

Item No. 09

Court No. 1

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

(By Video Conferencing)

Original Application No. 65/2020

(With reports dated 12.03.2021 & 15.03.2021)

Sushil Raghav

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 17.03.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Ms. Kanika Sood, Advocate

Respondent: Mr. Amit Tiwari, Advocate for State of UP
Mr. Pradeep Misra, Advocate for UPPCB

ORDER

1. Grievance in this application is that water bodies are being diverted in Ghaziabad District for industrial purposes in violation of law.
2. An action taken report was sought from the joint Committee comprising District Magistrate, Ghaziabad and State PCB. The matter was thereafter considered on 29.10.2020 in light of report of the District Magistrate, Ghaziabad and of the State PCB showing dismal picture of steps taken for restoration of water bodies. There was need to remove encroachments and take other measures. Extracts from the said order are as follows:

“3. Accordingly, the District Magistrate, Ghaziabad has filed its report dated 28.10.2020 to the effect that large number of water bodies were encroached. **Percentage of encroached water bodies is around 72.90% (183 water bodies). Action has been initiated under Section 67 of the UP Revenue Code, 2006. Only 49 out of 261 water bodies are free from encroachment in Ghaziabad District.**

4. In view of the above dismal picture, we find that action taken by the State PCB is neither adequate nor in right direction. It appears that the concerned officers are not conversant with the law of the land which is resulting in serious damage to the environment. Water bodies are the life line of the environment for ground water recharge, storage of water for different purposes, for micro climate, aesthetics, etc.

5. The matter has been dealt with generally inter-alia vide order dated 01.06.2020 in O.A. No.325/2015 by this Tribunal wherein after referring to the law laid down by the Hon’ble Supreme Court and the significance of the water bodies for the environment, the Tribunal directed the District Magistrates in all the States to take prompt action for protection of water bodies. Such action was to be coordinated by the Chief Secretaries of the States and a consolidated report furnished to the CPCB. The Tribunal noted that only some States gave their action taken reports while other sought time on account of Covid –19 situation. The Tribunal observed:-

“1to 4..xxx.....xxx.....xxx

5. Having regard to the fact situation noted above, we extend the time for the States to complete action in terms of order dated 25.02.2020 till 31.07.2020. The CPCB may thereafter file its report by 31.10.2020 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

6. However, we wish to add a further direction having bearing on the subject. We have already noted the significance of protection and restoration of water bodies for the environment. **The protection of water bodies not only add to availability of water for different purposes, it also contributes to recharge of ground and maintaining e-flow in the rivers, is congenial to micro climate in sub-watersheds as well as enhancing the natural aesthetics. While the rain water harvesting is certainly important, harvesting surplus water during excessive rains from any areas of catchment needs to be optimized by enhancing the capacity of the existing ponds/water bodies, creation of water harvesting structures in the sub-watersheds to the extent possible, apart from setting up of additional water bodies/water harvesting structures wherever viable, utilizing available funds including under MGNREGA and involving the community at large at every level. Gram Panchayats can certainly play a significant role in the matter. Once adequate capacity enhancement of**

waterbodies takes place, excess flood/rain water can be channelized by using appropriate water harvesting techniques. This action needs to be coordinated by the District Magistrates in coordination with the Department of Irrigation and Flood Control or other concerned Departments such as Department of Rural Development/Urban Development/Local Bodies/Forests/Revenue etc. The District Magistrate may as far as possible hold a meeting of all the stakeholders for the purpose as per the District Environment Plan or Watershed Plan within one month from today. The District Magistrates may also ensure that as far as possible atleast one pond/water body must be restored in every village, apart from creation of any new pond/water body.

7. Action taken in this regard may be compiled at State level and reports furnished to the Chief Secretaries of the States by the concerned District Magistrates. Consolidated report of the State may thereafter be forwarded to the CPCB preferably by 31.08.2020 and CPCB may cover this aspect also in its meeting.

A copy of this order be sent to CPCB, Chief Secretaries, State PCBs/ PCCs of all States/UTs for being forwarded to all the District Magistrates and other concerned Departments and further action in above terms. The District Magistrates may thereupon forward this order to all the levels of Panchayati Raj in their respective Districts.

The Chief Secretaries may also forward this order to their respective Extension/ Public Relation Departments for awareness and publicity.

