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National Ganga River Basin Authority Notification, 2009

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NATIONAL GANGA RIVER BASIN AUTHORITY

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MINISTRY OF ENVIRONMENT AND FORESTS NOTIFICATION, NEW DELHI, 20
FEBRUARY 2009

Whereas the river Ganga is of unique importance ascribed to reasons that are geographical, historical, socio-cultural and economic giving it the status of a national river;

And whereas the river Ganga has been facing serious threat due to discharge of increasing quantities of sewage effluents, trade effluents and other pollutants on account of rapid urbanisation and industrialisation;

And whereas the demand for river water is growing for irrigation, drinking purposes, industrial use and power due to increase in population, urbanisation, industrialisation and growth in infrastructure, and taking into account the need to meet competing demands;

And whereas there is urgent need:

- (a) to ensure effective abatement of pollution and conservation of the river Ganga by adopting a river basin approach to promote inter-sectoral co-ordination for comprehensive planning and management; and
- (b) to maintain minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development;

And whereas it is required to have a planning, financing, monitoring and coordinating authority for strengthening the collective efforts of the Central and the State Governments for effective abatement of pollution and conservation of the river Ganga;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act), the Central Government hereby constitutes the Authority mentioned below for taking measures for effective abatement of pollution and conservation of the river Ganga.

1. Name of the Authority

The Authority so constituted by the Central Government shall be known as the National Ganga River Basin Authority (hereinafter referred to as the Authority).

2. Headquarters of the Authority

The headquarters of the Authority shall be at New Delhi.

3. Composition of the Authority

The Authority shall consist of the following members, namely:

- (a) Prime Minister: ex officio Chairperson;
- (b) Union Minister, Environment and Forests: ex officio Member;

- (c) Union Minister, Finance: ex officio Member;
- (d) Union Minister, Urban Development: ex officio Member;
- (e) Union Minister, Water Resources: ex officio Member;
- (f) Union Minister, Power: ex officio Member;
- (g) Union Minister, Science and Technology: ex officio Member;
- (h) Deputy Chairman, Planning Commission: ex officio Member;
- (i) Chief Minister, Uttarakhand: ex officio Member;
- (j) Chief Minister, Uttar Pradesh: ex officio Member;
- (k) Chief Minister, Bihar: ex officio Member;
- (l) Chief Minister, Jharkhand: ex officio Member;
- (m) Chief Minister, West Bengal: ex officio Member;
- (n) Minister of State, Environment and Forests: ex officio Member;
- (o) Secretary, Union Ministry of Environment and Forests: ex officio Member Secretary.

Provided that the Authority may co-opt one or more Chief Ministers from any of the States having major tributaries of the river Ganga, which are likely to affect the water quality in the river Ganga, as ex officio Member:

Provided further that the Authority may also co-opt one or more Union Ministers as may be required, as ex officio Member:

Provided also that the Authority may also co-opt up to five members who are experts in the fields of river conservation, hydrology, environmental engineering, social mobilization and such other fields.

4. Powers and Functions of the Authority

- (1) Subject to the provisions of the said Act, the Authority shall have the power to take all such measures and discharge functions as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga in keeping with sustainable development needs.
- (2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include measures with respect to all or any of the following matters, namely:
 - (a) development of river basin management plan and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the Ganga Basin States;
 - (b) maintenance of minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development;

- (c) measures necessary for planning, financing and execution of programmes for abatement of pollution in the river Ganga including augmentation of sewerage infrastructure, catchment area treatment, protection of flood plains, creating public awareness and such other measures for promoting environmentally sustainable river conservation;
 - (d) collection, analysis and dissemination of information relating to environmental pollution in the river Ganga;
 - (e) investigations and research regarding problems of environmental pollution and conservation of the river Ganga;
 - (f) creation of special purpose vehicles, as appropriate, for implementation of works vested with the Authority;
 - (g) promotion of water conservation practices including recycling and reuse, rain water harvesting, and decentralised sewage treatment systems;
 - (h) monitoring and review of the implementation of various programmes or activities taken up for prevention, control and abatement of pollution in the river Ganga; and
 - (i) issuance of directions under Section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient for achievement of its objectives.
- (3) The powers and functions of the Authority shall be without prejudice to any of the powers conferred upon the States under any Central or State Act being not inconsistent with the provisions of the Environment (Protection) Act, 1986 (29 of 1986).
- (4) The Authority shall combine regulatory and developmental functions as stated in subparagraphs (1) and (2), keeping in view the powers vested with the State Governments and their institutions.

5. Meetings of the Authority

The Authority may regulate its own procedures for transacting its business including its meetings.

6. Jurisdiction of the Authority

The jurisdiction of the Authority shall extend to the States through which the river Ganga flows, namely, Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal and such other States, having major tributaries of the river Ganga, as the Authority may decide for the purpose of effective abatement of pollution and conservation of the river Ganga.

7. Monitoring of Effective Abatement of Pollution and Conservation of the River Ganga

The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the river Ganga and issue directions thereof under Section 5 of the said Act for the said purpose.

8. Corpus of the Authority

There shall be a corpus of funds provided by the Central Government for implementing such projects, programmes and other activities as may be decided by the Authority.

9. Administrative and Technical Support to the Authority

The Authority shall be provided administrative and technical support by the Ministry of Environment and Forests, which shall be the nodal Ministry. The Authority may evolve an appropriate mechanism for implementation of its decisions.

10. Constitution of State River Conservation Authorities

The State Governments concerned may constitute a State Ganga River Conservation Authority under the Chairmanship of the Chief Minister with such composition and such powers as deemed fit for coordinating and implementing the river conservation activities at the State level.

11. Comprehensive Management in the State

Based on the integrated basin management plan drawn by the National Ganga River Basin Authority, the State Governments shall take steps for comprehensive management of the river in the State through their respective Authorities.

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