

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

Original Application No. 581/2022
(I.A NO 728/2023 and I.A NO 595/2023)

In the matter of:

Vikas Kumar

Applicant

Versus

State of Haryana & Ors.

Respondents

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2.	Annexure – I A copy letter dated 14.05.2024, issued by CPCB to SPCBs/PCCs regarding compliance of Hon'ble NGT order dated 30.04.2024 in O.A No. 581/2022.	
3.	Annexure – II A copy of response received from SPCBs/PCCs.	
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(Nazimuddin)
Scientist 'F'

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar

Place: Delhi
Dated: 02.08.2024

**Compliance Report in the matter of Hon'ble
NGT (PB) O.A. No. 581/2022 (IAs No.
728/2023 and 595/2023) titled as Vikas Kumar
Vs. State of Haryana & Ors.**

Hon'ble National Green Tribunal, Principal Bench vide order dated 12.09.2022 in the matter of O.A. No. 581/2022 (IAs No. 728/2023 and 595/2023) titled as Vikas Kumar v/s State of Haryana & Ors., constituted a joint committee with direction to verify the factual position regarding letter petition for illegal mining in the name of Yodha Mines and Minerals in the river bed of river Yamuna and diversion of course of river by constructing illegal bridge on river Yamuna. The case was listed/heard on 21.11.2022, 09.12.2022, 31.01.2023, 23.02.2023, 22.03.2023, 19.04.2023, 24.05.2023, 25.05.2023 and vide order dated 25.05.2023 another joint committee was constituted to submit report as under:

“ ...

14. In the facts and circumstances of the case, we consider it necessary to constitute a Joint Committee to examine the issue and submit its report in this regard. Accordingly, we constitute a Joint Committee comprising of (i) Dr. Mukesh Kumar Sinha, Chairperson, Godavari River Management Board as Chairman; (ii) Representatives of Secretaries MoEF&CC and MoJS not below the rank of Joint Secretary/ Director as Member and (iii) The Member Secretary, CPCB as Member Secretary. The Joint Committee shall be entitled to seek/receive response from the applicant, project proponent, concerned departments of the Haryana Government and also to associate any other expert with it as may be considered necessary, undertake visits to the sites where bridges have been constructed/were constructed, carry out the requisite study and submit its report regarding the following aspects.

a) Whether any mining activity be allowed across different streams of river, if more than one at any place and any temporary bridge be allowed to be constructed for facilitating extraction/transportation of the mined material and other allied activities;

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b) Whether permitting such mining activity and construction of such temporary bridge has any adverse environmental impact on the river morphology, ecology, discharge and aquatic life, etc.;

c) Whether construction of any such temporary bridge across river for facilitating mining/allied activities be completely prohibited or permitted by imposing conditions to ensure minimum impact on river ecology and aquatic life, and

d) In case construction of any such temporary bridge is to be kept in the category of regulated activities, by which authority and in which manner the aspects of grant of permission ought to be dealt with.

....”

In compliance of the Hon'ble NGT order, the report of the joint committee constituted vide order dated-25.05.2023 was submitted through e-mail dated 25.08.2023. The responses on report of the joint committee was filed by (i) HSPCB vide e-mail dated 17.10.2023, (ii) NMCG vide e-mail dated 18.10.2023 and (iii) Irrigation and Water Resources Department, Haryana vide e-mail dated 19.10.2023. The case was listed/heard on 26.09.2023, 05.10.2023, 19.10.2023 and 01.11.2023.

The case was again listed/heard on 29.04.2024 and 30.04.2024. The Hon'ble NGT vide order dated 30.04.2024 directed as below:

“... ”

19. We are of the considered view that the issue of construction of temporary bridges across river channels for carrying of mining and allied activities is not confined only to the State of Haryana but, in the very nature of things, extends to other States and UTs also. Therefore, the question regarding construction of temporary bridges across river channels for carrying out mining and allied activities is essentially required to be considered in its applicability to all States and UTs.

...

21. Undisputedly, construction of temporary bridge or road on riverbed for carrying out mining will have adverse environmental impact on river morphology and ecology and, therefore, appropriate remedial measures have to be taken immediately to mitigate the same. At present such prompt action is not taken due to absence of statutory/policy frame work and guidelines. There is urgent need for due consideration of the matter for suggesting framing of requisite statutory/policy frame work and guidelines for adoption

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and implementation of remedial measures for mitigating adverse environmental impacts on river morphology and ecology.

22. In these facts and circumstances we widen the scope of proceedings in the present case to consider the question of “permissibility of temporary bridge across river channels for carrying out mining and allied activities” in its applicability to all States and UTs.

...

24. Respondent no. 11-CPCB is directed to obtain and compile information from all States and UTs regarding framing of statutory/policy framework and issuance of any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and also any alternative practice adopted in all the States/UTs and file its report within two months.

....”

In compliance to above order, CPCB vide letter dated-14.05.2024 requested SPCBs/PCCs to coordinate with the concerned State Departments (mining/irrigation) and to provide information of respective States/UTs regarding (i) the statutory/policy framework regarding construction of temporary bridge across river channels for carrying out mining and allied activities, (ii) any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and (iii) any alternative practice adopted regarding construction of temporary bridge across river channels for carrying out mining and allied activities.

The copy of CPCB's letter to SPCBs/PCCs is enclosed (**Annexure-1**). The matter was also followed-up vide emails dated 06.06.2024 and dated 19.06.2024 with SPCBs/PCCs.

The responses received from SPCBs/PCCs are enclosed at **Annexure-2**.

The summary of responses received from SPCBs/PCCs is as below:

- The following SPCBs/PCCs have replied and have not reported any specific policy/guidelines in their state/UT for permitting construction of temporary bridges across river channels for carrying out mining and allied activities.

1. **Assam**
2. **Bihar**¹



3. **Chhattisgarh²**
4. **Dadra & Nagar Haveli and Daman & Diu**
5. **Jammu & Kashmir**
6. **Lakshadweep**
7. **Meghalaya**
8. **Nagaland**
9. **Puducherry**

(Note-1: Bihar SPCB has informed that permission is required for construction of bridges across the rivers from Department of Water Resources, Bihar as per circulars dt.- 28.05.2018 & 20.01.2020. (It is observed that these circulars are not issued about construction of temporary bridges across rivers for carrying out of mining activities).

Note-2: Chhattisgarh CECB has informed that orders issued by Water Resource Department, Chhattisgarh. (It is observed that these orders are not about construction of bridges)

- The following SPCBs have also replied that no information received from concerned State Departments.

10. **Madhya Pradesh**
11. **Mizoram**
12. **Kerala**
13. **West Bengal**

- Reply is not received from for following States/UTs.

1. **Andhra Pradesh**
2. **Arunachal Pradesh**
3. **Chandigarh**
4. **Delhi**
5. **Goa**
6. **Gujarat**
7. **Himachal Pradesh**
8. **Jharkhand**
9. **Karnataka**
10. **Ladakh**
11. **Maharashtra**
12. **Manipur**
13. **Mizoram**
14. **Odisha**
15. **Punjab**
16. **Rajasthan**
17. **Sikkim**
18. **Tamil Nadu**
19. **Telangana**
20. **Tripura**
21. **Uttar Pradesh**

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22. Uttarakhand

- **Haryana SPCB** has also not replied to CPCB letter dated 14.05.2024 however the policy issued by Irrigation Department, Haryana for crossing Yamuna by miners for carrying mining activities was informed by Haryana state government in Para 4(viii) of their reply dated 23.02.2023 in this matter and annexed as Annexure R/7.

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

BY E-MAIL

Annexure- 1

No. CPCB/IPC-II/ CM-13011/92/2023

May 14th, 2024

To,

The Member Secretary,
State Pollution Control Boards / Pollution Control Committees,
(As per list)

Sub.:- In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dt.-30.04.2024.

Sir/Ma'am,

Please refer to Hon'ble NGT order dated-30.04.2024 in OA No. 581 of 2022 (IA No. 728/2023 and IA No. 595/2023) titled as Vikas Kumar v/s State of Haryana & Ors.(copy enclosed).

Hon'ble NGT issued order dated-30.04.2024 in the matter as follows:

“ ...

19. We are of the considered view that the issue of construction of temporary bridges across river channels for carrying of mining and allied activities is not confined only to the State of Haryana but, in the very nature of things, extends to other States and UTs also. Therefore, the question regarding construction of temporary bridges across river channels for carrying out mining and allied activities is essentially required to be considered in its applicability to all States and UTs.

...

21. Undisputedly, construction of temporary bridge or road on riverbed for carrying out mining will have adverse environmental impact on river morphology and ecology and, therefore, appropriate remedial measures have to be taken immediately to mitigate the same. At present such prompt action is not taken due to absence of statutory/policy frame work and guidelines. There is urgent need for due consideration of the matter for suggesting framing of requisite statutory/policy frame work and guidelines for adoption and implementation of remedial measures for mitigating adverse environmental impacts on river morphology and ecology.

22. In these facts and circumstances we widen the scope of proceedings in the present case to consider the question of “permissibility of temporary bridge across river channels for carrying out mining and allied activities” in its applicability to all States and UTs.

...cont//

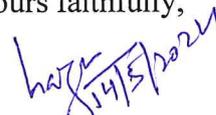
Page No 1 of 2

24. Respondent no. 11-CPCB is directed to obtain and compile information from all States and UTs regarding framing of statutory/policy framework and issuance of any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and also any alternative practice adopted in all the States/UTs and file its report within two months.

...”

In compliance of above mentioned Hon'ble NGT order, it is requested to coordinate with the concerned state department (mining/irrigation) and provide information in respect of your state regarding - (i) the statutory/policy framework regarding construction of temporary bridge across river channels for carrying out mining and allied activities, (ii) any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and (iii) any alternative practice adopted regarding construction of temporary bridge across river channels for carrying out mining and allied activities, which may kindly be provided by 31.05.2024.

Yours faithfully,



(Nazimuddin)

Scientist-'F' &

Head – IPC-II Division

Subject: Permissibility of temporary bridge across river channels for carrying out mining and allied activities

S. No.	Information	SPCB	Mining Dept.	Irrigation Dept.
1	Statutory / Policy framework regarding construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)
2	Any guidelines permitting construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)

Address List of SPCBs/PCCs

1.	The Member Secretary Andhra Pradesh Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada- 520007 Andhra Pradesh	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board ParyavaranBhawan, Yupia Road, PapuNalah, Naharlagun – 791110 Arunachal Pradesh
3	The Member Secretary Assam Pollution Control Board Bamunimaidan, Guwahati – 781021 Assam	4	The Member Secretary Bihar State Pollution Control Board PariveshBhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800010, Bihar
5.	The Member Secretary Chhattisgarh Environment Conservation Board ParyavasBhawan, North Block, Sector-19 Atal Nagar, Raipur– 492 002 Chhattisgarh	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511, Goa
7.	The Member Secretary Gujarat Pollution Control Board ParyavaranBhavan, Sector-10A, Gandhinagar– 382043 Gujarat	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 Haryana
9	The Member Secretary Himachal Pradesh State Pollution Control Board ParyavaranBhavan, Phase III, New Shimla – 171009, Himachal Pradesh	10	The Member Secretary J&K State Pollution Control Board, PariveshBhawan, Forest Complex, Gladni, Narwal, Transport Nagar, Jammu-180004 Jammu & Kashmir (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 Jharkhand	12.	The Member Secretary Karnataka State Pollution Control Board ParisaraBhavan, #49, Church Street, Bengaluru – 560 001 Karnataka
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu, Pattom P.O Thiruvananthapuram-695004 Kerala	14.	The Member Secretary Maharashtra Pollution Control Board Kalpataru Point, 3rd& 4th floor, Opp. PVR Cinema, Sion Circle (E), Mumbai- 400022, Maharashtra
15	The Member Secretary Manipur Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 Manipur	16	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanmual Peng, Aizwal Mizoram- 796001
17	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong – 793014, Meghalaya	18.	The Member Secretary Madhya Pradesh State Pollution Control Board ParyavaranParisar, E-5 Arera Colony Bhopal – 462016, Madhya Pradesh
19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112	20	The Member Secretary Odisha State Pollution Control Board ParibeshBhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneshwar – 751012, Odisha

21.	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, PremNagar,Patiala – 147001 Punjab	22.	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102, Sikkim
23.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalana Dungri Jaipur – 302004. Rajasthan	24.	The Member Secretary Telangana State Pollution Control Board ParyavaranBhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018 Telangana
25.	The Member Secretary Tripura State Pollution Control Board PariveshBhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, Tripura - 799 006	26.	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032 Tamil Nadu
27.	The Member Secretary Uttarakhand Pollution Control Board Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun-248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh Pollution Control Board Building No. TC-12V VibhutiKhand, Gomti Nagar, Lucknow– 226010. Uttar Pradesh
29.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 Andaman & Nicobar	30.	The Member Secretary Chandigarh Pollution Control Committee ParyavaranBhawan Madhya Marg, Sector - 19 B, Chandigarh – 160019. Chandigarh
31.	The Member Secretary Delhi Pollution Control Committee 4 th & 5 th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.	32.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1 st Floor, Udhog Bhavan Bhenslore, Dunetha Nani Daman, Daman – 396210
33.	The Member Secretary Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati – 682555. Lakshadweep	34.	The Member Secretary Ladakh Pollution Control Committee The Administration of Union Territory of Ladakh, UT Secretariat Leh
35.	The Member Secretary Puducherry Pollution Control Committee Department of Science, Technology & Environment 3rd Floor, Housing Board Complex, Anna Nagar, Nellithope, Puducherry – 605 005	36.	The Member Secretary West Bengal Pollution Control Board ParibeshBhavan Canteen, 10A, Sector III, Bidhannagar, Kolkata- 700106 West Bengal

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Email

Nazimuddin

Fwd: GENTLE REMINDER: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

From : Gaurav Gehlot <gehlot.cpcb@gov.in>

Thu, Jun 06, 2024 11:15 AM

Subject : Fwd: GENTLE REMINDER: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

📎 2 attachments

To : pcc-dnddd@ddd.gov.in

Cc : Nazimuddin <nazim.cpcb@nic.in>

From: "Gaurav Gehlot" <gehlot.cpcb@gov.in>

To: dstandamans@gmail.com, "Member Secretary APPCB" <membersecy@appcb.gov.in>, arunachalspcb@gmail.com, membersecretary@pcbassam.org, "Vivek Pandey" <cpcc-chd@nic.in>, hocecb@gmail.com, pccdddnh@gmail.com, "Finance Secretary DNH and DD" <fs-dmn-dd@nic.in>, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Member Secretary GSPCB" <ms-gspcb.goa@nic.in>, ms-gpcb@gujarat.gov.in, hspcbms@gmail.com, "mspcb-hp" <mspcb-hp@nic.in>, membersecretaryjkspcb@gmail.com, pollutioncontrolcommitteeh@gmail.com, jkpcbleh@yahoo.com, ranchijspcb@gmail.com, "Member Secretary Karnataka State Pollution Control Board" <memsecy@kspcb.gov.in>, "Member Secretary KSPCB" <ms@kspcb.gov.in>, "Sheela A.M" <ms.kspcb@gov.in>, "Director, S&T" <lk-dst@nic.in>, "ms msoffice" <ms-mppcb@mp.gov.in>, "it mppcb" <it_mppcb@rediffmail.com>, ms@mpcb.gov.in, "Pollution Control Board" <pcb-man@nic.in>, megspcb@rediffmail.com, duhawma15@yahoo.com, "MPCB" <mpcb@mizoram.gov.in>, npcb2@yahoo.com, membersecretary@ospcb.org, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, "Member Secretary PPCB" <msppcb@punjab.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, csraoifs@gmail.com, "TNPCB Chennai" <tnpcb-chn@gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, "Dr. Buddhaprakash Jyothi" <ms-tspcb@telangana.gov.in>, tripuraspcb@gmail.com, "Tripura State Pollution Control Board" <hoospcb-tr@gov.in>, ms@uppcb.com, msukpcb@gmail.com, ms@wbpcb.gov.in, pcc-dnddd@ddd.gov.in

Sent: Thursday, June 6, 2024 11:09:08 AM

Subject: GENTLE REMINDER: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

[Gentle Reminder]

Sir / Ma'am,

With reference to trailing mail, the information in the matter is yet to receive. It is requested that the information may be provided at the earliest for compilation and submission to Hon'ble NGT in the matter.

Regards

--

From: "Gaurav Gehlot" <gehlot.cpcb@gov.in>

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To: dstandamans@gmail.com, "Member Secretary APPCB" <membersecy@appcb.gov.in>, arunachalspcb@gmail.com, membersecretary@pcbassam.org, mscellbspcb@gmail.com, bspcb@yahoo.com, "Vivek Pandey" <cpcc-chd@nic.in>, hocecb@gmail.com, pccddnh@gmail.com, "Finance Secretary DNH and DD" <fs-dmn-dd@nic.in>, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Member Secretary GSPCB" <ms-gspcb.goa@nic.in>, ms-gpcb@gujarat.gov.in, hspcbms@gmail.com, "mspcb-hp" <mspcb-hp@nic.in>, membersecretaryjkspcb@gmail.com, pollutioncontrolcommitteeh@gmail.com, jkpcbleh@yahoo.com, ranchijspcb@gmail.com, "Member Secretary Karnataka State Pollution Control Board" <memsecy@kspcb.gov.in>, "Member Secretary KSPCB" <ms@kspcb.gov.in>, "Sheela A.M" <ms.kspcb@gov.in>, "Director, S&T" <lk-dst@nic.in>, "ms msoffice" <ms-mppcb@mp.gov.in>, "it mppcb" <it_mppcb@rediffmail.com>, ms@mpcb.gov.in, "Pollution Control Board" <pcb-man@nic.in>, megspcb@rediffmail.com, duhawma15@yahoo.com, "MPCB" <mpcb@mizoram.gov.in>, npcb2@yahoo.com, membersecretary@ospboard.org, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, "Member Secretary PPCB" <msppcb@punjab.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, csraoifs@gmail.com, "TNPCB Chennai" <tnpcb-chn@gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, "Dr. Buddhaprakash Jyothi" <ms-tspcb@telangana.gov.in>, tripuraspcb@gmail.com, "Tripura State Pollution Control Board" <hoospcb-tr@gov.in>, ms@uppcb.com, msukpcb@gmail.com, ms@wbpcb.gov.in

Cc: "Nazimuddin" <nazim.cpcb@nic.in>

Sent: Tuesday, May 14, 2024 3:16:13 PM

Subject: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

Sir / Ma'am,

In reference to Hon'ble NGT OA No. 581 of 2022 order dated-30.04.2024, I am directed to forward the enclosed files for kind information and appropriate action in the matter.

