

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT
CHENNAI**

O.A No. 172 of 2020

**Association of Deep Sea Going Artisanal Fishermen
Represented by its Vice President, Mr.Selvoriyan. A
Shark Street,
College Road
Thoothoor 629176
Kanyakumari District
Tamilnadu**

.... Applicant

Vs.

1. The Union of India

Rep. by its Secretary

Ministry of Environment and Forest

Department of Environment and Forest and wild life

New Delhi and 6 Others

.... Respondent/s

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Counsel for the applicant

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2. The Union of India

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Objections / Reply to the Joint Committee Reports

Reply to the Joint Committee report filed by Adv. Edwin Jerome on behalf of the Applicant is as follows:

1. The application is filed by the applicant for the following relief:
 - a. Direct the 2nd, 3rd and 5th respondents not to construct the checkdam at Parakani at **8 °15'10.6"N 77 °09'44.3"E**, which falls under **CRZ-III (NDZ)** of the Coastal Zone Management Plan, Map No.**TN11** Sheet No.**C43*3/SE** in blatant violation of the provisions of the Coastal Regulation Zone Notification 2011 (CRZ), Environment Impact Assessment Notification, 2006 (EIA) and Coastal Regulation Zone Notification 2019(CRZ).

- b. Direct the respondents to restore the river to its original condition demolishing and removing the partially constructed illegal check dam.
 - c. Any other relief which The Hon. Tribunal may be deem fit and proper to this case and render justice.
2. The Honourable Tribunal has passed an order to constitute a joint committee comprising of
 - 1) the District Collector, Kanyakumari District, or a Senior Officer not below the rank of Assistant Collector or Revenue Divisional Officer, as designated by the District Collector,
 - 2) Senior officer from Ministry of Environment Forests and Climate and Change (MoEF & CC), Regional Office, Chennai,
 - 3) a Senior Officer from State Coastal Zone Management Authority, Chennai
 - 4) The Superintending Engineer of Public Works Department and Water Resources Organisation, who is in charge of that area to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.
3. The committee is directed to go in to the question as to
 - a. whether there was any violation of any environmental laws and also if there is any damage caused to environment including river bed and surrounding area in the process of constructing the check dam in the river and if so, the committee is directed to assess the environmental compensation as well.
 - b. The committee is also directed to go into the question regarding the impact on the livelihood of the local fisherman on account of the construction of dam in the river and
 - c. If there is any damage caused to environment the committee is also directed to suggest the ways and means to restore the

damage caused to the environment and who is responsible to carry out for the same as well.

d. Ministry of Environment Forests and climate Change (MoEF & CC), Regional Office, Chennai will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose.

4. It is humbly submitted that the Joint Committee was constituted comprising the following members based on the Officers deputed/ nominated from the Authorities concerned visited the site on 08.12.2020:

(i). Smt. Sharanya Ari, I.A.S, Sub-Collector, Padmanabhapuram, Kanniyakumari District.

(ii). Er. N. Gnanasekar, Superintending Engineer, WRD/PWD, Thamiraparani Basin Circle, Tirunelveli.

(iii). Shri. D. Eswaran, Assistant Conservator of Forests, Department of Environment, Govt. of Tamilnadu.

(iv). Dr. M.T. Karuppiyah, Scientist – E, MoEF&CC, Regional Office, Chennai.

5. It is submitted that three reports were submitted before this Honourable Tribunal, one independent report is submitted by Smt. Sharanya Ari, I.A.S, Sub-Collector, Padmanabhapuram, Kanniyakumari District on 15.03,2021, another independent report is submitted by the member of the committee, Er. N. Gnanasekar, Superintending Engineer, WRD/PWD, Thamiraparani Basin Circle, Tirunelveli on 16.02.2021 and the other joint committee report, which was submitted by the Nodal Agency with the signatures of two joint committee members, Shri. D. Eswaran, Assistant Conservator of Forests, Department of Environment, Govt. of Tamilnadu, and Dr. M.T. Karuppiyah, Scientist – E, MoEF&CC, Regional Office, Chennai.

6. The Nodal agency, as per the order dated 08.09.2021 of this Honourable Tribunal is MoEF&CC, Regional Office, Chennai and the report signed by the two joint committee members, Shri. D. Eswaran, Assistant Conservator of Forests, Department of Environment, Govt. of Tamilnadu, the representative from Tamilnadu State Coastal Zone Management Authority and Dr. M.T. Karuppiah, Scientist – E, MoEF&CC, Regional Office, Chennai, was filed through the Nodal agency is a consenting report. The other members not dissented the report filed through the Nodal agency but has submitted their reports independently without the knowledge of other members.
7. The Joint committee report submitted by the Nodal agency, which is signed by the two members Shri. D. Eswaran, Assistant Conservator of Forests, Department of Environment, Govt. of Tamilnadu, the representative from Tamilnadu State Coastal Zone Management Authority and Dr. M.T. Karuppiah, Scientist – E, MoEF&CC, Regional Office, Chennai, emphasis the following:
 - a. “Based on the site visit and approved CZMP available, the Joint Committee confirms that the alleged activity for the construction of Check Dam is in the CRZ area and attracts the provisions of the CRZ Notification. The Coastal Zone Management Plan-Tamilnadu – Map No.TN-11, cross sectional view of Tamiraparani river in the CRZ area”.....
 - b. The said project activity (checkdam construction) has been commenced in the CRZ area without obtained requisite prior CRZ clearance from the Competent Authority.
 - c. Excavation of river bed has been carried out. Course of river flow is altered during the construction. Thus the damage to the marine environment including river bed has already been occurred due to the ongoing construction.
 - d. There is a possible impact on the estuary also due to the construction activity.
 - e. Due to the construction of the check Dam in the present location, there is a possibility of saline water ingress in the AVM canal.
 - f. In the present case, damages caused to the environment and liability of the responsible party as well as cost thereof are difficult to assess, since the ongoing activity is within the river and CRZ area.
 - g. There is no provision for getting ex-post-facto clearance. So, further course of action may be decided by the Hon’ble Tribunal.
 - h. In the event of restoring the damage, the responsibility lies on the project authority, i.e. Public Works Department, Govt. of Tamilnadu. They should bear the entire cost for the restoration.

8. The independent reports submitted by Smt. Sharanya Ari, I.A.S, Sub-Collector, Padmanabhapuram, Kanniyakumari District, another by the member of the committee, Er. N. Gnanasekar, Superintending Engineer, WRD/PWD, Thamiraparani Basin Circle, Tirunelveli is not acceptable because both of these two reports are not submitted through the Nodal Agency and were neither discussed with the other committee members, nor dissented the report submitted by the joint committee report submitted by the Nodal Agency. Hence both the reports, which were filed by Smt. Sharanya Ari, I.A.S, Sub-Collector, Padmanabhapuram, Kanniyakumari District, and by Er. N. Gnanasekar, Superintending Engineer, WRD/PWD, Thamiraparani Basin Circle, Tirunelveli may be treated as independent reports as it was not filed through the Nodal Agency.

9. I humbly submit before the Honorable Tribunal that the Para 4 of the order dated 15.05. 2021 of this Honorable Tribunal states as follows:

“It may be mentioned here that when there is a conflicting stand between the State Coastal Zone Management Authority (SCZMA) and the Ministry of Environment, Forests & Climate Change (MoEF&CC) as to whether it is a prohibited activity or not and if there is any violation of CRZ Notification, then it is for the MoEF&CC to explain those things in their reply affidavit to be filed. But such a thing is absent in the affidavit”

The Joint committee report submitted by the Nodal agency before this Honorable Tribunal is a consenting report signed by both the representatives of the State Coastal Zone Management Authority (SCZMA) and the Ministry of Environment, Forests & Climate Change (MoEF&CC) not conflicting report but is a consenting report signed by the representative of TNCZMA and MoEF&CC.

10. The report filed by Smt. Sharanya Ari, I.A.S, Sub-Collector, Padmanabhapuram, Kanniyakumari District is an independent report and the applicant is strongly objecting the report. It is a biased report. In the report it says:

“.....the check dam is being constructed 800m (areal distance) away from the mouth of the river and 1.88 K.M (along river path) away from the river mouth”

The report carefully avoided the distance of check dam from HTL.

