housing and Urban Affairs	-Member, ex-officio”.

7. In the said Order, in paragraph 60, for the words “the Ministry of Water Resources, River Development and Ganga Rejuvenation”, the words “the Department of Water Resources, River Development and Ganga Rejuvenation” shall be substituted.

[F. No. Estt.01/2016-17/0111/NMCG-Vol-III]

RAJIV KISHORE, Executive Director (Admin.)

**Note :** The Principal Order was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide notification number S.O. 3187 (E), dated the 7th October, 2016 and last amended vide notification number S.O. 1793(E), dated the 21st May, 2019.



# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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NEW DELHI, SATURDAY, SEPTEMBER 14, 2019/BHADRA 23, 1941

जल शक्ति मंत्रालय

(जल संसाधन, नदी विकास और गंगा संरक्षण विभाग)

(राष्ट्रीय स्वच्छ गंगा मिशन)

शुद्धिपत्र

नई दिल्ली, 14 सितम्बर, 2019

का.आ. 3287(अ).—भारत सरकार के जल शक्ति मंत्रालय (जल संसाधन, नदी विकास और गंगा संरक्षण विभाग) के का. आ. 3163 (अ) तारीख 2 सितंबर 2019 की अधिसूचना में भारत के राजपत्र में प्रकाशित, असाधारण, भाग II, खंड 3, उपखंड (ii) पृष्ठ 2 पर 21 लाइन के पश्चात सन्निविष्ट करें -

“(घ,क)	केंद्रीय कृषि और किसान कल्याण मंत्री	-सदस्य, पदेन;”
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[फा. सं. स्था. 01/2016-17/0111/एनएमसीजी-खंड-III]

राजीव किशोर, कार्यकारी निदेशक (प्रशासन)

MINISTRY OF JAL SHAKTI

(Department of Water Resources, River Development and Ganga Rejuvenation)

(NATIONAL MISSION FOR CLEAN GANGA)

CORRIGENDUM

New Delhi, the 14th September, 2019

S.O. 3287(E).—In the notification of the Government of India, in the Ministry of Jal Shakti (Department of Water Resources, River Development and Ganga Rejuvenation), number S.O. 3163(E) dated the 2<sup>nd</sup> September, 2019, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (ii), at page 4, after line 28, insert—

“(da)	Union Minister for Agriculture and Farmers Welfare	-Member, ex-officio;”.
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[F. No. Estt. 01/2016-17/0111/NMCG-Vol-III]

RAJIV KISHORE, Executive Director (Admn.)

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(डा. एस. प्रभु)  
(Dr. S. PRABHU)

वैज्ञानिक 'डी'/Scientist 'D'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min. of Environment, Forest and Climate Change

भारत सरकार, नई दिल्ली

Govt. of India, New Delhi

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# भारत का राजपत्र

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मंत्रिमंडल सचिवालय

अधिसूचना

नई दिल्ली, 14 जून, 2019

**का.आ. 1972(अ).**—राष्ट्रपति, संविधान के अनुच्छेद 77 के खण्ड (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार (कार्य-आबंटन) नियम, 1961 का और संशोधन करने के लिए, निम्नलिखित नियम बनाते हैं, अर्थात्:-

1. (1) इन नियमों का नाम भारत सरकार (कार्य-आबंटन) तीन सौ पचासवां संशोधन नियम, 2019 है।
- (2) ये तुरंत प्रवृत्त होंगे।
2. भारत सरकार (कार्य-आबंटन) नियम, 1961 में,-

(1) प्रथम अनुसूची में,-

(क) "1. कृषि एवं किसान कल्याण मंत्रालय" शीर्षक के अधीन, "(iii) पशुपालन और डेयरी विभाग" उप-शीर्षक, और "(iv) मत्स्यपालन विभाग" उप-शीर्षक का लोप किया जाएगा;

(ख) "9कक. पेय जल और स्वच्छता मंत्रालय" शीर्षक का लोप किया जाएगा;