A copy of this order be forwarded to the Ministry of Jal Shakti for appropriate action at their level by e-mail.”

6. **Having seen alarming level of encroachments at Ghaziabad, it is not difficult to assume that there are similar encroachments/damage to water bodies throughout. This needs attention of the authorities at the State level and special plan and drive is necessary for identification and conservation of such water bodies for enforcement of rule of law and protection of environment. It seems that orders of the Hon'ble Supreme Court and this Tribunal on the subject are not receiving any attention of the concerned authorities. It is high time that the issue is seriously addressed. We also find that the authorities are stuck up in cumbersome procedure of revenue law without invoking prompt and summary procedure of environmental law. There is no monitoring at higher level. Powers under the environmental law, including the Water (Prevention and Control) Act, 1974, the Air (Prevention and Control) Act, 1981 and Environment (Protection) Act, 1986 which are with reference to Entry 13 List – I to give effect to the international obligations under Article 253 of the Constitution. These laws are overarching**

and override any other statute. The ‘Sustainable Development principle’, ‘Polluter Pays principle’ and ‘Precautionary principle’ are part of Municipal law of land by virtue of constitutional provision of Article 21 read with 48A and Article 51(g). The State is thus not inhibited by procedural hurdles under any other law in dealing with environmental issues. A conscious decision needs to be taken in this regard at higher levels of the administration and if found necessary, powers need to be given to the Forest Department or the District Magistrate or any suitable department which can promptly retrieve the water bodies.

7. In view of the above and having regard to the significance of the issue and failure of the authorities so far in performing their public trust obligation, we direct the Chief Secretary, UP to hold a meeting with all District Magistrates by video conferencing within one month from today to address the issue and to prepare a uniform action plan applicable throughout State of UP for identification and protection of water bodies.

8. We also request the Monitoring Committee constituted by this Tribunal headed by Justice S.V.S. Rathore, former Judge of the Allahabad High Court to monitor compliance and furnish its independent report in the matter by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

9. Further action taken report as on 28.02.2021 may be filed by the Chief Secretary, U.P. before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

3. Accordingly, an action taken report dated 15.03.2021 has been filed by the State of Uttar Pradesh as follows:

“2. The status report on the compliance of above directions of Hon’ble NGT is as below:

- i. Environment, Forest and Climate Change Department, Uttar Pradesh vide its letter dated 16-07-2020 has issued directions to all the concerned departments like Panchayati Raj, Irrigation and Water Resources, Rural Development, Minor Irrigation and Ground Water, Revenue Department besides all the District Magistrates for participating in the workshop for preparation of Action Plan for restoration of lake/ponds and wetlands on the format as prescribed by CPCB. It was also communicated that the format for the preparation of the Action Plan has been made available on the Web Portal www.upecp.in.*

ii. That, Environment, Forest and Climate Change, Uttar Pradesh in coordination with Uttar Pradesh Pollution Control Board has organised a training programme on 23-07-2020 wherein District level officials of concerned departments were given training on restoration of lake/ponds and wetlands. The workshop was attended by all the concerned stake holders. The detail of proceeding of workshop dated 23-07-2020 is enclosed as marked as **Annexure No. 1.**

iii. That Uttar Pradesh Pollution Control Board has prepared a Guideline for Action Plan for the Restoration of Lakes/Ponds and Wetlands. The guideline covers following crucial issues related to restoration of the wetland:

- a. Format for the preparation of Action Plan.
- b. Procedure to identify the wetlands and allotment of unique ID for each identified wetland.
- c. Nomination of Nodal department for each wetland.
- d. Preparation of survey map.
- e. Monitoring of the water quality of each wetland with respect to pH, Total Dissolved Solid, Dissolved Oxygen, Bio-Chemical Oxygen Demand, Chemical Oxygen Demand, Total Coliform, Faecal Coliform.
- f. In-situ Treatment Technologies etc.

The guideline prepared by UPPCB has been circulated to all the concerned departments and stakeholders.

3. That in order to ensure regular and effective monitoring, Board of Revenue Uttar Pradesh has developed a monitoring portal on its website bor.up.nic.in wherein dedicated link for removal of encroachments from lake, ponds and wetlands has been provided. The Action Taken Reports related to removal of encroachments from lake, ponds and wetlands is uploaded on the said website for regular monitoring of the State.