11. The report is silent about the possibility of intrusion of salt water in the AVM canal as the check dam is constructed just about 100m away from the point where the AVM canal meets the Tamiraparani river. The report also silent about the action taken on the order of District Environment Engineer. Who is the convener of the District Coastal Zone Management Authority.
12. The report, which is submitted by Er. N. Gnanasekar says that:
 - a. “The river bed is lower than the Mean Sea Level (-3.25m) this is very essential to arrest the sea water intrusion”.
The report is silent about the cause of the river bed level by which the river bed was gone down upto (-3.25m). The report concealed the fact of uncontrolled sand quarrying, which is a manmade disaster to the environment.
 - b. The report says
“The CRZ map was issued on 24.10.2018 only after issue of the G.O dated 24.08.2018 for the work, hence the clearance from the authorities not arisen”.
Whereas, the tender was called on 28.12.2018 and the tender was accepted on 23.01.2019 (exhibited in Page No.51 and 52 of the applicants type set), which falls after 24.10.2018, the date on which CRZ map was issued and failed to consider the Coastal Regulation Zone Notification 1991, the area in which the construction work is going on is already in the CRZ area as per the CRZ notification 1991.
 - c. In page 5 para 4 of the report says
“misuse of the river and the river bank for the landing of their (fishermen) boat and other purpose beyond harbor area”.
Here the member failed to note that the CRZ is created for the protection of fishermen and their livelihood.
 - d. The G.O dated 24.08.2018 has not permitted to construct violating the CRZ norms or Environment Law. The

Government Orders are an executive order and it cannot override the protection guaranteed by the Constitution.

- e. The need for protection and conservation of environment and sustainable use of natural resources is reflected in the constitutional framework of India and also in the international commitments of India. The Constitution under Part IVA (Art 51A-Fundamental Duties) casts a duty on every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures. Further, the Constitution of India under Part IV (Art 48A-Directive Principles of State Policies) stipulates that the State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country.
- f. The Ministry of Environment and Forests had issued the Coastal Regulation Zone Notification *vide* Notification No. S O. 19(E), dated January 06, 2011 with an objective to ensure livelihood security to the fishing communities and other local communities living in the coastal areas, to conserve and protect coastal stretches and to promote development in a sustainable manner based on scientific principles, taking into account the dangers of natural hazards in the coastal areas and sea level rise due to global warming.
- g. The report is silent about the order of the District Environment Engineer dated 24.08.2020, which states as follows:

“The complaint site was inspected by the AEE on 21.08.2020 and was noticed that construction activity was being carried out at one side of river Thamiraparani close to the confluence at sea (Arabian Sea). As enquired, it was ascertained that a check dam is under construction by PWD WRD.

The site of construction falls under the CRZ area and any construction activity is to be carried out only after obtaining prior clearance from the Tamilnadu Coastal Zonal Management Authority.

In this regard I request you to take necessary action on the following.

1. PWD shall furnish the details on the activities carried out in the complaint area. The project report if any shall be furnished.
2. PWD shall furnish the site details in which the construction activities are carried out.
3. PWD shall undertake any activities in the CRZ area only **after obtaining CRZ clearance.**
4. PWD to ascertain the CRZ zone in which it falls through DTCP Tirunelveli or local Town planning office, Kanyakumari.
5. PWD shall inform the date from which the above activity has commenced.”

- h. The writ Petition mentioned in the report W.P.(MD)No.7069 of 2019, Honourable Madras High court seeking issuance of a writ of Mandamus directing to take immediate steps to construct the check dam work. The Honourable High Court has not given any order to construct the check dam without the environment clearance.
- i. The another writ petition mentioned in the report as pending before Madurai Bench of Honorable Madras High Court, W.P.(MD)No.27380 of 2019 was withdrawn to facilitate the proceedings in this Hon. Tribunal for speedy disposal.
- j. The JC report submitted by Er. N. Gnanasekar, Superintending Engineer, WRD/PWD, Thamiraparani Basin Circle, Tirunelveli, is silent about the action taken by the District Environmental Engineer, TNPCB & Convener-DCZMA vide letter No. DEE/TNPCB/NGL/COMPL/TECH 06/1513/2020 dated 24.8.2020 confirmed the said ongoing construction activity of Check Dam is within the CRZ area and requested the Executive Engineer, Public Works Department, Govt. of Tamilnadu to carryout such activity only after obtaining CRZ clearance from the TSCZMA. Also requested to furnish the project relevant details and action

taken report. The report is more likely as a counter affidavit rather than an independent report.

13. It is humbly submitted that there were two check dams at Kuzhithurai aru (Tamiraparani) one is at Kuzhithurai about 12 Km away from the estuary and the other at Mankad about 6 K.M from the estuary. The Kuzhithurai Check dam was reconstructed in the financial year 2016-17, which allows a maximum of 55000 c.ft of water to cross the checkdam. There was a check dam at Mankad, which was situated in the middle of Kuzhithurai and Erayumanthurai about 6 K.M from Erayumanthurai as well as Kuzhithurai, which was damaged. Instead of reconstructing the damaged check dam at Mankad, this check dam at Erayumanthurai is under construction, violating environment law. All the wells and drinking water sources within the Munchirai Panchayat Union are existing in between Mankad and Kuzhithurai checkdams. This fact also was suppressed in the report.
14. The Joint committee report filed by the nodal officer rightly pointed out that there is a possible impact on the estuary also due to the construction activity.
15. Due to the construction of the check Dam in the present location, there is a possibility of saline water ingress in the AVM canal. If the check dam is constructed, it will affect the irrigation and the drinking water sources of all Coastal villages from Erayumanthurai to Poovar and the flow (distribution) of flood in the Tamiraparani river (Kuzhithurayaru) to the AVM Canal.
16. It is humbly submitted that Article 21 of our constitution guarantees the Right to Life to every citizen of India. The Honourable Apex Court in *Sunil Batra Vs. Delhi Administration* reiterated that "the right to lead a healthy life, pure water is the fundamental one and so the government is responsible to protect the same". The construction of this checkdam will prevent the flow of fresh water into the AVM channel, it will affect whole

villages from Erayumanthurai to Poovar of Kerala. The AVM canal, which is scheduled as National Waterway 13 in the National waterways Act, 2016 (Act 17 of 2016) and is published in the gazette on March 26, 2016.

17. The Joint committee report is silent or failed to point out about the wall on both side of the banks of the Kuzhithurayaru (Tamiraparani) as there is no side wall in both the banks of the river, there is no provision to hold the water (storage of water) after construction of the check damand there is no provision to protect the villages in the bank from flooding.

18. It is humbly submitted that the CRZ notification was first issued in 1991 to protect the first 500 m from the high tide line (HTL) of the sea. All coastal states and union territories finalised their CZMPs by 1996. In 2011, the CRZ notification was replaced by a new one with the same name. The 2011 CRZ notification required all coastal states and union territories to prepare fresh CZMPs within two years of its issuance. In the absence of new CZMPs, the 1996 versions have been given extensions. While issuing the G.O dated 24.08.2018 for the construction of check dam CZMP 1996 was existing and the project of check dam is well within the CRZ . The G.O dated 24.08.2018 has not permitted to construct without environment clearance.

19. It is further submitted that the National Green Tribunal (WZ) Bench Pune in Application No. 21(THC)/2013(WZ between Mr. Manuel F Rodrigues Vs. State of Goa, The Honourable Tribunal has directed to demolish/ dismantle standing structure in the CRZ stating

“illegal construction shall be zero tolerance liable to be immediately dismantled / demolished as the land need to be restored to its original position.”

The Honourable Principle Bench of National Green Tribunal in *S.P Muthutaman Vs. Union of India* vide judgment dated 7.05.2015 held that “no defacto clearance can be granted” the same

was followed by this Honourable Tribunal in Appeal No. 4 of 2019(SZ).

Hence the Honourable Tribunal may

- a. Direct the 2nd, 3rd and 5th respondents not to construct the checkdam at Parakani at **8 °15'10.6"N 77 °09'44.3"E**, which falls under **CRZ-III (NDZ)** of the Coastal Zone Management Plan, Map No.**TN11** Sheet No.**C43*3/SE** in blatant violation of the provisions of the Coastal Regulation Zone Notification 2011 (CRZ), Environment Impact Assessment Notification, 2006 (EIA) and Coastal Regulation Zone Notification 2019(CRZ).
- b. Direct the respondents to restore the river to its original condition demolishing and removing the partially constructed illegal checkdam. Or
- c. Any other relief which The Hon. Tribunal may be deem fit and proper to this case and render justice.