Kindly acknowledge the receipt of mail to nazim.cpcb@gov.in

Regards

--

गौरव गहलोट / Gaurav Gehlot

Scientist - C, IPC - II Division,
Central Pollution Control Board,
Delhi

 **E-mail letter.pdf**
1 MB

 **NGT order.pdf**
215 KB

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Email

Nazimuddin

GENTLE REMINDER: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

From : Gaurav Gehlot <gehlot.cpcb@gov.in>

Wed, Jun 19, 2024 12:53 PM

Subject : GENTLE REMINDER: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

📎 2 attachments

To : dstandamans@gmail.com, Member Secretary APPCB <membersecy@appcb.gov.in>, arunachalspcb@gmail.com, membersecretary@pcbassam.org, Vivek Pandey <cpcc-chd@nic.in>, hocecb@gmail.com, pccdddnh@gmail.com, Finance Secretary DNH and DD <fs-dmn-dd@nic.in>, Dr. K.S Jayachandran <msdpcc@nic.in>, Member Secretary GSPCB <ms-gspcb.goa@nic.in>, ms-gpcb@gujarat.gov.in, hspcbms@gmail.com, mspcb-hp <mspcb-hp@nic.in>, pollutioncontrolcommitteeh@gmail.com, jkpcbseh@yahoo.com, ranchijspcb@gmail.com, Member Secretary Karnataka State Pollution Control Board <memsecy@kspcb.gov.in>, Member Secretary KSPCB <ms@kspcb.gov.in>, Sheela A.M <ms.kspcb@gov.in>, Director, S&T <lk-dst@nic.in>, ms msoffice <ms-mppcb@mp.gov.in>, it mppcb <it_mppcb@rediffmail.com>, ms@mpcb.gov.in, Pollution Control Board <pcb-man@nic.in>, megspcb@rediffmail.com, duhawma15@yahoo.com, MPCB <mpcb@mizoram.gov.in>, npcb2@yahoo.com, membersecretary@ospboard.org, Pondicherry Pollution Control Committee Pondicherry <ppcc.pon@nic.in>, Member Secretary PPCB <msppcb@punjab.gov.in>, Member Secretary <member-secretary@rpcb.nic.in>, csraoifs@gmail.com, TNPCB Chennai <tnpcb-chn@gov.in>, MS TNPCB <memsec@tnpcb.gov.in>, Dr. Buddhaprakash Jyothi <ms-tspcb@telangana.gov.in>, tripuraspcb@gmail.com, Tripura State Pollution Control Board <hoospcb-tr@gov.in>, ms@uppcb.com, msukpcb@gmail.com, pcc-dnddd@ddd.gov.in

Cc : Nazimuddin <nazim.cpcb@nic.in>

[Gentle Reminder]

Sir / Ma'am,

With reference to trailing mail, the information in the matter is yet to receive. It is requested that the information may be provided at the earliest for compilation and submission to Hon'ble NGT in the matter.

Regards

1116

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From: "Gaurav Gehlot" <gehlot.cpcb@gov.in>**To:** dstandamans@gmail.com, "Member Secretary APPCB" <membersecy@appcb.gov.in>, arunachalspcb@gmail.com, membersecretary@pcbassam.org, "Vivek Pandey" <cpcc-chd@nic.in>, hocecb@gmail.com, pccdddnh@gmail.com, "Finance Secretary DNH and DD" <fs-dmn-dd@nic.in>, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Member Secretary GSPCB" <ms-gspcb.goa@nic.in>, ms-gpcb@gujarat.gov.in, hspcbms@gmail.com, "mspcb-hp" <mspcb-hp@nic.in>, membersecretaryjkspcb@gmail.com, pollutioncontrolcommitteeh@gmail.com, jkpcbleh@yahoo.com, ranchijspcb@gmail.com, "Member Secretary Karnataka State Pollution Control Board" <memsecy@kspcb.gov.in>, "Member Secretary KSPCB" <ms@kspcb.gov.in>, "Sheela A.M" <ms.kspcb@gov.in>, "Director, S&T" <lk-dst@nic.in>, "ms msoffice" <ms-mppcb@mp.gov.in>, "it mppcb" <it_mppcb@rediffmail.com>, ms@mpcb.gov.in, "Pollution Control Board" <pcb-man@nic.in>, megspcb@rediffmail.com, duhawma15@yahoo.com, "MPCB" <mpcb@mizoram.gov.in>, npcb2@yahoo.com, membersecretary@ospboard.org, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, "Member Secretary PPCB" <msppcb@punjab.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, csraoifs@gmail.com, "TNPCB Chennai" <tnpcb-chn@gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, "Dr. Buddhaprakash Jyothi" <ms-tspcb@telangana.gov.in>, tripuraspcb@gmail.com, "Tripura State Pollution Control Board" <hoospcb-tr@gov.in>, ms@uppcb.com, msukpcb@gmail.com, ms@wbpcb.gov.in, pcc-dnddd@ddd.gov.in**Sent:** Thursday, June 6, 2024 11:09:08 AM**Subject:** GENTLE REMINDER: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

[Gentle Reminder]

Sir / Ma'am,

With reference to trailing mail, the information in the matter is yet to receive. It is requested that the information may be provided at the earliest for compilation and submission to Hon'ble NGT in the matter.

Regards

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From: "Gaurav Gehlot" <gehlot.cpcb@gov.in>**To:** dstandamans@gmail.com, "Member Secretary APPCB" <membersecy@appcb.gov.in>, arunachalspcb@gmail.com, membersecretary@pcbassam.org, mscellbspb@gmail.com, bspcb@yahoo.com, "Vivek Pandey" <cpcc-chd@nic.in>, hocecb@gmail.com, pccdddnh@gmail.com, "Finance Secretary DNH and DD" <fs-dmn-dd@nic.in>, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Member Secretary GSPCB" <ms-gspcb.goa@nic.in>, ms-gpcb@gujarat.gov.in, hspcbms@gmail.com, "mspcb-hp" <mspcb-hp@nic.in>, membersecretaryjkspcb@gmail.com, pollutioncontrolcommitteeh@gmail.com, jkpcbleh@yahoo.com, ranchijspcb@gmail.com, "Member Secretary Karnataka State Pollution Control Board" <memsecy@kspcb.gov.in>, "Member Secretary KSPCB" <ms@kspcb.gov.in>, "Sheela A.M" <ms.kspcb@gov.in>, "Director, S&T" <lk-dst@nic.in>, "ms msoffice" <ms-mppcb@mp.gov.in>, "it mppcb" <it_mppcb@rediffmail.com>, ms@mpcb.gov.in, "Pollution Control Board" <pcb-man@nic.in>, megspcb@rediffmail.com, duhawma15@yahoo.com, "MPCB" <mpcb@mizoram.gov.in>, npcb2@yahoo.com, membersecretary@ospboard.org, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, "Member Secretary PPCB" <msppcb@punjab.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, csraoifs@gmail.com, "TNPCB Chennai" <tnpcb-chn@gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, "Dr. Buddhaprakash Jyothi" <ms-tspcb@telangana.gov.in>,

1117

tripuraspcb@gmail.com, "Tripura State Pollution Control Board" <hoospcb-tr@gov.in>, ms@uppcb.com, msukpcb@gmail.com, ms@wbpcb.gov.in

Cc: "Nazimuddin" <nazim.cpcb@nic.in>

Sent: Tuesday, May 14, 2024 3:16:13 PM

Subject: In reference to Hon'ble NGT OA No. 581 of 2022 (IA No. 728 of 2023 & 595 of 2023) order dated-30.04.2024-reg.

Sir / Ma'am,

In reference to Hon'ble NGT OA No. 581 of 2022 order dated-30.04.2024, I am directed to forward the enclosed files for kind information and appropriate action in the matter.

Kindly acknowledge the receipt of mail to nazim.cpcb@gov.in

Regards

--

गौरव गहलोत / Gaurav Gehlot

Scientist - C, IPC - II Division,
Central Pollution Control Board,
Delhi

 **E-mail letter.pdf**
1 MB

 **NGT order.pdf**
215 KB



1118
Pollution Control Board, Assam
 (Department of Environment & Forests, Government of Assam)
 অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ
 (অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)
 NABL Accredited Testing Laboratory : Certificate No. TC-11384



No. PCBA/G-158/24-25/13

Dated Guwahati, the 24th July, 2024.

To

Scientist-'F' & Head – IPC-II Division
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar
 Delhi – 110032.
 Email: gehlot.cpcb@gov.in



Sub: In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dtd. 30.04.2024.

Ref: Your letter No. CPCB/IPC-II/CM-13011/92/2023 dtd. 14th May, 2024.

Sir,

Inviting reference to the subject and letter under reference as cited above, please find enclosed herewith the information received from Directorate of Geology and Mining, Assam.

This is for favour of your information and necessary action.

Encl: As stated.

Yours faithfully

(Shantanu Kr. Dutta)

Member Secretary

Dated Guwahati, the 24th July, 2024.

Memo No. PCBA/G-158/24-25/13-A

Copy to:

The P.A to the Chairman, Pollution Control Board, Assam, Bamunimaidam, Guwahati-21 for kind information. E-mail: chairman@pcbassam.org

(Shantanu Kr. Dutta)

Member Secretary

Head Office: Bamunimaidam, Guwahati - 781021, Assam: India.

Phone: 0361-2652774 & 2550258; Website: www.pcbassam.org; E-mail: membersecretary@pcbassam.org
 Regional Offices at: Dibrugarh, Golaghat, Sivasagar, Tezpur, Guwahati, Kamrup, Bongaigaon, Nagaon & Silchar.



খনিজ সম্পদৰ
অন্ধ্রাৰ

1119

GOVERNMENT OF ASSAM
DIRECTORATE OF GEOLOGY AND MINING
BHU-BIGYAN BHAWAN
DAKHINGAON,KAHILIPARA,GUWAHATI-19
Email: dgmassam@gmail.com
dgm.assam@gov.in

No. GM/ET/2024/696-98

Dated, Guwahati, the 27th June, 2024

From : Sri N. Anand, IFS
Director,
Directorate of Geology & Mining, Assam,
Kahilipara, Guwahati-19.
Email: dgmassam@gmail.com

To : The Member Secretary,
Pollution Control Board, Assam,
Bamunimaidam, Guwahati-21

Sub : In reference to the Hon'ble Green Tribunal order dated 30-04-2024 in O.A.
no.581 Of 2022 (IA No. 78/2023 and I.A. No. 595/2023) titled vs state of Haryana
& Ors.

Ref. : 1. Your letter No. PCBA/G-158/24-25/4/619 dated, 7th June, 2024.
2. Central Pollution Control Board letter No.CPCB/IPC-II/CM-13011/92/2003 dtd.
14/05/2024.

Sir,

In inviting a reference to the subjected cited above, a statement on the format enclosed
with your letter is enclosed and submitted herewith.

This is for favour of your information and necessary action.

Enclosed: As stated above.

Yours faithfully,

(Signature)
27.6.24
(N. Anand, IFS)

Director,

Directorate of Geology & Mining, Assam.

Dated, Guwahati, the June, 2024.

Memo No. GM/ET/2024/
Copy to:-

1. Secretary to the Govt. of Assam, Mines and Minerals Department, Dispur, Guwahati-6
for kind information.
2. Office Copy.

Director,

Directorate of Geology & Mining, Assam

ACEE (G.B.)
N/O Legal

AA-1 (BBL)
Pl. process -
(Signature)
10/2

Pollution Control Board, Assam

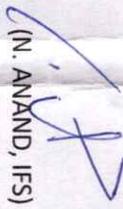
Receipt No. 2462

Date 10/2/24

Signature *(Signature)*

Sub: Permissibility of temporary bridge across river channels for carrying out mining and allied activities.

S.No.	Information	Mining Department
1	Statutory/ Policy framework regarding construction of temporary bridge across river channels	No
2	Any guidelines permitting construction of temporary bridge across river channels	No
3	Any alternative practice adopted regarding construction of temporary bridges across river channels	No


(N. ANAND, IFS)

Director,

Directorate of Geology and Mining, Assam
Kahilipara, Guwahati-781019.



1121

BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, NSB-2, Patliputra Industrial Area
Patliputra, Patna - 800 010

Ref. No. - *lowe*

Patna, dated:- *31.5.24*

From,

S. Chandrasekar, IFS
Member Secretary

To,

The Member Secretary,
CPCB, Delhi.

Sub.: In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dated 30.04.2024.

Ref:- Central Pollution Control Board letter no. CPCB/IPC-II/CM-13011/92/2023, dated- 14.05.2024

Sir,

With reference to the subject noted above and in compliance of above mentioned Hon'ble NGT order, it is informed that the undersigned convened a meeting on 28.05.2024 with officials of Water Resource Department, GoB and Mines & Geology Department, GoB. The official of the Water Resource Department, GoB attended the meeting and provided the relevant policy document in the form a circular dated 28.05.2018 and 20.01.2020 to all the officials the of Water Resource Department (Copy enclosed).

Officials of Mines & Geology Department, GoB have not attended the meeting convened by the undersigned on 28.05.2024. A reminder letter was sent separately to Additional Chief Secretary, Mines & Geology Department, GoB to provide the required information. No information has been provided by the department as yet.

This is for your kind information and necessary action please.

Encl-As above.

Yours faithfully

[Signature]
31/5/24

(S. Chandrasekar)
Member Secretary

बिहार सरकार
जल संसाधन विभाग

पत्रांक-PMC-5/विविध/9-28/2004-पार्ट-1- 34 / पटना, दिनांक 20/1/2020

परिपत्र

विषय: राज्य के नदियों/घाटों/नहरों आदि पर रोतु/संरचना निर्माण एवं जल संसाधन विभाग के स्वामित्व क्षेत्र में अन्यान्य कार्य कराने के पूर्व जल संसाधन विभाग से अनापत्ति प्रमाण-पत्र प्राप्त करने संबंधित निर्गत परिपत्र PMC-5/विविध/9-28/2004 -पार्ट-1-321/ पटना, दिनांक-28-05-2018 में आंशिक संशोधन किये जाने के संबंध में।

भारत सरकार/राज्य सरकार के अन्य विभाग द्वारा राज्य के नदियों/घाटों/नहरों आदि पर संरचनाओं अथवा पुल पुलिया आदि के निर्माण हेतु जल संसाधन विभाग से अनापत्ति प्रमाण पत्र प्राप्त किए जाने हेतु प्रक्रिया परिपत्र PMC-5/विविध/9-28/2004-पार्ट-1-321/पटना, दिनांक 28.05.2018 के द्वारा परिचारित है। इसमें समीक्षोपरांत प्रक्रिया को स्पष्ट करने हेतु निम्नांकित संशोधन किये जाते हैं :-

उक्त परिपत्र की कड़िका-(ख) अनापत्ति प्रमाण-पत्र निर्गत करने हेतु निर्धारित प्रक्रिया के अंतर्गत Case-3:: अन्यान्य को निम्नरूपेण प्रतिस्थापित किया जाता है:-

Case-3:: अन्यान्य

(i) ऐसे मामले, जिसमें जलीय आँकड़ों की समीक्षा की आवश्यकता नहीं हो परंतु विभागीय जमीन हस्तान्तरण का मामला निहित हो, में प्रशासनिक स्तर पर निर्णय लिये जाने की आवश्यकता है। ऐसे मामलों में अनापत्ति हेतु आवेदन अन्य विभागों/संगठनों के कार्यपालक अभियंता या समकक्ष पदाधिकारी के द्वारा जल संसाधन विभाग के परिक्षेत्राधीन संबंधित कार्यपालक अभियंता को दिया जाएगा। विभागीय कार्यपालक अभियन्ता अपने अधीक्षण अभियन्ता के माध्यम से प्रस्ताव को अपने मंतव्य के साथ संबंधित क्षेत्रीय मुख्य अभियंता, जल संसाधन विभाग को उपलब्ध करायेंगे। क्षेत्रीय मुख्य अभियंता, जल संसाधन विभाग प्रस्ताव को अपनी अनुशंसा एवं सुस्पष्ट प्रतिवेदन के साथ मुख्य अभियन्ता, योजना एवं मॉनिटरिंग, जल संसाधन विभाग को समर्पित करेंगे तथा संबंधित मॉनिटरिंग संगठन समीक्षोपरांत प्रस्ताव विभागीय आस्तियों से संबंधित प्रभारी संयुक्त सचिव/अपर सचिव को उपलब्ध करायेंगे। प्रभारी संयुक्त सचिव/अपर सचिव विधिवत प्रक्रिया अपना कर जमीन हस्तांतरण की कार्रवाई करेंगे।

(ii) ऐसे मामले, जिसमें जलीय आँकड़ों की समीक्षा की आवश्यकता नहीं हो एवं जमीन हस्तान्तरण का मामला निहित नहीं हो परंतु विभागीय जमीन के मात्र उपयोग का मामला हो, में अन्य विभागों/संगठनों के द्वारा आवेदन अपने कार्यपालक अभियंता या समकक्ष पदाधिकारी के माध्यम से जल संसाधन विभाग के परिक्षेत्राधीन संबंधित कार्यपालक अभियंता को दिया जाएगा। ऐसे सभी मामलों में प्रशासनिक स्तर पर निर्णय लिये जाने की आवश्यकता के अनुरूप प्रस्ताव पर संबंधित क्षेत्रीय मुख्य अभियन्ता, जल संसाधन विभाग द्वारा प्रस्ताव को अपनी अनुशंसा एवं सुस्पष्ट प्रतिवेदन के साथ मुख्य अभियन्ता, योजना एवं मॉनिटरिंग, जल संसाधन विभाग को समर्पित करेंगे तथा संबंधित मॉनिटरिंग संगठन के द्वारा विभागीय मंत्री का अनुमोदन प्राप्त किये जाने हेतु कार्रवाई की जायगी। विभागीय अनुमोदन के उपरांत अभियन्ता प्रमुख (मुख्यालय) के हस्ताक्षर से अनापत्ति प्रमाण पत्र निर्गत किया जायगा एवं इसकी सूचना संबंधित क्षेत्रीय पदाधिकारियों (कार्यपालक अभियन्ता से मुख्य अभियन्ता स्तर तक) को अवश्य दी जायगी।