(ग) "13. वित्त मंत्रालय" शीर्षक और उसके अधीन उप-शीर्षकों के पश्चात्, निम्नलिखित शीर्षक और उप-शीर्षक अंतःस्थापित किए जाएंगे, अर्थात्:-

"13क. मत्स्यपालन, पशुपालन और डेयरी मंत्रालय

(i) मत्स्यपालन विभाग

(ii) पशुपालन और डेयरी विभाग";

(घ) "19. सूचना और प्रसारण मंत्रालय" शीर्षक के पश्चात्, निम्नलिखित शीर्षक और उप-शीर्षक अंतःस्थापित किए जाएंगे, अर्थात्:-

"19क. जल शक्ति मंत्रालय

(i) जल संसाधन, नदी विकास और गंगा संरक्षण विभाग

(ii) पेय जल और स्वच्छता विभाग";

(ङ) "41. जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शीर्षक का लोप किया जाएगा।

(2). द्वितीय अनुसूची में,-

(i) "कृषि एवं किसान कल्याण मंत्रालय" शीर्षक के अधीन, "ग. पशुपालन और डेयरी विभाग" उप-शीर्षक, और "घ. मत्स्यपालन विभाग" उप-शीर्षक, तथा उनके अधीन प्रविष्टियों का लोप किया जाएगा;

(ii) "पेय जल और स्वच्छता मंत्रालय" शीर्षक तथा उसके अधीन प्रविष्टियों का लोप किया जाएगा;

(iii) "पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय" के अधीन प्रविष्टि 8 तथा प्रविष्टि 8क का लोप किया जाएगा

(iv) "वित्त मंत्रालय" शीर्षक और उसके अधीन उप-शीर्षकों और प्रविष्टियों के पश्चात्, निम्नलिखित शीर्षक, उप-शीर्षक और प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात्:-

" मत्स्यपालन, पशुपालन और डेयरी मंत्रालय

क. मत्स्यपालन विभाग

भाग-I

निम्नलिखित विषय जो भारत के संविधान की सातवीं अनुसूची की सूची I के अंतर्गत आते हैं:

1. वे उद्योग, जिनके लिए संसद ने विधि द्वारा घोषणा की है कि उन पर संघ का नियंत्रण लोकहित में समीचीन है, वहां तक जहां तक उनका संबंध मछली-दाना और मत्स्य उत्पादों के विकास से है, इस परि सीमा के साथ कि उद्योगों के विकास के संबंध में, मत्स्यपालन विभाग के कृत्य, मांगों के प्रतिपादन और लक्ष्यों के नियतन से अधिक न हों।
2. मछली पकड़ना और मछली पालन (अंतरदेशीय, सामुद्रिक तथा राज्यक्षेत्रीय सागर खंड के परे) और इसके अवसंरचना विकास, विपणन, निर्यात तथा संस्थागत व्यवस्था आदि सहित सहयुक्त क्रियाकलापों का संवर्धन और विकास।
3. मछुआरों तथा अन्य मछुआरा समूह का कल्याण तथा उनकी आजीविका को सुदृढ़ बनाना।
4. मछली पालन के विकास से संबंधित मामलों में अंतर्राष्ट्रीय संगठनों से संपर्क और सहयोग।
5. मछली पालन सांख्यिकी।
6. प्राकृतिक आपदाओं के कारण मछलीधन को हुए नुकसान संबंधी मामले।
7. मछलीधन आयात का विनियमन, करंतीन और प्रमाणीकरण।

## 8. भारतीय मात्स्यिकी सर्वेक्षण, मुंबई।

**भाग-II**

निम्नलिखित विषय, जो भारत के संविधान की सातवीं अनुसूची की सूची III के अंतर्गत आते हैं (केवल विधान की बाबत):

9. मछलियों को हानि पहुंचाने वाले संक्रामक या सांसर्गिक रोगों या नाशक जीवों के एक राज्य से दूसरे राज्य में फैलने का निवारण।
10. राज्य अभिकरणों/ सहकारी संघों के माध्यम से विभिन्न राज्य उपक्रमों, मछली पालन विकास स्कीमों के लिए वित्तीय सहायता का स्वरूप।

