

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

**O. A. NO. 627 OF 2022**

Prakash Yadav

...Applicant

VERSUS

State of Haryana and Others

...Respondents

**Response of Irrigation & W.R. Department, Haryana in  
compliance of the direction given in Para no. 7 of the order dated 7-2-  
2024 on behalf of respondent no. 5**

Respectfully Showeth:

- 1 That, this Hon'ble Principal Bench of NGT, New Delhi has observed in Para No. 6 of the order dated 7-2-2024 that this Hon'ble Tribunal in Para No. 9 of its order dated 24-4-2023 pointed out that this case involves environmental questions relating to (i) supply of drinking water to the surrounding villages (ii) cleaning of LBS Recharging Channel and Masani Barrage (iii) compliance with environmental norms by STPs (iv) reuse of treated sewage (v) treatment of industrial effluents and (vi) rejuvenation of River Sahibi. The Tribunal further observed that the earlier responses filed before it are materially deficient in respect of relevant aspect. Hence, the concerned respondents are directed to file their response specifically mentioning the steps taken and the steps required to be taken for compliance with respect to all above mentioned aspects. On careful reading of questionnaire of issues as summarized in

the para-6 of order dated 07.02.2024, it transpires that only two issues i.e. (ii) cleaning of LBS recharging channel and Masani Barrage and (vi) rejuvenation of River Sahibi are related to Irrigation & W.R. Department. Thus, a detailed submission on these issues is made in the upcoming Paras.

2 That it is submitted that the LBS (Lal Bahadur Shastri) Recharge Channel off-take from JLN Canal Km 35.700 and fall in Masani Barrage land after covering a length of 8.114 Km and its water carrying capacity is 316 cusecs. This channel carries the excess canal water and rain water to Masani Barrage. This channel also alternatively serves the purpose of recharging of ground water in its reaches. The main purpose of the channel is to provide relief to JLN Canal during the rainy season or in the eventuality of power failure, which means the channel is used occasionally as per the necessity, thus, annual cleaning of channel is sufficient and serves the purpose. Accordingly, the department on annual basis carried out cleaning of LBS Recharge channel. In the last year i.e. 2023-24, the department had carried out the cleaning of LBS Recharge Channel in the month of June/July and incurred an amount of Rs. 16.00 lacs. The department for the present year i.e. 2024-25 has also prepared the detailed estimate for cleaning of LBS Recharge Channel and it is expected that cleaning of LBS Recharge Channel will be done by the month of July/August, 2024.

3 That it is also relevant to mention here that cleaning of Masani Barrage is not feasible because the water is spread over hundreds of acres having average depth of 4 ft. The quantity of water is very huge and it is not possible to set up cleaning machines for such vast area and huge quantity of water. Moreover, this Hon'ble Tribunal constituted a joint committee vide order dated 30.09.2022, which has already submitted its

report. The committee has submitted that all the parameters of water collected from 03 No. locations from Masani Barrage was found in compliance of the norms prescribed by Haryana State pollution Control Board meaning thereby that water is of good quality and therefore, cleaning of Masani Barrage is not in question. It is further submitted that water accumulated in Masani Barrage is not only the STP water, rather most of the water in Barrage is fresh canal water supplied through LBS Recharge channel off-taking from JLN canal at Km. 35.700. So the water in Masani Barrage is not only STP concentrated water rather it is diluted by huge quantity of canal and rain water. At present there is no issue regarding the cleaning of Masani Barrage, as the joint committee report has already declared that the accumulated water of Masani barrage is in compliance of norms prescribed by HSPCB.