(iii) नदियों/घाटों/नहरों के नीचे से किसी भी प्रकार का पाईप लाईन बिछाने से संबंधित मामले का निष्पादन पूर्व के निर्गत परिपत्र PMC-5/विविध/9-28/2004-पार्ट-1-321/पटना, दिनांक 28-05-2018 में वर्णित Case-1 एवं Case-2 के आलोक में किया जायगा।

- (2) पूर्व के निर्गत परिपत्र PMC-5/विविध/9-28/2004-पार्ट-1-321/पटना, दिनांक-28-05-2018 को इस हद तक संशोधित समझा जाय एवं शेष अंश यथावत् प्रभावी रहेंगे।
- (3) प्रस्ताव पर माननीय मंत्री, जल संसाधन विभाग, बिहार का अनुमोदन प्राप्त है।


20/01/2020

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 34/ पटना, दिनांक:- 20/1/2020

प्रतिलिपि महालेखाकार, बिहार, पटना/वित्त विभाग, बिहार, पटना /सभी विभाग/सभी प्रगंडतीय आयुक्त/मुख्य मंत्री सचिवालय/महाप्रबंधक, पूर्व-मध्य रेलवे जोन, हाजीपुर/प्रबंध निदेशक, पुल निर्माण विभाग, बिहार, पटना/प्रबंधक निदेशक, बिहार स्टेट रोड डेवलपमेंट कॉरपोरेशन, पटना को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित ।


20/01/2020

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 34 / पटना, दिनांक:- 20/1/2020

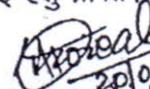
प्रतिलिपि सभी कार्य विभाग के माननीय मंत्री के आप्त सचिव/सभी कार्य विभाग के प्रधान सचिव/सचिव/सभी अभियंता प्रमुख/संयुक्त सचिव (प्रबंधन)/सभी उप सचिव (प्रबंधन)/सभी अवर सचिव (प्रबंधन)/सभी मुख्य अभियंता, जल संसाधन विभाग, बिहार/अधीक्षण अभियंता, योजना एवं मोनिटरिंग अंचल सं०-1/2/3 एवं बाढ़ नियंत्रण, योजना एवं मोनिटरिंग अंचल, पटना पटना को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित । सभी कार्य विभागों से अनुरोध है कि इस परिपत्र को अपने विभागीय वेबसाईट पर प्रदर्शित करना सुनिश्चित करेंगे ।


20/01/2020

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 34 / पटना, दिनांक:- 20/1/2020

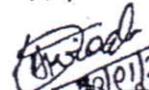
प्रतिलिपि कार्यपालक अभियंता, प्रभारी कम्प्यूटर कोषांग, योजना एवं मोनेटरिंग अंचल सं०-01, पटना को विभागीय वेबसाईट पर अपलोड करने हेतु सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित ।


20/01/2020

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 34 / पटना, दिनांक:- 20/1/2020

प्रतिलिपि जन सम्पर्क पदाधिकारी, जल संसाधन विभाग, सिंचाई भवन, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित ।


20/01/2020

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

बिहार सरकार
जल संसाधन विभाग

पत्रांक-PMC-5/विविध/9-28/2004-पार्ट-1-321/ पटना, दिनांक- 28/5/18

परिपत्र

विषय: राज्य के नदियों/धारों/नहरों आदि पर सेतु/संरचना निर्माण एवं जल संसाधन विभाग के स्वामित्व क्षेत्र में अन्यान्य कार्य कराने के पूर्व जल संसाधन विभाग से अनापत्ति प्रमाण-पत्र प्राप्त करने के सम्बन्ध में।

नदियों/धारों/नहरों आदि पर संरचनाओं अथवा पुल पुलिया आदि के निर्माण हेतु जल संसाधन विभाग द्वारा अनापत्ति प्रमाण पत्र निर्गत किए जाने से संबंधी निर्गत परिपत्र PMC-5/विविध/9-28/2004-पार्ट-1-11/पटना, दिनांक-10-01-2017 को निम्नरूपेण प्रतिस्थापित किया जाता है-

प्रायः यह देखा जा रहा है कि कई मामलों में अन्य विभाग/संगठनों के द्वारा जल संसाधन विभाग से सहमति प्राप्त किए वगैर स्थानीय निकाय से अनापत्ति प्रमाण-पत्र प्राप्त कर एवं कई अन्य मामलों में अनापत्ति प्रमाण-पत्र प्राप्त किए बिना ही जल संसाधन विभाग के स्वामित्व के क्षेत्र में संरचना आदि का निर्माण करा दिया जाता है। तकनीकी पहलुओं पर विशेष ध्यान एवं सुरक्षात्मक कार्यों के अभाव में ऐसी संरचनाओं के निर्माण के पश्चात् प्रायः विभाग को प्रतिकूल परिस्थितियों का सामना करना पड़ता है।

इसके अतिरिक्त कई ऐसे दृष्टांत सामने आये हैं जिसमें अन्य विभागों/संगठनों के द्वारा जल संसाधन विभाग के स्वामित्व के क्षेत्र में सड़क/भवन/अन्य संरचना निर्माण हेतु अनापत्ति की मांग की जा रही है जिसमें जमीन हस्तान्तरण का मामला भी सम्मिलित रहता है।

अतएव सम्यक विचारोपरान्त राज्य के नदियों/धारों/नहरों पर संरचना अथवा पुल पुलिया निर्माण तथा जल संसाधन विभाग के स्वामित्व के क्षेत्र में अन्यान्य कार्य हेतु अनापत्ति प्रमाण-पत्र निर्गत करने हेतु दिशानिर्देश का निर्धारण पुनः निम्नरूपेण किया जाता है:-

(क) नदियों/धारों/नहरों पर संरचना अथवा पुल पुलिया निर्माण हेतु आवेदन समर्पित करने की प्रक्रिया :-

- (i) नदी/धार का रूपांकित जलश्राव 50,000 क्यूसेक तथा नहर का जलश्राव 4000 क्यूसेक से कम की स्थिति में अन्य विभागों/संगठनों के द्वारा संरचना निर्माण के लिए आवेदन अपने कार्यपालक अभियंता या सगकक्ष के माध्यम से विहित प्रपत्र (परिशिष्ट-क) में याचित आंकड़ों के साथ जल संसाधन विभाग के संबंधित कार्यपालक अभियंता को दिया जाएगा।



(ii) नदी/धार के अधिकतम रूपांकित जलश्राव क्षमता 50,000 क्यूसेक तथा नहर का जलश्राव 4000 क्यूसेक या अधिक होने पर संरचना निर्माण करने वाले विभाग/संगठनों के द्वारा अनापत्ति प्राप्त करने का प्रस्ताव संबंधित कार्यपालक अभियंता अपने मुख्य अभियंता के माध्यम से विहित प्रपत्र (परिशिष्ट-क) में वांछित ऑकड़ों के साथ विहित प्रपत्र में मुख्य अभियंता, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना को समर्पित करना होगा।

(ख) अनापत्ति प्रमाण-पत्र निर्गत करने हेतु निर्धारित प्रक्रिया:-

Case-1 :: नदी/धार का रूपांकित जलश्राव 50,000 क्यूसेक तथा नहर का जलश्राव 4000 क्यूसेक से कम।

- (i) संबंधित क्षेत्रीय कार्यपालक अभियंता, जल संसाधन विभाग प्रस्ताव में प्रावधानित ऑकड़ों का सत्यापन करके अपने मंतव्य के साथ प्राप्त प्रस्ताव को अपने अधीक्षण अभियंता को समर्पित करेंगे। अधीक्षण अभियंता प्रस्ताव की आवश्यकतानुसार स्थल निरीक्षणोपरांत जाँच कर प्रतिवेदन अपने अनुशंसा के साथ मुख्य अभियंता को समर्पित करेंगे।
- (ii) प्राप्त प्रतिवेदन एवं अन्य ऑकड़ों के आधार पर प्रस्ताव की जाँच क्षेत्रीय स्तर पर निम्नरूपेण गठित तकनीकी पदाधिकारियों की जाँच समिति द्वारा की जाएगी :-

- | | |
|--|-----------|
| (1) संबंधित मुख्य अभियंता, जल संसाधन विभाग | : अध्यक्ष |
| (2) मुख्य अभियंता के अन्तर्गत रूपांकण संगठन के अधीक्षण अभियंता | : सदस्य |
| (3) संबंधित कार्यक्षेत्र के अधीक्षण अभियंता, जल संसाधन विभाग | : सदस्य |
| (4) संबंधित कार्यक्षेत्र के कार्यपालक अभियंता, जल संसाधन विभाग | : सदस्य |

प्रस्ताव पर विचार हेतु बैठक बुलाये जाने पर उपर्युक्त जाँच समिति के सदस्यों को अनिवार्य रूप से उपस्थित होना होगा।

(iii) अनापत्ति प्रमाण-पत्र हेतु जाँच समिति से प्राप्त अनुशंसा के आलोक में समीक्षोपरांत संबंधित क्षेत्रीय मुख्य अभियंता, जल संसाधन विभाग के हस्ताक्षर से अनापत्ति प्रमाण-पत्र निर्गत किया जायेगा तथा इसकी सूचना निश्चित रूप से मुख्य अभियंता, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना एवं संबंधित योजना एवं मोनिटरिंग अंचल, सिंचाई भवन, पटना को दी जायेगी।

Case-2 :: नदी/धार का रूपांकित जलश्राव 50,000 क्यूसेक तथा नहर का जलश्राव 4000 क्यूसेक से अधिक ::

- (i) मुख्य अभियंता, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना द्वारा प्राप्त आवेदन को संबंधित मुख्य अभियंता, जल संसाधन विभाग को भेजते हुए आवश्यकतानुसार स्थल निरीक्षणोपरांत एक सुस्पष्ट प्रतिवेदन की माँग की जायगी। संबंधित मुख्य अभियंता, जल संसाधन विभाग से प्राप्त प्रतिवेदन के आलोक में मुख्य अभियंता,

(Handwritten signature)

केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना द्वारा कार्य की प्रकृति के अनुसार अपने अधीनस्थ संबंधित अधीक्षण अभियन्ता को स्थल निरीक्षण हेतु प्राधिकृत करेंगे एवं संबंधित अधीक्षण अभियन्ता स्थल निरीक्षणोपरांत एक प्रतिवेदन मुख्य अभियन्ता, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना को समर्पित करेंगे।

(ii) क्षेत्रीय मुख्य अभियन्ता द्वारा प्राप्त प्रतिवेदन की जाँच मुख्य अभियन्ता, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना के स्तर पर गठित तकनीकी पदाधिकारियों की जाँच समिति करेगी जिसका स्वरूप निम्नवत् होगा:-

1. मुख्य अभि०, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना : अध्यक्ष
2. संबंधित नामित अधी० अभि०, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना : सदस्य
3. प्रस्ताव भेजने वाले विभाग के संबंधित मुख्य अभि०/अधी० अभि० : सदस्य

यह समिति कार्य की प्रकृति एवं स्वरूप के आधार पर आवश्यकतानुसार Mathematical Modelling कराने पर भी निर्णय लेगी। Mathematical Modelling पर होने वाला व्यय का वहन प्रस्ताव भेजने वाले विभाग द्वारा किया जायगा। अनापत्ति प्रमाण-पत्र हेतु जाँच समिति से प्राप्त अनुशंसा पर मुख्य अभियन्ता, केन्द्रीय रूपांकण, शोध एवं गुण नियंत्रण, पटना के समीक्षोपरांत उनसे प्राप्त प्रतिवेदन पर संबंधित मॉनिटरिंग संगठन के माध्यम से विभागीय मंत्री का अनुमोदन प्राप्त किये जाने हेतु कार्रवाई की जायेगी। विभागीय अनुमोदन के उपरांत अभियन्ता प्रमुख (मुख्यालय) के हस्ताक्षर से अनापत्ति प्रमाण-पत्र निर्गत किया जायेगा एवं इसकी सूचना संबंधित क्षेत्रीय पदाधिकारियों (कार्यपालक अभियन्ता से मुख्य अभियन्ता स्तर तक) को अवश्य दी जायेगी।

Case-3:: अन्यान्य

नदियों/धारों एवं नहरों पर संरचना निर्माण के अतिरिक्त अनापत्ति हेतु प्राप्त अन्य सभी प्रकार के प्रस्ताव जिसमें (i) जलीय ऑकड़ों की समीक्षा की आवश्यकता नहीं है तथा जमीन हस्तांतरण निहित नहीं है, (ii) जलीय ऑकड़ों की समीक्षा की आवश्यकता नहीं है तथा जमीन हस्तांतरण का मामला निहित है, ऐसे मामलों में अन्य विभागों/संगठनों के द्वारा आवेदन अपने कार्यपालक अभियन्ता या समकक्ष के माध्यम से जल संसाधन विभाग के संबंधित कार्यपालक अभियन्ता को दिया जाएगा। ऐसे सभी मामलों में प्रशासनिक स्तर पर निर्णय लिये जाने की आवश्यकता के अनुरूप प्रस्ताव पर संबंधित क्षेत्रीय मुख्य अभियन्ता, जल संसाधन विभाग द्वारा प्रस्ताव को अपनी अनुशंसा एवं सुस्पष्ट प्रतिवेदन के साथ मुख्य अभियन्ता, योजना एवं मॉनिटरिंग, जल संसाधन विभाग को समर्पित करेंगे तथा संबंधित मॉनिटरिंग संगठन अनापत्ति प्रमाण-पत्र निर्गत करने हेतु यथोचित कार्रवाई करेंगे।



- (ग) बिना विभागीय पूर्वानुमति/अनापत्ति प्रमाण-पत्र के किसी अन्य विभाग को नदियों/धारों/नहरों आदि पर किसी भी तरह की संरचना/अन्य कार्य नहीं करने दिया जाए। किसी परिक्षेत्र में नदियों/धारों/नहरों आदि पर बिना विभागीय अनापत्ति प्रमाण-पत्र के कोई संरचना का निर्माण किया जा रहा है तो, इसकी पूर्ण जवाबदेही संबंधित अभियंताओं (कनीय अभियंता से लेकर मुख्य अभियंता) की होगी।
- (घ) पूर्व में निर्गत विषयांकित सभी परिपत्र निरस्त समझे जायेंगे।

(अरुण कुमार द्विवेदी)
28/05/2018

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 321 / पटना, दिनांक:- 28/5/18

प्रतिलिपि महालेखाकार, बिहार, पटना/वित्त विभाग, बिहार, पटना /सभी विभाग/सभी प्रमंडलीय आयुक्त/मुख्य मंत्री सचिवालय/महाप्रबंधक, पूर्व-मध्य रेलवे जोन, हाजीपुर/प्रबंध निदेशक, पुल निर्माण विभाग, बिहार, पटना/प्रबंधक निदेशक, बिहार स्टेट रोड डेवलपमेंट कॉरपोरेशन, पटना को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।

(अरुण कुमार द्विवेदी)
28/05/2018

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 321 / पटना, दिनांक:- 28/5/18

प्रतिलिपि सभी कार्य विभाग के माननीय मंत्री के आप्त सचिव/सभी कार्य विभाग के प्रधान सचिव/सचिव/सभी अभियंता प्रमुख/संयुक्त सचिव (प्रबंधन)/सभी उप सचिव (प्रबंधन)/सभी अवर सचिव (प्रबंधन)/सभी मुख्य अभियंता, जल संसाधन विभाग, बिहार/अधीक्षण अभियंता, योजना एवं मोनिटरिंग अंचल सं०-1/2/3 एवं बाढ़ नियंत्रण, योजना एवं मोनिटरिंग अंचल, पटना पटना को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित। सभी कार्य विभागों से अनुरोध है कि इस परिपत्र को अपने विभागीय वेबसाइट पर प्रदर्शित करना सुनिश्चित करेंगे।

(अरुण कुमार द्विवेदी)
28/05/2018

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 321 / पटना, दिनांक:- 28/5/18

प्रतिलिपि कार्यपालक अभियंता, प्रभारी कम्प्यूटर कोषांग, योजना एवं मोनेटरिंग अंचल सं०-01, पटना को विभागीय वेबसाइट पर अपलोड करने हेतु सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

(अरुण कुमार द्विवेदी)
28/05/2018

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

ज्ञापांक:-PMC-5/विविध/9-28/2004-पार्ट-1 321 / पटना, दिनांक:- 28/5/18

प्रतिलिपि जन सम्पर्क पदाधिकारी, जल संसाधन विभाग, सिंचाई भवन, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

(अरुण कुमार द्विवेदी)
28/05/2018

(अरुण कुमार द्विवेदी)
संयुक्त सचिव (अभियंत्रण)

PROFORMA FOR SUBMISSION OF PROPOSAL

INFORMATION TO BE PROVIDED FOR OBTAINING "NO OBJECTION CERTIFICATE"
(NOC) FOR CONSTRUCTION OF PROPOSED BRIDGE/STRUCTURES ON RIVER / DHARS/
CANALS IN THE STATE OF GOVERNMENT OF BIHAR

(Please strike down the items which are not relevant to the proposal)

(A)	DETAILS OF STRUCTURE:	
	JURISDICTION:	
1	C.E ZONE (W.R.D)	
	S.E (W.R.D)	
	E.E. (W.R.D)	
2	NAME OF THE STRUCTURE	
3	LOCATION OF THE STRUCTURE	
4	NAME OF RIVER / DHAR / CANAL	
(B)	HYDROLOGICAL / DESIGN DATA FOR PROPOSED STRUCTURE	
1	DESIGN DISCHARGE OF RIVER /DHAR/CANAL /STRUCTURE	
2	LWL/BED LEVEL OF RIVER	
3	HFL OF RIVER /DHAR /CANAL (Observed) or Derived from G. D Curve	
4	LACEY'S SILT FACTOR	
5	GAUGE-DISCHARGE CURVE AT PROPOSED SITE	
6	COEFFICIENT OF ROUGOSITY	
7	GENERAL SLOPE OF BED OF RIVER / DHAR/CANAL	
8	OBSERVED MAX VELOCITY	
9	INDEX MAP	
10	GAD (GENERAL ARRANGEMENT DRAWING) MAP	
11	DISTANCE BETWEEN EXISTING RIVER BANKS	
12	WATERWAY PROPOSED TO BE PROVIDED	
13	CALCULATED AFFLUX	
14	CROSS SECTION OF THE STREAM - TO BE ATTACHED	
	(I) AT STRUCTURE SITE	
	(II) <u>FOR IMPORTANT BRIDGES:</u> 100 M c/c UPTO 1 KM U/S OF STRUCTURE & 100 M c/c	