4. In compliance of the directions of Hon'ble National Green Tribunal dated 29-10-2020 Chief Secretary, Uttar Pradesh held a meeting on 18-11-2020 through Video Conferencing with all the 75 District Magistrates of the State. In the said meeting higher officials of Home, Environment, Forest and Climate Change, Revenue Board were present. Chief Secretary, Uttar Pradesh has issued directions to all the District Magistrates for time bound compliance on the following:-

- i. All lake, ponds and water bodies to be identified based upon revenue records and mapping of encroachments be done on priority basis.
- ii. Enforcement drives to be undertaken for removal of encroachment on regular basis and the progress should be uploaded on the website of Board of Revenue.

- iii. After removal of the encroachment from waterbodies, the Action Plan for their restoration be prepared based upon the guidelines of Uttar Pradesh Pollution Control Board and submitted to Environment, Forest and Climate Change Department, Uttar Pradesh.

The minutes of meeting dated 18-11-2020 is enclosed as marked as **Annexure No. 2.**

That Chief Secretary, Uttar Pradesh reviewed the progress of compliance on 21-12-2020 and directed all the District Magistrates to submit Action Plan for identification and restoration of wetlands. That the Chief Secretary again reviewed the status of compliance on 15-02-2021 and issues directions that Action Plan for restoration of wetlands be prepared within one month with due intimation to Environment, Forest and Climate Change Department, Uttar Pradesh. The minutes of meeting dated 15-02-2021 is enclosed as marked as Annexure No. 3.

5. The Oversight Committee constituted by Hon'ble National Green Tribunal has also reviewed the status of compliance of directions of Hon'ble National Green Tribunal through Video Conferencing on 10-03-2021. **The Oversight Committee in its compliance report submitted before Hon'ble National Green Tribunal in O.A. No. 325/2015 Lt. Col. Sarvadaman Singh Oberoi Vs. Union of India and Ors. on 01-10-2020 has recorded the Ground Water Management in Mathura and Restoration work in Gautam Buddha Nagar as one of the best practices for Restoration of Water Bodies.** The related portion of the report of Oversight Committee is being reproduced as below :

i. Ground Water Management in Mathura :

Under the Jal Shakti Abhiyan, the administration is taking steps to improve the water quality in the district. The simple mechanical interventions like digging ponds and rains raised the readiness to tap water which increased groundwater level. During May 2019 —Aug 2020, the decline in TDS is visible. An award of excellence had been presented to District Magistrate of Mathura at Water Innovation Summit, 2020 under the category "Rejuvenating Water Bodies: Innovation in a City Landscape".

ii. Restoration work in Gautam Buddha Nagar :

Rejuvenation and restoration of ponds in district Gautam Buddha Nagar, Uttar Pradesh was done with the help of private sector. Shri B.N Singh in a meeting informed that a Public-Private Partnership initiative was started by him last year wherein the district administration joined hands with reputed companies and ponds were given for 5 to 10 years on lease/licence for heavy plantation in catchment areas, which was done by the private companies. To avoid any misuse, a specific condition was laid down that no private company

would have any lien or right on issuance of lease or license to it. Under this initiative, 51 new ponds have so far been dug up and more than 1000 ponds de-silted. Private companies, in need of mud were permitted to dig out and deepen the depth of ponds by removing silt from their beds. Such schemes would prove to be a success with proper coordination and co-operation of State and private sector.

6. **That 29 Districts have submitted the Action Taken Report related to identification and Action Plan for restoration of lake, ponds and wetlands. The summary of the Action Taken Reports received from 29 Districts is as compiled below:-**

S.No.	Name of District	No. of wetlands identified for action plan	No. of action plans prepared for restoration
1.	Ambedkar	168	168
2.	Lucknow	242	Under Preparation
3.	Kanpur(Nagar)	356	172
4.	Saharanpur	1101	408
5.	Hardoi	463	463
6.	Unnao	647	647
7.	Mainpuri	82	82
8.	Kanpur(Dehat)	9	9
9.	Behraich	70	70
10.	Muzaffar	632	632
11.	Bulandshahar	1263	1263
12.	Hathras	38	19
13.	Deoria	19	19
14.	Gazipur	5	5
15.	Etawah	168	168
16.	Amroha	407	30
17.	Firozabad	1187	695
18.	Jhansi	198	160
19.	Auraiya	508	Under Preparation
20.	Etah	251	5
21.	Shamli	363	348
22.	Bijnor	515	515
23.	Pilibhit	331	331
24.	Rampur	60	60
25.	Chitrakoot	849	849
26.	Gorakhpur	67	67
27.	Ghaziabad	238	-
28.	Kushinagar	1902	10
29.	Bareilly	25	25
Total		12164	7220

