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भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन नदी विकास एवं गंगा संरक्षण विभाग
केंद्रीय जल आयोग
जल आयोजन एवं परियोजनासमन्वय निदेशालय



Government of India
Ministry of Jal Shakti
Deptt. of Water Resources, RD&GR
Central Water Commission
WP&P COORDINATION DIRECTORATE

विषय: सूचना का अधिकार, 2005 के अंतर्गत Shri Mayank Datta, II, Chander Road, Dalanwala, Dehradun, Uttarakhand, Pin:248001 का आवेदन CWCND/R/T/20/00085 dated 23/09/20 द्वारा मांगी गई सूचना के संबंध में।

(Information sought under RTI Act by Shri Mayank Datta, II, Chander Road, Dalanwala, Dehradun, Uttarakhand, Pin:248001 vide RTI application No CWCND/R/T/20/00085 Dt 23/09/20 -reg)

With reference to above RTI Application, which is received in this office on dt 25-09-2020 on transfer from Under Secretary & Nodal for RTI, CWC, New Delhi, vide email dated 25/09/2020 the point wise information, as available in WP&P Wing of CWC, is as under:

| S. No | Information asked | Information/Reply |
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| 1 | The laws, regulations, parameters that define a river and differentiate it from other water bodies | No specific information is available in WP&P Wing of CWC may be treated as nil as far as CPIO WP&P Wing is concern. |
| 2 | Is the river Ganga specially defined and identified? Please provide details of the same as per relevant enactment/ legislation/ regulation/ notification etc. | |
| 3 | Details of all requisite compliances, regulatory norms, permission to be sought, benefits and permissible reasons for activities of: a. Dredging b. Ghats construction c. River mining d. Construction of Dams e. Building Embankments to prevent erosion as well as change of course by the rivers. f. All such measures taken and applicable for preventing changes of course by the river and river-bank erosion caused by the rivers | |
| 4 | Information and complete details of all the measures adopted to | |

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| | prevent and combat the issue of river-bank erosion, including the compensation mechanism and quantum available to the aggrieved land owners across various States, including that of Uttarakhand | |
| 5 | Information and complete details of all the measures adopted to prevent and combat the issue of flooding, including the compensation mechanism and quantum available to the aggrieved land owners | Relevant information may be taken from part 10 of National Water Policy 2012. Extract from the NWP 2012 are as follows: 10. MANAGEMENT OF FLOOD & DROUGHT |
| 6 | Information on measures taken and norms applicable for land rehabilitation threatened and washed away due to river-bank erosion, as well as floods | 10.1 While every effort should be made to avert water related disasters like floods and droughts, through structural and non-structural measures, emphasis should be on preparedness for flood / drought with coping mechanisms as an option. Greater emphasis should be placed on rehabilitation of natural drainage system. |
| 7 | Which departments are involved in dealing with and combating the issue of river-bank erosion as well as floods, including rehabilitation and compensation to the affected people? | 10.2 Land, soil, energy and water management with scientific inputs from local, research and scientific institutions should be used to evolve different agricultural strategies and improve soil and water productivity to manage droughts. Integrated farming systems and non-agricultural developments may also be considered for livelihood support and poverty alleviation. 10.3 In order to prevent loss of land eroded by the river, which causes permanent loss, revetments, spurs, embankments, etc., should be planned, executed, monitored and maintained on the basis of morphological studies. This will become increasingly more important, since climate change is likely to increase the rainfall intensity, and hence, soil erosion. 10.4 Flood forecasting is very important for flood preparedness and should be expanded extensively across the country and modernized using real time data acquisition |

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| | | <p>system and linked to forecasting models. Efforts should be towards developing physical models for various basin sections, which should be linked to each other and to medium range weather forecasts to enhance lead time. 10</p> <p>10.5 Operating procedures for reservoirs should be evolved and implemented in such a manner to have flood cushion and to reduce trapping of sediment during flood season. These procedures should be based on sound decision support system.</p> <p>10.6 Protecting all areas prone to floods and droughts may not be practicable; hence ,methods for coping with floods and droughts have to be encouraged. Frequency based flood inundation maps should be prepared to evolve coping strategies, including preparedness to supply safe water during and immediately after flood events. Communities need to be involved in preparing an action plan for dealing with the flood/ drought situations.</p> <p>10.7 To increase preparedness for sudden and unexpected flood related disasters, dam/ embankment break studies, as also preparation and periodic updating of emergency action plans / disaster management plans should be evolved after involving affected communities. In hilly reaches, glacial lake outburst flood and landslide dam break floods studies with periodic monitoring along with instrumentation, etc., should be carried out.</p> <p>NWP 2012 may be downloaded from the url: http://mowr.gov.in/sites/default/files/NWP2012Eng6495132651_1.pdf</p> |
| 8 | What are the basis for construction of Ghats on a river? Please provide details with respect to the studies carried out, reports compiled and government/court | No specific information is available in WP&P Wing of CWC may be treated as nil as far as CPIO WP&P Wing is concern |