UPTO 2 KM DIS OF THE STRUCTURE

	(III) FOR STRUCTURES ACROSS CANALS / SMALL DHARS 50 M OR UPTO 250 M U/S & D/S OF THE STRUCTURE	
	(IV) REGIME PLAN OF RIVER FROM 1 KM OF THE U/S TO 2 KM OF D/S OF THE STRUCTURE SHOWING THE POSITION OF C/S OF THE ITEM -14 TO BE ATTACHED	
15	PLAN AND LONGITUDINAL SECTIONAL ELEVATION OF THE PROPOSED STRUCTURE (IT SHOULD BE SUPERIMPOSED ON THE RIVER CROSS SECTION AT PROPOSED CONSTRUCTION SITE)	
16	TOP LEVEL OF EMBANKMENT (IF ANY) & (STRUCTURE)	
17	N S L (BOTH SIDE OF BANK)	
18	LOCATION AND TYPE OF STRUCTURE IN THE VICINITY OF THE PROPOSED STRUCTURE LIKELY TO BE AFFECTED	
(C)	MATHEMATICAL MODEL TEST REPORT OF THE PROPOSED STRUCTURE TO BE SUBMITTED (FOR RIVER DISCHARGE MORE THAN 1,00,000 CUSECS)	
	The Model Test Report shall clearly mention/ cover following aspects	
	(i) Whether Waterway provided is sufficient or not ?	
	(ii) Whether Afflux is in conformity with the calculated value or not	
	(iii) The effect of the proposed structure on the Morphology of the river	
	(iv) Whether River Training Works are required in the vicinity of the proposed structure ; if yes, the magnitude & extent both in the up-stream and down-stream of the River/ Dhar	

Executive Engineer
Or Equivalent of Executing
Department / Organisation
With Office Address

Superintending Engineer
or Equivalent of Executing
Department / Organisation
with official Address

Chief Engineer
or Equivalent of Executing
Department / Organisation

Engineer in Chief
or Equivalent of Executing
Department / Organisation



Head Office

Chhattisgarh Environment Conservation Board

Paryavas Bhawan Sector-19, Nawa Raipur, Atal Nagar (CG) 492002

Email-hocecb@gmail.com

No. / Legal /CECB/ 2024 Nawa Raipur, Atal Nagar, Dated / /2024
To,

Secretary,
Mining Department,
Mantralay, Mahanadi Bhawan,
Nawa Raipur Atal Nagar (CG)

Special Secretary,
Irrigation (Water Resource)
Department,
Mantralay, Mahanadi Bhawan,
Nawa Raipur Atal Nagar (CG)

Sub. In reference to Hon'ble NGT OA No. 581/2022 (IA No. 728/2023 and IA No. 595/2023) Vikas Kumar Vs State of Haryana order dated 30.04.2024

Ref. CPCB letter No. CPCB/IPC-II/CM-13011/92/2023 dated 14.05.2024 Hon'ble NGT Order dated 30.04.2024 in OA No. 581/2022

In reference to the above mentioned letter, Central Pollution Control Board and order of National Green Tribunal in the aforesaid matter has requested to provide following information :

1. The Statutory/Policy framework regarding construction of temporary bridge across river channels for carrying out mining and allied activities.
2. Any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities.
3. Any alternative practice adopted regarding construction of temporary bridge across river channels for carrying out mining and allied activities.

Kindly provide the referred information as per below format within a week.

S.No	Information	SPCB	Mining Dept.	Irrigation Dept.
1	Statutory/Policy Framework regarding construction of temporary bridge across river channels	Yes/No (Document/Policy/guidelines to be provided)	Yes/No (Document/Policy/guidelines to be provided)	Yes/No (Document/Policy/guidelines to be provided)

2	Any guidelines permitting construction of temporary bridge across river channels	Yes/No (Document/Policy/guidelines to be provided)	Yes/No (Document/Policy/guidelines to be provided)	Yes/No (Document/Policy/guidelines to be provided)
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	Yes/No (Document/Policy/guidelines to be provided)	Yes/No (Document/Policy/guidelines to be provided)	Yes/No (Document/Policy/guidelines to be provided)

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Enclosed : As above.

Member Secretary

Chhattisgarh Environment Conservation Board
Nava Raipur, Atal Nagar(CG)

P.No. 2029 / Legal /CECB/ 2024

Accepted
6/6/2024

Nava Raipur, Atal Nagar, Dated 7/6 /2024

Copy to,

- ✓ 1. Member Secretary, Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Parivesh Bhawan, East Arjun Nagar, Delhi 110032.
2. Secretary, Housing and Environment Department, Mantralay, Mahanadi Bhawan, Nava Raipur, Atal Nagar (CG).

[Signature]

Member Secretary

Chhattisgarh Environment Conservation Board
Nava Raipur, Atal Nagar(CG)



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Head Office

Chhattisgarh Environment Conservation Board
Paryavas Bhawan Sector-19, Nawa Raipur, Atal Nagar (CG) 492002

Email-hocecb@gmail.com

No. 2698 / Legal /CECB/ 2024

Nawa Raipur, Atal Nagar, Dated 01/7/2024

To,

Mr. Nazimuddin,
Scientist-F & Head _-IPC- II Division
Parivesh Bhavan, East Arjun Nagar,
New Delhi-110032

Handwritten signature and initials in blue ink.

Sub. Guidelines for construction of temporary river bridges as per the order of the Hon'ble NGT OA No. 581/2022 (IA No. 728/2023 and IA No. 595/2023) Vikas Kumar Vs State of Haryana order dated 30.04.2024.

Ref. CPCB letter No. CPCB/IPC-II/CM-13011/92/2023 dated 14.05.2024 Hon'ble NGT Order dated 30.04.2024 in OA No. 581/2022

In reference to the above mentioned letter, National Green Tribunal in the aforesaid matter has requested CECB, Mining Department and Irrigation Department to provide information in the format prescribed below regarding guidelines for construction of temporary bridges across river channels. Accordingly, information on behalf of CECB and information received from Irrigation Dept is produced below. Please note that information from Mining department is still awaited and shall be furnished as soon as it is received.

INFORMATION	SPCB	MINING DEPT.	IRRIGATION DEPT.
Statutory/Policy Framework regarding construction of temporary bridge across river channels	No* (Please see note below)	Information awaited.	Information received is enclosed with this letter as Annexure I.
Any guidelines permitting construction of temporary bridge across river channels	No* (Please see note below)		
Any alternative practice adopted regarding construction of temporary bridge across river channels	No* (Please see note below)		

*Though CECB/ SEIAA does not have any specific statutory policy for construction of temporary river bridges, however, CECB/ SEIAA imposes following consent/ environment clearance conditions, respectively, for sand mining in order to ensure protection of river bed:

1. River sand mining is not allowed in rainy season.
2. Ultimate working depth shall be up to 1 m from Riverbed level and not less than one meter from the water level of the River channel whichever is reached earlier.
3. To maintain safety and stability of River banks i.e. 7.5 meter or 10% of the width of the River whichever is more will be left intact as "No Mining Zone" (NMZ).
4. Manual mining method shall be done and no heavy machinery (like JCB, Bulldozer, Pokland, chain mounted machine, Hywa, etc) shall be deployed in the river bed. Light machinery like tractor, trolley will be deployed in the river bed for sand filling.
5. Mining is allowed in 60 percent of the total lease area.
6. Sand mining operation shall be carried out between sunrise to sunset.
7. R.L. survey (25x25 grid) shall be done in every pre-monsoon and post-monsoon season.
8. Sand and gravel shall not be extracted up to a distance of 1 kilometre (1 km) from major bridges and highways on both sides, or five times (5x) of the span (x) of a bridge/public civil structure (including water intake points) on up-stream side and ten times (10x) the span of such bridge on down-stream side, subjected to a minimum of 250 meters on the upstream side and 500 meters on the downstream side.
9. River sand mining is allowed upto a depth of 1.5 meter for major river (like Mahanadi, Shivrath, Indravati, Hasdeo River) and 1 meter for other than major river from the surface level.

Additionally, appropriate action for non-compliance with 'Sustainable Sand Mining and Management Guidelines, 2016' (SSMG2016) and "Enforcement and Monitoring Guidelines for Sand Mining, 2020" (EMGSM-2020) is being ensured from time to time.

Enclosed : As above.



Member Secretary

Chhattisgarh Environment Conservation Board
Nava Raipur, Atal Nagar(CG)

P.No. / Legal /CECB/ 2024 Nava Raipur, Atal Nagar, Dated / /2024

Copy to:

1. Secretary, Mining Department, Mantralay, Mahanadi Bhawan, Nava Raipur Atal Nagar (CG). Kindly provide the referred informations per above format as soon as possible.
2. Special Secretary, Irrigation (Water Resource) Department, Mantralay, Mahanadi Bhawan, Nava Raipur Atal Nagar (CG).
3. Secretary, Housing and Environment Department, Mantralay, Mahanadi Bhawan, Nava Raipur, Atal Nagar (CG).



Member Secretary

Chhattisgarh Environment Conservation Board
Nava Raipur, Atal Nagar(CG)

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छत्तीसगढ़ शासन
जल संसाधन विभाग
"मंत्रालय"

महानदी भवन, नवा रायपुर अटल नगर,
जिला-रायपुर (छ.ग.)



क्र. 2228 / एफ-7-42-31 / एस-2 / 2022 / NGT (पार्ट), अटल नगर, दिनांक 18/06/2024
प्रति,

✓ सदस्य सचिव,
छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
पर्यावास भवन, नॉर्थ ब्लॉक, सेक्टर-19,
नवा रायपुर, अटल नगर (छ.ग.)

विषय :- In reference to Hon'ble NGT OA No. 581/2022 (IA No. 728/2023 and IA No. 595/2023) Vikas Kumar Vs State of Haryana order dated 30.04.2024.

संदर्भ :- छत्तीसगढ़ पर्यावरण संरक्षण मंडल पर्यावास भवन, नवा रायपुर के पत्र क्रमांक-2028 / Legal/CECB/2024, दिनांक 07.06.2024.

उपरोक्त विषयांतर्गत संदर्भित पत्र के माध्यम से वांछित 03 बिन्दुओं के संबंध में अवगत होना चाहेंगे कि नदी, नालों इत्यादि को क्रॉस करने अथवा तटीय भूमि का उपयोग करने के संबंध में विभागीय नीति तथा मार्गदर्शिका छत्तीसगढ़ शासन, जल संसाधन विभाग, मंत्रालय, महानदी भवन के आदेश क्रमांक-7801/एफ-2-33/08.01.एस-2/31/2014 (पार्ट), नवा रायपुर, दिनांक 30.12.2024 एवं संशोधन दिनांक 08.01.2015 एवं 19.02.2015 द्वारा जारी की गई है। सुलभ संदर्भ हेतु उपरोक्त मार्गदर्शिका/आदेश की छायाप्रति संलग्न कर आवश्यक कार्यवाही हेतु अग्रेषित है।

सहपत्र :- उपरोक्तानुसार।

विशेष कर्तव्यस्थ अधिकारी
जल संसाधन विभाग
मंत्रालय, अटल नगर

ALO
GX
21 JUN 2024

छत्तीसगढ़ शासन
जल संसाधन विभाग
मंत्रालय
महानदी भवन, कैपिटल कॉम्प्लेक्स
नया रायपुर (छ.ग.)

—:: आदेश ::—

नया रायपुर, दिनांक 30/12/2014

क्र. 1801 / एफ-2-33/एस-2/31/2014(पार्ट) : राज्य शासन एतद् द्वारा जल संसाधन विभाग की नहरों/नालों के किनारे अथवा क्रास कर विभिन्न औद्योगिक संस्थानों, नगरीय निकाय, ग्राम पंचायत, जनपद पंचायत, विविध विभाग/संस्था को गैस पाईप लाइन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद् पेयजल पाईप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाईन बिछाये जाने हेतु संस्थानों से, प्राप्त आवेदनों पर विचार कर अनुशासा करने हेतु जिला कलेक्टर की अध्यक्षता में निम्नानुसार समिति गठित करता है :-

- | | | |
|---|---|------------|
| 1. जिला कलेक्टर | — | अध्यक्ष |
| 2. अधीक्षण अभियंता,
जल संसाधन विभाग | — | सदस्य सचिव |
| 3. जिला उद्योग केन्द्र के महाप्रबंधक | — | सदस्य |
| 4. कार्यपालन अभियंता,
छ.ग.राज्य, विद्युत कं.मर्यादित | — | सदस्य |
| 5. वन मण्डलाधिकारी | — | सदस्य |
| 6. जिला खनिज अधिकारी | — | सदस्य |
| 7. कार्यपालन अभियंता,
लोक स्वास्थ्य यांत्रिकीय विभाग | — | सदस्य |

समिति द्वारा निम्नानुसार कार्य संचालित किया जायेगा :-

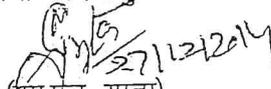
1. उक्त समिति की बैठक प्राप्त आवेदनों के आधार पर होगी एवं समिति के निर्णय की प्रति शासन को प्रस्तुत करना होगा।
2. समिति आवश्यकतानुसार अपनी बैठकें आयोजित करेगी।
3. समिति के सदस्य सचिव द्वारा अध्यक्ष के आदेशों के अधीन बैठकें निश्चित की जायेगी और कार्यसूची को अंतिम रूप दिया जाएगा।
4. औद्योगिक संस्थानों/नगरीय निकाय इत्यादि द्वारा नहर क्रासिंग, एवं जल संसाधन विभाग के स्वामित्व की भूमि पर पाईप लाईन, विद्युत लाईन इत्यादि बिछाने अथवा नदी/नाला क्रासिंग के अनुमति/अनापत्ति के आवेदन संबंधित मुख्य अभियंता द्वारा स्वीकार किये जाएंगे एवं संबंधित अधीक्षण अभियंता (सदस्य सचिव) को अप्रेषित किए जायेंगे।
5. अधीक्षण अभियंता (सदस्य सचिव), आवेदन प्राप्त होने पर उसे संबंधित कार्यपालन अभियंता को स्थल निरीक्षण कर तकनीकी बिन्दुओं एवं शर्तों का उल्लेख करते हुए प्रतिवेदन प्रस्तुत करने हेतु प्रेषित करेंगे।
6. कार्यपालन अभियंता अधिकतम 10 दिवस में प्रतिवेदन अधीक्षण अभियंता को प्रस्तुत करेंगे।

....2

7. अधीक्षण अभियंता (सदस्य सचिव), कार्यपालन अभियंता से प्राप्त प्रतिवेदन के आधार पर प्रकरण की संक्षेपिका बनाएंगे एवं मुख्य अभियंता से अनुमोदन प्राप्त करेंगे। तदुपरान्त उस पर अध्यक्ष की अनुमति प्राप्त कर कार्यसूची में शामिल करेंगे।
8. समिति की बैठक की कार्यसूची, बैठक की तारीख से कम से कम 7 दिवस पूर्व समिति के सदस्यों को उपलब्ध कराई जाएगी।
9. समिति के निर्णय उपरांत आदेश अध्यक्ष के हस्ताक्षर से जारी होंगे।
10. पूर्व में मुख्य अभियंताओं द्वारा विभिन्न संस्थानों को नहर शिफ्टिंग/नहर, क्रासिंग एवं जल संसाधन विभाग की भूमि के उपयोग करने इत्यादि की जारी की गई अनुमतियों का नियमितीकरण भी समिति कर सकेगी।
11. समिति द्वारा छ.ग.शासन, जल संसाधन विभाग द्वारा दिनांक 16.09.2014 को जारी विभागीय नीति का पालन अनिवार्य होगा।
12. समिति से अनुमति उपरांत विभागीय नीति के परिपालन में संस्थानों से देय राशि का निर्धारण मुख्य अभियंता द्वारा किया जावेगा।

(समन्वय में अनुमोदन प्राप्त)

छत्तीसगढ़ के राज्यपाल के नाम से
तथा आदेशानुसार


(एम.एल. गुप्ता)

उप सचिव,

जल संसाधन विभाग,
मंत्रालय, नया रायपुर

नया रायपुर, दिनांक 20/12/2014

प.क्र. 7802
एफ-2-33/एस-2/31/2014 (पार्ट),
प्रतिलिपि -

1. निज सचिव, माननीय मंत्री जी जल संसाधन विभाग, मंत्रालय, नया रायपुर,
2. अवर सचिव, मुख्य सचिव कार्यालय, मंत्रालय, नया रायपुर,
3. अपर मुख्य सचिव, छ.ग. शासन, वाणिज्य एवं उद्योग विभाग, मंत्रालय, नया रायपुर,
4. अपर मुख्य सचिव, छ.ग. शासन, पंचायत एवं ग्रामीण विकास विभाग, मंत्रालय, नया रायपुर,
5. प्रमुख सचिव, छ.ग. शासन, वन विभाग, मंत्रालय, नया रायपुर,
6. प्रमुख सचिव, छ.ग. शासन, ऊर्जा विभाग, मंत्रालय, नया रायपुर,
7. प्रमुख सचिव, छ.ग. शासन, नगरीय प्रशासन विभाग, मंत्रालय, नया रायपुर,
8. सचिव, छ.ग. शासन, सामान्य प्रशासन विभाग, मंत्रालय, नया रायपुर,
9. सचिव, छ.ग. शासन, राजस्व एवं आपदा प्रबंधन विभाग, मंत्रालय, नया रायपुर,
10. सचिव, लोक स्वास्थ्य यांत्रिकीय विभाग, मंत्रालय, नया रायपुर,
11. कलेक्टर, जिला-----
12. प्रमुख अभियंता, जल संसाधन विभाग, सिहावा भवन, रायपुर,
13. प्रमुख अभियंता, लोक स्वास्थ्य यांत्रिकीय विभाग, रायपुर
14. मुख्य अभियंता, ~~रायपुर~~, जल संसाधन विभाग, रायपुर/बिलासपुर/अंबिकापुर,
का सूचनार्थ अग्रेषित।

सहपत्र :- जल संसाधन विभाग द्वारा
दि. 16.09.2014 को जारी विभागीय नीति।


20/12/2014

उप सचिव

जल संसाधन विभाग
मंत्रालय, नया रायपुर



सा. - 1/सा. - 2/सा. - 3/बजट/स्था.सा. - 1/
स्था.सा. - 2/स्था.सा. - 3/स्था.मु. - 1/स्था.मु. - 2/
स्व.ग. / जी.एम.ए. / कार्य/मु.नि. / मु.नि. / वि.प्र.