Dated at Chennai on 26 th day of March 2021



Counsel for the Applicant.

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2019**

CORAM:

**THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MR.JUSTICE S.S.SUNDAR**

W.P(MD)NO.7069 OF 2019

B.Paulraj

:Petitioner

.vs.

1.The Principal Secretary,
Public Works Department,
Fort St.George,
Chennai - 600 009.

2.The District Collector,
Office of the District Collector,
Kanyakumari District.

3.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Nagercoil,
Kanyakumari District.

4.The Assistant Executive Engineer,
WRD/PWD.,
Kotaiyar Basin Sub-Division,
Cheruppaloor,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article-226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 4 to take immediate steps to construct a Check Dam in the Parakkani(Irayumanthurai) Area at Vilavancode Taluk in Kanyakumari District to obstruct the sea water intrusion between Mangadu to Thengaipattanam of

Thamiraparani(Kuzhithurai) River based on G.o(3D) No.26, PW(W.1) Dept/dated 24..8.2018 issued by the Department of P.W.D, Tamil Nadu within the time frame fixed by this Court.

For Petitioner :Mr.S.Vanchinathan

For Respondents :Mr.A.Muthukaruppan
Addl. Govt.Pleader

ORDER

[Order of the Court was made by **S.S.SUNDAR.J.**]

The Petitioner has come forward with this Writ Petition seeking issuance of a Writ of Mandamus directing the respondents 1 to 4 to take immediate steps to construct a Check Dam in the Parakkani(Irayumanthurai) Area at Vilavancode Taluk in Kanyakumari District to obstruct the sea water intrusion between Mangadu to Thengaipattanam of Thamirapareani(Kuzhithurai) River based on G.o(3D) No.26, PW(W.1) Dept/dated 24..8.2018 issued by the Department of P.W.D, Tamil Nadu within the time frame fixed by this Court.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Thamiraparani river which flows from Thirparapu-Kuzhithurai-Thengaipattinam, finally ends up in Arabian Sea. It is

stated that from Mangadu to Thengaipattinam, there are seven villages and thousands of families are living on the banks of the river to a stretch of seven kilometers. It is also stated that the said river water is the main source of ground water, agriculture and drinking water, for all the people who are living in that stretch for about seven kilometers.

4.The grievance of the Petitioner is that sea water is mixing with the river water of Tamiraparani and due to intrusion of saline water into the Tamiraparani(Kuzhithurai) river, water is not suitable for drinking or irrigation purpose. It is also stated that increase in salinity in river water is likely to cause other environmental issues and health hazards. It is in these circumstances, the Petitioner has come forward with this Writ Petition for the relief, as stated supra.

5.It is also stated that despite passing of Government Order sanctioning and approving the scheme, construction of check dam has not been commenced.

6.The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the construction work namely construction of Check Dam in the appropriate place

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has been given to a Contractor, after following the tender process. Further, for construction of Check Dam, a sum of Rs.14,58,76,181/- has been approved and sanctioned by the Government. It is further stated that the work is likely to be commenced. It appears that the Contractor had also deposited the security deposit as per the tender conditions. It is further submitted that after appointment of Contractor and execution of contract, the Contractor has commenced the civil work.

7.The learned Additional Government Pleader appearing for the respondents also submitted that the respondents will ensure that the work is executed within the time stipulated in the agreement, without any delay.

8.Having regard to the nature of work undertaken by the respondents, the official respondents shall ensure that the construction of Check Dam is completed before the rainy season, so that there will not be any obstruction of the work and further inconvenience to the public can be prevented.

9.With the above direction, the Writ Petition is closed. No costs.

[N.K.K.,J.] & [S.S.S.R.,J.]
01.04.2019

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Index:Yes/No
Internet:Yes/No
vsn

To

1.The Principal Secretary,
Public Works Department,
Fort St.George,
Chennai - 600 009.

2.The District Collector,
Office of the District Collector,
Kanyakumari District.

3.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Nagercoil,
Kanyakumari District.

4.The Assistant Executive Engineer,
WRD/PWD.,
Kotaiyar Basin Sub-Division,
Cheruppaloor,
Kanyakumari District.



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6

N.KIRUBAKARAN, J.
AND
S.S.SUNDAR, J.

vsn



ORDER MADE IN
W.P(MD)No.7069 of 2019

WEB COPY

01.04.2019

रजिस्ट्री सं. डी. एल.—(एन)०४/००७/२००३—१६ REGISTERED NO. DL—(N)०४/००७/२००३—१६


भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 18] नई दिल्ली, शनिवार, मार्च 26, 2016/चैत्र 6, 1938 (शक)
No. 18] NEW DELHI, SATURDAY, MARCH 26, 2016/CHAITRA 6, 1938 (SAKA)

इस भाग में विन्म पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 26th March, 2016/Chaitra 6, 1938 (Saka)

The following Act of Parliament received the assent of the President on the 25th March, 2016, and is hereby published for general information:—

THE NATIONAL WATERWAYS ACT, 2016

No. 17 OF 2016

[25th March, 2016.]

An Act to make provisions for existing national waterways and to provide for the declaration of certain inland waterways to be national waterways and also to provide for the regulation and development of the said waterways for the purposes of shipping and navigation and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the National Waterways Act, 2016.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title
and com-
mencement.

Existing national waterways and declaration of certain inland waterways as national waterways.	<p>2. (1) The existing national waterways specified at serial numbers 1 to 5 in the Schedule along with their limits given in column (3) thereof, which have been declared as such under the Acts referred to in sub-section (1) of section 5, shall, subject to the modifications made under this Act, continue to be national waterways for the purposes of shipping and navigation under this Act.</p> <p>(2) The regulation and development of the waterways referred to in sub-section (1) which have been under the control of the Central Government shall continue, as if the said waterways are declared as national waterways under the provisions of this Act.</p> <p>(3) The inland waterways specified at serial numbers 6 to 111 in the Schedule along with their limits given in column (3) thereof are hereby declared to be national waterways for the purposes of shipping and navigation.</p>	
Declaration as to expediency of control and development by Union of waterways specified in Schedule for certain purposes.	<p>3. Save as provided in sub-sections (1) and (2) of section 2, it is hereby declared that it is expedient in the public interest that the Union should take under its control the regulation and development of the waterways specified in the Schedule for the purposes of shipping and navigation to the extent provided in the Inland Waterways Authority of India Act, 1985.</p>	82 of 1985.
Amendment of section 2 of Act 82 of 1985.	<p>4. In the Inland Waterways Authority of India Act, 1985, in section 2, for clause (h), the following clause shall be substituted, namely:—</p> <p>‘(h) “national waterway” means the inland waterway declared by section 2 of the National Waterways Act, 2016, to be a national waterway.</p> <p><i>Explanation.</i>—If Parliament declares by law any other waterway to be a national waterway, then, from the date on which such declaration takes effect, such other waterway—</p> <p>(i) shall also be deemed to be a national waterway within the meaning of this clause; and</p> <p>(ii) the provisions of this Act shall, with necessary modifications (including modification for construing any reference to the commencement of this Act as a reference to the date aforesaid), apply to such national waterway.’</p>	
Repeal of certain enactments and saving.	<p>5. (1) The following Acts, namely:—</p> <p>(a) the National Waterway (Allahabad-Haldia Stretch of the Ganga Bhagirathi-Hooghly River) Act, 1982;</p> <p>(b) the National Waterway (Sadiya-Dhubri Stretch of Brahmaputra River) Act, 1988;</p> <p>(c) the National Waterway (Kollam-Kottapuram Stretch of West Coast Canal and Champakara and Udyogmandal Canals) Act, 1992;</p> <p>(d) the National Waterway (Taleher-Dhaman Stretch of Rivers, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhanra Stretch of Matai River and Mahanadi Delta Rivers) Act, 2008; and</p> <p>(e) the National Waterway (Kakinada-Puducherry Stretch of Canals and the Kaluvally Tank, Bhadrachalam-Rajahmundry Stretch of River Godavari and Wuzirabad-Vijayawada Stretch of River Krishna) Act, 2008,</p> <p>are hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken under the Acts referred to in sub-section (1), in so far as they are in conformity with the provisions of this Act, shall be deemed to have been done or omitted to be done or taken or not taken under the provisions of this Act.</p>	<p>49 of 1982.</p> <p>40 of 1988.</p> <p>25 of 1992.</p> <p>23 of 2008.</p> <p>24 of 2008.</p>

