

First Report of the Vishwamitri Committee
(Constituted by the Hon'ble Gujarat State Human Rights Commission)

In the Matter of

HRC/2024/PRESS/205/Vadodara City/legal-1

24 May 2025



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Background

News coverage in Indian Express, Ahmedabad, dated 30.08.2024, "Name Change, DPR & 14 years later, Vishwamitri revamp still on paper". Based on this article a Suo Motu notice was issued to the Vadodara Municipal Corporation (VMC) by the Gujarat State Human Rights Commission (GSHRC). On 12.03.2025, the GSHRC has taken note of the letter dated 03.03.2025 of the Concerned Citizens of Vadodara and issued another notice to the following:

1. The Additional Chief Secretary
Forests & Environment Department,
State of Gujarat
Block 14, 8th floor, Sachivalaya, Gandhinagar - 382 010
2. The Collector, Vadodara
New Collector Office, O.P. Road, Diwalipura, Vadodara – 390 007
3. The Municipal Commissioner
Vadodara Municipal Corporation
Khanderao Market, Vadodara - 390 209
4. The Member Secretary
Gujarat Pollution Control Board
Paryavaran Bhavan, Sector-10 A, Gandhinagar - 382 010
5. The Member Secretary
State Environment Impact Assessment Authority
Paryavaran Bhavan, Sector-10 A, Gandhinagar - 382 010
6. The Chairman
Vadodara Urban Development Authority
"VUDA BHAVAN" L&T Circle, V. I.P. Road, Karelibaug,
Vadodara – 390 018
7. Rohit Prajapati
37, Patrakar Colony, Tandalja Road,
Vadodara – 390 020

The Order dated 06.03.2025 attached with the Notice of 12.03.2025 is attached as Annexure A.

On the hearing dated 01.04.2025, the following Order was passed (Copy of the said Order is attached as Annexure B):

"As per the summons to remain present on 1.4.2025 at 13.00 hrs, Shri Dilip Rana, Municipal Commissioner, Vadodara Municipal Corporation (VMC), Shri D. M. Thakar, Member Secretary, GPCB, Gandhinagar and Shri Rohit Prajapati, Expert, are present before the Commission. While the Collector, Vadodara is connected through the VC.

The division bench of the Commission has given the following directions to the officers present in this work after thorough considerations.

The Vadodara Municipal Corporation's reply dated 30.03.2025 has been taken up.

1. For the purpose of flood relief of Vishwamitri River,

Desilting and revival of Vishwamitri river is going on in 24.7 km in Vadodara urban area, which is being implemented by Vadodara Municipal Corporation. For smooth and timely completion of the work, Neha Sarwate, Rohit Prajapati, Dr. Ranjitsinh Devkar, Dr. Jitendra Gavali and Mitesh Panchal will visit the site and conduct meetings with the Municipal Commissioner every 15 days. They will also submit a report of their observations to the SHRC every 15 days.

The Irrigation Department is to carry out similar desilting and revival of Vishwamitri river outside the VMC limits along the 24 km stretch downstream (from Maretha to Pingalwada). For the smooth and timely implementation of this work also, Neha Sarwate, Rohit Prajapati, Dr. Ranjitsinh Devkar, Dr. Jitendra Gavali and Mitesh Panchal will conduct site visits with the Irrigation Department officer every week and meet with the Collector every 15 days to appraise him / her of the proceedings along with a report.

The Commission is also requested to make Shri P.C. Vyas, Secretary, Water, Resources and Irrigation Department, New Sachivalaya as party in the above mentioned issues.

In this work, as Mr. D. M. Thakar is representing multiple posts relating to this work, he agrees to give full support to the Municipal Commissioner and the Collector. He is hereby directed to supervise the work of the two committees constituted to work

with, the Municipal Commissioner, the Collector. These committees will hold a meeting once in the 10 days and submit their reports to the Municipal Commissioner, to the Collector and the Member Secretary, GPCB.

[...]

The Municipal Commissioner stated that all environmental clearances have been taken in the desilting works so that the environment and wild animals are not harmed.

The Municipal Commissioner has specially stated that the Corporation has also prepared an advance plan for the excavated soil such that this soil and debris can be appropriately used in the future; and even at night, the work will proceed in such a way that the people do not suffer and the environment is not harmed and the human rights of the people are not violated. Therefore, people will not be troubled during monsoons, the environment will be benefitted, and people will also get protection.

A copy of the report submitted by the Municipal Commissioner for this purpose has been given to the experts.

A reply has also been received from the Member Secretary, SEIAA for this work in which the work is progressing and he has submitted a provision by the Government of India dated 11.9.2024 which is to be taken on record.

Further hearing for the work is hereby ordered to be held on 1.5.2025 at 13.00 hrs. All concerned officers engaged in this work are permitted to attend through Video Conference (VC). The Municipal Commissioner, Vadodara Municipal Corporation, Vadodara may appoint his representative. (Contact System Manager of this Commission for the link to join via VC mobile number 95861 05277)".

Based on the above Order, the constituted Committee comprising of 1. Neha Sarwate, Environmental and Urban Planner; 2. Rohit Prajapati, Environment Activist, Researcher, and Writer; 3. Dr Ranjitsinh Devkar, PhD, Zoologist; 4. Dr Jitendra Gavali, PhD, Botanist; 5. Mitesh Panchal, Architect and Urban Planner, met

the VMC and the Collectorate, Vadodara. The Committee conducted field visits with the concerned authorities as well as individually.