अधि.अधि. मु.अधि 2/11

छत्तीसगढ़ शासन
जल संसाधन विभाग
मंत्रालय
महानदी भवन, कैपिटल कॉम्प्लेक्स,
नया रायपुर (छ.ग.)

क्रमांक एफ-2/6/31/एस-2/2014 (पार्ट), नया रायपुर, दिनांक 16/09/2014

प्रति,

मुख्य अभियंता,

कठार/परियोजना

जल संसाधन विभाग,

रायपुर/बिलासपुर/अंबिकापुर (छ.ग.)

(विभागाधीन समस्त मैदानी मुख्य अभियंता)

विषय:- जल संसाधन विभाग की नहरों/नालों के किनारे अथवा क्रॉस कर विभिन्न औद्योगिक संस्थानों, नगरीय निकाय, ग्राम पंचायत, जनपद पंचायत, विविध विभाग/संस्था को गैस पाईप लाइन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाइन/वृहद् पेयजल पाईप लाइन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाइन बिछाये जाने हेतु शासकीय दर निर्धारण बाबत विभागीय नीति।

विषयांतर्गत प्रकरण में, मंत्रि-परिषद की बैठक, दिनांक 16.09.2014 में आर्यटम

क्र.- 11.2 के अंतर्गत लिए गये निर्णयानुसार जल संसाधन विभाग की नहरों/नालों के किनारे अथवा क्रॉस कर विभिन्न औद्योगिक संस्थानों, नगरीय निकाय, ग्राम पंचायत, जनपद पंचायत, विविध विभाग/संस्था को गैस पाईप लाइन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाइन/वृहद् पेयजल पाईप लाइन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाइन बिछाये जाने हेतु शासकीय दर निर्धारण बाबत विभागीय नीति की छायाप्रति अनुबंध के प्रारूप के साथ शीघ्र आवश्यक कार्यवाही हेतु संलग्न कर प्रेषित है।

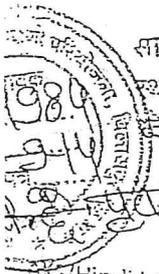
कृपया आपके कार्यक्षेत्र के अधीन, प्रकरण से संबंधित औद्योगिक संस्थानों को, प्रकरण में निर्धारित विभागीय नीति की छायाप्रति सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित करें।

सहमत्र :- उपरोक्तानुसार।

(कुल पृष्ठ-06)

विशेष कर्तव्यस्थ अधिकारी,
जल संसाधन विभाग,
मंत्रालय, नया रायपुर

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सा. - 1/सा. - 2/सा. - 3/बजट/स्था.सा. - 1/
स्था.सा. - 2/स्था.सा. - 3/स्था.सु. - 1/स्था.सु. - 2/
वेदो/दि.सम.ई./कार्य/मु.नि./मु.लि./दि.प्र.

के.अधि. चा.प्र.प्र. 1919

मु.अधि.

MS/Hindi Letter

474/Mantra

क्रमांक एफ-2/6/31/एस-2/2014 (पार्ट), नया रायपुर, दिनांक 09/2014

प्रतिलिपि -

1. निज सचिव, माननीय मंत्री जी जल संसाधन विभाग, मंत्रालय, नया रायपुर,
2. अवर सचिव, मुख्य सचिव कार्यालय, मंत्रालय, नया रायपुर,
3. अपर मुख्य सचिव, छ.ग. शासन, वित्त विभाग, मंत्रालय, नया रायपुर,
4. अपर मुख्य सचिव, छ.ग. शासन, वाणिज्य एवं उद्योग विभाग, मंत्रालय, नया रायपुर,
5. अपर मुख्य सचिव, छ.ग. शासन, पंचायत एवं ग्रामीण विकास विभाग, मंत्रालय, नया रायपुर,
6. प्रमुख सचिव, छ.ग. शासन, ऊर्जा विभाग, मंत्रालय, नया रायपुर,
7. प्रमुख सचिव, छ.ग. शासन, नगरीय प्रशासन विभाग, मंत्रालय, नया रायपुर,
8. सचिव, छ.ग. शासन, राजस्व एवं आपदा प्रबंधन विभाग, मंत्रालय, नया रायपुर,
9. प्रमुख अभियंता, जल संसाधन विभाग, सिहावा भवन, रायपुर

को सूचनार्थ अग्रेषित।

सहमत्र :- उपरोक्तानुसार।
(कुल पृष्ठ-06)

विशेष कर्तव्यस्थ अधिकारी,
जल संसाधन विभाग,
मंत्रालय, नया रायपुर

छत्तीसगढ़ शासन
जल संसाधन विभाग

जल संसाधन विभाग की नहरों/नालों के किनारे अथवा क्रॉस कर विभिन्न औद्योगिक संस्थानों, नगरीय निकाय, ग्राम पंचायत, जनपद पंचायत, विविध विभाग/संस्था को गैस पाइप लाइन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद् पेयजल पाइप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाइप लाईन बिछाये जाने हेतु शासकीय दर निर्धारण बाबत विभागीय नीति।

1. गैस पाइप लाईन/पेट्रोलियम पाइप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद् पेयजल पाइप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाइप लाईन बिछाये जाने हेतु निर्धारित प्रारूप में आवेदनकर्ता को विभाग के साथ अनुबंध निष्पादित करने के उपरांत ही संबंधित कार्यपालन अभियंता द्वारा कार्य करने की अनुमति दी जावेगी।
2. आवेदनकर्ता को कार्य का विस्तृत ले-आउट प्लान प्रस्तुत करना होगा। जो उसके द्वारा स्वयं नहर के निरीक्षण कर तैयार किया जावेगा।
3. विभागीय भूमि के उपयोग हेतु आवेदित एजेन्सी द्वारा आवश्यक भूमि (क्षेत्रफल) का लाईसेन्स शुल्क, विभाग के खाते में अग्रिम रूप से जमा करना होगा। लाईसेन्स शुल्क के लिये शासन द्वारा जमीन का उस वर्ष में निर्धारित औसत बाजार मूल्य का 10 प्रतिशत अनुसार राशि तय की जाती है। जो अनुबंध के पूर्व एक बार जमा करना होगा। इसके अतिरिक्त सरचार्ज प्रत्येक आगामी तीन वर्ष में लाईसेन्स शुल्क का 15 प्रतिशत पृथक से जमा करना होगा। इस लाईसेन्स की अवधि 25 वर्ष होगी। जिन प्रकरणों में बिजली अथवा टेलीफोन के तार मात्र उपर से गुजरेंगे तथा जल संसाधन विभाग की भूमि को नहीं छुएंगे, उन प्रकरणों को इससे छूट रहेगी।
 - 3.1 गैस पाइप लाईन/पेट्रोलियम पाइप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद् पेयजल पाइप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाइप लाईन बिछाने हेतु उपलब्ध स्थान बताते समय भविष्य में नहर के विस्तारीकरण अथवा रिमाडलिंग को भी ध्यान में रखा जावेगा। तथापि भविष्य में आवश्यकता पड़ने पर बिछाई गई पाइप लाईन को आवेदित एजेन्सी द्वारा निःशुल्क विस्थापित करना होगा।
 - 3.2 लाईसेन्स शुल्क जमा करने के पश्चात भी उपयोग में लायी गई जमीन पर आवेदित एजेन्सी कोई अधिकार या दावा नहीं कर सकेगा।
 - 3.3 अन्य एजेन्सी को भी "राइट आफ वे" के अंतर्गत, यूटिलिटी डालने के लिये अथवा डाली गई यूटिलिटी के नीचे या ऊपर यूटिलिटी बिछाने की अनुमति विभाग द्वारा दी जावेगी। जिसके लिये तकनीकी उपयोगिता का निर्धारण विभाग द्वारा किया जावेगा। प्रथम एजेन्सी द्वारा बिछायी गई यूटिलिटी को किसी दूसरी एजेन्सी द्वारा रूकावट/क्षतिग्रस्त करने की स्थिति में विभाग जिम्मेदार नहीं रहेगा।
 - 3.4 "राइट आफ वे" का उपयोग, जिस प्रयोजन हेतु अनुमति दी गई है, उसी कार्य के लिए मान्य होगा। इसके अतिरिक्त कोई भी कार्य जैसे प्रचार प्रसार के टावर, स्मारक आदि, लाईसेन्सी द्वारा नहीं कराया जा सकेगा।

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AKS
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4. यदि किसी भाग में भूमि का औसत दर्शाया गया दर, वास्तविक दर से भिन्न हो तो भी, दर्शाया गया औसत दर अनुसार ही लाईसेन्स शुल्क की गणना की जावेगी, जिसके लिए आवेदक कोई विवाद नहीं कर सकेगा। आवेदित एजेन्सी द्वारा कार्य हेतु आवश्यक भूमि का विवरण एवं माप प्रस्तुत करना होगा।
5. कार्यपालन अभियंता द्वारा संस्थान के आवेदन के आधार पर संयुक्त स्थल निरीक्षण कराया जायेगा एवं नहर में होने वाली वास्तविक क्षति के सुधार हेतु क्षतिपूर्ति राशि के लिये, 10 प्रतिशत सुपरविजन चार्ज सहित प्राक्कलन तैयार कराया जायेगा, तथा "सुरक्षा राशि" जोड़कर डिमाण्ड नोट जारी किया जायेगा।
- 5.1 नहर को काट कर किये जाने वाले कार्य में आवेदित एजेन्सी द्वारा "क्षतिपूर्ति राशि" संबंधित कार्यपालन अभियंता को फिक्स डिपॉजिट के रूप में जमा करना होगा। आवेदित एजेन्सी द्वारा तत्कालिक रूप से खोदी गई ट्रेंच की रिफिलिंग कर उसे समतल किया जायेगा। बाद में विभाग द्वारा उचित मापदण्ड अनुसार क्षतिपूर्ति राशि से मरम्मत इत्यादि कार्य संपादित कराया जा सकेगा। क्षतिपूर्ति राशि वापसी योग्य नहीं होगी।
- 5.2 पूर्ण कार्य दौरान, नहर एवं उस पर निर्मित स्ट्रक्चर की सुरक्षा तथा अनुबंध की शर्तों के पालन को ध्यान में रखते हुए आवेदित एजेन्सी द्वारा रु. 50/- प्रति मीटर की दर से "सुरक्षा राशि" जमा करनी होगी। यह राशि संबंधित कार्यपालन अभियंता के पास फिक्स डिपॉजिट के रूप में जमा करनी होगी। कार्य अनुबंध में निहित शर्तों के अनुसार कार्य पूर्ण होने की तिथि से छः माह बाद वापसी योग्य होगी। अनुबंध के शर्तों का पालन न करने पर यह राशि राजसात की जा सकेगी।
- 5.3 भविष्य में आवेदित एजेन्सी द्वारा कराये गये कार्य में मरम्मत कार्य या अन्य कार्य हेतु कार्यस्थल पर पुनः खुदाई की जाती है, तो उसे इस बाबत पुनः क्षतिपूर्ति एवं सुरक्षा राशि का भुगतान कर अनुमति प्राप्त करनी होगी।
6. आवेदित एजेन्सी द्वारा उक्त राशियों का अग्रिम भुगतान किया जावेगा। तत्पश्चात् विभाग के साथ अनुबंध निष्पादित किया जायेगा। अनुबंध कार्य करने वाली एजेन्सी के वैधानिक प्रतिनिधि के साथ निष्पादित किया जायेगा, न कि उनके द्वारा स्थानीय स्तर पर कार्य सौंपे गये किसी अन्य एजेन्सी के साथ।
7. कार्य पूर्ण होने पर आवेदित एजेन्सी कार्य पूर्णता की लिखित सूचना कार्यपालन अभियंता को देगी एवं कार्यपालन अभियंता को स्थल का अंतिम निरीक्षण कराया जायेगा।
8. आवेदित एजेन्सी को अनुमति हेतु आवेदन प्रस्तुत करते समय कार्य हेतु आवश्यक समयावधि का भी उल्लेख करना होगा।

(गणेश शंकर मिश्रा)
सचिव 16-9-14
जल संसाधन विभाग

रु. 50/- का स्टाम्प पेपर

(गैस पाइप लाईन/पैट्रोलियम पाइप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद पेयजल पाइप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाइप लाईन बिछाने जाने हेतु अनुबंध)

पक्ष क्रमांक - 1 कार्यपालन अभियंता, जल संसाधन विभाग

पक्ष क्रमांक - 2 संबंधित संस्थान (आवेदित एजेन्सी)

पक्ष क्र. 2 ने जल संसाधन विभाग की नहर के किनारे/नहर को क्रॉस करने हेतु गैस पाइप लाईन/पैट्रोलियम पाइप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद पेयजल पाइप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाइप लाईन बिछाने की अनुमति चाही गई है। पक्ष क्र. 2 द्वारा विभागीय गार्ड लाईन का अवलोकन करते हुये नियत लाईसेन्स फीस, क्षतिपूर्ति राशि, सुरक्षा राशि जमा करा दी गई है।

पक्ष क्र. 2 को अनुबंध की निम्नांकित शर्तों के आधार पर गैस पाइप लाईन/पैट्रोलियम पाइप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद पेयजल पाइप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाइप लाईन बिछाने की अनुमति प्रदान की जाती है।

1. पक्ष क्र. 2 द्वारा अनुमति प्राप्त करने के आवेदन के साथ संलग्न किये गये नक्शे एवं ले आऊट प्लान के अनुसार ही कार्य किया जावेगा।
2. पक्ष क्र. 2 द्वारा कार्य आरंभ करने से कम से कम एक सप्ताह पूर्व पक्ष क्र. 1 को लिखित सूचना देनी होगी, जिससे कार्य की आवश्यक देख-रेख की समुचित व्यवस्था विभाग द्वारा की जा सके।
3. पक्ष क्र. 2 द्वारा सुरक्षा के सम्पूर्ण प्रबंध किये जावेंगे। आवश्यक बेरीकेट्स, सूचना फलक, रिफ्लेक्टिव बोर्ड एवं लाल झण्डे आवश्यकतानुसार उचित संख्या में लगाये जावेंगे। उनके द्वारा यदि रात्रि में कार्य किया जाता है तो उसके द्वारा पक्ष क्र. 1 को पूर्व सूचना दी जावेगी। साथ ही उचित प्रकाश व्यवस्था रिफ्लेक्टिव मार्कर्स एवं सुरक्षा संबंधी विशेष प्रबंध करने होंगे। सुरक्षा के अभाव में किसी भी दुर्घटना की सम्पूर्ण जिम्मेदारी पक्ष क्र. 2 द्वारा की जावेगी।

पक्ष क्रमांक - 1

पक्ष क्रमांक - 2

4. पक्ष क्र. 2 द्वारा खुदाई प्रारंभ करने के लआऊट को चूने की लाईन द्वारा स्थल पर अंकित किया जावेगा। इसे पक्ष क्र. 1 द्वारा नियुक्त मैदानी अमले द्वारा अनुमोदित करने के उपरांत ही खुदाई कार्य प्रारंभ किया जावेगा।
5. नहर के किनारे डाली जाने वाली पाईप लाईन मार्ग के "राईट आफ वे" के अंतिम छोर पर अथवा पक्ष क्र. 1 के आदेशानुसार डाली जावेगी।
6. गैस/पेट्रोलियम पदार्थ अत्यंत ज्वलनशील एवं विस्फोटक होते हैं अतः पक्ष क्र. 2 द्वारा गैस पाईप लाईन एवं पेट्रोलियम पदार्थ आपूर्ति हेतु डाली जाने वाली पाईप लाईन के लिये खोदी जाने वाली ट्रेन्च इस प्रकार खोदी जावेगी कि पाईप लाईन डालने के पश्चात उसकी ऊपरी सतह जमीन से कम से कम 2 मीटर नीचे हो। अन्य प्रकरणों यथा टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद पेयजल पाईप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाईन में यह गहराई कम से कम 1 मीटर होगी। तथापि पक्ष क्र. 2 द्वारा यह सुनिश्चित कर लिया जावेगा कि यह गहराई उनके द्वारा डाली जाने वाली गैस पाईप लाईन/पेट्रोलियम पाईप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद पेयजल पाईप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाईन की मजबूती एवं उस पर पड़ने वाले दबाव के सापेक्ष पर्याप्त है तथा उनकी मजबूती का सम्पूर्ण दायित्व पक्ष क्र. 2 का होगा। किसी भी आकस्मिक दुर्घटना की दशा में आवेदित एजेन्सी द्वारा तत्काल आवश्यक सुरक्षा उपाय अपनाते हुए इसे मरम्मत किया जावेगा।
7. गैस पाईप लाईन/पेट्रोलियम पाईप लाईन/टेलीफोन केबल/विद्युत केबल/ यूटिलिटी सर्विस लाईन/वृहद पेयजल पाईप लाईन/औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाईन को नहर क्रॉस कराने हेतु नहर के अधिकतम जल स्तर के 0.50 मीटर के ऊपर से ही की जा सकेगी।
8. नहर क्रॉस करने हेतु सर्विस बैंक काटा जाना अतिआवश्यक होने पर पक्ष क्र. 2 द्वारा ट्रेंच रिफिलिंग का कार्य मुरुम से किया जाकर अच्छी तरह से काम्पेक्ट किया जायेगा

जावेगा। खराब रात मरम्मत का दिनांक निर्धारित न होकर दिनांक में अधिक खुदाई नहीं करा जायेगी। पक्ष क्र. 2 द्वारा ट्रेंच की तिकालिंग एवं नामकरण के अनुसार क्रान्त्यवस्थापन कार्यों के उपरान्त खुदाई से निकली हुई सामग्री, अन्य अनुपयोगी सामग्री को स्थल पर हटाकर स्थल पूर्ववत् करना होगा।