THE SCHEDULE

(See section 2)

Sl.No.	National Waterways	Limits of the National Waterways
(1)	(2)	(3)
1.	National Waterway 1	<p>Allahabad-Haldia Stretch of the Ganga—Bhagirathi-Hooghly Rivers with the following limits, namely:—</p> <p>From road bridge at Allahabad across the river Ganga, about 2 kilometres upstream of the confluence of the rivers Ganga and Yamuna at Triveni to the inland waterway limit on the tidal waters of the river Hooghly from a line drawn between No.1 Refuge house at the entrance to Baraola river commonly called channel creek, to a position 2.5 kilometres due south of Saugor lighthouse, and then connected to the right or south bank at the entrance to the Hijili or Russulpore river, through river Ganga, lock canal and feeder canal at Farakka, river Bhagirathi and river Hooghly.</p>
2.	National Waterway 2	<p>Sadiya-Dhubri Stretch of Brahmaputra River with the following limits, namely:—</p> <p>From a line drawn across the Brahmaputra river from the point on the north bank of the Kundil river at its confluence with the Brahmaputra river near Sadiya to the beginning of the river island Majuli and therefrom through all the channels of the Brahmaputra river on either side of the river island Majuli up to the end of the river island Majuli and then up to the international border down stream of Dhubri.</p>
3.	National Waterway 3	<p>Kollam-Kozhikode Stretch of West Coast Canal and Champakara and Udyogmandal Canals with the following limits, namely:—</p> <p>The northern limit of the West Coast Canal shall be Kozhikode at Lat 11°13'39"N, Lon 75°46'44"E and the southern limit shall be a line drawn across the Ashtanadi Kayal at a distance of 100 metres south of Kollam jetty.</p> <p>The Champakara Canal starting from the confluence with the West Coast Canal and ending at the railway bridge (railway siding for Cochin Oil Refinery) near Fertilisers and Chemicals Travancore Limited, boat basin.</p> <p>The Udyogmandal Canal starting from the confluence with West Coast Canal and ending at the Padalarn road bridge (Eloor-Edayar).</p>

4 THE GAZETTE OF INDIA EXTRAORDINARY [PART II—		
(1)	(2)	(3)
4	National Waterway 4	<p>Kakinada-Puducherry Stretch of Canals and the Kaluvelly Tank, Nashik-Bhadraclalam-Rajahmundry Stretch of River Godavari and Bridge near village Galagali-Wazirabad-Vijayawada Stretch of River Krishna with the following limits, namely:—</p> <p><i>Kakinada-Puducherry canal</i> (Canal system consisting of Kakinada canal, Eluru canal, Commanur canal and North Buckingham canal, portion of the Coovum river linking North and South Buckingham canals, South Buckingham canal and Kaluvelly tank)</p> <p>Northern limit: A line drawn across the Kakinada canal parallel to the Jagannadhapuram road bridge, Kakinada at a distance of 500 metres down stream at Lat 16° 56' 24" N, Lon 82° 14' 20" E;</p> <p>Southern limit: Junction of East Coast Highway and Chinnakalawari-Kanakachettikulam road at Kanakachettikulam which is the end point of the artificial canal link to Kaluvelly tank at Lat 20° 0' 07" N, Lon 79° 52' 12" E.</p> <p><i>River Godavari</i> Western limit: Road bridge on Mumbai-Agra Highway at Nashik across river Godavari at Lat 20° 0' 07" N, Lon 73° 48' 12" E;</p> <p>Eastern limit: Sir Arthur Cotton barrage across river Godavari at Dowlaiswaram, Rajahmundry at Lat 16° 56' 05" N, Lon 81° 45' 32" E.</p> <p><i>River Krishna</i> Western limit: Bridge near village Galagali Lat 16° 25' 28" N, Lon 75° 26' 19" E.</p> <p>Eastern limit: Prakasam barrage across river Krishna at Vijayawada at Lat 16° 30' 18" N, Lon 80° 36' 23" E.</p>
5	National Waterway 5	<p>Talcher-Dhamra Stretch of Brahmani-Kharsua-Tantighai-Pandua Nala-Dudhei Nala-Kani Dhamra-river system, Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia-Dhamra Stretch of Matai River and Mahanadi Delta Rivers with the following limits, namely:—</p> <p><i>East Coast Canal and Matai river</i> (Consisting of old Hijli tidal canal, Orissa coast canal and Matai river)</p> <p>Northern limit: Confluence point of Hooghly river and Hijli tidal canal at Geonkhali at Lat 22° 12' 20" N, Lon 88° 03' 07" E;</p> <p>Southern limit: Confluence of Matai river and Dhamra river near Dhamra Fishing harbour at Lat 20° 47' 42" N, Lon 86° 53' 03" E.</p> <p><i>Brahmani-Kharsua-Dhamra river system</i> (Consisting of Brahmani-Kharsua-Tantighai-Pandua Nala-Dudhei Nala-Kani-Dhamra rivers)</p>

(1)	(2)	(3)
		<p>North-Western limit: SamaI barrage across river Brahmani, Talcher at Lat 21° 04' 26" N, Lon 86° 08' 05" E;</p> <p>South-Eastern limit: An imaginary line drawn across Dhamra river at East Point of Kalibhanj Dian Reserved Forest near Chandnipal at Lat 20° 46' 26" N, Lon 86° 57' 15" E.</p> <p><i>Mahanadi delta rivers</i> (Consisting of Hansua river, Atharabanki Creek, Nuna nala, Gobri nala, Kharnasi river and Mahanadi river)</p> <p>(Alternate route- Hansua river enters into Bay of Bengal through northern point of False point bay, then enters river Kharnasi at southern end of False point bay, river Atharabanki, a northernly distributory of river Mahanadi)</p> <p>Northern limit: Confluence of Kharsua river with Brahmani river at Ramchandrapur at Lat 20° 36' 55" N, Lon 86° 45' 05" E;</p> <p>Southern limit: An imaginary line in continuation to the Northern break water structure across the entrance channel at Paradip Port at Lat 20° 15' 38" N, Long 86° 40' 55" E.</p>
6.	National Waterway 6	<p><i>Aai River:</i></p> <p>Upstream of Bridge at Adalguri No.3 at Lat 26°33'32"N, Lon 90°34'01"E to confluence with Brahmaputra river at Lat 26°12'50"N, Lon 90°36'24"E (4.7km upstream of Naranarayan Setu at Jogighope).</p>
7.	National Waterway 7	<p><i>Ajoy (Ajay) River:</i></p> <p>Bridge on Morgram-Panagarh State Highway No. 14 at Ilanbazar Lat 23°36'56"N, Lon 87°31'58"E to confluence of river Ajoy with river Bhagirathi at Lat 23°39'23"N, Lon 88° 07'57"E at Katwa.</p>
8.	National Waterway 8	<p><i>Alappuzha-Changanassery Canal:</i></p> <p>Bost Jetty, Alappuzha at Lat 9°30'03"N, Lon 76°20'37"E to Changanassery Jetty at Lat 9°26'42"N, Lon 76°31'42"E.</p>
9.	National Waterway 9	<p><i>Alappuzha-Kottayam Athirampuzha Canal:</i></p> <p>Bost Jetty, Alappuzha at Lat 9°30'03"N, Lon 76°20'37"E to Athirampuzha market Lat 9°40'04"N, Lon 76°31'54"E.</p>
10.	National Waterway 10	<p><i>Amba River:</i></p> <p>Arabian Sea, Dharantaar creed near village Revas at Lat 18°50'15"N, Lon 72°56'31"E to a Bridge near Nagothane ST Stand at Lat 18°32'20"N, Lon 73°08'0"E.</p>
11.	National Waterway 11	<p><i>Arunawati Aran River System:</i></p> <p>Bridge on State Highway No. 211 at Lat 20°13'33"N, Lon 77°33'23"E to confluence of Arunawati and Aran rivers near Ratanapur village at Lat 19°59'31"N, Lon 78°09'38"E to confluence of Aran and Penganga rivers near Chimsta village at Lat 19°54'08"N, Lon 78°12'36"E.</p>