Report

With reference to HRC/2024/PRESS/205/Vadodara City/legal-1, dated 01.04.2025 for ongoing interventions to rejuvenate the Vishwamitri River to prevent future floods, we would like to reiterate the following context:

1. The Order dated 25.05.2021 of the National Green Tribunal, Principal *Bench* in Application O. A. No. 228/2020 (Earlier O. A. No. 49/2016 (WZ)) and Execution Application No. 45/2016 (WZ) (Rohit Prajapati & Anr V/s Secretary, MoEF & CC & Ors.), that defines the river as (Copy of the said Order is attached as Annexure C):

"... The River consists of catchments, floodplains, tributaries, ponds, river-bed and adjoining ravines which, along with the soils and vegetation on both sides, is the river's natural mechanism to retain the additional water, prevent floods and provide habitat for various species. River harbours and interacts with innumerable organisms like microbes, plants and animals. It is a natural, living organic part of a larger ecological system. River is also a network of tributaries, floodplains and ponds spread over its basin and the estuary."

[...] The action plan is to address the issues relating to demarcation, protection of flood plain zone and maintaining minimum environment flow. The other consequential and incidental issues like sewage treatment, management of waste, preventing encroachment, etc. are also covered by the action plan. Demarcation of the entire flood plain zone of the river needs to be undertaken. Further, steps are required for plantation and maintaining the integrity of the river in totality. While directing consideration of all the issues by the applicants, we reiterate the direction for implementation of the "Vishwamitri River Action Plan" including the steps for removal of unauthorised structures, demarcation and protection of flood plain zone and other action points as per the river restoration plan."

2. The State Environment Impact Assessment Authority (SEIAA) vide No.SEIAA/GUJ/EC/55/2025 dated 21.01.2025, has clearly mentioned the following (Copy of the said permission is attached as Annexure D):

"Sub: Exemption of Environment Clearance for "Vishwamitri River Flood Mitigation & River Flood Mitigation & River Rejuvenation with associated activities" at river stretch of Vishwamitri river Proposed by Vadodara Municipal Corporation.

Ref: Your Proposal No: SIA/GJ/INFRA2/513184/2024.

The SEAC, Gujarat vide their letter dated 30/12/2024 had recommended to the SEIAA, Gujarat, for exemption of EC for above-mentioned project based on SEAC meeting held on 13/12/2024.

The. project activity is covered in 8(b) and falls in Category 'B'. Since the proposed project is in item no.8 of the EIA notification, 2006, exemption from Public Consultation as per Para 7(i) III. Stage (3) (i) (b) of EIA Notification, 2006.

1. Details of the Application/Project:

- Vadodara Municipal Corporation proposed Vishwamitri river regulation and flood mitigation measure with associated activities.*
- Present land use of site is water body (Vishwamitri river) & its tributaries (i.e. Kans/Nala) with having removable debris & siltation which interrupt the natural flow of water as well as decrease the storage capacity of river water body and have potential to create flood with impacting surrounding/nearby area.*
- By removing unnecessary debris & siltation the water carrying capacity as well as storage capacity of river water body will be increased and will give significant advantage in flood control during monsoon period.*

[...]

- 6. SEAC observed and deliberated as per Hon'ble NGT Order of Principal Bench vide O.A No. 228/2020 (Earlier O.A No 49/2016 (WZ)) Rohit Prajapati & Anr. Vs Secretary, MoEFCC & Ors dated 25-05-2021 was disposed with a direction of implementation of "Vishwamitri River Action Plan" including steps for removal of unauthorized structures, demarcation and protection of flood plain zone and other action points as per the river restoration plan.*

7. SEAC examined the detailed contents of this dredging-Desilting project. SEAC discussed and observed that activity proposed is disaster Flood related Mitigation activity which involves removal of silt, debris related sediments so as to increase the water retention capacity of river, which in absence of such activity, results in large scale flooding, erosion of river banks and has been causing immense damage to agriculture land, productivity and human life. SEAC also noted that till now such action has not been taken and present proposal is Flood mitigation measure by authorities, in response to large scale flood in Vishwamitri river which caused huge damage to life and property, in Vadodara and along its course.

After detailed deliberation. it was observed by SEAC committee that project is about dredging desilting of Vishwamitri River stretch specifically for flood routing and for improvement of health of river water system. The MoEF&CC Office Memorandum dated 10-07-2023 stipulates certain conditions and exemption of such project from EC Regime. The PP submitted an undertaking and detailed note about compliance of the Office Memorandum's Technical aspect. Considering the above. SEAC decided that said project enjoys exemption from Environment Clearance with a condition to comply with the Hon'ble NGT Order in the matter of O.A No. 228/2020 (Earlier O.A No 49/2016 (WZ)) in this regard.

[...]

The proposal was considered by SEIAA, Gujarat in its meeting held on 10/01/2025 at Gandhinagar. After careful consideration, the SEIAA hereby decided for Exemption of Environment Clearance, based on SEAC recommendation of proposed project for Flood Mitigation Measure & River Rejuvenation With Associated Activities of Vishwamitri River, Vadodara.

[...]