**भाग-III**

संघ राज्य क्षेत्रों के लिए, उपर्युक्त भाग I और भाग II में वर्णित विषय जहां तक वे इन राज्य क्षेत्रों की बाबत विद्यमान हैं, और इनके अतिरिक्त, निम्नलिखित विषय जो भारत के संविधान की सातवीं अनुसूची की सूची II के अंतर्गत आते हैं:

11. मछलीधन का परिरक्षण, संरक्षण और उन्नति तथा मछली रोगों का निवारण, पशु-चिकित्सा प्रशिक्षण और व्यवसाय।
12. मछलीधन का बीमा।

**ख. पशुपालन और डेयरी विभाग****भाग-I**

निम्नलिखित विषय जो भारत के संविधान की सातवीं अनुसूची की सूची I के अंतर्गत आते हैं:

1. वे उद्योग जिनके लिए संसद ने विधि द्वारा घोषणा की है कि उन पर संघ का नियंत्रण लोकहित में समीचीन है, वहां तक जहां तक उनका संबंध पशुधन और पक्षी-दाना तथा डेयरी और मुर्गीपालन उत्पादों के विकास से है, इस परिसीमा के साथ कि उद्योगों के विकास के संबंध में पशुपालन और डेयरी विभाग के कृत्य, मांगों के आकलन और लक्ष्यों के नियतन से अधिक न हों।
2. पशुधन, डेयरी और मुर्गीपालन और इसके अवसंरचना विकास, विपणन, निर्यात तथा संस्थागत व्यवस्था आदि सहित सहयुक्त क्रियाकलापों का संवर्धन और विकास।
3. पशुधन, डेयरी और मुर्गीपालन से संबंधित क्रियाकलापों में लगे हुए व्यक्तियों का कल्याण।
4. पशुधन और मुर्गीपालन के विकास से संबंधित मामलों में अंतर्राष्ट्रीय संगठनों से संपर्क और सहयोग।
5. पशुधन गणना।
6. पशुधन सांख्यिकी।
7. प्राकृतिक विपत्तियों के कारण पशुधन को हुए नुकसान संबंधी मामले।
8. पशुधन आयात का विनियमन, पशु करंतीन और प्रमाणीकरण।
9. गौशाला और गौसदन।

10. कांजीहूस और पशु अतिचार से संबंधित मामले ।
11. पशुओं के प्रति क्रूरता का निवारण ।
12. पशुओं के प्रति क्रूरता का निवारण अधिनियम, 1960 (1960 का 59) ।

**भाग- II**

निम्नलिखित विषय जो भारत के संविधान की सातवीं अनुसूची की सूची III के अंतर्गत आते हैं (केवल विधान की बाबत):

13. पशु चिकित्सा व्यवसाय वृत्ति ।
14. पशुओं और पक्षियों को हानि पहुंचाने वाले संक्रामक या सांसर्गिक रोगों या नाशक जीवों के एक राज्य से दूसरे राज्य में फैलने का निवारण ।
15. स्वदेशी प्रजातियों में परिवर्तन लाना; पशुधन की स्वदेशी प्रजातियों के लिए केन्द्रीय यूथ पंजी बनाना एवं उनका रखरखाव ।
16. राज्य अभिकरणों/सहकारी संघों के माध्यम से विभिन्न राज्य उपक्रमों, डेयरी विकास स्कीमों के लिए वित्तीय सहायता का स्वरूप ।

**भाग-III**

संघ राज्य क्षेत्रों के लिए उपर्युक्त भाग I और भाग II में वर्णित विषय जहां तक वे इन राज्य क्षेत्रों की बाबत विद्यमान हैं, और इनके अतिरिक्त निम्नलिखित विषय जो भारत के संविधान की सातवीं अनुसूची की सूची II के अंतर्गत आते हैं:

17. पशु नस्ल का परिरक्षण, संरक्षण और उन्नति तथा पशु और पक्षी रोगों का निवारण, पशु-चिकित्सा प्रशिक्षण और व्यवसाय ।
18. प्रतिपाल्य अधिकरण ।
19. पशुधन और पक्षियों का बीमा ।

**भाग - IV**

20. पशु उपयोग और वध से संबंधित मामले ।
21. चारा विकास ।"

(v) "आवासन और शहरी कार्य मंत्रालय" शीर्षक के अधीन, प्रविष्टि 21 में, "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शब्दों के स्थान पर "जल शक्ति मंत्रालय" शब्द रखे जाएंगे;

(vi) "सूचना और प्रसारण मंत्रालय" शीर्षक तथा उसके अधीन प्रविष्टियों के पश्चात्, निम्नलिखित शीर्षक, उप-शीर्षक तथा प्रविष्टियां अंतःस्थापित की जाएंगी, अर्थात् -

**"जल शक्ति मंत्रालय"****क. जल संसाधन, नदी विकास और गंगा संरक्षण विभाग****I. साधारण**

1. राष्ट्रीय संसाधन के रूप में जल का विकास, संरक्षण और प्रबंध; जल के विविध उपयोगों और नदियों को आपस में जोड़ने के संबंध में जल योजना और समन्वय का संपूर्ण राष्ट्रीय परिप्रेक्ष्य ।

2. राष्ट्रीय जल संसाधन परिषद्।
  3. साधारण नीति, तकनीकी सहायता, अनुसंधान एवं विकास प्रशिक्षण और सिंचाई से संबंधित सभी मामले, जिनके अंतर्गत बहुउद्देशीय, बड़े, मध्यम, लघु और आपातकालिक सिंचाई संकर्म भी आते हैं; नौवहन और जल विद्युत संबंधी जलीय संरचनाएं; नलकूप और भूमि जल का अन्वेषण एवं दोहन; भूमि जल संसाधनों का संरक्षण और परिरक्षण; धरातलीय और भूमि जल का संयुक्त उपयोग, कृषि प्रयोजनों के लिए सिंचाई, जल प्रबंध, कमान क्षेत्र विकास; जलाशयों और जलाशय अवसादन प्रबंध; बाढ़ (नियंत्रण) प्रबंध, जल-निकास, सूखा नियंत्रण, जल-जमाव और समुद्री कटाव समस्याएं; बांध सुरक्षा।
  4. अंतर्राज्यिक नदियों और नदी घाटियों का विनियमन और विकास। स्कीमों के माध्यम से अधिकरणों के पंचाटों का कार्यान्वयन, नदी बोर्ड।
  5. जल विधि, विधायन।
  6. जल गुणवत्ता निर्धारण।
  7. केन्द्रीय जल इंजीनियरी सेवा (समूह क) का काडर नियंत्रण और प्रबंध।
- II. अंतर्राष्ट्रीय पहलू**
8. जल संसाधन विकास और प्रबंध, जल निकास और बाढ़ नियंत्रण से संबंधित अंतर्राष्ट्रीय संगठन, आयोग और सम्मेलन।
  9. अंतर्राष्ट्रीय जल विधि।
  10. भारत और पड़ोसी देशों की साझी नदियों से संबंधित मामले; बंगलादेश के साथ संयुक्त नदी आयोग; सिंधु जल संधि, 1960; स्थायी सिंधु आयोग।
  11. जल संसाधन विकास के क्षेत्र में द्विपक्षीय और बाह्य सहायता तथा सहयोग कार्यक्रम।
- III. विभाग के अधीन संगठन और निकाय**
12. केन्द्रीय जल आयोग।
  13. केन्द्रीय मृदा और सामग्री अनुसंधान केन्द्र।
  14. केन्द्रीय भूमिगत जल बोर्ड।
  15. केन्द्रीय भूमिगत जल प्राधिकरण।
  16. केन्द्रीय जल और विद्युत अनुसंधान केन्द्र।
  17. फरक्का बराज परियोजना।
  18. गंगा बाढ़ नियंत्रण आयोग।
  19. फरक्का बराज परियोजना नियंत्रण बोर्ड।
  20. सरदार सरोवर निर्माण सलाहकार समिति।