- 4 That the Irrigation & W.R. Department, Haryana has undertaken a detailed survey of the stretches of land on which the River Sahibi was flowing earlier. Upon that, it was found that the River Sahibi originates from the eastern slopes of the Saiwar Protected Forest hills in Aravali Range near Ajitgarh and Manoharpur of the District Sikar of Rajasthan State. It flows for around 303 km (total), out of which 153 km is in Rajasthan, 92 km is in Haryana and 58 km in Delhi. The Revenue record of District-Rewari was studied to identify the land of Sahibi River wherein it was found that Sahibi River enters in the State of Haryana near village Pawti (Tehsil - Bawal, District-Rewari). It flows for around 4 Km. length in Village Pawti and village Panwar of Tehsil Bawal District Rewari. This land is under the ownership of Gram Panchayat of respective villages. Thereafter, it re-enters in Rajasthan State near village Ahir Baghola. After covering around 34 km length in Rajasthan territory,

it re-enters into Haryana near village Jarthal. Around 2.50 Km. land of Sahibi River belongs to Private land owner of Village Jarthal as per Revenue record. Thereafter, Sahibi River flows for around 6.50 Km. length through village Jarthal, Pachgaon, Raliawas, Niganiyawas, Bhatasana, Nikhri, Dungarwas, Rasgan and Khaliyawas before reaching to Masani Barrage near NH-48, Delhi- Jaipur Highway. This land has already been acquired by Irrigation and Water Resources Department for Construction of Masani Barrage. But on the downstream of the Masani Barrage, for about 11.00 Km. length, there is no flow of water and because of that the land of Sahibi River creek (downstream of Masani Barrage to the land boundary of District Gurugram) belongs to Private land owner and there is no land, particularly, marked for Sahibi River in Revenue Record. It has also been verified by Naib Tehsildar Dharuhera and Rewari. Due to dis-appearance of Sahibi River downstream of Masani Barrage, the land owners started cultivating the land. Thereafter, it flows from district Gurugram and Jhajjar in a length of approximate 37 Km. after which it is known as Aurangpur Link Drain having length of around 6 Km which falls into Outfall Drain No. 8 at RD 17.50 Km. Outfall Drain No. 8 terminates at Dhansa Regulator at RD 42.59 Km. which ultimately falls in the Najafgarh Drain (in Delhi territory). The total approximate stretches of land through which Sahibi river was flowing earlier and owned by private land owners comes out to be 350 acres and acquiring of that land is a herculean task because the private land owners have refused verbally to provide the land on Collector rates. Here it is humbly submitted that any decision regarding acquisition of private land of Sahibi River for its rejuvenation may be taken only after the availability of water is ensured/secured.

- 5 That the Irrigation & W.R. Department, Haryana is very sensitive towards the issues of river rejuvenation/river restoration as it offers numerous advantages like enhanced biodiversity, improved water quality, flood mitigation, sustainable water supply and cultural heritage preservation. The department is very concerned and proactively working on the issue of rejuvenating of Sahibi River as the work for rejuvenation of Sahibi River has already been completed in August 2023 in some parts i.e. from village Mojabad to village Nurgarh in District Gurugram in the length of 8.220 Km having water carrying capacity of 43.26 Cusec and an approximate expenditure of Rs. 5.87 crore stands incurred by the State. Further, the work of rejuvenation of Indori River (Tributary of Sahibi River) from village Bas Padamka to village Siwari in District Gurugram having length of 8.220 Km is in progress and likely to be completed by 30.06.2024. It involves tentative expenditure of Rs. 22.88 crore.
- 6 That another direction was given in para no. 7 of the order dated 7-2-2024 with regard to taking samples of drinking water supplied in Dharuhera from the Canal and the villages in questions from the tubewells and also the STPs as the case may be and the status report was required to be filed along with the sample analysis reports. In compliance of the direction the samples have been taken by the officers/officials of Public Health Engineering Department in the presence of officers/officials of Irrigation & W.R. Department. On inquiry from the concerned officers/officials of Public Health Engineering Department, it came to the notice that the reports have been received by them and it will be submitted to the Hon'ble NGT in the response to be submitted by them in compliance of order dated 07.02.2024.

In view of the above submissions, it is very respectfully submitted that above response may kindly be accepted and O.A. qua the Respondent No. 5 may please be dismissed.

Date: 11.05.2024.

Place: Rewari



(Ravinder Pal)  
Superintending Engineer,  
JLN Water Services Circle,  
Irrigation and W.R. Department,  
Rewari.

(On behalf of Respondent No. 5)