After deliberation, Authority agreed with SEAC opinion as per OM of MoEF & CC dated 12.7.2023 & it is hereby exempted from Environmental Clearance with condition for submitting details as well as considering SEAC recommendation, and other conditions are as under:

1. *Proponent shall strictly follow all safe guards as per provisions mentioned in National framework for sediment management issued by Ministry of Jalshakti Department of water resources, River & development memorandum.*
2. *Proponent shall provide adequate Green Belt & its exact area, as per their submission to this office.*
3. *Proponent shall start desilting work only after obtaining necessary permission form other competent authorities like Municipal corporation, Vadodara and forest department under Wildlife Protection Act, 1972 and others etc.*
4. *Municipal corporation, Vadodara shall prepare plan for involving total quantity of desilting area wise, depth and its disposal and follow the sediment management plan issued by Ministry of Jalshakti Department of water resources, River & development memorandum and put it in the public domain, subject to the review by GPCB and department of forest, GoG.*
5. *Proponent shall strictly adhere to compliance of Hon'ble NGT Order of Principal Bench vide O.A No. 228/2020 (Earlier O.A No 49/2016 (WZ)) Rohit Prajapati & others vs Secretary, MoEF&CC & Ors. Dated 25-05-2021 was disposed with a direction of implementation of "Vishwamitri River Action Plan. [...]"*

As per the discussion with the Municipal Commissioner, VMC, and Collector, Vadodara, there is consensus with respect to the following points:

- 1.** The works to address the flooding situation in Vadodara has been addressed in 2 jurisdictions: VMC / VUDA areas under the VMC and downstream areas of VMC under the Irrigation Department.
- 2.** Debris, C & D Waste and Municipal Solid Waste and "Silt" to be further removed from river banks, wherever possible, to reinstate the riverine area, which in turn will increase the carrying capacity of the river.
- 3.** The meanders of the river will be maintained and efforts will be made to restore the disturbed meanders, wherever possible.
- 4.** Wherever depressions in the topography have occurred, due to soil mining, in the active floodplain areas, should be connected with the river as water retention areas.
- 5.** The slopes along the river banks should be gentle to medium and should be maintained and not beyond 35 degrees.

- 6.** Coir and Cocologs to be used for the purpose of bank and soil stabilisation. Open Gabions to be employed only at bridges.
- 7.** Currently only the west bank of the river is being worked upon; the 'desilting' works on east bank will commence only after the bank and soil stabilisation works (ecologically sound engineering - coir) of the west banks have been completed. This is to safeguard movement of crocodiles and other wildlife.
- 8.** Identification of private and public lands in the floodplain areas.
- 9.** Tributaries and 'kaans' also to be freed from Debris and Municipal Solid Waste, and their natural connections restored with the ponds, wetlands, and river.
- 10.** Habitats of crocodiles and other wildlife habitats will be protected.
- 11.** The obstructions and interventions by the National Highway Authority of India (NHAI) and the National High Speed Rail Corporation Limited (NHSRCL), commonly referred to as "Bullet Train Project" in this report, need to be addressed.
- 12.** The NHAI and Bullet Train teams will submit a detailed Action Plan for a) before and after monsoon conditions, and b) post completion of their respective interventions to restore and stabilise the banks using ecologically sound engineering like coir, cocologs, bamboo, etc.

The following documents and information were requested and received from the concerned authorities (Copy of the information requested and received is attached as Annexure E):

Table 1: Information requested and received

Sr. No.	Information Requested	Information Received
1	Floodplain Maps (5 and 10 year return period) created by SECON	Received from VMC
2	Maps of ongoing "desilting" and "resectioning" works across the 4 sections in VMC jurisdiction and 6 packages in the downstream areas under the jurisdiction of the Irrigation Department. - print and soft copy	Received
3	Superimposed map of debris dumping locations and its extent, as per GPCB reports of 2017, 2019, 2021 with an actual outline of the area.	Not received
4	VMC action plan of debris and silt removal, detailed drawings of resectioning, maps of before and after commencement of works.	Not Received
5	Irrigation Department action plan of silt removal, detailed drawings of resectioning, maps of before and after commencement of works.	Not Received
6	Drone videos dated February 2025, March 2025, April 2025, May 2025 (2), of before, during and post "desilting" and "resectioning" works in respective jurisdictions.	Received
7	Spatial intervention action plan for crocodiles and other wildlife:	Not Received

	<ul style="list-style-type: none"> a. Locations of crocodile deaths that have occurred after January 2025. b. Post-mortem reports of crocodile deaths along with the inference drawn by the concerned authorities. c. Information on rescue, capture and/or translocation of crocodiles, if any. d. Cause of death of freshwater turtle behind Ratri Bazaar on 30.04.2025 and its postmortem report. e. Cause of deaths of Fishes on and around 03.05.2025 in the river near Dena bridge (NH 48). We were informed about this by the wildlife volunteers during our visit on 03.05.2025. f. Cause of fire near Mangal Pandey bridge on 03.05.2025. 	
8	Biodiversity expert's suggestions action plan	Not Received
9	Maps of property ownership (government and private land) in the floodplains of Vishwamitri River.	Not Received
10	Superimposition of highway and Bullet Train project activity / interventions (temporary / permanent) on the floodplain map.	Not Received
11	NHAI action plan for pre monsoon and post completion of works	Not Received
12	Corrective measures on the Mumbai-Delhi Expressway at downstream junction with Dhadhar River, which obstructs the natural flow of stormwaters from East to West creating water logging conditions resulting in floods in Vadodara city-region.	Not Received
13	Bullet Train action plan for pre monsoon and post completion of works	Not Received