21. ब्रह्मपुत्र बोर्ड ।
22. नर्मदा नियंत्रण प्राधिकरण ।
23. बेतवा नदी बोर्ड ।
24. राष्ट्रीय जल-विज्ञान संस्थान ।
25. राष्ट्रीय जल विकास अभिकरण ।
26. बाणसागर नियंत्रण बोर्ड ।
27. तुंगभद्रा बोर्ड ।
28. अपर यमुना नदी बोर्ड ।
29. जल और विद्युत परामर्शी सेवा (भारत) लिमिटेड (वापकोस) ।
30. राष्ट्रीय परियोजना निर्माण निगम लिमिटेड ।
31. राष्ट्रीय गंगा नदी बेसिन प्राधिकरण जिसके अंतर्गत मिशन निदेशालय, स्वच्छ गंगा के लिए राष्ट्रीय मिशन और गंगा संरक्षण से संबंधित अन्य मामले भी हैं ।
32. नदियों का संरक्षण, विकास, प्रबंधन और नदियों के प्रदूषण का उपशमन ।
33. राष्ट्रीय नदी संरक्षण निदेशालय

#### IV. अधिनियमों का प्रशासन

34. उत्तरी भारत नहर और जल-निकास अधिनियम, 1873 (1873 का 8) ।
35. अंतर-राज्यिक जल विवाद अधिनियम, 1956 (1956 का 33) ।
36. नदी बोर्ड अधिनियम, 1956 (1956 का 49) ।
37. बेतवा नदी बोर्ड अधिनियम, 1976 (1976 का 63) ।
38. ब्रह्मपुत्र बोर्ड अधिनियम, 1980 (1980 का 46) ।

#### ख. पेय जल और स्वच्छता विभाग

1. ग्रामीण क्षेत्रों से संबंधित ग्रामीण जल पूर्ति (जल संसाधन, नदी विकास और गंगा संरक्षण विभाग को सौंपे गए जल योजना और समन्वय के संपूर्ण राष्ट्रीय परिप्रेक्ष्य के अधीन रहते हुए), मल व्ययन, जल निकास और स्वच्छता; इस क्षेत्र में अंतरराष्ट्रीय सहयोग और तकनीकी सहायता ।
2. लोक सहकारिता, जिसके अंतर्गत स्वैच्छिक अभिकरणों से संबंधित मामले भी हैं जहां तक उनका संबंध ग्रामीण क्षेत्रों में ग्रामीण जल पूर्ति, मल-व्ययन, जल निकास और स्वच्छता से है ।
3. इस सूची की मदों से संबंधित सहकारी समितियां ।

4. शहरी और ग्रामीण दोनों क्षेत्रों में पेय जल पूर्ति परियोजनाओं और मुद्दों से संबंधित विषयों के संबंध में समन्वय।";
- (vii) "जल संसाधन, नदी विकास और गंगा संरक्षण मंत्रालय" शीर्षक तथा उसके अधीन प्रविष्टियों का लोप किया जाएगा।

राम नाथ कोविन्द  
राष्ट्रपति

[फा. सं. 1/21/7/2019-मंत्रि.]

रचना शाह, संयुक्त सचिव

**CABINET SECRETARIAT  
NOTIFICATION**

New Delhi, the 14<sup>th</sup> June, 2019.