9. पक्ष क्र. 2 द्वारा अपना कार्य संपादित करते समय उसे इस बात का विशेष ध्यान रखना होगा कि पूर्व में अन्य विभाग/एजेन्सी द्वारा बिछाई गई पाईप लाईन/ड्रेनेज लाईन/केबल लाईन को कोई नुकसान न पहुंचे।
10. पक्ष क्र. 2 को यह ध्यान में रखना होगा कि वे मुख्य नहरों जिनमें आवागमन हो उनमें नागरिकों को किसी भी प्रकार की कोई असुविधा न हो। आवश्यकतानुसार कार्य रात्रि में किया जावेगा और कार्य शुरू करने के पूर्व पक्ष क्र. 1 को सूचित करना जरूरी होगा।
11. पक्ष क्र. 2 द्वारा मार्ग में बने स्थाई एवं अस्थाई स्ट्रक्चर, पुल-पुलियों आदि को किसी प्रकार का नुकसान न पहुंचे, इसका विशेष ध्यान रखना होगा तथा आवश्यक ड्राईंग एवं डिजाईन का अनुमोदन के पश्चात ही कार्य कराया जावेगा।
12. पक्ष क्र. 1 द्वारा गैस पाईप लाईन/पेट्रोलियम पाईप लाईन/टेलीफोन केबल/विद्युत केबल/यूटिलिटी सर्विस लाईन/वृहद पेयजल पाईप लाईन/ औद्योगिक संस्थानों हेतु जल आपूर्ति की पाईप लाईन बिछाने हेतु उपलब्ध जगह बताते समय भविष्य के नहर के विस्तारीकरण/रिमांडलिंग को ध्यान में रखा जावेगा, तथापि भविष्य में आवश्यक होने पर पक्ष क्र. 2 द्वारा इसे निःशुल्क विस्थापित करना होगा।
13. यदि पक्ष क्र. 2 द्वारा भविष्य में मरम्मत कार्य या अन्य कार्य हेतु कराये गये कार्य स्थल पर पुनः खुदाई की जाती है तो उसे इस बख्त पुनः निर्धारित राशि भुगतान करके अनुमति प्राप्त करनी होगी।
14. पक्ष क्र. 2 को अपने आवेदन के समय उल्लेखित समय-अवधि में कार्य पूर्ण करना होगा। पक्ष क्र. 1 द्वारा दी गई अनुमति, उक्त समय-अवधि के लिये वैध होगी। इसके पश्चात यह स्वयमेव निरस्त मानी जावेगी। पक्ष क्र. 2 द्वारा अनुमति की समय-अवधि

वहाने हल पुनः आवदन करना होगा। जिस पर शिफ्ट राशि निर्णय पक्ष क्र. 2 के लिए बंधनकारी होगा।

15. कार्य संपादित होने पर संबंधित पक्षों द्वारा कार्य पूर्ण होने की जानकारी अनिवार्य रूप से विभाग को देनी होगी जिससे विभाग द्वारा सम्पूर्ण नहर का निरीक्षण कर लिया जावे एवं आवश्यक होने पर वांछित सुधार कार्य कराया जा सके।
16. एक बार कार्य समाप्त होने के उपरांत इस भाग में कोई भी अन्य कार्य किये जाने हेतु पुनः अनुमति प्राप्त किया जाना आवश्यक होगा।
17. कार्य के दौरान शर्तों का उल्लंघन पाये जाने पर पक्ष क्र. 1 द्वारा सुरक्षा राशि एवं क्षतिपूर्ति राशि राजसात करते हुए कार्य करने हेतु प्रदत्त अनुमति निरस्त की जा सकती है।
18. अनुबंध के सुरक्षात्मक पहलू कार्य पूर्ण होने के उपरांत भविष्य के लिए भी पक्ष क्र. 2 के लिये बंधनकारी होंगे।
19. स्टाम्प पेपर की कीमत सहित अनुबंध में होने वाले समस्त खर्च पक्ष क्र. 2 द्वारा वहन किया जावेगा।
20. पक्ष क्र. 1 एवं 2 के बीच किसी भी विवाद की स्थिति में जल संसाधन विभाग के संबंधित मुख्य अभियंता का निर्णय दोनों पक्षों के लिए मान्य एवं बंधनकारी होगा।

पक्ष क्रमांक - 1

पक्ष क्रमांक - 2

1147

प्रदूषण नियंत्रण समिति

Pollution Control Committee

संघ प्रदेश प्रशासन दादरा एवं नगर हवेली एवं दमन एवं दीव

U. T. Administration of Dadra and Nagar Haveli and Daman and Diu

प्रथम तल, उद्योग भवन, भेंसलोर, नानी दमन, दमन - ३९६२१०

1st Floor, Udyog Bhavan, Bhenslore, Nani Daman, Daman – 396 210.

Ph.: 0260 - 2262524 / 2260975, e-mail: pcc-dnhdd@ddd.gov.in



No. PCC/DDD/CPCB – NGT/2024 – 25/105

Date: 03/072024

To,
The Member Secretary,
Central Pollution Control Board,
Parivesh Bhavan, East Arjun Nagar,
Delhi – 110 032.

Subject: In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dated – 30.04.2024.

Ref. : Your Letter No. CPCB/IPC-II/CM-13011/92/2023/743, dated 14th May, 2024

With reference to the above-mentioned subject, requested information in reference to Hon'ble NGT OA No. 581/2022 order dated 30.04.2024 in prescribed format given by CPCB enclosed herewith.

Further, inform you that, as per the General Development Rules (GDR) – 2023, there is no specific rule/guidelines or policy framework mentioned in the GDR 2023 regarding the construction of a temporary bridge across river channels for carrying out mining and allied activities, and mining & ore beneficiation is banned in U.T. of Dadra & Nagar Haveli and Daman & Diu, for your kind perusal and information.


(Saurabh Mishra)
Member Secretary
Pollution Control Committee,
DNH & DD

Encl: As above

Copy to,

1. The Regional Director, Zonal Office (West), Central Pollution Control Board, "Parivesh Bhawan" Opp. VMC Ward Office No. 10, Subhanpura, Vadodara – 390023 for kind information.
2. The Chairman, Pollution Control Committee, DNH & DD for kind information.
3. Shri Nazimuddin, Scientist – F & Head – IPC-II Division, CPCB, New Delhi – 110 032.

Permissibility of temporary bridge across river channels for carrying out mining and allied activities in U.T. of Dadra & Nagar Haveli and Daman & Diu

S. No.	Information	SPCB	Mining Dept.	Irrigation Dept.
1	Statutory/policy framework regarding construction of temporary bridge across river channels	No	No	No
2	Any guidelines permitting construction of temporary bridge across river channels	No	No	No
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	No	No	No

1149



Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927, mail - memberssecretaryjkpcb@gmail.com



**Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.**

No. JKPC/Sc./OA 581-2022 /24/173

Date: 13-06-2024

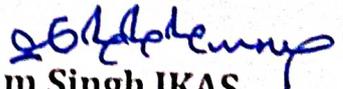
**Sub: Permissibility of temporary bridge across river channels for
carrying out mining & allied activities.**

Ref: No. 866/MCC/DGM/JKPC/20/3015-17; dt. 27.05.2024.

Sir,

Kindly refer to the subject & references captioned above. In this connection, information w.r.t Statutory / Policy framework regarding construction of temporary bridge across river channels for carrying out Mining & allied activities and guidelines permitting such activity, as received from Departments of Geology & Mining is enclosed herewith for kind perusal.

Yours Sincerely,


Ghansham Singh JKAS
Member Secretary 13.6.24

1150



Government of Jammu and Kashmir
Directorate of Geology and Mining, J&K
4th Floor, Udyog Bhawan, Jammu

The Chairman,
Pollution Control Committee,
Jammu & Kashmir.

No.866/MCC/DGM/JKPCC/20/ 3015-17

Subject:- Permissibility of temporary bridge across river channel for carrying out mining and allied activities.

Dated: 27.05.2024

Reference: Your office letter No. JKPCC/SC/OA.581-2022-838-839, Dated 24-05-2024.

Sir,

Kindly refer above cited subject and reference. In this context, I am directed to submit the pointwise reply as under:-

S.No	Query	Reply
1.	The statutory/ policy framework regarding construction of temporary bridge across river channels for carrying out Mining and allied activities	<p>There is no specific policy for construction of temporary bridges across river channels for carrying out Mining and allied activities by the project proponents in the River Bed Mining. However, the regulation and prohibition of Mining activities adjacent to Bridges are covered under Rule 94 (2) (iii) and (iv) of SRO-105 of 2016 dated 31.03.2016 which provides as under:-</p> <p>Rule, 94 (2) (iii):</p> <p><i>"for carrying out Mining in proximity to any bridge and/or embankment, appropriate safety zone shall be worked out on case to case basis, taking into account the structural parameters, locational aspects, flow rate etc and no mining shall be carried in the safety zone so worked out."</i></p> <p>Rule, 94 (2) (iv):</p> <p><i>"River Bed material shall not be extracted up to a distance of five times (5) of the span (x) of a bridge/public civil structure (including water</i></p>

[Handwritten signature]

		intake points) on up-stream side and ten times (10) the span of such bridge on down-stream side, subject to a minimum of 250 meters on the upstream side and 500 meters on the downstream side."
2.	Any guidelines permitting construction of temporary bridge across river channels for carrying out Mining and allied activities and;	The Model Form of Mining Lease Deed (ML10) Clause-3 of Part-II of the applicable rules provides as under:- "To make roads and ways etc and use existing roads and ways:- Liberty and power for or in connection with any of the purpose mentioned in this part to make any roads and other ways in or over the said lands and to use maintain and go and re-pass with or without horses, cattles, wagons, locomotives, or other vehicles over the same on such conditions as may be agreed to."
3.	Any alternative practice adopted regarding construction of temporary bridge across river channels for carrying out Mining and allied activities.	At present, no such alternative practice is adopted regarding construction of temporary bridge across river channels for carrying out Mining and allied activities. However, where the Mineral Concessionaires face difficulty (no exit point exits) for transportation of the Minerals from the Mineral Concession area, then the Department may take up the matter with District Administration for necessary permission to be granted in his favour for construction of temporary Ropeway etc.

Yours faithfully

Manan 27/05/24
Dr. R. S. Rana
 Officer I/C MCC (C)
 Directorate of Geology & Mining, J&K

Copy to the:

1. Commissioner/Secretary to the Govt. Mining Department, J&K, Civil Secretariat, Jammu/Kashmir for kind information.
2. Regional Director, Pollution Control Committee, Jammu/Kashmir for information.

1152

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD
കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/1157/2024-SEE-1

Dated: 03/07/2024

From

The Member Secretary

To

The Member Secretary
Central Pollution Control Board
Parivesh Bhavan
East Arjun Nagar, Delhi-110032

Sub: Information requested in reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA. No. 595/2023) order dt.-30.04.2024-reg

Ref: Your letter No. CPCB/IPC-II/CM-13011/92/2023 724 dated 14/05/2024 from Central Pollution Control Board (CPCB)

Sir,

Kind attention is invited to the subject matter wherein it was requested to provide statutory/policy framework regarding construction of temporary bridge across river channels or road on river bed for carrying out mining and allied activities. It may please be noted that Public Works Department, Irrigation Department and Department of Mining and Geology have been requested for furnishing information in this regard. The information is yet to be received. Necessary follow up action is being taken; report will be submitted at the earliest.

Yours faithfully,

MEMBER SECRETARY

Copy To: Regional Director, Regional Directorate,
CPCB Bengaluru

1153



LAKSHADWEEP ADMINISTRATION
LAKSHADWEEP POLLUTION CONTROL COMMITTEE
KAVARATTI ISLAND -682 555
E-mail: lk-dst@nic.in

File No: LD-03014/1/2024-LPCC-S & T

Dated: 19.06.2024

To

Shri Nazimudin,
Scientist-F & Head -IPC-II Division,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110 032
E-Mail: nazim.cpcb@gov.in

Sub: Hon'ble National Green Tribunal, Principal Bench, New Delhi Order
OA No. 581 of 2022 (IA No.728/2023 & 595/2023) dated 30.04.2024

Sir,

Please refer CPCB e-mail dated 06.06.2024 regarding the Hon'ble National Green Tribunal Order dated 30.04.2024 in OA No. 581 of 2022 (IA No.728/2023 & 595/2023) titled as Vikas Kumar Vs State of Haryana & Ors.

In this regard, it is to inform that, no river and no mining activities are carrying out in the Union Territory of Lakshadweep.

Yours faithfully,


MEMBER SECRETARY,

Lakshadweep Pollution Control Committee

Copy to:-

1. PA to Advisor to the Hon'ble Administrator & Chairman, LPCC
2. PA to Secretary, S&T, UTLA.

1154



मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड

पर्यावरण परिसर, ई-5 सेक्टर, अरेरा कॉलोनी, भोपाल-462016



Tel.No.-07552464428/2466191 e-mail: it_mppcb@rediffmail.com, Web.site www.mppcb.nic.in

कमांक 3189 /तक/मुप्रनिबो/2024,

भोपाल, दिनांक 24/16/2024

प्रति,

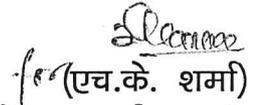
1. संचालक,
भौमिकी एवं खनिकर्म,
खनिज भवन, अरेरा हिल्स,
भोपाल (म.प्र)।
2. प्रमुख अभियंता,
जल संसाधन विभाग,
जल संसाधन भवन, तुलसी नगर,
भोपाल (म.प्र)।

विषय:- माननीय एन.जी.टी. प्रिंसिपल बेंच द्वारा ओ.ए. कमांक 581/2022 (आई.ए. नं. 728/2023 एवं आई.ए. नं. 595/2023) में पारित आदेश दिनांक 30.04.2024- नदियों में खनन संबंधी गतिविधियों के लिए अस्थाई पुल निर्माण के संबंध में।

संदर्भ:- केन्द्रीय प्रदूषण नियंत्रण बोर्ड का पत्र कमांक CPCB/IPC-II/CM-13011/92/2023 दिनांक 14.05.2024 (छायप्रति संलग्न)

विषयांतगत केन्द्रीय प्रदूषण नियंत्रण बोर्ड के संदर्भित पत्र दिनांक 14.05.2024 से प्राप्त माननीय एन.जी.टी. प्रिंसिपल बेंच द्वारा ओ.ए. कमांक 581/2022 (आई.ए. नं. 728/2023 एवं आई.ए. नं. 595/2023) में पारित आदेश दिनांक 30.04.2024 के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा नदियों में खनन संबंधी गतिविधियों के लिए अस्थाई पुल निर्माण के संबंध में विभाग का अभिमत एवं इस संबंध में कोई पॉलिसी फ्रेमवर्क एवं गाईडलाइन्स/वैकल्पिक व्यवस्थाओं के संबंध में जानकारी चाही गई है।

आपसे निवेदन है कि इस संबंध में विभाग की बिन्दुवार जानकारी अविलम्ब उपलब्ध कराने का कष्ट करे, जिससे केन्द्रीय प्रदूषण नियंत्रण बोर्ड को जानकारी भेजी जा सके।


(एच.के. शर्मा)

डायरेक्टर पर्यावरण (तकनीकी)

प्रतिलिपि :

श्री नाजिमुद्दीन, वैज्ञानिक- 'F' & Head-IPC-II Division, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032 की ओर संदर्भित पत्र के तहत सूचनार्थ।

1155

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA



BY E-MAIL

No. CPCB/IPC-II/ CM-13011/92/2023

May 14th, 2024

To,

The Member Secretary,
State Pollution Control Boards / Pollution Control Committees,
(As per list)

Sub.- In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dt.-30.04.2024.

Sir/Ma'am,

Please refer to Hon'ble NGT order dated-30.04.2024 in OA No. 581 of 2022 (IA No. 728/2023 and IA No. 595/2023) titled as Vikas Kumar v/s State of Haryana & Ors.(copy enclosed).

Hon'ble NGT issued order dated-30.04.2024 in the matter as follows:

“ ...

19. We are of the considered view that the issue of construction of temporary bridges across river channels for carrying of mining and allied activities is not confined only to the State of Haryana but, in the very nature of things, extends to other States and UTs also. Therefore, the question regarding construction of temporary bridges across river channels for carrying out mining and allied activities is essentially required to be considered in its applicability to all States and UTs.

...
21.

Undisputedly, construction of temporary bridge or road on riverbed for carrying out mining will have adverse environmental impact on river morphology and ecology and, therefore, appropriate remedial measures have to be taken immediately to mitigate the same. At present such prompt action is not taken due to absence of statutory/policy frame work and guidelines. There is urgent need for due consideration of the matter for suggesting framing of requisite statutory/policy frame work and guidelines for adoption and implementation of remedial measures for mitigating adverse environmental impacts on river morphology and ecology.

22. In these facts and circumstances we widen the scope of proceedings in the present case to consider the question of “permissibility of temporary bridge across river channels for carrying out mining and allied activities” in its applicability to all States and UTs.

... cont//

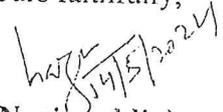
Page.No.1 of.2

24. Respondent no. 11-CPCB is directed to obtain and compile information from all States and UTs regarding framing of statutory/policy framework and issuance of any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and also any alternative practice adopted in all the States/UTs and file its report within two months.

...”

In compliance of above mentioned Hon'ble NGT order, it is requested to coordinate with the concerned state department (mining/irrigation) and provide information in respect of your state regarding - (i) the statutory/policy framework regarding construction of temporary bridge across river channels for carrying out mining and allied activities, (ii) any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and (iii) any alternative practice adopted regarding construction of temporary bridge across river channels for carrying out mining and allied activities, which may kindly be provided by 31.05.2024.

Yours faithfully,


(Nazimuddin)

Scientist-'F' &

Head – IPC-II Division

Subject: Permissibility of temporary bridge across river channels for carrying out mining and allied activities

S. No.	Information	SPCB	Mining Dept.	Irrigation Dept.
1	Statutory / Policy framework regarding construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)
2	Any guidelines permitting construction of temporary bridge across river channels	(Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)

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182611/23, 7, 24/IPC-H

by 27/7/24
SC-62

GOVERNMENT OF MEGHALAYA
DIRECTORATE OF SOIL & WATER CONSERVATION
MEGHALAYA, SHILLONG.

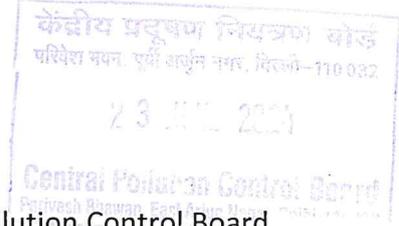
NO.Meg/Soil-9/114(Pt) 12122

Dated Shillong, the 10 July, 2024

From : The Director of Soil & Water Conservation,
Meghalaya, Shillong.

To,

The Scientist 'F' & Head IPC-H Division. Central Pollution Control Board.
New Delhi 110032



Sub :- In reference to Hon'ble NGT OA No.581/2022(IA No.728/2023 and IA
No.595/2023) order dated 30-04-2024.