14	Bank stabilization using coir and cocologs related documents, Tender, Specification, Fixing details, operation and maintenance plan, Wildlife coordination	Not Received
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Field Visits, Observations, Recommendations:

Due to the time constraints, this report contains major points of discussion and concerns. (Copy of the said information is attached as Annexure F)

Table 2: Chronology of meetings and site visits

Sr No	Date	Events	Particulars
1	01.04.2025	GSHRC Order	Annexure B
2	02.04.2025	Introduction meeting with Vadodara District Collector	
3	03.04.2025	Site Visit with Vadodara Commissioner	Bhimnath Bridge, Jamwadi lake
4	03.04.2025	Site Visit	Vadsar tree museum, Kalali lake
5	04.04.2025	Site Visit with Municipal Commissioner	Vadsar tree museum, Kalali lake, Vadsar ox-bow
6	06.04.2025	Site Visit at Vadodara zoo	
7	07.04.2025	Site Visit with VMC for bank stabilisation - coir work	Mangal Pandey Bridge: sample 1
8	12.04.2025	Akota - Dandia Bazaar kaans	Masaiya Kaans
9	23.04.2025	Introduction meeting with VMC new Municipal Commissioner	At VMC conference room
10	23.04.2025	Meeting with Collector, Vadodara	At New Collectorate, conference room

11	23.04.2025	Site visit with VMC Team, Municipal Commissioner, Dr. Shital Mistry	Vadsar tree museum, Kalali lake
12	25.04.2025	Site Visit with Irrigation Dept.	Junctions of Riverine areas & Bullet train: Khallipur bridge, jambua confluence, Thikariya bridge
13	28.04.2025	Site Visit with Irrigation Dept.	All junctions of Riverine areas & Bullet train
14	02.05.2025	Site Visit	At Mangal Pandey bridge - turtle death location
15	03.05.2025	Site Visit with VMC	At Mangal Pandey bridge, Sama bharwadvaas, Dena (NHAI)
16	06.05.2025	Site Visit with VMC Commisioner, VMC officials, NHAI, Bullet Train	At Dena, Kapurai, Jambua, near Maretha
17	06.05.2025	Meeting with NHAI, Bullet Train, Irrigation Department, VMC engineers, Municipal Commissioner, Futuristic Planning Cell, VMC.	At VMC conference room
18	07.05.2025	Site Visit	All bridge locations - After rain event

19	13.05.2025	Meeting with Collector, Vadodara, NHAI, Bullet Train, Irrigation Department.	At New Collectorate, conference room
20	15.05.2025	Site visit with VMC and consultant for bank stabilisation - coir	Mangal Pandey bridge
21	19.05.2025	Meeting with VMC officials and Bullet Train	At VMC – office of City Engineer

Observations

The following observations are made by this Committee on the basis of site visit observations, drone video reviews, and meetings with the various authorities and agencies:

- 1.** The interventions and activity of the VMC and Irrigation Departments are limited to the banks of the Vishwamitri River and not in the floodplain areas that includes ravines, wetlands, oxbows, etc. This activity should be considered as a beginning towards the implementation of the National Green Tribunal Order dated 25.05.2021, Principal *Bench* in Application O. A. No. 228/2020 (Earlier O. A. No. 49/2016 (WZ)) and Execution Application No. 45/2016 (WZ) (Rohit Prajapati & Anr V/s Secretary, MoEF & CC & Ors.).
- 2.** The focus of this initiative seems to remove only 'silt' and soil; while it is important to remove sediment soil over a period of time, it is essential to note that such soil contributes significantly towards the health and integrity of the river. Removal of C&D waste (debris), and municipal solid waste should be the priority and focus to rejuvenate the river system as they are the pollutants that impede in the effective functioning of the river system.
- 3.** There are many locations where debris and municipal solid wastes still persists and even after repeated suggestions, have not been removed.

- 4.** The removal of debris and municipal solid waste from locations mentioned in the joint inspection with GPCB reports of 2017, 2019, and 2021 have yet to be addressed.
- 5.** Prima facie, the procurement of required permissions, tendering processes, and actions on the ground were behind schedule that have led to complexities, delay in decision making leading to shortcomings and compromises.
- 6.** In the present scenario, the dumping of untreated and partially treated sewage in the context of river pollution has not been considered and addressed towards the Rejuvenation of the Vishwamitri River. The Orders: (a) Supreme Court Order, dated 22.02.2017, Writ Petition (Civil) No. 375 of 2012 (Paryavaran Suraksha Samiti & Anrs V/s Union of India & Ors), and (b) National Green Tribunal, Principal Bench, Delhi, Order, dated 22.02.2021, Original Application No. 593 of 2017, (Paryavaran Suraksha Samiti & Anrs V/s Union of India & Ors) is not being implemented in letter and spirit. The said Orders are attached as Annexure G.
- 7.** The confluence areas of the tributaries, natural storm water ways and 'kaans' are critical to the integrity of the River system and are yet to be addressed.
- 8.** The removal of debris at specific locations emphasized by this committee between Sama and Mangal Pandey Bridge facilitated the reconnections of the natural meanders. The complete removal of debris from these meanders is suggested but yet to be addressed.
- 9.** It is observed that the Masiya kaans from Sur Sagar along Chatrapati Shivaji Road to J. N. Road has been converted to a pipe and further converted into a culvert along Navlakhi ground on Maharani Shantadevi Road where it meets the Vishwamitri river. This compromises the effective flow of stormwaters and the 'kaans' should be reinstated.
- 10.** The "re-sectioning" and "desilting" exercise has highlighted the bottleneck situation due to existing bridges at two prominent locations: a) Sama old bridge near Siddharth Bungalows, b) Kala Ghoda bridge.