**S.O. 1972(E).**—In exercise of the powers conferred by clause (3) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Government of India (Allocation of Business) Rules, 1961, namely:-

1. (1) These rules may be called the Government of India (Allocation of Business) Three Hundred and Fiftieth Amendment Rules, 2019.
- (2) They shall come into force at once.
2. In the Government of India (Allocation of Business) Rules, 1961,-
  - (1) in THE FIRST SCHEDULE,-
    - (a) under the heading "1. Ministry of Agriculture and Farmers Welfare (Krishi Evam Kisan Kalyan Mantralaya)", the sub-heading "(iii) Department of Animal Husbandry and Dairying (Pashupalan aur Dairy Vibhag)" and sub-heading "(iv) Department of Fisheries (Matsyapalan Vibhag)" shall be omitted;
    - (b) the heading "9AA. Ministry of Drinking Water and Sanitation (Peya Jal aur Swachchhata Mantralaya)" shall be omitted;
    - (c) after the heading "13. Ministry of Finance (Vitta Mantralaya)" and sub-headings thereunder, the following heading and sub-headings shall be inserted, namely:-
 

"13A. Ministry of Fisheries, Animal Husbandry and Dairying (Matsyapalan, Pashupalan aur Dairy Mantryalaya)

      - (i) Department of Fisheries (Matsyapalan Vibhag)
      - (ii) Department of Animal Husbandry and Dairying (Pashupalan aur Dairy Vibhag)";
    - (d) after the heading "19. Ministry of Information and Broadcasting (Soochana aur Prasaran Mantralaya)", the following heading and sub-headings shall be inserted, namely:-
 

"19A. Ministry of Jal Shakti (Jal Shakti Mantralaya)

      - (i) Department of Water Resources, River Development and Ganga Rejuvenation (Jal Sansadhan, Nadi Vikas aur Ganga Sanrakshan Vibhag)
      - (ii) Department of Drinking Water and Sanitation (Peya Jal aur Swachchhata Vibhag)";
    - (e) the heading "41. Ministry of Water Resources, River Development and Ganga Rejuvenation (Jal Sansadhan, Nadi Vikas aur Ganga Sanrakshan Mantralaya)" shall be omitted.
  - (2) in THE SECOND SCHEDULE,-
    - (i) under the heading "MINISTRY OF AGRICULTURE AND FARMERS WELFARE (KRISHI EVAM KISAN KALYAN MANTRALAYA)", the sub-heading "C. DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING (PASHUPALAN AUR DAIRY VIBHAG)" and the sub-heading "D. DEPARTMENT OF FISHERIES (MATSYAPALAN VIBHAG)", and entries thereunder shall be omitted;
    - (ii) the heading "MINISTRY OF DRINKING WATER AND SANITATION (PEYA JAL AUR SWACHCHHATA MANTRALAYA)" and the entries thereunder shall be omitted;

(iii) under the heading "MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (PARYAVARAN, VAN AUR JALVAAYU PARIVARTAN MANTRALAYA)", entries 8 and 8A shall be omitted;

(iv) after the heading "MINISTRY OF FINANCE (VITTA MANTRALAYA)" and sub-headings and entries thereunder, the following heading, sub-headings and entries shall be inserted, namely:-

**"MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING (MATSYAPALAN, PASHUPALAN AUR DAIRY MANTRYALAYA)**

**A. DEPARTMENT OF FISHERIES  
(MATSYAPALAN VIBHAG)**

**PART I**

The following subjects which fall within List I of the Seventh Schedule to the Constitution of India:

1. Industries, the control of which by the Union is declared by Parliament by law to be expedient in public interest as far as these relate to development of fish feed and fish products with the limitation that in regard to the development of industries, the functions of the Department of Fisheries do not go further than the formulation of the demand and fixation of targets.
2. Promotion and development of fishing and fisheries (inland, marine and beyond territorial waters) and its associated activities, including infrastructure development, marketing, exports, and institutional arrangements etc.
3. Welfare of fishermen and other fisher-folk and strengthening of their livelihoods.
4. Liaison and cooperation with international organizations in matters relating to fisheries development.
5. Fisheries Statistics.
6. Matters relating to loss of fish stock due to natural calamities.
7. Regulation of fish stock importation, quarantine and certification.
8. Fishery Survey of India, Mumbai.

