

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
NEW DELHI
O.A. NO. 627 OF 2022**

Prakash Yadav

...

Applicant

Versus

State of Haryana & Ors.

Respondents

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2	A copy of Allocation of Business rules concerning the answering Respondent No. 11 & 12 is annexed herewith and marked as Annexure 1	06- 15

Respondents

Through

Place: New

Delhi Dated:

12.08.2024



Gigi. C. George

Advocate Govt.

Standing Counsel

M-9810625315

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REPLY ON BEHALF OF RESPONDEN NO. 11 & 12

1. That I am authorized by the Respondent No. 11 Department of Water Resources, Ministry of Jal Shakti, Government of India and Respondent No. 12 Central Water Commission to file the present reply before this Hon'ble Tribunal.
2. That the answering Respondent has been arrayed merely as a proforma party, with no relief whatsoever claimed / or sought against the answering Respondent. Likewise, the petitioner does not make any reference / allegation against the answering Respondent of any kind.
3. That the present OA filed under Section 14 R/W read with section 18 of the National Green Tribunal Act. 2010 has raised the issues relating to sewage from various Sewage Treatment Plants (STP) established in District Rewari being discharged in hundreds of acres of vacant land of Sahibi river situated near village Kharkhara, Khaliawas on Delhi Jaipur National Highway.

4. That the answering Respondents No. 11 & 12, is entrusted with the general responsibilities of initiating, coordinating and advancing in consultation of the concerned State Governments the schemes for control, conservation and utilization of water resources throughout the country, for purpose of Flood Control, Irrigation, Navigation, Drinking Water Supply and Waterpower Development. It also undertakes the investigations, construction and execution of any such schemes as required. The kind attention of this Hon'ble Court in this regard is invited to Government of India (Allocation of Business rules) 1961, as amended from time to time. A copy of Allocation of Business rules concerning the answering Respondent No. 11 & 12 is annexed herewith and marked as **Annexure R1**.
5. That under Swachh Bharat Mission, the Central Government releases funds to the State for Sanitation activities such as construction of IHHL, SLWM, PWM, Grey Water Management, Faecal Sludge Management etc., sanitation being a State subject, the State Government is to manage the utilization of funds and to execute the works in accordance with the operational guidelines for implementation of SBM(G) Phase-II.
6. That the Sahibi River also known as the Sabi River, is an ephemeral, rain-fed river that flows through Rajasthan, Haryana and Delhi. Sahibi river takes discharge from Delhi & Haryana. Both the states has its own Sewerage action plan. Through MNREGA Programme Small River Rejuvenation efforts are taken care by the District Authorities. It is

pertinent to mention here that Small rivers are facing high pressure from urbanization and losing their identities and are being referred to by local drains name which should be discouraged.

7. That it is submitted that Sahibi River is not a perennial river, it only flows during the monsoon season and dries up in the lean period. It originates from the eastern slopes of the Saiwar Protected Forest hills in the Aravalli Range near Jitgarh and Manoharpur in Sikar District, Rajsthan. Due to flash floods the Rajsthan Government has constructed a series of check dams on the main course of the river to prevent flooding. Sahibi river faces issues of sewage discharge in Haryana reach from Gurugram Metropolitan area. As per the inputs received from NMCG, the STP capacity in Gurugram is 415 MLD and the STP capacity Gap is about 93MLD and in Delhi existing Capacity is 3237 MLD and the gap is 363.7MLD. It is further submitted that in Delhi in Sahibi River catchment, NMCG, DoWR RD&GR has also provided financial assistance to Delhi Govt. for creation of STP capacity. With the NMCG assistance, 500 MLD STP capacity has been created (318- Coronation Pillar STP & 182 MLD-Rithala STP) at the sanctioned cost of Rs.726.79 Crores in the catchment area of Sahibi River.
8. That "The Central Water Commission diligently monitors hydrological data on River Sahibi before its confluence with River Yamuna at three specific locations along the Sahibi River, namely Masani (Designated as Gauge, Discharge & Water Quality Site), Dadri (Designated as Gauge, Discharge & Water Quality Site) and Dhansa (Designated as Gauge, Discharge, Water Quality & Level forecasting Site) during

monsoon only which commences from 01st June and concludes on 31st October of every year. At all these three sites, daily discharge, hourly water level readings and thrice monthly water quality samples are being observed / collected during monsoon periods only.

9. That the answering respondents crave liberty to file the detailed / additional reply with the permission of the Hon'ble Tribunal as and when need arise. However, answering respondents undertake to comply with directions issued by this Hon'ble Tribunal.

13/08/24

Executive Engineer,

Upper Yamuna Division

For Respondent No. 11 & 12

अधिकासी अभियन्ता / Executive Engineer
उपरी यमुना मंडल / Upper Yamuna Division
केन्द्रीय जल आयोग / Central Water Commission
नई दिल्ली-110016 / New Delhi-110016