- 11.** Adhoc, abrupt, and unnecessary removal of vegetation along the banks have been observed where there is no indication of debris or municipal solid waste. It has resulted in steep to vertical slopes that would be prone to erosion during the upcoming monsoons. This has occurred despite repeated suggestions as to not disturb such areas.
- 12.** Accidental death of Flapshell Turtle at Mangal Pandey bridge during operations at late evening hours.
- 13.** For the purpose of bank stabilisation, as conveyed earlier and expected to be adhered to, the removal of debris and application of ecological engineering measures should have been a simultaneous action. In the context of the current situation, it seems that the tenders in both jurisdictions, may have underestimated the quantification for ecological engineering materials. Also, it is important to note that the process of both, the debris removal and bank stabilisation is behind schedule. Hence, in the wake of upcoming monsoons, for bank stabilisation, the application of ecological engineering measures should be prioritised for erosional banks and steep slopes.
- 14.** The ongoing works related to expansion (surface and bridges) of existing National Highway 48 by NHAI has created temporary and semi-temporary and permanent (at some locations) obstructions in the riverine areas and natural storm water ways that impede the effective flow of water. This was not addressed proactively and in a timely manner by the concerned authorities who were then repeatedly asked to share their action plans, which have not yet been received.
- 15.** The completed works related to the Mumbai-Delhi Expressway (Bharuch-Vasad stretch) by NHAI has created permanent obstructions in natural flow of water during rains from east to west. This creates a 'bottle neck' situation at Dhadhar river near Sadad village of Vadodara district, and impedes the effective flow of water. As a result of this, the surrounding villages were also waterlogged in the monsoons of 2024. These impediments were not addressed proactively and in a timely manner by the concerned authorities who were then repeatedly asked to share their action plans, which have not yet been received.

- 16.** The Bullet Train Project also has constructed their pillars at multiple locations in the river bed, on the river banks, and active floodplains of the Vishwamitri River. During our meetings, it was conveyed to us that a linear infrastructure railway project does not require environment clearances. The various required permissions that were sought and received by them are awaited. The remedial plans for these obstructions were not addressed proactively and in a timely manner by the concerned authorities who were then repeatedly asked to share their action plans, which have not yet been received.
- 17.** A comprehensive plantation plan is yet to be formulated, inspite of repeated suggestions.
- 18.** Adhoc re-carpeting of roads in the absence of topographic considerations have led to increase of road levels, resulting in waterlogging during rainy days.
- 19.** Aquifer (confined and unconfined) and subsurface flow regime data need to be acquired and analysed to resolve sinkholes and waterlogging.

Recommendations:

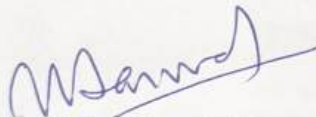
The following recommendations are made by this Committee on the basis of site visit observations, drone video reviews, and meetings with the various authorities and agencies:

- 1.** To truly rejuvenate the Vishwamitri River in letter and spirit, the mapped and demarcated floodplains, and other vital components (ravines, wetlands, ponds, and tributaries, and 'kaans') should be reverted to the river system.
- 2.** To truly rejuvenate the Vishwamitri River in letter and spirit, ravines, wetlands, ponds, and tributaries, and 'kaans' need to be freed from debris, municipal solid waste, and sewage, and ecological engineering approaches need to be applied to areas beyond the banks, and across the watershed of the Vishwamitri River from Pavagadh to the Gulf of Khambat as per the River definition of the said NGT Order.
- 3.** The areas that are not infected by debris and municipal solid wastes should be protected.
- 4.** A drone survey of all tributaries, waterways, "kaans", ponds, wetlands, and oxbows must be conducted, analysed, and shared with this committee for the scientific rejuvenation of the Vishwamitri River system.
- 5.** There are many locations along the river, tributaries, oxbows, and ravines from where obstructions, debris and municipal solid wastes still need to be removed. For example:
 - a.** Bharwadvaas, Sama, south east of Bhimnath bridge, behind Akota Smashaan.
 - b.** Bottlenecks at Sama bridge at Siddhartha bungalows, Narhari hospital bridge, Kala Ghoda bridge, Munjhmahuda bridge, new bridge at Khiskholi circle.
 - c.** Clear bund walls created in river bed.
 - d.** Pipes crossing the river beds at many locations.
- 6.** Meanders, where possible, should be reinstated as repeatedly suggested by this committee. For example:

- a.** Through EME campus, and behind Parth School at Mangal Pandey bridge.
 - b.** At EME campus opposite Ratri Bazaar.
 - c.** Behind Gujarat Samachar, VUDA building and Sandesh buildings.
 - d.** Behind Akota crematorium
- 7.** Identify and reconnect tributaries and kaans. For example:
 - a.** From SSG hospital to the river (opp. New Sayaji Hotel)
 - b.** Behind jail road and Darshanam society.
 - c.** Police lines kaans, Akota
 - d.** Alkapuri (Jetalpur road) to Akota police lines
- 8.** All tributaries, natural storm water ways, and kaans should be reconnected, restored (open to sunlight, removal of culverts, etc.) wherever possible.
- 9.** A separate Riverine plan must be formulated for the demarcated floodplain areas of the watershed to be implemented and monitored by a distinct administrative agency in collaboration with all concerned authorities. No activity or projects should be allowed / approved till the said plan is formulated and sanctioned.
- 10.** The river ecosystem and her components should be integrated with all Development Plans, Town Planning Schemes and various Projects in urban and rural areas across the watershed.
- 11.** An ecological consultant should be engaged to recommend, design, and monitor the plantation plan in a scientific manner to protect and conserve the riparian river banks, biodiversity patches and corridors.
- 12.** The reconstruction of existing bridges and the construction new bridges should not have any intrusions within the river.
- 13.** No increase in levels of roads should be allowed in the absence of topographical studies. A comprehensive road network plan of the entire city should be formulated that integrates all natural water networks (river, tributaries, ponds, kaans, wetlands, oxbows).
- 14.** Review and revisit the paving scheme by the various authorities to address the waterlogging and hindrance in infiltration leading to depletion of ground water tables and aquifers.

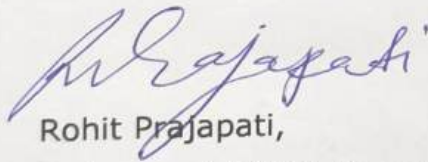
- 15.** The VMC to devise a system so that municipal solid waste and C&D debris is not dumped into the river by local citizens, contractors, developers.
- 16.** It is important to note that the removal of debris and soil should not be deposited to fill up low lying areas and at locations that could impede the flow of surface waters by the authorities, agencies and private entities.
- 17.** During discussions with the officials, it was recognized that in lieu of the various tasks that need to be accomplished, the concerned authorities should be adequately staffed with permanent employees possessing required skillsets and technical expertise.
- 18.** Capacity building and continued learning workshops must be conducted with existing staff and officials to enhance their skillsets.

This committee humbly believes that the task of Suo Motu case by the GSHRC and this committee towards the implementation of the NGT Order dated 25.05.2021 in letter and spirit, needs to extend beyond and further than the current activities undertaken by the VMC and Irrigation Department. This committee will submit subsequent reports with the progression of work.



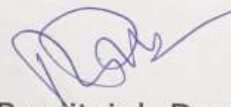
Neha Sarwate,

Environmental and Urban Planner



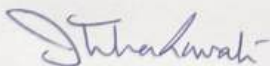
Rohit Prajapati,

Environment Activist, Researcher, and
Writer



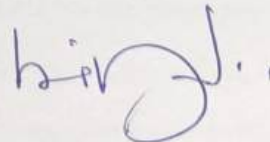
Dr. Ranjitsinh Devkar, PhD,

Zoologist



Dr. Jitendra Gavali, PhD,

Botanist



Mitesh Panchal, Architect and Urban

Planner

Annexure A: GSHRC Order dated 06.03.2025

ગુજરાત રાજ્ય માનવ અધિકાર આયોગ

કર્મચોગી ભવન, બ્લોક નંબર-૧, પાંચમો માળ, સેક્ટર-૧૦ એ, ગાંધીનગર-૩૮૨ ૦૧૦.

ફોન/ફેક્સ નં. (૦૭૯) ૨૩૨ ૫૭૫૯૬, વેબ સાઇટ: www.gshrc.gujarat.gov.in, Email: ds-hurc@gujarat.gov.in

(માનવ અધિકાર સંરક્ષણ અધિનિયમ, ૧૯૯૩ની કલમ-૧૩(૪)થી રાજ્ય આયોગને 'દીવાની ન્યાયાલય' ગણવામાં આવેલ છે અને કલમ-૧૩(૫)થી આયોગ સમક્ષની દરેક કાર્યવાહીને 'ન્યાયિક કાર્યવાહી' ગણવામાં આવેલ છે.)

જવાબી પત્રમાં અત્રેના કેસ નંબર કેસ નં. એચઆરસી/૨૦૨૪/પ્રેસ/૨૦૫/વડોદરા શહેર/લી-૧
અને તારીખ બિનચૂક દર્શાવવા. તા. / / ૨૦૨૫ **12 MAR 2025**

By : WHATSAPP/E-MAIL/Speed Post

NOTICE

પ્રતિ,

✓ (૧) અગ્ર સચિવશ્રી,
વન અને પર્યાવરણ વિભાગ, બ્લોક નં.૧૪/૮, સરદાર ભવન, સચિવાલય, ગાંધીનગર.

✓ (૨) જિલ્લા મેજિસ્ટ્રેટશ્રી,
વડોદરા જિલ્લો, વડોદરા.

✓ (૩) મ્યુનિસિપલ કમિશનરશ્રી,
વડોદરા મ્યુનિસિપલ કોર્પોરેશન, ખંડેરાવ માર્કેટ બિલ્ડીંગ, રાજમહેલ રોડ, વડોદરા-૩૯૦૦૦૧.