**PART II**

The following subjects which fall within List III of the Seventh Schedule to the Constitution of India (as regards legislation only):

9. Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting fish.
10. Pattern of financial assistance to various State Undertakings, Fisheries Development Schemes through State agencies/Co-operative Unions.

**PART III**

For the Union territories the subjects mentioned in parts I and II above, so far as they exist in regard to these territories and, in addition, to the following subjects which fall within List II of the Seventh Schedule to the Constitution of India:

11. Preservation, protection and improvement of fish stocks and prevention of diseases thereof, veterinary training and practice.
12. Insurance of fish stock.

**B. DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING  
(PASHUPALAN AUR DAIRY VIBHAG)**

**PART I**

The following subjects which fall within List I of the Seventh Schedule to the Constitution of India:

1. Industries, the control of which by the Union is declared by Parliament by law to be expedient in public interest as far as these relate to development of livestock and birds feed and dairy and poultry products with the limitation that in regard to the development of industries, the functions of the Department of Animal Husbandry and Dairying do not go further than the formulation of the demand and fixation of targets.
2. Promotion and development of livestock, dairy and poultry and its associated activities, including infrastructure development, marketing, exports and institutional arrangements etc.
3. Welfare of persons engaged in activities relating to livestock, dairy and poultry.

4. Liaison and cooperation with international organizations in matters relating to livestock and poultry development.
5. Livestock Census.
6. Livestock Statistics.
7. Matters relating to loss of livestock due to natural calamities.
8. Regulation of livestock importation, animal quarantine and certification.
9. Gaushalas and Gausadans.
10. Matters relating to pounds and cattle trespass.
11. Prevention of cruelty to animals.
12. The Prevention of Cruelty to Animals Act, 1960 (59 of 1960).

**PART II.**

The following subjects which fall within List III of the Seventh Schedule to the Constitution of India (as regards legislation only):

13. Profession of veterinary practice.
14. Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting animals and birds.
15. Conversion of indigenous breeds; introduction and maintenance of Central Herd Books for indigenous breeds of livestock.
16. Pattern of financial assistance to various State Undertakings, Dairy Development Schemes through State agencies/Co-operative Unions.

**PART III**

For the Union territories the subjects mentioned in parts I and II above, so far as they exist in regard to these territories and, in addition, to the following subjects which fall within List II of the Seventh Schedule to the Constitution of India:

17. Preservation, protection and improvement of stocks and prevention of diseases of animals and birds, veterinary training and practice.
18. Courts of Wards.
19. Insurance of livestock and birds.

**PART IV**

20. Matters relating to cattle utilisation and slaughter.
21. Fodder development."

(v) under the heading "MINISTRY OF HOUSING AND URBAN AFFAIRS (AWASAN AUR SHAHARI KARYA MANTRALAYA)", in the entry 21, for the words "Ministry of Water Resources, River Development and Ganga Rejuvenation", the words "Ministry of Jal Shakti" shall be substituted;

(vi) after the heading "MINISTRY OF INFORMATION AND BROADCASTING (SOOCHANA AUR PRASARAN MANTRALAYA)" and the entries thereunder, the following heading, sub-headings and entries shall be inserted, namely:-

**"MINISTRY OF JAL SHAKTI (JAL SHAKTI MANTRALAYA)****A. DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (JAL SANSADHAN, NADI VIKAS AUR GANGA SANRAKSHAN VIBHAG)****I. GENERAL**

1. Development, conservation and management of water as a national resource; overall national perspective of water planning and coordination in relation to diverse uses of water and interlinking of rivers.
2. National Water Resources Council.
3. General policy, technical assistance, research and development training and all matters relating to irrigation, including multi-purpose, major, medium, minor and emergency irrigation works; hydraulic structures for navigation and hydro-power; tube wells and groundwater exploration and exploitation; protection and preservation of ground water resources; conjunctive use of surface and ground water, irrigation for agricultural purposes, water management, command area development; management of

reservoirs and reservoir sedimentation; flood (control) management, drainage, drought proofing, water logging and sea erosion problems; dam safety.