6 THE GAZETTE OF INDIA EXTRAORDINARY [PART II—		
(1)	(2)	(3)
12.	National Waterway 12	<i>Asi River:</i> Ganga river confluence at Assi Ghat, Varanasi at Lat 25°17'19"N, Lon 83° 0'25"E to near Newada, Varanasi at Lat 25°16'37"N, Lon 82° 58'18"E.
13.	National Waterway 13	<i>AVM Canal:</i> Poovar Beach at Lat 8°18'30"N, Lon 77°04'45"E to Erayamthurai Bus Stop at Lat 8°14'54"N, Lon 77°09'34"E.
14.	National Waterway 14	<i>Baltarni River:</i> Datapur village at Lat 20°51'45"N, Lon 86° 33'30"E to confluence with Dhamra river near Laxmiprasad Dia at Lat 20°45'13"N, Lon 86° 49'15"E.
15.	National Waterway 15	<i>Bakreswar Mayurakshi River System:</i> Bakreswar river from Nil Nirjan Dam at Lat 23°49'31"N, Lon 87°24'59"E to confluence of Bakreswar and Mayurakshi rivers near Talgram village at Lat 23° 51'58"N, Lon 88°02'21"E. Mayurakshi river from Talgram village to confluence with Dwarka river near Dakshin Hijal village at Lat 23° 58'22"N, Lon 88°09'21"E.
16.	National Waterway 16	<i>Barak River:</i> Lakhipur Ferry Ghat Lat 24°47'18"N, Lon 93°01'16"E to Taker Gram Lat 24°52'34"N, Lon 92°29'21"E.
17.	National Waterway 17	<i>Beas River:</i> Talwara Barrage at Lat 31°57'22"N, Lon 75°53'37"E to confluence of Beas and Sutlej rivers near Harike at Lat 31°09'09"N, Lon 74°58'08"E.
18.	National Waterway 18	<i>Beki River:</i> Elenagamari Lat 26°38'37"N, Lon 90°59'02"E to Brahmaputra confluence at Lat 26°14'24"N, Lon 90°47' 21"E.
19.	National Waterway 19	<i>Betwa River:</i> Rirwa Buzurg Dariya at Lat 25°54'17"N, Lon 79°45'06"E to confluence of Betwa and Yamuna rivers near Mersapur Daria village at Lat 25°55'11"N, Lon 80°13'08"E.
20.	National Waterway 20	<i>Bhavani River:</i> Bhavani Sagar Dam, Sathyamangalam at Lat 11°28'16"N, Lon 77°06'49"E to confluence of Bhavani and Kaveri rivers at Kaveri river bridge on Salem-Coimbatore Highway: "National Highway-47 Lat 11°25'54"N, Lon 77°41'02"E.
21.	National Waterway 21	<i>Bheema River:</i> Barrage (approx 1 km from Hippargi village) at Lat 17°09'05"N, Lon 76°46'34"E to confluence of Bheema and Krishna rivers at Gundloor Lat 16°24'28"N, Lon 77°17'13"E.
22.	National Waterway 22	<i>Birupa Badi Genguti Brahmani River System:</i>

(1)	(2)	(3)
		<p>Birupa Barrage at Choudwar at Lat 20°30'49"N, Lon 85°55'20"E to Confluence of Birupa and Brahmani rivers near Upperkai Pada village at Lat 20°37'36"N, Lon 86°24'19"E including alternative route from Samaspur village Lat 20°35'41"N, Lon 86°06'32"E to near Kharagpur village Lat 20°38'28"N, Lon 86°17'32"E.</p> <p>Brahmani river from confluence of Birupa and Brahmani rivers near Upperkai Pada village at Lat 20°37'36"N, Lon 86°24'19"E to Brahmani river at Katana Lat 20°39'26"N, Lon 86°44'53"E.</p>
23.	National Waterway 23	<p><i>Budha Balanga River:</i> Barrage (approx 300m from Patalipura village) at Lat 21°38'13"N, Lon 86°50'53"E to confluence of Budha Balanga river with Bay of Bengal at Chandipur Fishing Port Lat 21°28'12"N, Lon 87°04'12"E.</p>
24.	National Waterway 24	<p><i>Chambal River:</i> Chambal road bridge on National Highway-92 Lat 26°41'56"N, Lon 78°56'09"E to confluence of Chambal and Yamuna rivers at Charakpura village Lat 26°29'30"N, Lon 79°15'01"E.</p>
25.	National Waterway 25	<p><i>Chapora River:</i> Bride at State Highway No. 124 (1Km from Maneri village) Lat 15°42'47"N, Lon 73°57'23"E to Confluence of Chapora river with Arabian Sea at Morjim Lat 15°36'33"N, Lon 73°44'01"E.</p>
26.	National Waterway 26	<p><i>Chenab River:</i> Chenab road bridge at Lat 33°05'07"N, Lon 74°48'06"E to Bridge near Bhadrakalan at Lat 32°48'12"N, Lon 74°34'53"E.</p>
27.	National Waterway 27	<p><i>Cumberjua River:</i> Confluence of Cumberjua and Zuvari rivers near Cortalim ferry terminal Lat 15°24'40"N, Lon 73°54'48"E to confluence of Cumberjua and Mandovi rivers near Sao Martin Vidhan Parishad Lat 15°31'26"N, Lon 73°55'34"E.</p>
28.	National Waterway 28	<p><i>Dabhol Creek Washisti River:</i> Arabian Sea at Dabhol Lat 17°34'51"N, Lon 73°09'18"E to bridge at Pedhe Lat 17°32'39"N, Lon 73°30'36"E.</p>
29.	National Waterway 29	<p><i>Damodar River:</i> Krishak Setu, Bardhaman on State Highway No. 8 at Lat 23°12'40"N, Lon 87°50'54"E to confluence with Hooghly river near Purbha Basudebpur at Lat 22°21'01"N, Lon 88°05'19"E.</p>
30.	National Waterway 30	<p><i>Dehing River:</i> Rail Bridge at Merbil Majuli No. 1 Lat 27°19'25"N, Lon 95°18'45"E to confluence of Dehing and Brahmaputra rivers near village Lachan at Lat 27°15'10"N, Lon 94°40'01"E.</p>
31.	National Waterway 31	<p><i>Dhansiri/Chathe River:</i> Bridge near Marongi T.E. village Lat 26°24'41"N, Lon 93°53'47"E to Numalighat Lat 26°42'01"N, Lon 93°35'15"E.</p>