✓ (૪) સભ્ય સચિવશ્રી,
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર-૧૦/એ, ગાંધીનગર.
EMAIL:- ms-gpcb@gujarat.gov.in

✓ (૫) સભ્ય સચિવશ્રી,
સ્ટેટ એન્વાયરમેન્ટ હમ્પેક્ટ એસેસમેન્ટ ઓથોરીટી,
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર-૧૦/એ, ગાંધીનગર.
EMAIL:- msseiaagj2024@gmail.com

✓ (૬) ચેરમેનશ્રી,
વડોદરા અર્બન ડેવલપમેન્ટ ઓથોરીટી (વુડા ભવન),
એલ & ટી સર્કલ, વી.આઇ.પી.રોડ, કરેલીબાગ, વડોદરા-૩૯૦૦૧૮

✓ (૭) શ્રી રોહિત પ્રજાપતિ,
૩૭, પત્રકાર કોલોની, તાંદરજા રોડ, વડોદરા-૩૯૦૦૨૦
EMAIL:- rohit.prajapati@gmail.com

વિષય:- તા.૩૦/૦૮/૨૦૨૪ ના ધ ઇન્ડિયન એક્સપ્રેસ દૈનિક વર્તમાનપત્રમાં પ્રસિધ્ધ થયેલ સમાચાર "Name change, DPR & 14 Year later, Vishwamitri revamp still on paper" અંગે અહેવાલ પાઠવવા બાબત.

સંદર્ભ: આ પ્રકરણમાં નામ.ગુજરાત રાજ્ય માનવ અધિકાર આયોગે કરેલ હુકમ બાબત.

4

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ઉપરોક્ત વિષય અન્વયે રાજ્ય માનવ અધિકાર આયોગે તા.૦૬/૦૩/૨૦૨૫ ના રોજ એન.એસ/૨૯ થી ૨૮ સુધી કરેલ વચગાળાનો હુકમની પ્રમાણિત નકલ આ સાથે સામેલ રાખી આપને મોકલી આપીએ છીએ. જે નકલ આયોગના સેક્શન અધિકારીશ્રી દ્વારા પ્રમાણિત કરવામાં આવેલ છે.

સદર પ્રકરણમાં નામદાર આયોગે કરેલ વચગાળાના હુકમ અન્વયે મુદત તા.૦૧/૦૪/૨૦૨૫ના રોજ કલાક ૧૩:૦૦ વાગ્યે આયોગના કોર્ટ રૂમ નં.- ૧ માં સુનાવણી રાખેલ છે. જેમાં જરૂરી અહેવાલ/દસ્તાવેજ/રેકર્ડ વગેરે સાથે રાખી અચૂક હાજર રહેવા / રાખવા આદેશ કરવામાં આવે છે, જેની નોંધ લેશો.



હુકમથી

(Handwritten Signature)
(ટી.વી.જોષી)

રજીસ્ટ્રાર(લીગલ),
ગુજરાત રાજ્ય માનવ અધિકાર આયોગ,
ગાંધીનગર.

વિડાણ:- ૧) હુકમની પ્રમાણિત નકલ.
૨) અરજદારની અચૂક અને પ્રસ્તુતિ



ગુજરાત રાજ્ય માનવ અધિકાર આયોગ

કર્મયોગી ભવન, બ્લોક નં. ૧, પાંચમો માળ,
સેક્ટર-૧૦-એ ગાંધીનગર

વડોદરા શહેર પ્રેસ ૨૦૫/૨૪

પાના નં. ૨૭/નોવિ
તા. ૬.૩.૨૦૨૫

માનનીય સદસ્યશ્રીનો હુકમ

આ કામે સમાચાર પત્રમાં પ્રસિધ્ધ થયેલ અહેવાલ અન્વયે વડોદરા મહાનગરપાલીકા પાસેથી મંગાવવામાં આવેલ અહેવાલની વિગતો ધ્યાને લેતાં વડોદરા શહેરમાં પુરની પરિસ્થિતિ નિવારવા જરૂરી નિવારાત્મક પગલાં સુચવવા એક ઉચ્ચ કક્ષાની સમિતિની રચના કરવામાં આવેલ, જે સમિતિ તરફથી અહેવાલ રજૂ કરેલ છે.

આ કામે વિશેષમાં અત્રે આયોગને કરવામાં આવેલ શ્રી રોહિત પ્રજાપતિની તા.૪.૩.૨૦૨૫ની રજૂઆત તથા "Vadodara citizens urge authorities to adhere to environmental mandates in Vishwamitri River Rejuvenation Project." અન્વયેના લેખની વિગતો ધ્યાને લેતાં આ કામે નિયુક્ત સમિતિએ રજૂ થયેલ અહેવાલ અધુરો હોવાની વિગત ધ્યાને લેતાં તેમજ વડોદરા શહેરના નાગરિકોના જાનમાલની રક્ષણની અતિ મહત્વની બાબત ધ્યાને લેતાં આ કામે વધુ સુનાવણી માટે તા.૧.૪.૨૦૨૫ના રોજ ૧૩-૦૦ કલાકે રાખવાનો આદેશ કરવામાં આવે છે.

આ કામે અરજદારશ્રી રોહિત પ્રજાપતિ, એક્ષર્ટશ્રીની વિવિધ ખાતાઓને તા.૪.૩.૨૦૨૫નો પત્ર વંચાણે લઈ રેકર્ડ ઉપર લેવામાં આવે છે અને આ પત્રના સંદર્ભમાં મેમ્બર સેક્રેટરી, સ્ટેટ એન્વાયરમેન્ટ ઈમ્પ્રોવમેન્ટ એસેસમેન્ટ ઓથોરીટી, ગાંધીનગર, એડીશનલ ચીફ સેક્રેટરી, ફોરેસ્ટ એન્ડ એન્વાયરમેન્ટ ડિપાર્ટમેન્ટ, ગાંધીનગર મેમ્બર સેક્રેટરી, GPCB, ગાંધીનગર, કલેક્ટરશ્રી, વડોદરા,



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Section Officer
GSHRC, Gandhinagar

ચેરમેનશ્રી, વડોદરા અર્બન ડેવલપમેન્ટ ઓથોરીટી, વડોદરા તથા રોહિત પ્રજાપતિને ઉક્ત નિયત તારીખ અને સમયે હાજર રહેવા સમન્સ પાઠવવા તથા તમામ સંબંધિતશ્રીઓને આ કામે જરૂરી વિગતવારના અહેવાલ સહ હાજર રહેવા સમન્સ પાઠવવા આદેશ કરવામાં આવે છે.

