

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI
(PRINCIPAL BENCH)

Execution Application No. 28/2024
In
OA No. 128/2021

In the matter of:

Saurabh Tiwari vs Union of India & Or

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Deponent

New Delhi

Date: ^{28^A} October, 2025

Through Counsel

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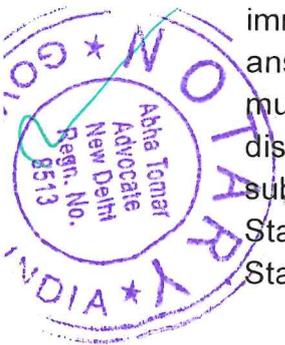
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Reply Affidavit on behalf of Respondent National Mission for Clean Ganga (NMCG), Department of Water Resources, River Development and Ganga Rejuvenation Ministry of Jal Shakti, New Delhi in compliance of the Order dated 13.08.2025, passed by the Hon'ble NGT(PB) in the said matter

Most Respectfully, I, Anup Kumar Srivastava, aged 58 years, working as Executive Director (Technical) in the National Mission for Clean Ganga (NMCG), D/o WR, RD&GR, Ministry of Jal Shakti do hereby solemnly affirm, and declare as under:

- 1) That I, the deponent is working as Executive Director (Technical) in the NMCG and well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and competent to submit this affidavit on behalf of the answering Respondent NMCG.
- 2) That in the instant matter, the Hon'ble Tribunal is considering, amongst other, the issue involving flood plain zonation by the Municipal Corporation Varanasi, of river Varuna and Assi, tributaries of river Ganga, encroachment on the flood plain zone and the alleged discharge of untreated sewage in the above two rivers.
- 3) That in the above context, it is submitted that the answering respondent had earlier filed an affidavit in the matter. It is submitted that while the State Government of Uttar Pradesh (UP) had filed a reply affidavit before this Tribunal, inter-alia, indicating the steps taken, the answering respondent- NMCG is also addressing the issues at policy-level with respect to the Interception and Diversion (I&D) of the drains with a view to addressing the practical and immediate solutions in the matter. In this regard, it is submitted that NMCG, the answering respondent has provided funding support and has sanctioned multiple projects to the State Government of UP with a view to preventing discharge of untreated sewage in rivers- Varuna and Assi. However, it is submitted that the largely the execution and oversight of these project rests with State Government, Urban Local Bodies (ULBs) and Statutory authority, i.e., (UP State PCB).

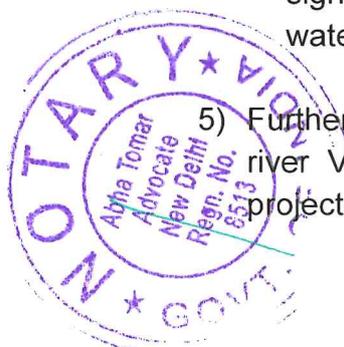


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4) That as regards the efforts of the National Mission for Clean Ganga (NMCG) towards the abatement of the pollution of the river Ganga and its tributaries, it is submitted that NMCG has adopted strategy of interception & diversion (I&D) of drains, carrying wastewater to the Sewage Treatment Plants (STPs) for treatment, i.e., I&D approach. Instead of developing a closed network of sewage conveyance connecting with individual households, the strategy for adoption of the I&D approach are as under:

- a) Most of the towns located along the rivers in India are old towns having very small town area covered with a comprehensive sewerage network, while in most cases, large town area is still not covered with a comprehensive sewerage network;
- b) Laying a comprehensive closed sewerage network in towns requires significant time, often more than 5 years. Further, owing to households located in small lanes / sub- lanes, laying a comprehensive sewerage network and connecting these households becomes very difficult and, at times, non-feasible;
- c) The rivers are important water bodies, being used by significant population directly and indirectly through withdrawal of water for treatment and supply to the towns & villages, there is a need to prioritise the abatement of pollution of rivers. Accordingly, in order to abate the pollution of rivers in the shortest feasible time, the I&D approach has been adopted;
- d) **The adoption of I&D approach does not mean that the work on the development of closed comprehensive network is abandoned** but the same is also continuing with Government of India providing support to the States under schemes such as AMRUT;
- e) In the **lean flow conditions of the river that prevail for nearly 9 to 10 months in a year, the I&D approach ensures that the untreated water is not discharged directly to the river** thereby giving relief to the river;
- f) **During high flow / flood conditions of the river, that remain for 2 to 3 months a year, the gates of the Interception structures are opened, while diversion structures are closed to avoid excessive hydraulic loading of the STP and also to avoid treatment of the highly diluted flood waters.**
- g) While it is true that during floods when the gates of the Interception structures are opened the untreated wastewater also finds its way to the river but its impact on the river gets significantly reduced owing to the huge dilution water available from the flood waters.
- h) Further, during the flood events the direct use of the river by the public is significantly reduced, thus the impact of the highly diluted untreated waste water is minimized.

5) Further it is submitted that in order to prevent discharge of untreated sewage in river Varuna within the limits of Municipal Corporation, Varanasi following projects have been taken up under Namami Gange Programme (NGP):

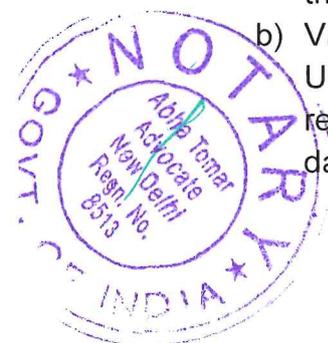


- a) Laying of interceptor, under JICA assistance, along cis-Varuna side whereby the Phulwaria drain and Teliya bagh drain have been intercepted and diverted to the STP for treatment;
 - b) I&D of Durga drain and development of 60 MLD STP at Lohta. (Project under tendering);
 - c) State Government of UP has also been advised to develop a comprehensive action plan for the remaining drains out-falling into river Varuna.
- 6) That in addition, it is submitted that NMCG has also sanctioned a project on I&D and STP works at Bhadohi for the pollution abatement of the river Varuna at Bhadohi.
- 7) Further it is submitted that for the abatement of the pollution of river Ganga at Varanasi from the drains out-falling into Assi, assistance has also been provided by NMCG to the State Government of UP for the following initiatives:
- a) Development of Assi interceptor sewer under JICA assistance;
 - b) Development of 50 MLD STP at Ramana;
 - c) Development of 30 MLD AOP based treatment plant for the excess sewage discharged through Nagwa drain;
 - d) Approval for the I&D works and 55 MLD STP at Bhagwanpur, Varanasi (which is under construction).
- 8) That it is further submitted for consideration of this Hon'ble Tribunal that a meeting was held on 14.10.2025, under the Chairmanship of the Director General, NMCG with the officials of the State Government of UP to review the status of the various activities relating to rivers Verna and Assi. Minutes of the meeting is attached as **Annexure-1**. The gist of the discussions is as under:

(I) Flood plain zoning- Flood plain zoning for the rivers Varna and Assi is to be completed by 30/06/2026. The State Government of U.P has been advised to carry out flood plain zoning works, based on floods of return period of 5-yr, 25-yr and 100-yr as per latest CWC Guidelines.

(II) Status of Varuna Interceptor Sewer(VIS)

- a) The State Government of U.P assured that the VIS shall be handed over to the Varanasi Nagar Nigam (VNN).
- b) VNN shall get the cleaning of the VIS done through Uttar Pradesh Jal Nigam, Urban (UPJN, Urban). The State Government of UP assured that the requisite budget provision will be made available and confirmed within 15 days.