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| | orders/circulars/notifications issued with respect to construction of Ghats on rivers from 2015 to 2020 or the relevant prior five-year period. | |
| 9 | What are recognized benefits and effects of construction of Ghats that include aversion of bank/land erosion by a river? | No specific information is available in WP&P Wing of CWC may be treated as nil as far as CPIO WP&P Wing is concern |
| 10 | What are recognized benefits, basis for and effects of dredging that include aversion of bank/land erosion by a river? Please provide details with respect to the studies carried out, reports compiled and government/court orders/circulars/notifications issued with respect to dredging on rivers from 2015 to 2020 or the relevant prior five-year period. | No specific information is available in WP&P Wing of CWC may be treated as nil as far as CPIO WP&P Wing is concern |
| 11 | What are the remedies, if due to change flow and volume of a river, Fauna/Fish in the river ecosystem starts decreasing? | Relevant information may be taken from part 3.3 of National Water Policy 2012. Extract from the NWP 2012 are as follows: 3.3 Ecological needs of the river should be determined, through scientific study, recognizing that the natural river flows are characterized by low or no flows, small floods (freshets), large floods, etc., and should accommodate developmental needs. A portion of river flows should be kept aside to meet ecological needs ensuring that the low and high flow releases are proportional to the natural flow regime, including base flow contribution in the low flow season through regulated ground water use. |
| 12 | What are the parameters on the basis of which a river entering a private land of an individual can be regarded as disaster under the Disaster Management Act, 2005 and/or of similar identification under any other applicable law? | No specific information is available in WP&P Wing of CWC may be treated as nil as far as CPIO WP&P Wing is concern |

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| 13 | Please provide details of applicable regulations and all permissions required to be sought for owning and leasing commercial land and constructing thereupon, adjacent to rivers in all States, including that of Uttarakhand. | Relevant information may be taken from part 8.2 of National Water Policy 2012. Extract from the NWP 2012 are as follows: 8.2 Encroachments and diversion of water bodies (like rivers, lakes, tanks, ponds, etc.) and drainage channels (irrigated area as well as urban area drainage) must not be allowed, and wherever it has taken place, it should be restored to the extent feasible and maintained properly. |
| 14 | Please provide details of applicable regulations and all permissions required for owning and leasing residential and agricultural land and constructing thereupon, adjacent to rivers in all States, including that of Uttarakhand. | |

Further it is to inform that a treaty was signed by the Prime Ministers of India and Bangladesh on 12th December 1996 (Link below) on the sharing of Ganga/Ganges waters. The Treaty shall remain in force for a period of thirty years to be renewable by mutual consent. For monitoring the implementation of the Treaty, a Joint Committee has been set up. The said treaty can be seen through CWC website link: http://old.cwc.gov.in/main/downloads/legal_instruments_4.pdf

Further, erstwhile Ministry of Water Resources, vide letter no. 4/1/2005-BM/1967 dated 4.11.2009 (copy enclosed) issued guidelines regarding clearance of Thermal Project proposed in Ganga Basin. The erstwhile Ministry of Water Resources vide letter dated 24.5.2011(copy enclosed) had revised the above guidelines and included the drinking water schemes also in Ganga Basin for clearance from international/JRC angle.

निदेशक Director

ज.आ.एवं प. स.नि. तथा मुख्य जनसूचना अधिकारी WP&P (C) & CPIO

1. Shri Mayank Datta, II, Chander Road, Dalanwala, Dehradun, Uttarakhand, Pin:248001
2. Copy for information and necessary action to Under Secretary and Nodal Officer RTI with reference to his email dated 2509/2020

In case you are not satisfied with the information/ reply provided by this office, you may directly prefer an appeal within 30 days from the receipt of this letter to the first appellate authority whose address is given as under. **Name, designation & address of Appellate Authority for WP&P wing of CWC is Chief Engineer (PAO), Central Water Commission, 7th Floor (S), Sewa Bhawan, R. K. Puram, New Delhi - 110066. Phone No. 26103561 Fax No.26103561. email-ceprjap@nic.in**

तृतीय तल (द 0), सेवा भवन, रामकृष्ण पुरम
नई दिल्ली-110066
दूरभाष : 011 29583225, फैक्स : 011 29583209
ई मेल: wppcdte@nic.in



3rd FLOOR (S), SEWA BHAWAN, R.K.PURAM
NEW DELHI-110066
Tel.: 01129583225
Fax: 011 29583209
Email :- wppcdte@nic.in

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