4. Apart from above, a report dated 12.03.2021 has also been filed by the Oversight Committee constituted by this Tribunal headed by Justice SVS Rathore, former Judge of the Allahabad High Court wherein after referring to the data compiled from the concerned Departments, following recommendations have been made:

“

1. **The Committee observed that efforts have been made for pond restoration by Nagar Nigam, Ghaziabad but the progress is considerably slow. It is recommended that a complete action plan with timelines be submitted to Hon'ble NGT within a month.**
2. **As far as encroachments around water bodies is concerned in Ghaziabad, still encroachment persist in 135 ponds wherein 63 are in rural areas and 72 are in urban areas. It was informed in the meeting held by Oversight Committee on 10.3.2021 that it is not possible to remove encroachments in rural areas. The Committee suggests DM, Ghaziabad to submit an explanation regarding non-removal of encroachments in rural areas and action taken for removing encroachments in urban areas alongwith the complete list of all encroached ponds within a month.**
3. **Vide meeting dated 18.11.2020, a meeting was conducted at CS level in Uttar Pradesh wherein all the District Magistrates were given directions for removing encroachments and taking steps for restoration by 28.11.2020. This timeline seems not be complied with as still encroachments persist in all the districts. No meaningful compliance has been done by District Magistrates. It is recommended that all the District Magistrates submit an action taken report to the State Government and then a consolidated report be submitted to Hon'ble NGT within two months. In case of delay, heavy penalty to be imposed on the defaulting districts.**
4. *Vide order dated 29.10.2020, Hon'ble NGT had directed that an action taken report as on 28.02.2021 be filed by the Chief Secretary, U.P. before the next date of hearing i.e. 17.03.2021. Till date, information regarding filing of any such report is not under the notice of this Committee. Therefore, it is recommended that an action taken report be filed by the Chief Secretary at the earliest.*
5. *The Oversight committee while reviewing the Ground Water Regulation mechanism of the State appreciated that the State Act and the Rules had taken care of a large number of concerns. However, it is suggested that the **State Ground Water Department may study the Hon'ble NGT order dated 20.07.2020 in OA 176/ 2015 and CGWA guidelines dated 24.09.2020. Further, the Committee suggests that the State Government may explore the possibility of incorporating***

some of the features mentioned in CGWA guidelines like water management plan, annual water audit, impact assessment report, socio- economic impact assessment report, capping of 2 years in providing renewal of NOC in OCS blocks and annual calibration of digital flow meters.

- 6. Development of Bio Diversity Parks in the vicinity of rivers lead to continuous recharge of aquifers and maintenance of E Flow of the rivers. It has been put to notice that project of Biodiversity parks was submitted to NMCG but could not get approved due to shortage of funds. The Committee recommends re-formulation of project after in-depth analysis of such projects in other states viz. Wetland park in Delhi and taking technical advice from experts.**
- 7. The Committee reiterates the direction of Hon'ble NGT vide order dated 14.07.2020 in O.A.985/2019 which states that CPCB has to issue strict directions to ensure that **no authority allows discharge of polluted sewage or polluted effluents directly into a water channel or stream even during the monsoon season.****
- 8. Success story of river Tamsa in Ayodhya should be circulated among all the District Magistrates and they should be asked to identify and take up similar activities, with the involvement of local public, that may help in improvising the water bodies/rivers/ groundwater or environment in any manner that too with the minimum financial burden.**
- 9. The concept of floating islands can be replicated in several water bodies of the State. Moreover, floating barriers can also be used to capture trash in water bodies. In the year 2015, Alpha MERS developed an indigenous design of floating trash barrier for controlling hyacinth and trash from flowing in water. The barrier made of steel and aluminium with a high tensile strength claims to have an ability to survive in both polluted water bodies and change in water levels. For the first time in November 2017 these barriers were deployed in Cooum river in Chennai. Currently, the barriers have been deployed at eight locations in Cooum river (NDTV,2018)**
- 10. Use of bio-plastics/bio-degradables in every sector viz. domestic and industrial sectors is a viable solution to prevent rivers and water bodies from choking and warding off adverse implications on biodiversity. The State government may develop plans for switching to bio-plastics/bio-degradables at macro level within six months.**
- 11. Restoration of ponds, lakes require involvement from all stakeholders especially local people. Community participation must be encouraged and campaigns be started in areas to restore, conserve water bodies. Ansupa Lake in Odisha has been restored by sincere efforts of Self Help Groups in the area.”**