Dt. 13/8/24

Through



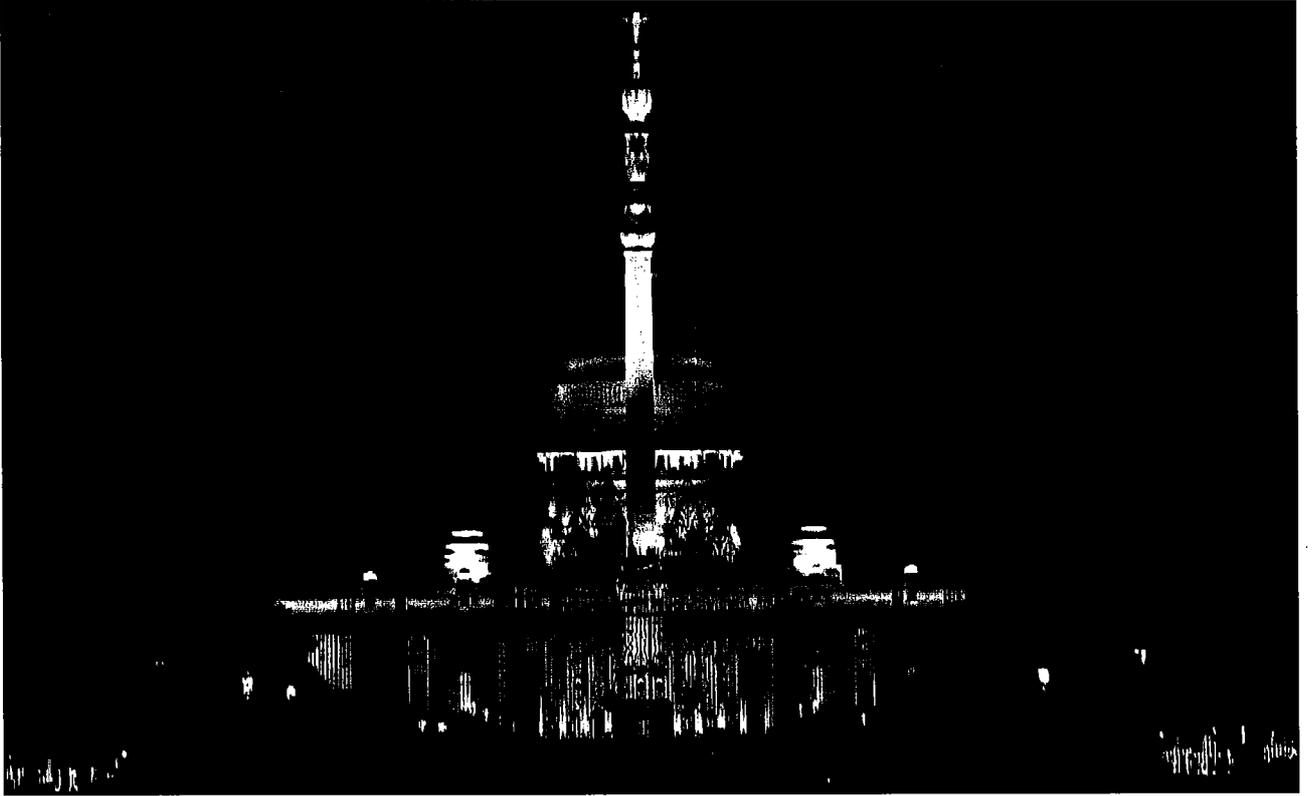
Gigi. C. George, Advocate

Standing Counsel (UoI)



CABINET SECRETARIAT
मंत्रिमंडल सचिवालय

The Government of India (Allocation of Business) Rules, 1961
भारत सरकार (कार्य आबंटन) नियम, 1961



(As amended upto Amendment Series no. 375, dated 10th March, 2023)
(संशोधन अवली सं 375, दिनांक 10 मार्च, 2024 तक यथा संशोधित)

[With footnotes since 01.01.1998]

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**MINISTRY OF JAL SHAKTI
(JAL SHAKTI MANTRALAYA)¹**

**A. DEPARTMENT OF WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION
(JAL SANSADHAN, NADI VIKAS AUR GANGA SANRAKSHAN VIBHAG)²**

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.³
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).
- 7A. Conservation, development, management and abatement of pollution of rivers.⁴
- 7B. Glacial Studies.⁵

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.

¹ Inserted vide Amendment series no.350 dated 14.06.2019.

² Previously modified vide Amendment series no.306 dated 31.07.2014.

³ Previously modified vide Amendment series no.306 dated 31.07.2014.

⁴ Inserted vide Amendment series no.354 dated 24.04.2020 (moved from entry no. 32).

⁵ Inserted vide Amendment series no. 375 dated 10.03.2024.

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 Council for Rejuvenation, Protection and Management of River Ganga (National Ganga Council); National Mission for Clean Ganga.¹
32. **Omitted.**²
33. National River Conservation Directorate.³
- 33A. National Water Informatics Centre (NWIC).⁴
- 33B. North Eastern Regional Institute of Water and Land Management (NERIWALM).⁵

¹ Substituted vide Amendment Series no. 354 dated 24.04.2020 (Previously inserted vide Amendment series no.306 dated 31.07.2014).

² Omitted vide Amendment Series no. 354 dated 24.04.2020 (moved as entry 7A. Earlier modified vide amendment series no. 350 dated 14.06.2019 by shifting part entry from MoEFCC (Previously inserted here vide Amendment series no.306 dated 31.07.2014).

³ Inserted (Transferred from MoEFCC) vide amendment series no. 350 dated 14.06.2019.

⁴ Inserted vide Amendment Series no. 354 dated 24.04.2020.

⁵ Inserted vide Amendment Series no. 354 dated 24.04.2020.

- 33C. Krishna River Management Board (KRMB).¹
- 33D. Godavari River Management Board (GRMB).²
- 33E. Cauvery Water Management Authority (CWMA).³

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).

¹ Inserted vide Amendment Series no. 354 dated 24.04.2020.

² Inserted vide Amendment Series no. 354 dated 24.04.2020.

³ Inserted vide Amendment Series no. 354 dated 24.04.2020.

**B. DEPARTMENT OF DRINKING WATER AND SANITATION
(PEYA JAL AUR SWACHCHHATA VIBHAG)¹**

1. Rural water supply (subject to overall national perspective of water planning and coordination assigned 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.

¹ Modified vide Amendment series no. 243 dated 15.10.1999, 297 dated 05.06.2010, 299 dated 13.07.2011 & 350 dated 14.06.2019