Sir,

In inviting a reference to the subject cited above, please find enclosed
herewith the information pertaining to the Department of Soil & Water Conservation
Department as per the prescribed format as requested for.

For kind information and necessary action.

Yours faithfully,

(Z.D.Shira)

Director of Soil & Water Conservation,
Meghalaya, Shillong.

NO.Meg/Soil-9/114(Pt)

Dated Shillong, the July, 2024

Copy to:-

The Member Secretary. Meghalaya State Pollution Control Board. This is with
reference to the letter No.MPSCB/GEN-297/Vol-II/2024/2024-24/38 dated 04.07.2024.

Director of Soil & Water Conservation,
Meghalaya, Shillong.

Subject : Permissibility of temporary bridge across river channels for carrying out mining and allied activities

SI No	Information	SPCB	Mining Dept.	Irrigation Dept.	Soil & Water Conservation Dept.
1.	Statutory / policy framework regarding construction of temporary bridge across river channels				NIL (Document/policy/ guidelines to be provided)
2.	Any guidelines permitting construction of temporary bridge across river channels				NIL (Document/policy/ guidelines to be provided)
3.	Any alternative practice adopted regarding construction of temporary bridge across river channels				NIL (Document/policy/ guidelines to be provided)

1159


 (Z.D.Shira)
 Director Soil & Water Conservation
 Meghalaya Shillong

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpyngngad, Shillong - 793014

Website : <http://megspcb.gov.in>

1160

(38)



COURT MATTER

No.MSPCB/GEN-297/VOL-II/2024/2024-25/38

Dated Shillong, the 4th July, 2024

REMINDER

To,

1. The Director,
Mineral Resources Department,
Meghalaya
2. The Chief Engineer,
Water Resources Department,
Meghalaya
3. The Director,
Soil & Water Conservation Department,
Meghalaya

Sub: In reference to Hon'ble NGT OA No. 581/2022(IA No.728/2023 and IA No. 595/2023) order dated 30-04-2024

Ref: (i) Letter No.CPCB/IPC-II/CM-1301/92/2023 dated May 14, 2024
(ii) Letter No.MSPCB/GEN-297/VOL-II/2024/2024-25/24 dated 07.06.2024

Sir/Madam,

With reference to the above, this is to remind you to kindly provide the information to the Central Pollution Control Board, New Delhi in the prescribed format enclosed herewith with intimation to the Board in regard to the Hon'ble NGT order dated 30-04-2024 in the matter of OA No. 581/2022(IA No.728/2023 and IA No. 595/2023) Vikas Kumar Vs State of Haryana & Ors.

This is for your kind information and necessary action.

Enclosed: As stated above

Yours faithfully,

(Dr. G. H. CHYRMANG, MFS)
Member Secretary
Meghalaya State Pollution Control Board
Shillong

Memo No.MSPCB/GEN-297/VOL-II/2024/2024-25/38-A

Dated Shillong, the 4th July, 2024

Copy to:

1. The Scientist 'F' & Head IPC-II Division, Central Pollution Control Board, New Delhi – 110032 for kind information.

Member Secretary

d/c

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpyngad, Shillong - 793014

Website : <http://megspcb.gov.in>



No.MSPCB/GEN-297/VOL-II/2024/2024-25/ 39

Dated Shillong, the 4th July, 2024

By Post/E-mail

To,

✓ The Scientist 'F' & Head IPC-II Division,
Parivesh Bhawan, East Arjun Nagar,
Central Pollution Control Board,
New Delhi – 110032
Email: ipc5division.cpcb@gov.in

Sub: In reference to Hon'ble NGT OA No. 581/2022(IA No.728/2023 and IA No. 595/2023)
order dated 30-04-2024

Ref: Letter No.CPCB/IPC-II/CM-1301/92/2023 dated May 14, 2024

Sir,

With reference to the above, please find enclosed herewith the required information in the prescribed format pertaining to the Meghalaya State Pollution Control Board.

This is for your kind information and necessary action.

Enclosed: As stated above

Yours faithfully,

(Dr. G. H. CHYRMANG, MFS)

Member Secretary

Meghalaya State Pollution Control Board
Shillong

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpyngngad, Shillong - 793014

Website : <http://megspcb.gov.in>



Subject: Permissibility of temporary bridge across river channels for carrying out mining and allied activities

S.No.	Information	SPCB
1	Statutory / Policy framework regarding construction of temporary bridge across river channels	No
2	Any guidelines permitting construction of temporary bridge across river channels	No
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	No


Member Secretary

MIZORAM POLLUTION CONTROL BOARD

No.H.88088/Poltn/104/19-MPCB

Dated Aizawl, the 27th June, 2024

To,

Shri Nazimuddin
Scientist 'F' & Head – IPC-II Division
Central Pollution Control Board

Sub: Acknowledgement

Ref: Your e-mail dated 19.06.2024.

Sir,

This is to acknowledge receipt of the CPCB letter No.CPCB/IPC-II/CM-13011/92/2023 dated 14.05.2024.

May I bring to your notice that the requisite information is being collected from Geology & Mining Department and Irrigation & Water Resources Department and the compiled reports shall be submitted soon.

Yours faithfully,



(PC LALMUANPUII)
Environmental Engineer
Mizoram Pollution Control Board

1164



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel 03862-245727, TeleFax, 03862-245726

Website www.npcb.nagaland.gov.in e-mail npceb2@yahoo.com

NPCB/NGT OA No. 581/ 794

Date: 10-07-2024

To

✓ Scientist F &
Head – IPC-II Division
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi 110032



Sub: In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dt.-30.04.2024

Sir,

In reference to the above cited subject, it is to bring to your notice that Statutory/Policy framework regarding construction of temporary bridge across river channels, guidelines permitting construction of temporary bridge across river channels and alternative practice regarding construction of temporary bridge across river channels have not been formulated in the state of Nagaland. As such document/policy/guidelines are not available.

Enclosed: Format

Yours Sincerely,

(K HUKATO CHISHI, II S)
Member Secretary

Subject: Permissibility of temporary bridge across river channels for carrying out mining and allied activities

Sl. No.	Information	SPCB	Mining Department	Irrigation Department
1.	Statutory/Policy framework regarding construction of temporary bridge across river channels	No	No	No
2.	Any guidelines permitting construction of temporary bridge across river channels	No	No	No
3.	Any alternative practice adopted regarding construction of temporary bridge across river channels	No	No	No

1165

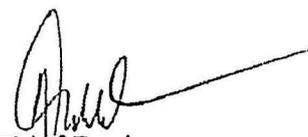
Member Secretary



Annexure -I

Subject: Permissibility of temporary bridge across river channels for carrying out mining and allied activities.

Sl. No	Information	Answers from Irrigation Department (WRD)
1.	Statutory/Policy framework regarding construction of temporary bridge across river channels.	No
2.	Any guidelines permitting construction of temporary bridge across river channels.	No
3.	Any alternative practice adopted regarding construction of temporary bridge across river channels.	No



Chief Engineer
Water Resources Department
Nagaland: Kohima

Subject Permissibility of temporary bridge across river channels for carrying out mining and allied activities.

Sl.no	Information	Mining Department
1	Statutory/Policy framework regarding construction of temporary bridge across river channels	No
2	Any guidelines permitting construction of temporary bridge across river channels	No
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	No


(KHIKIYA RENGMA)
Director

1168

No. 2119/DSTE/PCCC/NGT/EE/2024/ 653
GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT
PUDUCHERRY POLLUTION CONTROL COMMITTEE
3rd Floor, PHB Building, Puducherry – 605 005.
Telephone: (0413) 2201256 ; Telefax: (0413) 2203494.

Puducherry, the

29 JUL 2024

To
Shri. Nazimuddin,
Scientist 'F',
Head - IPC-II Division,
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

Sir,

Sub: Hon'ble NGT Order dated 30.04.2024 in OA No. 581/2022 (IA No. 728/2023 and IA No. 595/2023) titled Vikas Kumar vs. State of Haryana & Ors.

Ref: L. No. CPCB/IPC-II/CM-13011/92/2023 dated 14.05.2024 of received vide email dated 06.06.2024.

With reference to the above, the requested information on statutory / policy framework and guidelines for construction of temporary bridge across river channels for carrying out mining and allied activities developed by U.T. of Puducherry is enclosed herewith in the prescribed format.

Yours sincerely,



(Dr. N. RAMESH)
Member Secretary

Encl: As Above

Permissibility of temporary bridge across river channels for carrying out mining and allied activities.

S. No.	Information	SPCB	Mining Dept.	Irrigation Dept.
1	Statutory/ Policy framework regarding construction of temporary bridge across river channels	Nil	Nil	Nil
2	Any guidelines permitting construction of temporary bridge across river channels			
3	Any alternative practice adopted regarding construction of temporary bridge across river channels			

Note: No temporary bridge work across river / channels for carrying out mining and allied activities has been constructed so far in U.T. of Puducherry.

I/519624/2024
Dr. Rajesh Kumar, IPS
 Member Secretary



West Bengal Pollution Control Board
 (Department of Environment,
 Government of West Bengal)

Memo No. -3N-3/2000(VOL.-6) Dated: .05.2024

To

1. The Principal Secretary,
Irrigation & Waterways Department, Govt. of West Bengal
Jalsampad Bhawan, Western Block 1st Floor, Block DF,
Sector - I, Salt Lake City, Kolkata 700 091.
2. The Principal Secretary,
Department of Industry, Commerce & Enterprise,
Govt. of West Bengal,
Shilpa Sadan,
4, Abanindranath Tagore Sarani (Camac Street),
Kolkata – 700016.
3. The Chairman and Managing Director
3rd Floor, DJ-10, WBIDC Building
DJ Block, Sector II, Salt Lake City,
Kolkata – 700091.

Sub: Hon'ble NGT OA No.581 of 2022 (IA No.728/2023 and IA No. 595/2023) titled as Vikas Kumar V/s State of Haryana & Ors.

Ref: Letter No. CPCB/IPC-II/CM-13011/92/2023/747 dated 14.05.2024.

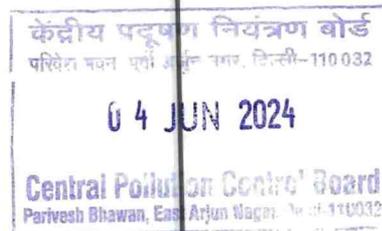
Dear Sir / Madam,

Enclosed please find the above mentioned letter from Central Pollution Control Board for providing information on construction of temporary bridges across river channels for carrying out mining and allied activities pertaining to the State. Requisite information as per the enclosed format may please be provided to this office at the earliest, as requested by CPCB.

sd/-

Member Secretary

Encl: As stated above.



Memo No. 217(4)-3N-3/2000(VOL.-6)

Dated: 31 .05.2024

Copy to:

The Scientist – 'F' & Head – IPC-II Division, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032.

Member
 31.05.2024.
 Chief Engineer



A695922/ms
22/05/24/171

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

BY E-MAIL

No. CPCB/IPC-II/ CM-130/1/92/2023 747

May 14th, 2024

To,

The Member Secretary,
State Pollution Control Boards / Pollution Control Committees,
(As per list)

CE/(EIM)
S. Datta

Sub:- In reference to Hon'ble NGT OA No. 581/2022 (IA No 728/2023 and IA No. 595/2023) order dt.-30.04.2024. 24/05

Sir/Ma'am,

Please refer to Hon'ble NGT order dated-30.04.2024 in OA No. 581 of 2022 (IA No. 728/2023 and IA No. 595/2023) titled as Vikas Kumar v/s State of Haryana & Ors.(copy enclosed).

Hon'ble NGT issued order dated-30.04.2024 in the matter as follows:

"...

19. We are of the considered view that the issue of construction of temporary bridges across river channels for carrying of mining and allied activities is not confined only to the State of Haryana but, in the very nature of things, extends to other States and UTs also. Therefore, the question regarding construction of temporary bridges across river channels for carrying out mining and allied activities is essentially required to be considered in its applicability to all States and UTs.

21. Undisputedly, construction of temporary bridge or road on riverbed for carrying out mining will have adverse environmental impact on river morphology and ecology and, therefore, appropriate remedial measures have to be taken immediately to mitigate the same. At present such prompt action is not taken due to absence of statutory/policy frame work and guidelines. There is urgent need for due consideration of the matter for suggesting framing of requisite statutory/policy frame work and guidelines for adoption and implementation of remedial measures for mitigating adverse environmental impacts on river morphology and ecology.

22. In these facts and circumstances we widen the scope of proceedings in the present case to consider the question of "permissibility of temporary bridge across river channels for carrying out mining and allied activities" in its applicability to all States and UTs.

...contd/

Page No 1 of 2



'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

फोन/टेलीफोन नं./Toll Free No. 22305792. वेबसाइट/Website : www.cpcb.nic.in

24. Respondent no. 11-CPCB is directed to obtain and compile information from all States and UTs regarding framing of statutory/policy framework and issuance of any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and also any alternative practice adopted in all the States/UTs and file its report within two months.

....”

In compliance of above mentioned Hon'ble NGT order, it is requested to coordinate with the concerned state department (mining/irrigation) and provide information in respect of your state regarding - (i) the statutory/policy framework regarding construction of temporary bridge across river channels for carrying out mining and allied activities, (ii) any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and (iii) any alternative practice adopted regarding construction of temporary bridge across river channels for carrying out mining and allied activities, which may kindly be provided by 31.05.2024.

Yours faithfully,



(Nazimuddin)

Scientist-'F' &

Head – IPC-II Division

Subject: Permissibility of temporary bridge across river channels for carrying out mining and allied activities

S. No.	Information	SPCB	Mining Dept.	Irrigation Dept.
1	Statutory / Policy framework regarding construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)
2	Any guidelines permitting construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)
3	Any alternative practice adopted regarding construction of temporary bridge across river channels	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)	Yes / No (Document/policy/guidelines to be provided)

Address List of SPCBs/PCCs

1.	The Member Secretary Andhra Pradesh Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada- 520007 Andhra Pradesh	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board ParyavaranBhawan, Yupia Road, Papunalah, Naharlagun – 791110 Arunachal Pradesh
3.	The Member Secretary Assam Pollution Control Board Bamunimaidan, Guwahati – 781021 Assam	4.	The Member Secretary Bihar State Pollution Control Board PariveshBhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800010, Bihar
5.	The Member Secretary Chhattisgarh Environment Conservation Board ParyavasBhawan, North Block, Sector-19 Atal Nagar, Raipur– 492 002 Chhattisgarh	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511, Goa
7.	The Member Secretary Gujarat Pollution Control Board ParyavaranBhavan, Sector-10A, Gandhinagar– 382043 Gujarat	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 Haryana
9.	The Member Secretary Himachal Pradesh State Pollution Control Board ParyavaranBhavan, Phase III, New Shimla – 171009, Himachal Pradesh	10.	The Member Secretary J&K State Pollution Control Board, PariveshBhawan, Forest Complex, Gladni, Narwal, Transport Nagar, Jammu-180004 Jammu & Kashmir (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 Jharkhand	12.	The Member Secretary Karnataka State Pollution Control Board ParisaraBhavan, #49, Church Street, Bengaluru – 560 001 Karnataka
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu, Pattom P.O Thiruvananthapuram-695004 Kerala	14.	The Member Secretary Maharashtra Pollution Control Board Kalpataru Point, 3rd& 4th floor, Opp. PVR Cinema, Sion Circle (E), Mumbai- 400022, Maharashtra
15.	The Member Secretary Manipur Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 Manipur	16.	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanmual Peng, Aizwal Mizoram- 796001
17.	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong – 793014, Meghalaya	18.	The Member Secretary Madhya Pradesh State Pollution Control Board ParyavaranParisar, E-5 Arera Colony Bhopal – 462016, Madhya Pradesh
19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112	20.	The Member Secretary Odisha State Pollution Control Board ParibeshBhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneswar – 751012, Odisha

21.	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, PremNagar, Patiala – 147001 Punjab	22.	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102, Sikkim
23.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalana Dungri Jaipur – 302004. Rajasthan	24.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018 Telangana
25.	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, Tripura - 799 006	26.	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032 Tamil Nadu
27.	The Member Secretary Uttarakhand Pollution Control Board Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun-248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh Pollution Control Board Building No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow– 226010. Uttar Pradesh
29.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 Andaman & Nicobar	30.	The Member Secretary Chandigarh Pollution Control Committee Paryavaran Bhawan Madhya Marg, Sector - 19 B, Chandigarh – 160019. Chandigarh
31.	The Member Secretary Delhi Pollution Control Committee 4 th & 5 th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.	32.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1 st Floor, Udhog Bhavan Bhenslore, Dunetha Nani Daman, Daman – 396210
33.	The Member Secretary Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati – 682555. Lakshadweep	34.	The Member Secretary Ladakh Pollution Control Committee The Administration of Union Territory of Ladakh, UT Secretariat Leh
35.	The Member Secretary Puducherry Pollution Control Committee Department of Science, Technology & Environment 3rd Floor, Housing Board Complex, Anna Nagar, Nellikthope, Puducherry – 605 005	36.	The Member Secretary West Bengal Pollution Control Board Paribesh Bhavan Canteen, 10A, Sector III, Bidhanagar, Kolkata- 700106 West Bengal Date: 22/5/25 Referred to : Remarks :

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1176

147/3
21/10/2021



From

The Additional Chief Secretary to Govt. Haryana,
Irrigation and Water Resources Department.

To

The Engineer-in-Chief,
Irrigation and Water Resources Department, Haryana,
Sinchai Bhawan, Sector-5, Panchkula.

E/C/ECC, No. 19/11/21
CE 465 (A) 2
CE/IBWS

Memo No:--IIW-600008/10/2021-SE/HKB
Dated Chandigarh, the 18th October, 2021.

Subject:-

Regarding policy for crossing Yamuna by Miners for carrying Mining Activities.

Reference on the subject noted above.