4. Regulation and development of inter-State rivers and river valleys. Implementation of Awards of Tribunals through Schemes, River Boards.

5. Water laws, legislation.

6. Water quality assessment.

7. Cadre control and management of the Central Water Engineering Services (Group A).

## II. INTERNATIONAL ASPECTS

8. International organisations, commissions and conferences relating to water resources development and management, drainage and flood control.

9. International Water Law.

10. Matters relating to rivers common to India and neighbouring countries; the Joint Rivers Commission with Bangladesh, the Indus Waters Treaty 1960; the Permanent Indus Commission.

11. Bilateral and external assistance and cooperation programmes in the field of water resources development.

## III. ORGANISATIONS AND BODIES UNDER THE DEPARTMENT

12. Central Water Commission.

13. Central Soil and Materials Research Station.

14. Central Groundwater Board.

15. Central Ground Water Authority.

16. Central Water and Power Research Station.

17. Farakka Barrage Project.

18. Ganga Flood Control Commission.

19. Farakka Barrage Project Control Board.

20. Sardar Sarovar Construction Advisory Committee.

21. Brahmaputra Board.

22. Narmada Control Authority.

23. Betwa River Board.

24. National Institute of Hydrology.

25. National Water Development Agency.

26. Bansagar Control Board.

27. Tungabhadra Board.

28. Upper Yamuna River Board.

29. Water and Power Consultancy Services (India) Ltd. (WAPCOS).

30. National Projects Construction Corporation Limited.

31. National Ganga River Basin Authority including the Mission Directorate, National Mission for Clean Ganga and other related matters of Ganga Rejuvenation.

32. Conservation, development, management and abatement of pollution of rivers.

33. National River Conservation Directorate.

## IV. ADMINISTRATION OF ACTS

34. The Northern India Canal and Drainage Act, 1873 (8 of 1873).

35. The Inter-State River Water Disputes Act, 1956 (33 of 1956).

36. The River Boards Act, 1956 (49 of 1956).

37. The Betwa River Board Act, 1976 (63 of 1976).

38. The Brahmaputra Board Act, 1980 (46 of 1980).

## B. DEPARTMENT OF DRINKING WATER AND SANITATION (PEYA JAL AUR SWACHCHHATA VIBHAG)

1. Rural water supply (subject to overall national perspective of water planning and coordination assigned

[भाग II-खण्ड 3(ii)]

भारत का राजपत्र : असाधारण

to the Department of Water Resources, River Development and Ganga Rejuvenation), sewage, drainage and sanitation relating to rural areas; International cooperation and technical assistance in this field.

2. Public cooperation, including matters relating to voluntary agencies in so far as they relate to rural water supply, sewage, drainage and sanitation in rural areas.

3. Co-operatives relatable to the items in this list.

4. Coordination with respect to matters relating to drinking water supply projects and issues which cover both urban and rural areas.”;

(vii) the heading “MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION (JAL SANSADHAN, NADI VIKAS AUR GANGA SANRAKSHAN MANTRALAYA)” and the entries thereunder shall be omitted.

RAM NATH KOVIND

President

[F. No. 1/21/7/2019-Cab.]  
RACHNA SHAH, Jt. Secy.



(डॉ. एस. प्रभु)  
(Dr. S. PRABHU)

वैज्ञानिक 'डी' /Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Min.of Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली  
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**Counter Affidavit-Medical Pollution Control Committee vs SEIAA, Uttar Pradesh**

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**Vivek Kumar Tandon** <vivekkumartandon@gmail.com>  
To: siddhant@alliancelawgroup.com

2 July 2025 at 20:01

Enclosed please find the attachment of Counter Affidavit on behalf of Respondent No. 6 i.e. Ministry of Environment, Forest and Climate Changes (MoEF&CC) in OA No. 1216 of 2024 case titled as Medical Pollution Control Committee vs SEIAA, Uttar Pradesh.

Regards

**Vivek Kumar Tandon****Founder & Advocate, Chambers of Vivek Kumar Tandon**

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