5. We find from the report of the State of UP that though certain steps have been taken belatedly, the matter needs constant further action in mission mode. Significance of restoration of water bodies has already been noticed above. The subject appears to be neglected except for the action now taken after directions of this Tribunal. We see no reason not to accept the recommendations of the Oversight Committee. **Accordingly, the same are accepted and directions issued in terms thereof for compliance by the State of UP.**

6. This Tribunal has finally dealt with the issue of restoration of water bodies throughout the country vide order dated 18.11.2020 in O.A. 325/2015, *Lt. Col. Sarvadaman Singh Oberoi v. Union of India & Ors.* Directions have been issued after considering the report of the CPCB, giving the details of the action plans prepared as well as the status of compliance. The operative part of the said order is as follow:

17. *In NGT order dated 27.08.2020 in OA 351/2019, Raja Muzaffar Bhat vs. State of Jammu and Kashmir & Ors., it was observed:*

“... ..
8. **One of the serious challenges is solid and liquid waste management, apart from encroachments. There are binding directions of the Hon’ble Supreme Court in *Almitra H. Patel Vs. Union of India & Ors*¹. and *Paryavaran Suraksha vs. Union of India*² on the subject of scientific management of solid waste and sewage/effluents in accordance with the statutory provisions of the Water (Prevention and Control of Pollution) Act, 1974, (‘Water Act’) Air (Prevention and Control of Pollution) Act, 1981, (‘Air Act’) and waste management rules framed under the Environment (Protection) Act, 1986 (‘EP Act’). There is large scale non-compliance of the said statutory provisions which has led this Tribunal to consider the issue of river pollution in OA No. 673/2018, News item published in “The Hindu” authored by Shri Jacob Koshy Titled “More river**

¹ (2000) 2 SCC 679

² (2017) 5 SCC 326

stretches are now critically polluted: CPCB" in view of acknowledged data of 351 polluted river stretches in the country. Apart from the said issue, large scale failure has been found in the matter of solid waste management as repeatedly recorded in O.A. No. 606/2018. The Chief Secretaries of all the States/UTs were required to remain present in person before this Tribunal for interaction and further planning. In O.A. No. 325/2015, Lt. Col. Sarvadaman Singh Oberoi v. UOI & Ors., the Tribunal has considered the issue of restoration of water bodies. In Original Application No. 593/2017, Paryavaran Suraksha Samiti & Anr. v. UOI & Ors., the issue of untreated sewage or effluent being discharged in water bodies have been taken up for consideration. There are several other matters dealing with the such issues, including coastal pollution, pollution of industrial clusters etc.

9. There is discussion in the media about inadequacy of monitoring of action for restoration of lakes, wetlands and ponds which is certainly necessary for strengthening the rule of law and protection of public health and environment³. Several directions have been issued by the Hon'ble Supreme Court in M.K. Balakrishnan and Ors. v. UOI & Ors.⁴"

18. We also note that the Ministry of Urban Development, Government of India, Central Public Health and Environmental Engineering Organization (CPHEEO) has issued an advisory on **"Conservation and Restoration of Water Bodies in Urban Areas"**⁵ in August, 2013 which need to be followed. The matter was also considered by the Standing Committee on Water Resources (2015-16), Sixteenth Lok Sabha. Its Tenth Report has been published by the Ministry of Water Resources, River Development and Ganga Rejuvenation under the heading **"Repair, Renovation and Restoration of Water Bodies-Encroachment on Water Bodies and Steps Required to Remove the Encroachment and Restore the Water Bodies"**⁶ in August, 2016. Further, the **"Guidelines for the Scheme on Repair, Renovation and Restoration (RRR) of Water Bodies under PMKSY (HKKP)"**⁷ have been published by the Ministry of Water Resources, River Development and Ganga Rejuvenation, Govt. of India in June, 2017. The said report also provides useful material to be looked into by the enforcement agencies.