8	THE GAZETTE OF INDIA EXTRAORDINARY	[PART II—
(1)	(2)	(3)
32.	National Waterway 32	<i>Dikhu River:</i> Bridge at Nazira on State Highway No 1 Lat 26°55'18"N, Lon 94°44'27"E to confluence of Dikhu and Brahmaputra rivers at Lat 26°59'58"N, Lon 94°27'42"E.
33.	National Waterway 33	<i>Doyans River:</i> Bridge near Sialmari Lat 26°10'47"N, Lon 93°59'10"E to confluence of Doyans and Subansiri rivers at Lat 26°26'53"N, Lon 93°57'12"E.
34.	National Waterway 34	<i>DVC Canal:</i> Durgapur Barrage Lat 23°28'47"N, Lon 87°18'19"E to Confluence point of DVC canal with Hoogly river near Tribeni Lat 23°0'31"N, Lon 88°24'55"E.
35.	National Waterway 35	<i>Dwarakeswar River:</i> Bridge near Abantika Lat 23°06'55"N, Lon 87°18'47"E to confluence of Dwarakeswar and Silai rivers at Pratappur Lat 22°40'17"N, Lon 87°46'43"E.
36.	National Waterway 36	<i>Dwarka River:</i> Bridge at Tarapith at Lat 24°06'58"N, Lon 87°47'51"E to confluence with Bhagirathi river near Maugram village at Lat 23°43'53"N, Lon 88°10'51"E.
37.	National Waterway 37	<i>Gandak River:</i> Bhaisasital Barrage near Triveni Ghat at Lat 27°26'22"N, Lon 83°54'24"E to Gandak and Ganga rivers confluence at Hajipur Lat 25°39'18"N, Lon 85°10'28"E.
38.	National Waterway 38	<i>Gangadhar River:</i> Pakrigruri Bridge on National Highway-31C at Lat 26°27'30"N, Lon 89°51'25"E to Bangladesh Border at Binnachara Point III Lat 26°0'32"N, Lon 89°49'57"E.
39.	National Waterway 39	<i>Ganol River:</i> Bangladesh Border at Mankachar Lat 25°31'47"N, Lon 89°51'24"E to bridge near Dolbari at Lat 25°34'20"N, Lon 90°03'46"E.
40.	National Waterway 40	<i>Ghaghra River:</i> Faizabad at Lat 26°47'51"N, Lon 82°06'46"E to Ghaghra and Ganga river confluence at Manjhi Ghat Lat 25°44'13"N, Lon 84°42'03"E.
41.	National Waterway 41	<i>Ghataprabha River:</i> Barrage near Malali Lat 16°20'01"N, Lon 75°11'23"E to confluence with river Krishna at Chicksangam Lat 16°20'13"N, Lon 75°47'54"E.
42.	National Waterway 42	<i>Gomti River:</i> Bara Imambara, Lucknow Lat 26°52'21"N, Lon 80°54'58"E to confluence of Gomti with river Ganga Lat 25°30'31"N, Lon 83°10'17"E.
43.	National Waterway 43	<i>Gurupur River:</i> Confluence of Netravathi river at Lat 12°50'44"N, Lon 74°49'45"E to confluence of Mangalore Port Bridge at Lat 12°55'35"N, Lon 74°49'37"E.

(1)	(2)	(3)
44.	National Waterway 44	<i>Ichamati River:</i> Bridge on Border Main Road at Gobra near Bangladesh Border at Lat 22°53'50"N, Lon 88°53'49"E to near Bangladesh Border at Banghsari Mallikpur Lat 22°39'07"N, Lon 88°53'35"E.
45.	National Waterway 45	<i>Indira Gandhi Canal:</i> Harike Barrage at Lat 31°08'33"N, Lon 74°56'57"E to near Mohangarh Lat 27°18'37"N, Lon 71°09'10"E.
46.	National Waterway 46	<i>Indus River:</i> Bridge on highway at Upshi village Lat 33°49'43"N, Lon 77°48'56"E to Bridge on Shey-Chuchoi road near Shey village Lat 34°03'35"N, Lon 77°38'33"E.
47.	National Waterway 47	<i>Jalangi River:</i> Bridge on State Highway No. 14 near Plashipara at Lat 23°47'47"N, Lon 88°27'09"E to confluence of Jalangi with Hooghly/Bhagirathi rivers at Nabadwip Lat 23°24'39"N, Lon 88°22'48"E.
48.	National Waterway 48	<i>Jawai-Luni Rivers and Rann of Kutch:</i> Jawai river from Jalore at Lat 25°20'37"N, Lon 72°41'09"E to Luni river near Gandhav village to Rann of Kutchh at Lat 23°32'54"N, Lon 68°22'27"E.
49.	National Waterway 49	<i>Jhelum River:</i> Bridge on highway at Lat 33°49'26"N, Lon 75°03'50"E to Wular lake, Srinagar at Lat 34°21'37"N, Lon 74°36'36"E.
50.	National Waterway 50	<i>Finjiram River:</i> Confluence with Brahmaputra river at Tummi Lat 25°51'51"N, Lon 89°58'57"E to Fulenchar Point. III at Brahmaputra river Lat 25°44'15"N, Lon 89°52'53"E.
51.	National Waterway 51	<i>Kabini River:</i> Kabini Dam Lat 11°58'25"N, Lon 76°21'10"E to Beerambelli at Lat 11°56'10"N, Lon 76°14'18"E.
52.	National Waterway 52	<i>Kali River:</i> Kodasalli Dam Lat 14°55'08"N, Lon 74°32'07"E to confluence of Kali river with Arabian Sea near Sadashivgad bridge at Lat 14°50'31"N, Lon 74°07'21"E.
53.	National Waterway 53	<i>Kalyan-Thane-Mumbai Waterway, Vasai Creek and Ulhas River:</i> Arabian Sea at Navi Mumbai Lat 18°55'50"N, Lon 72°53'22"E via Ulhas river to bridge on State Highway No. 76 near Malegaon T. Wuredi Lat 19°02'38"N, Lon 73°19'54"E; Bridge on Kalyan-Badlnpur road near Kalyan railway yard at Kalyan Lat 19°14'06"N, Lon 73°08'49"E to Kalyan Lat 19°15'35"N, Lon 73°09'28"E; Vasai Creek from Lat 19°18'54"N to Lon 72°47'30"E to Kesheli at Lat 19°13'23"N, Lon 73°0'21"E.

10 THE GAZETTE OF INDIA EXTRAORDINARY [PART II—		
(1)	(2)	(3)
54.	National Waterway 54	<i>Karamnasa River:</i> Bridge at Kakarait Lat 25°18'11"N, Lon 83°31'38"E to confluence of Karamnasa and Ganga rivers at Katubpur Lat 25°31'06"N, Lon 83°52'47"E.
55.	National Waterway 55	<i>Kaveri Kollidam River:</i> Urachikottai Barrage at Lat 11°29'03"N, Lon 77°42'14"E to confluence of river Kollidam with Bay of Bengal at Puzhaiyar Lat 11°21'38"N, Lon 79°49'53"E.
56.	National Waterway 56	<i>Kherkai River:</i> Dam near Gangia village at Lat 22°45'12"N, Lon 86°05'09"E to confluence with Subarnrekha river at Jamshedpur Lat 22°50'13"N, Lon 86°09'37"E.
57.	National Waterway 57	<i>Kopili River:</i> Bridge at Barbhui Gaon Tinali Bus Stop at Lat 26°10'41"N, Lon 92°13'05"E to confluence with Brahmaputra river at Chandrapur No. 2 Lat 26°15'07"N, Lon 91°56'49"E.
58.	National Waterway 58	<i>Kosi River:</i> Kosi Barrage at Hamman Nagar Lat 26°31'40"N, Lon 86°35'29"E to Confluence of Kosi with Ganga river at Kursela Lat 25°24'40"N, Lon 87°15'14"E.
59.	National Waterway 59	<i>Kottayam-Vaikom Canal:</i> Kottayam, near Kodimatha at Lat 9°34'39"N, Lon 76°31'08"E to Vechoor joining National Waterway No. 3 at Lat 9°40'0"N, Lon 76°24'11"E.
60.	National Waterway 60	<i>Kumari River:</i> Dam near Amruhasa village at Lat 23°06'37"N, Lon 86°15'51"E to Mukutmanipur Dam at Chiada Lat 22°57'18"N, Lon 86°44'43"E.
61.	National Waterway 61	<i>Kynshi River:</i> Bangladesh Border near Mawpyllum Lat 25°12'07"N, Lon 91°15'21"E to bridge on Nonghyllam-Maweit road at Lat 25°19'35"N, Lon 91°04'07"E.
62.	National Waterway 62	<i>Lohit River:</i> Parasuram Kund at 27°52'40"N, Lon 96°21'40"E to Saikhowa Ghut, Sadiya Lat 27°47'49"N, Lon 95°38'14"E.
63.	National Waterway 63	<i>Luni River:</i> Dam at Jaswantpura Lat 26°13'35"N, Lon 73°41'20"E to Barrage near Malipura Lat 24°57'04"N, Lon 71°38'02"E.
64.	National Waterway 64	<i>Mahanadi River:</i> Sambalpur Barrage at Lat 21°27'34"N, Lon 83°57'50"E to Paradip at Lat 20°19'38"N, Lon 86°40'17"E.
65.	National Waterway 65	<i>Mahananda River:</i> Bridge near Gosaiapur at Lat 25°26'41"N, Lon 88°05'26"E to Bangladesh Border near Adampur at Lat 24°57'17"N, Lon 88°10'59"E.