2. Government has approved your proposal of policy for crossing Yamuna by Miners for carrying Mining Activities further necessary action & notification with terms and conditions as under:-

- I. Temporary path should be constructed on river creeks by laying RCC pipes. The dia of RCC pipes should be taken by considering two to three times of the discharge passing at that point, so that flow of water may not obstruct. RCC pipes should be taken of NP-4 category having minimum 1500 mm Φ , as heavy machineries are to be passed over these pipes. These RCC pipes should be laid in such a way that natural flow of river water may not obstruct. Discharge passing at that point should be specifically defined and certified by XEN Incharge.
- II. In case water is found accumulated 8' to 10' deep in river stretch from river bank to mining area, then RCC pipes should not be laid.
- III. Design and drawing of these temporary path will be approved by the Irrigation & Water Resources Department, Haryana, Panchkula. The crossover points may be allowed to be constructed by mining contractors themselves with the design and specification approved by the concerned XEN, SE, CE of Irrigation & Water Resources Department, Haryana, Panchkula as per their competency defined in PWD Code. The Irrigation & Water Resources Department, Haryana, Panchkula shall issue NOC to the contractors in this behalf and also impose conditions regarding removal of the crossover points before the start of each rainy season etc.
- IV. Insurance of mining workers must be got done by the mining contractor.
- V. Existing level of mining area and level of adjoining area of mining are not considered due to which it become difficult up to which level the mining is allow during the year. As per mining policy permission of extraction of mining is up to maximum depth of nine feet from the natural ground level of said area. Mining deptt should fix the level of extraction of mining up to maximum depth and power should be given to the officers to check the same.
- VI. Mining agencies have to inform the Irrigation & Water Resources Department, Haryana, Panchkula about machinery to be used for carrying the mining material over these paths / bridges so that designs & drawings of these paths / bridges can be checked accordingly by the Irrigation & Water Resources Department, Haryana, Panchkula.
- VII. To construct the works of temporary paths Mining agencies have to apply to Irrigation & Water Resources Department, Haryana, Panchkula through Mining department before 1st July of every year along with site plan showing proposal on Sazra Plan duly countersigned from the concerned Mining Officer of the area. Construction of all these works will be got completed upto 31st December of every year by mining contractors themselves as per the drawing and specifications approved by the Irrigation & Water Resources Department, Haryana, Panchkula.
- VIII. The mining agencies can use temporary paths only for mining purpose. Mining agency should ensure that no illegal activities or transportation of other than mining material would take place through these temporary paths. Failing which, these structures would be dismantled by the Irrigation & Water Resources Department, Haryana, Panchkula after recovering cost of the same from the concerned mining agencies.
- IX. Due to rainy / monsoon season, no mining is permissible w.e.f. 1st July to 15th September of every year. So works of temporary paths already constructed would be removed/ dismantled by the contractors before 30th June, of every year. The Irrigation & Water Resources Department, Haryana, Panchkula would charge the Mining agencies for dismantling of any such temporary structure when required to be removed.
- X. During non - monsoon period, minimum 352 cusec discharge is released in the river Yamuna for ecology of E - flow. But sometimes, situation may arise in non - monsoon season when more water is received at HKB in river Yamuna and same is to be released, because this is an unpredictable situation. Therefore, damage (if any) occurred to these temporary paths the Irrigation & Water Resources Department, Haryana, Panchkula/ Govt. would not be responsible for the same and the Mining agency has to deposit the cost of the work to get it done again.
- XI. In case any damage is occurred to any Irrigation structure by a mining agency, then it would be repaired by the concerned agency. Failing which, the same would be repaired by the Irrigation & Water Resources Department, Haryana, Panchkula at the cost of the concerned mining agency.

19/11/21

CE 465

5/11/21

19/11/21

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- XII. For loss of property, human, machinery during mining material crossing through temporary path etc., the mining agency would be solely responsible for the same.
- XIII. In case, length of a mining block in river is 1.00 km. or more, then temporary paths can be constructed by the Mining agencies after every 500 mtr. length / distance after obtaining NOC from Irrigation & Water Resources Department, Haryana, Panchkula as per design and specifications approved by Irrigation & Water Resources Department, Haryana, Panchkula.
- XIV. Maintenance of these temporary paths would be done by the Mining agencies at their own cost.
- XV. All rules and instructions issued by the Govt. from time to time should be followed by the Mining agencies.
- XVI. All rules / regulation of Mining department and Irrigation & Water Resources Department, Haryana, Panchkula under Haryana Canal & Drainage Act should be followed.
- XVII. Any dispute arising between the Mining agency and Irrigation & Water Resources Department, Haryana, Panchkula under this policy Mining agency can file appeal if any, in this regard to the Superintending Engineer of Irrigation & Water Resources Department, Haryana, Panchkula of the concerned District and the same will be settled by the CE concerned.
- XVIII. The charges/Fees for issue NOC to Mining Contractors will levied off as per Annexure-D of Haryana Govt. Gazette notification No. 2/175/2011-11W dated 25th July, 2017 regrading policy guidelines for considering the proposals of the private/Govt./Public Sector bodies/undertakings for allowing construction of Road Bridges, Roads and laying of various utility lines(pipelines/cables etc.) across along the canals/drains and rivers/rivulets of Irrigation & Water Resources Department, Haryana. Panchkula and Water resources department, Haryana.

Amu/24 18/10/2021
Superintendent, Irrigation (Works),
for Additional Chief Secretary to Govt. Haryana,
Irrigation and Water Resources Department

Endstt. No. 4715-18 /3YWS/2757/17

Date 26/10/2021

A copy of above is forwarded to All Superintending Engineer's/YWS Circle, Bhiwani, Jind, Karnal and HKB Circle, Jagadhri for information and necessary action.

o/c

Amu/24 25/10/2021
Executive Engineer/YWS (N),
for Chief Engineer/YWS (N), Irr. & W. R. Deptt.,
Haryana, Panchkula.

Item no. 11

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

(Through Physical Hearing with Hybrid V.C. Option)

Original Application No. 581/2022
(IA NO 728/2023 and IA NO 595/2023)

Vikas Kumar

...Applicant

Versus

State of Haryana & Ors.

...Respondents

Date of order: 30.04.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the Applicant

Respondents: Mr. Rahul Khurana, Advocate for respondent no. 1 to 4.
Mr. Narender Pal Singh, Advocate for respondent no.5
Mr. Prasenjeet Mohapatra, Advocate for respondent no. 6 (through VC).
Mr. Gi Gi. C. George and Ms. Barkha, Advocates for respondent no.7 (through VC).
Mr. Saurabh Rajpal, Mr. Vinay Kumar Singh and Mr. Siddhant Singh, Advocates for respondents no.8 and 9.

Application is registered based on a letter petition received by Post.

ORDER

1. Mr. Vikas Kumar resident of village and post office Jainpur, District Sonipat, Haryana sent the present letter petition by post, which was treated and registered as O.A. No. 581/2022.

2. The applicant submitted that Mr. Sandeep Ahlawat is indulging in illegal mining in the name of Yodha Mines and Minerals in the river bed of

river Yamuna and has diverted course of the river by constructing illegal bridge on river Yamuna.

3. Vide order dated 12.09.2022, this Tribunal issued notices to the respondents and also constituted a Joint Committee with direction to verify the factual position and submit its report.

4. Report of the Joint Committee was filed vide email dated 19.11.2022. In its report the Joint Committee inter alia observed that the erosion of the field area has occurred due to meandering nature of river Yamuna and that the temporary pipe crossing was constructed by M/s Yodha Mines & Minerals, Sand Unit Jainpur-2, Sonipat with permission given by XEN, Sonipat Water Services Division, Sonipat vide letter No. 5544-46/Permission dated 23.11.2021 and same was removed by M/s Yodha Mines & Minerals on 30.06.2022 as per terms and conditions of permission. The temporary pipe crossing constructed by M/s Yodha Mines & Minerals was neither illegal nor diverted the course of river Yamuna.

5. Replies were filed by respondent no. 1 vide email dated 23.02.2023, respondent no. 2 vide email dated 18.11.2022, respondent no. 3 vide email dated 27.11.2023, respondent no. 4 vide email dated 30.01.2023 and respondent no. 5 vide email dated 19.11.2022.

6. In its reply respondent no. 2 also submitted that respondent no. 2 constructed a temporary bridge over Yamuna river after getting permission from Irrigation and Water Resources Department vide letter no. 5544-46 dated 23.11.2021 which was later on demolished before 30.06.2022.

7. In view of the significant nature and impact of the questions involved this Tribunal, vide order dated 21.11.2022, appointed Mr. Raj Panjwani,

Senior Advocate as amicus curie who submitted his report dated 17.04.2023 and Note dated 03.10.2023.

8. Vide order dated 23.02.2023 this Tribunal impleaded MoEF & CC and Ministry of Jal Shakti as respondents no. 6 and 7. In view of mandate of Section 20 of the National Green Tribunal Act, 2010 to apply the precautionary principle, this Tribunal directed that no further permission for construction of any temporary bridge across river Yamuna for facilitating any sand mining and allied activities be granted.

9. Replies were filed by respondent no. 6 vide email dated 20.05.2023 and by respondent no. 7 vide email dated 18.04.2023.

10. Learned senior counsel for respondent no. 5-project proponent argued that construction of temporary bridge across creeks of river Yamuna for carrying out mining does not have any adverse environmental impact while learned counsel for respondent no. 7 submitted that no temporary bridge can be constructed on river Yamuna without obtaining permission of National Mission for Clean Ganga (NMCG) and Learned counsel for respondents no. 6 and 7 did not object to the same as being prohibited activity.

11. This Tribunal constituted another Joint Committee vide order dated 25.05.2023 to carry out the requisite study and submit its report regarding the following aspects:

- a) Whether any mining activity be allowed across different streams of river, if more than one at any place and any temporary bridge be allowed to be constructed for facilitating extraction/transportation of the mined material and other allied activities;

- b) Whether permitting such mining activity and construction of such temporary bridge has any adverse environmental impact on the river morphology, ecology, discharge and aquatic life, etc.;
- c) Whether construction of any such temporary bridge across river for facilitating mining/allied activities be completely prohibited or permitted by imposing conditions to ensure minimum impact on river ecology and aquatic life, and
- d) In case construction of any such temporary bridge is to be kept in the category of regulated activities, by which authority and in which manner the aspects of grant of permission ought to be dealt with.

12. In the peculiar facts and circumstances the interim injunctive order dated 23.02.2023 was modified by this Tribunal, vide order dated 25.05.2023, to the extent that all temporary bridges already constructed may continue and temporary bridges may be allowed to be constructed on the basis of permissions already granted or on the basis of the applications submitted before or after the order by the concerned department(s) as may be warranted by the facts and circumstances of each case. Such permission, if applied for, be granted within three days. However, all such temporary bridges already constructed or to be constructed after the date of the order as the case maybe/shall be removed on or before 05.07.2023 or as per directions of the irrigation department and no temporary bridge shall be allowed to continue after 05.07.2023 in any event. Thereafter, no permission shall be granted for construction of any temporary bridge on river Yamuna till further orders to the contrary. It was clarified that nothing in the order shall be treated as approval of construction of such temporary bridges or expression of any final opinion for the purpose of final adjudication of the questions involved in the case.

13. Report of the Joint Committee was filed vide email dated 25.08.2023. The Joint Committee recommended grant of permission for construction of temporary bridges for carrying out mining and allied activities across channels of river Yamuna with conditions/environmental safe guards as mentioned therein. Responses to the report of the Joint Committee were filed by HSPCB vide email dated 17.10.2023, by NMCG vide email dated 18.10.2023 and by Irrigation and Water Resources Department, Haryana vide email dated 19.10.2023.

14. In the course of hearing none appeared for the applicant. On 01.11.2023 arguments were heard and order was reserved.

15. While going through the material on record, we observed that some material documents were not furnished to this Tribunal and material aspects of the case were not referred to and specific arguments in respect thereof were not addressed during hearing of the case and further hearing was essential for just and proper adjudication of the questions involved in the case. Accordingly the matter was relisted for further hearing and the Registry was directed to inform the learned Counsel for the parties.

16. None has appeared for the applicant while learned Counsel for the respondents have appeared before the Tribunal.

17. The applicant had raised the grievances that flow of river Yamuna was diverted by construction of temporary bridge and due to such diversion hundreds of acres of land was submerged in the River. The Joint Committee constituted by this Tribunal vide order dated 12.09.2022 visited the spot on 16.11.2022 and 19.11.2022. In its report the Joint Committee merely mentioned that the erosion of the field area has occurred due to meandering nature of river Yamuna but did not give the requisite details regarding the

same. In its report the Joint Committee mentioned that the temporary bridge did not divert the course of the river Yamuna but the temporary bridge had already been removed and this observation was not based on any observation of facts. In the present case respondent no. 2 was permitted by EC dated 28.01.2016 granted by MoEF & CC to carry out mining by manual opencast method in riverbed and opencast mechanized outside riverbed. The respondent no. 2 is stated to have got EC modified from the SEIAA on 22.09.2020 for undertaking mechanical mining in the riverbed. Any mining in sanctioned mining lease area can be carried on in accordance with the Environmental Clearance and Mining Plan. Mining across river channels and construction of any temporary bridge across river channels will be permissible only if so sanctioned in the EC and provided for in the mining plan. Copies of modified EC and Mining Plan have not been produced in the present case. These documents are essential required for adjudication of the question regarding permissibility of construction of the temporary bridges across river channel for carrying out mining and allied activities.

18. Vide interim order dated 23.12.2015 passed in OA No. 550/2015 and in OA No.517/2015 this Hon'ble Tribunal directed for removal of unauthorized bridges and Hume pipelines installed in the river or river bed in State of Haryana and State of Uttar Pradesh. OA No. 550/2015 and OA No.517/2015 were disposed of alongwith other OAs vide order dated 05.09.2018 but the question of permissibility of temporary bridges was not considered and no directions against unauthorized bridges, hume pipelines etc. were given as after removal of the unauthorized bridges and hume pipelines etc. the question of permissibility thereof was not raised and was not required to be adjudicated upon.

19. We are of the considered view that the issue of construction of temporary bridges across river channels for carrying of mining and allied

activities is not confined only to the State of Haryana but, in the very nature of things, extends to other States and UTs also. Therefore, the question regarding construction of temporary bridges across river channels for carrying out mining and allied activities is essentially required to be considered in its applicability to all States and UTs.

20. It may be observed here that in **O.A. No. 176/2022 titled as Aman Choudhary Vs. State of U.P. and others** the applicant complained about construction of temporary bridge on river Ganga obstructing its flow and the Joint Committee constituted by this Tribunal reported that road had been constructed in river Ganga for carrying out mining which obstructed flow of river Ganga.

21. Undisputedly, construction of temporary bridge or road on riverbed for carrying out mining will have adverse environmental impact on river morphology and ecology and, therefore, appropriate remedial measures have to be taken immediately to mitigate the same. At present such prompt action is not taken due to absence of statutory/policy frame work and guidelines. There is urgent need for due consideration of the matter for suggesting framing of requisite statutory/policy frame work and guidelines for adoption and implementation of remedial measures for mitigating adverse environmental impacts on river morphology and ecology.

22. In these facts and circumstances we widen the scope of proceedings in the present case to consider the question of “permissibility of temporary bridge across river channels for carrying out mining and allied activities” in its applicability to all States and UTs.

23. Vide order dated 26.09.2023 I.A. No. 728/2023 was allowed and the applicants in the above said I.A. namely M/s M.P.Traders, M/s Elite Mining Corporation and M/s Kawaljeet Singh Batra were impleaded as respondents

no. 8 and 9 but the applicants being three in number were required to be and are accordingly impleaded as respondents no. 8, 9 and 10. In the facts and circumstances of the case, we consider the presence of CPCB to be essential for just and proper adjudication of the environmental questions involved. Accordingly CPCB is impleaded as respondent no. 11. The Registry is directed to amend memo of parties and issue notice to respondent no. 11-CPCB.

24. Respondent no. 11-CPCB is directed to obtain and compile information from all States and UTs regarding framing of statutory/policy framework and issuance of any guidelines permitting construction of temporary bridge across river channels for carrying out mining and allied activities and also any alternative practice adopted in all the States/UTs and file its report within two months.

25. It may be mentioned here that in their replies filed in the present case respondent no. 6-MoEF & CC and respondent no. 7-MOJS have not objected to construction of temporary bridges across river channels for carrying out mining and allied activities and respondent no. 6-MoEF & CC has merely emphasized requirement of consent from NMCG for the same under **the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016**.

26. Respondent no. 6-MoEF & CC and respondent no. 7-MOJS are directed to file their specific response to the question of permissibility of mining across river channels and construction of temporary bridges for carrying out mining and allied activities and respondent no. 6-MoEF & CC is also directed to file its response regarding the requirement of appropriate modification of Sustainable Sand Mining Management Guidelines, 2016

(SSMG, 2016) and Enforcement & Monitoring Guidelines for Sand Mining, 2020 (EMGSM, 2020).

27. Respondent no. 5-Project Proponent is directed to file copies of the EC modified by SEIAA, Haryana and mining plan.

28. Respondent no. 4-Deputy Commissioner, Sonipat is directed to file response giving details of agricultural land affected by change of course of river in the area where the temporary bridge was constructed.

29. Reply by Respondent no. 4-Deputy Commissioner, Sonipat, documents by respondent no. 5-Project Proponent and responses by respondent no. 6-MoEF & CC, respondent no. 7-MOJS and respondent no. 11-CPCB be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

30. Learned Counsel for respondents no. 5, 8, 9 and 10 have requested for modification of order dated 25.05.2023 to allow grant of permission on urgent basis for construction of temporary bridge for carrying out mining and allied activities across river channels during the period preceding forthcoming monsoon as the mining activities will remain closed during the monsoon period.

31. In view of the fact that respondent no.6-MoEF & CC and respondent no.7-MoJS have not objected to construction of temporary bridge for carrying out such mining and allied activities and recommendations of the Joint Committee regarding permitting of construction of temporary bridge for carrying out mining and allied activities with requisite environmental safe guards and the fact that adjudication of the environmental questions involved including requirement of permission from NMCG is likely to take

time, order dated 25.05.2023 passed in respect of State of Haryana is modified to the extent that till further orders to the contrary permission for construction of temporary bridge on river Yamuna in the State of Haryana may be granted by the Irrigation and Water Resources Department as per Haryana Government Policy. In view of urgency explained, application for grant of permission for construction of temporary bridge for carrying out mining and allied activities across channels of river Yamuna during the period preceding forth coming monsoon may be dealt with expeditiously preferably within one week from the date of receipt of the application and permission may be granted depending upon the facts and circumstances of each case with the condition that such temporary bridge will be removed on or before the date as may be mentioned in such permission.

32. List on 05.08.2024 for further consideration.

33. A copy of this order be sent to the Secretaries, MoEF & CC and MoJS, the Member Secretary, CPCB, the Member Secretary, HSPCB, the Director, Mines and Geology, Haryana, the Member Secretary, SEIAA, Haryana, the Deputy Commissioner, Sonipat.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April 30th, 2024.
AG