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- c) Tender for cleaning of the VIS shall be published immediately. The State Government committed that the VIS cleaning works shall be completed by 31/03/2026.
- d) The preparation of the DPR for the repair of the VIS shall be undertaken by UPJN (Urban) after cleaning of the VIS is complete and the requisite funds for the repair of the VIS shall be made available by the State Government of UP.
- e) State Government of UP shall expedite the DPRs for the interception and diversion of balance drains along with required STP works, in the remaining stretches of the River Varuna in Varanasi.

9) That the answering respondent craves leave of this Hon'ble Tribunal to make any other submissions or furnish other details, if so warranted in the matter.

Deponent

28 OCT 2025

VERIFICATION:

Verified at New Delhi on ^{28th} October, 2025 that the contents of the above affidavit are true and correct to my knowledge based on official record and no part of it is false and nothing material has been concealed therein.

Deponent

Verify the deponent's signature who has signed in my presence.



Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

It as correct Notary DELHI

28 OCT 2025

Minutes of Meeting

A meeting was held in hybrid mode under the chairmanship of the Director General, NMCG, with officials of the Government of Uttar Pradesh regarding the rejuvenation of rivers Varuna and Assi in the matter of EA No. 28 Of 2024 in OA 128 of 2021 on 14th Oct, 2025. The list of participants is placed at **Annexure-A**. The discussions and the key decisions taken in the meeting are as under:

1. Flood plain zoning

- a) Flood plain zoning for the rivers Varuna and Assi is still incomplete. The State informed that after a detailed survey, the DEM (Digital Elevation Model) data shall be made available by the Survey of India (SOI) by 31/12/2025. Thereafter, National Institute of Hydrology (NIH) shall undertake the modelling and provide the coordinates for demarcating flood plain zones by 30/06/2026.
- b) The State was advised to carry out flood plain zoning works based on floods of return period of 5-yr, 25-yr and 100-yr as per latest CWC Guidelines.

2. Status of Varuna Interceptor Sewer

- a) Varuna interceptor sewer (VIS) has not been made functional yet and the same has also not been handed over to the Varanasi Nagar Nigam (VNN). The State officials assured that the VIS shall be handed over to the VNN by any means up to 20/10/2025.
- b) VNN shall get the cleaning of the VIS done through Uttar Pradesh Jal Nigam, Urban (UPJN, Urban). The cleaning process will require a budget of ₹7 crores and the State has not yet provisioned the requisite budget. The State officials assured that the budget provision will be confirmed within 15 days.
- c) Tender for cleaning of the VIS shall be published immediately, while the process of budget allocation shall be expedited at the State level. The State officials indicated that the VIS cleaning works shall be completed by 31/03/2025.
- d) The examination and preparation of the DPR for the repair of the VIS shall be undertaken by UPJN (Urban) after cleaning of the VIS is complete. The funds for the repair of the VIS shall be made available by the State.
- e) In consideration of the likelihood of the sewage conveyance into VIS after cleaning and the expected non-availability of the pumping capacity at the Chaukaghat pumping station, the State is to prioritize the development of a sewage pumping station to convey the available sewage from VIS to the sewage treatment plants.
- f) The State is to expedite the development of the DPRs for the interception and diversion of balance drains along with required STP works, in the remaining stretches of the River Varuna in Varanasi.

3. Status of procurement of mechanical trash skimmer

- a) Despite the sanction for procurement of the mechanical trash skimmer for cleaning of the river surface by NMCG on 30/01/2025, the State officials could not provide the current status and reasons for the delay. The State is to provide the status after reviewing the matter with the concerned VNN officials.

The meeting ended with a vote of thanks to the chair.

Annexure I

List of Meeting Participants (S/Sri)

1. Rajeev Kr Mital, DG, NMCG
2. Brijendra Swaroop, ED (P), NMCG
3. Raj Shekhar,
4. Prabhas Kr, PD, UP SMCG
5. Anup Kr Srivastava, ED (T), NMCG
6. Rajat
7. Raghuvanshi
- 8.