12 THE GAZETTE OF INDIA EXTRAORDINARY [PART II—		
(1)	(2)	(3)
78.	National Waterway 78	<i>Penganga Wardha River System:</i> Confluence of Aran and Penganga rivers near Chimata village at Lat 19°54'08"N, Lon 78°12'36"E to the confluence of Wardha and Pranahita rivers near Ravalli village at Lat 19°33'59"N, Lon 79°49'0"E.
79.	National Waterway 79	<i>Pennar River:</i> Penna Barrage, Pothireddypalem at Lat 14°28'08"N, Lon 79°59'09"E to confluence with Bay of Bengal near Kudihipalem at Lat 14°35'37"N, Lon 80°11'31"E.
80.	National Waterway 80	<i>Ponnaiyar River:</i> Sathanur Dam at Lat 12°11'0"N, Lon 78°51'01"E to Cuddalore at confluence of Bay of Bengal at Lat 11°46'22"N, Lon 79°47'42"E.
81.	National Waterway 81	<i>Punpun River:</i> Bridge on National Highway-83 near Pakri village Lat 25°29'50"N, Lon 85°06'19"E to confluence with river Ganga at Falaha Lat 25°30'50"N, Lon 85°18'17"E.
82.	National Waterway 82	<i>Puthimari River:</i> Bridge on National Highway-31 near village Ghopla at Lat 26°22'01"N, Lon 91°39'11"E to confluence with Brahmaputra river near Bamanbori at Lat 26°15'28"N, Lon 91°20'35"E.
83.	National Waterway 83	<i>Rajpuri Creek:</i> Arabian Sea at Rajpuri Lat 18°18'03"N, Lon 72°56'43"E to Mhasala at Lat 18°08'15"N, Lon 73°06'45"E.
84.	National Waterway 84	<i>Ravi River:</i> Dam at Gandhjar Lat 32°35'51"N, Lon 75°59'05"E to Ranjeet Sagar Dam at Basoli Lat 32°26'36"N, Lon 75°43'45"E.
85.	National Waterway 85	<i>Revadanda Creek Kundalika River System:</i> Arabian Sea at Revadanda Lat 18°32'20"N, Lon 72°55'33"E to bridge on Roha-Astami Road near Roha Nagar Lat 18°26'32"N, Lon 73°07'11"E.
86.	National Waterway 86	<i>Rupnarayan River:</i> Confluence of Dwarakeswar and Silai rivers at Pratappur Lat 22°40'17"N, Lon 87°45'43"E to confluence with Hooghly river at Geonkhali Lat 22°12'42"N, Lon 88°03'14"E.
87.	National Waterway 87	<i>Sabarmati River:</i> Barrage near Sadoliya Lat 23°26'50"N, Lon 72°48'35"E to confluence with Gulf of Khambhat near Khambhat Lat 22°09'18"N, Lon 72°27'28"E.
88.	National Waterway 88	<i>Sal River:</i> Odim Deuss Bridge Lat 15°13'11"N, Lon 73°57'30"E to confluence with Arabian Sea at Mobor Lat 15°08'32"N, Lon 73°57'0"E.

(1)	(2)	(3)
89.	National Waterway 89	<i>Savitri River (Bankot Creek):</i> Bridge near Sape at Lat 18°05'54"N, Lon 73°20'09"E to Arabian Sea at Bankot Lat 17°58'47"N, Lon 73°01'45"E.
90.	National Waterway 90	<i>Sharavati River:</i> Honnavar Port Sea Mouth at Lat 14°17'56"N, Lon 74°25'27" E to link at highway at Gersoppa Lat 14°14'15"N, Lon 74°39'06"E.
91.	National Waterway 91	<i>Shastri River Jaigad Creek:</i> Sangmeshwar at Lat 17°11'16"N, Lon 73°33'03"E to confluence with Arabian Sea at Jaigad Lat 17°19'12"N, Lon 73°12'39"E.
92.	National Waterway 92	<i>Silabati River:</i> Barrage near Shimulia village at Lat 22°34'53" N, Lon 87°38'31"E to confluence of Dwarakeswar and Silai rivers at Pratappur Lat 22°40'17"N, Lon 87°46'43"E.
93.	National Waterway 93	<i>Simsang River:</i> Bangladesh Border at Lat 25°11'05"N, Lon 90°39'25"E to bridge on National Highway-62 near Nongalbibra Lat 25°27'20"N, Lon 90°42'22"E.
94.	National Waterway 94	<i>Sone River:</i> Sone Barrage near Dehri at Lat 24°50'14" N, Lon 84°08'03"E to confluence of Sone and Ganga rivers at Lat 25°42'15"N, Lon 84°52'02"E.
95.	National Waterway 95	<i>Subansiri River:</i> Gerukamukh Lat 27°27'03" N, Lon 94°15'16"E to Brahmaputra confluence at Lat 26°52'25"N, Lon 93°54'31"E.
96.	National Waterway 96	<i>Subarnrekha River:</i> Chandil Dam at Lat 22°58'29" N, Lon 86°01'14"E to confluence with Bay of Bengal at Lat 21°33'29"N, Lon 87°22'59"E.
97.	National Waterway 97	<i>Sunderbans Waterways:</i> (i) Namkhana at Lat 21°45'46" N, Lon 88°13'06"E to Athara Banki Khal Lat 21°56'57"N, Lon 89°05'32"E; (ii) <i>Bidya River:</i> Lot No. 124 at Lat 21°54'43" N, Lon 88°41'08"E to near Uttar Danga at Lat 22°11'48"N, Lon 88°51'55"E; (iii) <i>Chhota Kalagachi (Chhoto Kalergachi) River:</i> Near Rajani ferry ghat Lat 22°19'57" N, Lon 88°54'21"E to near Nazat at Lat 22°26'05"N, Lon 88°50'12"E; (iv) <i>Gomar River:</i> Near Ramkrishnapur Lat 22°11'53" N, Lon 88°44'42"E to near Gosaba Kheya ghat at Lat 22°10'05"N, Lon 88°47'37"E; (v) <i>Haribhanga River:</i> Bangladesh Border Lat 21°53'19" N, Lon 89°01'24"E to confluence with Jhila river at Lat 21°58'18"N, Lon 88°55'08"E;

14	THE GAZETTE OF INDIA EXTRAORDINARY		[PART II—
(1)	(2)	(3)	
		(vi) <i>Hogla(Holgal)-Pathankhali River</i> : Near Parandur Lat 22°12'22" N, Lon 88°40'43"E to near Sandeshkhali Ferry Ghat at Lat 22°21'12"N, Lon 88°52'48"E;	
		(vii) <i>Kalindi (Kalandi) River</i> : Bangladesh Border at Hingalganj Lat 22°28'08" N, Lon 88°59'46"E to Bangladesh Border near Khosbash at Lat 22°24'41"N, Lon 88°58'21"E;	
		(viii) <i>Katakhal River</i> : Bangladesh Border near Barunhat Lat 22°30'31" N, Lon 88°58'25"E to Lebuichali ferry at Lat 22°21'45"N, Lon 88°57'30"E;	
		(ix) <i>Matla River</i> : Bay of Bengal at Lat 21°33'04" N, Lon 88°38'26"E to Canning ferry ghat at Lat 22°18'39"N, Lon 88°40'43"E;	
		(x) <i>Muri Ganga (Baratala) River</i> : Bay of Bengal near Bisalakshimpur Lat 21°37'52" N, Lon 88°10'0"E to near Kakdwip at Lat 21°52'17"N, Lon 88°09'08"E;	
		(xi) <i>Rainangal River</i> : Hemnagar at Lat 22°11'41" N, Lon 88°58'01"E to Rajnagar at Lat 22°33'57"N, Lon 88°56'17"E;	
		(xii) <i>Sahibkhali (Sahabkhali) River</i> : Near Ramapur Lat 22°17'52" N, Lon 88°56'35"E to Bangladesh Border near Khosbash at Lat 22°24'41"N, Lon 88°58'21"E;	
		(xiii) <i>Saptamukhi River</i> : Bay of Bengal at Henry Island Lat 21°34'57" N, Lon 88°19'08"E to near Chintamanipur at Lat 21°51'14"N, Lon 88°18'41"E;	
		(xiv) <i>Thakurnan River</i> : Bay of Bengal at Lat 21°33'32" N, Lon 88°27'45"E to Madhabpur at Lat 22°02'52"N, Lon 88°33'28"E;	
98.	National Waterway 98	<i>Sulej River</i> : Sunni Road Bridge at Lat 31°14'45" N, Lon 77°07'34"E to Harike Dam at Lat 31°08'33"N, Lon 74°56'57"E.	
99.	National Waterway 99	<i>Tamaraparani River</i> : Sulochana Modalar bridge, Tirumelveli Lat 8°43'43" N, Lon 77°42'54"E to confluence with Bay of Bengal near Punnakayal at Lat 8°38'25"N, Lon 78°07'38"E.	
100.	National Waterway 100	<i>Tapi River</i> : Hatnur Dam Near Mangalwadi Lat 21°04'22"N, Lon 75°56'45"E to Gulf of Khambhat (Arabian Sea) at Lat 21°02'16"N, Lon 72°39'30"E.	
101.	National Waterway 101	<i>Tizu and Zungki Rivers</i> : Longmaira at Lat 25°46'12"N, Lon 94°44'35"E to Avanghku at Myanmar border Lat 25°35'03"N, Lon 94°53'06"E and in Zungki river from bridge at Lat 25°48'26"N, Lon 94°46'36"E to confluence of Zungki and Tizu rivers at Lat 25°46'58"N, Lon 94°45'21"E.	