19. As regards, report of the CPCB on the subject of rain water harvesting, it appears that CPCB has not appreciated the direction of this Tribunal on the subject. While rain water harvesting may be

³ <https://gradeup.co/lakes-in-india-i-4b99dc80-f6ce-11e7-9d78-07a242af4480>
<http://www.saconenvis.nic.in/publication/Lake%20Protection%20and%20Management%20of%20Urban%20Lakes%20in%20India.pdf>
http://www.worldlakes.org/uploads/Management_of_lakes_in_India_10Mar04.pdf

⁴ (2017) 7 SCC 805

⁵ <http://mohua.gov.in/upload/uploadfiles/files/Advisory%20on%20Urban%20Water%20Bodies.pdf>

⁶ http://164.100.47.193/lsscommittee/Water%20Resources/16_Water_Resources_10.pdf

⁷ http://pmksy-mowr.nic.in/documents/RRR_PMKSY_Guidelines_2017.pdf

required in all buildings and other places in urban areas, in the present context, the Tribunal has directed setting up of such facilities in sub water sheds along ponds for utilization of surplus rain water for restoration of the ponds which have become dry and for augmenting other ponds.

20. There is, thus, need for continuous planning and monitoring at National, State and District levels. Suggestions and observations of CPCB and the Oversight Committee need to be acted upon.

21. As suggested by the CPCB, a single agency needs to be set up in every State/UTs within one month. This work may either be assigned to the Wetland Authority of the State or the River Rejuvenation Committee or to any other designated authority such as the Secretary, Irrigation and Public Health/Water Resources. It is made clear that if the State Wetland Authority is to be assigned the task of protection of all water bodies, this task will be in addition to the normal functioning of the State Wetland Authority under the Wetland (Conservation and Management) Rules, 2017. Such nodal agency must call a preliminary meeting on the subject with all the District Magistrates on or before 31.01.2021 to take stock of the situation and to plan further steps. Thereafter, a regular meeting may be held for periodic monitoring at the District level as well as the State level with the identified targets of proper and scientific identification and protection of all water bodies, assigning unique identification number, removing encroachments, preventing dumping of waste, maintaining water quality and restoration by taking other appropriate steps, involving the Panchayats and the community, utilizing the financial resources available from different sources. Steps taken need to be documented and compiled and reported to a central authority, preferably the CPCB. This Tribunal has already constituted a CMC to be headed by the Secretary, MoJS with the assistance of CPCB and other authorities to monitor remedial action for 351 polluted river stretches. Restoration of water bodies is also a connected issue which can be monitored by the same Committee atleast thrice a year at the national level.

Directions

22. Accordingly, we dispose of this application with following directions:

- (i) All States/UTs may forthwith designate a nodal agency for restoration of water bodies, wherever no such agency has so far been so designated.
- (ii) Under oversight of the Chief Secretaries of the States/UTs, the designated nodal agency may
 - a. Hold its meeting not later than 31.1.2021 to take stock of the situation and plan further steps, including directions to

District authorities for further course of action upto Panchayat levels and to evolve further monitoring mechanism as well as Grievance Redressal Mechanism (GRM).

b. Submit periodical reports to the CPCB/Secretary Jal Shakti, Government of India. First such report may be furnished by 28.02.2021.

(iii) The CMC for monitoring remediation of 351 polluted river stretches, headed by the Secretary, MoJS may monitor the steps for restoration of water bodies by all the States periodically, atleast thrice in a year. First such monitoring may take place by 31.3.2021.

(iv) The CMC may give its action reports to this Tribunal in OA 673/2018 and first such report may be furnished preferably by 30.4.2021 by e-mail.”

7. In view of above, the Chief Secretary, UP may take further action and ensure compliance in the matter of removing of encroachments and taking other steps for restoration of water bodies by periodically holding meetings with the District Magistrate for monitoring. In this regard, community involvement in appropriate manner may be considered. The data of steps taken may be placed on the relevant websites for awareness.

The application is disposed of.

A copy of this order be forwarded to the Chief Secretary, UP and State PCB by e-mail for compliance. The Chief Secretary, UP may forward a copy of this order to all the District Magistrates in the State who may in turn forward it to all the Village Panchayats.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

March 17, 2021
Original Application No. 65/2020
SN