(1)	(2)	(3)
102.	National Waterway 102	<i>Thwang (Dhaleswari River):</i> Khamrang near National Highway-54 Lat 23°55'22"N, Lon 92°39'08"E to Bridge on National Highway-154 at Ghamura Lat 24°17'19"N, Lon 92°31'0"E.
103.	National Waterway 103	<i>Tons River:</i> Bridge on National Highway-27 near Chakghat at Lat 25°02'05"N, Lon 81°43'45"E to Ganga confluence at Sirsa Lat 25°16'32"N, Lon 82°05'0"E.
104.	National Waterway 104	<i>Tungbhadra River:</i> Bridge on State Highway No. 29 near Chikka Jantakal village at Lat 15°24'33"N, Lon 76°35'13"E to confluence with river Krishna near village Murva Konda at Lat 15°57'20"N, Lon 78°14'30"E.
105.	National Waterway 105	<i>Udayavara River:</i> Arabian Sea Mouth at Malpe Lat 13°20'57"N, Lon 74°41'28"E to Bridge near Manipura Lat 13°17'33"N, Lon 74°46'26"E.
106.	National Waterway 106	<i>Umngot (Dwaki) River:</i> Bangladesh Border near Larbamon Lat 25°11'07"N Lon 92°0'54"E to Nongryngkoh at Lat 25°19'05"N, Lon 92°02'20"E.
107.	National Waterway 107	<i>Vaigai River:</i> Barrage near Anai Patti at Lat 10°05'19"N, Lon 77°51'10"E to Viragnoor Dam at Lat 9°53'52"N, Lon 78°10'34"E.
108.	National Waterway 108	<i>Varuna River:</i> Road bridge near Kuru at Lat 25°23'15"N, Lon 82°44'07"E to Ganga confluence at Saray Mohana, Varanasi Lat 25°19'45"N, Lon 83°02'41"E.
109.	National Waterway 109	<i>Wainganga Pranahita River System:</i> Bridge near Chandapur village at Lat 20°0'30"N, Lon 79°47'08"E to confluence of river Godavari at Kaleshwaram Lat 18°49'33"N, Lon 79°54'33"E.
110.	National Waterway 110	<i>Yamuna River:</i> Jagatpur (6km upstream of Wazirabad Barrage) Delhi Lat 28°45'28"N, Lon 77°13'50"E to confluence of Yamuna and Ganga rivers at Sangam, Allahabad at Lat 25°25'24"N, Lon 81°53'20"E.
111.	National Waterway 111	<i>Zuari River:</i> Sanvordem bridge Lat 15°16'15"N, Lon 74°07'11"E to Mormugao Port Lat 15°25'55"N, Lon 73°48'13"E.

DR. REETA VASISHTA,
Additional Secy. to the Govt. of India.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2021 ✓

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
ANDTHE HONOURABLE MRS. JUSTICE S. ANANTHI
W.P. (MD) No. 27380 of 2019 ✓

and

W.M.P. (MD) Nos. 23643, 23645 of 2019 & 4150, 14023 of 2020

..Sesadimai ✓

: Petitioner

Vs.

1. The Union of India,
Rep. by its Secretary,
Ministry of Environment and Forest,
Department of Environment, Forest and Wild Life,
Paryavaran Bhavan,
Jorbag Road, New Delhi.
2. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Public Works Department,
Fort St. George, Chennai.
3. The District Collector,
Kanyakumari District at
Nagercoil.
4. The Director,
Fisheries Department,
Nagercoil.
5. The Joint Director,
Fisheries Department,
Nagercoil.
6. The Executive Engineer,
Public Works Department (WRO),
Planning and Design,
Nagercoil,
Kanyakumari District.
7. The Assistant Executive Engineer,
Public Works Department (WRO),
Planning and Design,
Nagercoil,
Kanyakumari District.

M. P. ORDER No. 27380 of 2019

The Executive Engineer,
Fishing Harbour Project,
Nagercoil,
Kanyakumari District.

The Executive Engineer,
Water Resource Organization,
Public Works Department,
Kothaiyaru Irrigation System,
Nagercoil,
Kanyakumari District.

3. The Assistant Executive Engineer,
Water Resource Organization,
Public Works Department,
Kothaiyaru Irrigation System,
Nagercoil.

1. Punitha Pandian

: Respondents

All Impleaded vide Court order dated 27.07.2020 in WP(MD)No.1852
of 2020 in WP(MD)No.27380 of 2019]

Prayer in WP(MD) No. 27380 of 2019 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court to ~~grant~~ quash for the records
relating to the impugned order passed by the 1st respondent in G.O.
3D) no.26, Public Works(WI) dept dt 24.6.2018 in so far as it
relates to construction of a Check Dam across Kuthithuraiyar near
Taimanthurai in Kanyakumari dist is concerned quash the same and
consequently forbear the respondents from constructing any structure
or construction across Kuthithuraiyar River

For Petitioner : Ms.J.Anandhavalli ✓

For Respondents : Mr.P.Subbiah,
Central Government Standing Counsel
for R.1

Mr.K.P.Krishnaswami,
Special Government Pleader
for R.2 to R.10

Mr.S.Srijesh Kishore for R.11

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

When the matter is taken up for hearing, the learned Counsel
appearing for the petitioner sought permission of this Court to
withdraw the writ petition. She has also submitted a letter dated

W. P. NO. 1203 OF 2021

0.01.2021. in this regard, to the Registry.

2. In view of the above submission and the letter dated 0.01.2021, this writ petition stands dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

N.P. 1203/2021

Sub Assistant Registrar (CS)

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The Secretary to Government,
Union of India,
Ministry of Environment and Forest,
Department of Environment, Forest and Wild Life,
Paryavaran Bhavan,
Jorbag Road, New Delhi.

The Principal Secretary to Government,
State of Tamil Nadu,
Public Works Department,
Fort St. George, Chennai.

The District Collector,
Kanyakumari District at
Nagercoil.

The Director,
Fisheries Department,
Nagercoil.

The Joint Director,
Fisheries Department,
Nagercoil.

The Executive Engineer,
Public Works Department (WRO),
Planning and Design,
Nagercoil,
Kanyakumari District.

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W.P. (CO) No. 2319 of 2021

The Assistant Executive Engineer,
Public Works Department (WRO),
Planning and Design,
Nagercoil,
Kanyakumari District.

The Executive Engineer,
Fishing Harbour Project,
Nagercoil,
Kanyakumari District.

The Executive Engineer,
Water Resource Organization,
Public Works Department,
Kothaiyaru Irrigation System,
Nagercoil,
Kanyakumari District.

The Assistant Executive Engineer,
Water Resource Organization,
Public Works Department,
Kothaiyaru Irrigation System,
Nagercoil, Kanyakumari District.

cc to Mr. J. ANANHA VALLI, Advocate, SR No. 2163

W.P. (CO) No. 2319 of 2021
29.01.2021

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