વિશેષમાં આ કામને ડીવીઝન બેન્ચ સમક્ષ રજૂ કરવા સુચના આપવામાં આવે છે.

R. S. Patel
(બી.એસ. ઉપાધ્યાય)

સદસ્ય
ગુ.રા. માનવ અધિકાર આયોગ,
ગાંધીનગર

રજીસ્ટ્રારશ્રી



આદેશ મુજબ
કાર્યવાહી કરવા
રજીસ્ટ્રાર

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[Signature]
Section Officer
GSHRC, Gandhinagar

[Signature]
૨૦/૦૫/૨૧

Annexure B: GSHRC Order dated 01.04.2025

ગુજરાત રાજ્ય માનવ અધિકાર આયોગ

કર્મચોગી ભવન, બ્લોક નંબર-૧, પાંચમો માળ, સેક્ટર-૧૦ એ, ગાંધીનગર-૩૮૨ ૦૧૦.

ફોન/ફેક્સ નં. (૦૭૯) ૨૩૨ ૫૭૫૯૬, વેબ સાઇટ: www.gshrc.gujarat.gov.in, Email: ds-hurc@gujarat.gov.in

(માનવ અધિકાર સંરક્ષણ અધિનિયમ, ૧૯૯૩ની કલમ-૧૩(૪)થી રાજ્ય આયોગને 'દીવાની ન્યાયાલય' ગણવામાં આવેલ છે અને કલમ-૧૩(૫)થી આયોગ સમક્ષની દરેક કાર્યવાહીને 'ન્યાયિક કાર્યવાહી' ગણવામાં આવેલ છે.)

જવાબી પત્રમાં અત્રેના કેસ નંબર કેસ નં. એચઆરસી/૨૦૨૪/પ્રેસ/૨૦૫/વડોદરા શહેર/લી-૧
અને તારીખ બિનચૂક દર્શાવવા. તા. / / ૨૦૨૫ **- 9 APR 2025**

By : WHATSAPP/E-MAIL/Speed Post

NOTICE

પ્રતિ,

- (૧) અગ્ર સચિવશ્રી,
વન અને પર્યાવરણ વિભાગ, બ્લોક નં.૧૪/૮, સરદાર ભવન, સચિવાલય, ગાંધીનગર.
- (૨) સચિવશ્રી,
નર્મદા અને જળ સંપત્તિ, પાણી પુરવઠા અને કલ્પસર વિભાગ, નવા સચિવાલય, ગાંધીનગર.
- (૩) જિલ્લા મેજિસ્ટ્રેટશ્રી,
વડોદરા જિલ્લો, વડોદરા.
- (૪) મ્યુનિસિપલ કમિશનરશ્રી,
વડોદરા મ્યુનિસિપલ કોર્પોરેશન, ખંડેરાવ માર્કેટ બિલ્ડીંગ, રાજમહેલ રોડ, વડોદરા-૩૮૦૦૦૧.
- (૫) સભ્ય સચિવશ્રી,
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર-૧૦/એ, ગાંધીનગર.
EMAIL:- ms-gpcb@gujarat.gov.in
- (૬) સભ્ય સચિવશ્રી,
સ્ટેટ એન્વાયરમેન્ટ ઇમ્પ્રુવમેન્ટ એસેસમેન્ટ ઓથોરીટી,
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, પર્યાવરણ ભવન, સેક્ટર-૧૦/એ, ગાંધીનગર.
EMAIL:- msseiaagj2024@gmail.com
- (૭) ચેરમેનશ્રી,
વડોદરા અર્બન ડેવલપમેન્ટ ઓથોરીટી (વુડા ભવન),
એલ & ટી સર્કલ, વી.આઇ.પી.રોડ, કરેલીબાગ, વડોદરા-૩૮૦૦૧૮
- (૮) શ્રી રોહિત પ્રજાપતિ,
૩૭, પત્રકાર કોલોની, તાંદરજા રોડ, વડોદરા-૩૮૦૦૨૦
EMAIL:- rohit.prajapati@gmail.com

વિષય:- તા.૩૦/૦૮/૨૦૨૪ ના ધ ઇન્ડિયન એક્સપ્રેસ દૈનિક વર્તમાનપત્રમાં પ્રસિધ્ધ થયેલ સમાચાર "Name change, DPR & 14 Year later, Vishwamitri revamp still on paper" અંગે અહેવાલ પાઠવવા બાબત.

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સંદર્ભ: રાજ્ય આયોગની સરખા ક્રમાંકની તા.૧૨/૦૩/૨૦૨૫ની નોટીસ.

ઉપરોક્ત વિષય અન્વયે રાજ્ય માનવ અધિકાર આયોગે તા.૦૧/૦૪/૨૦૨૫ ના રોજ એન.એસ/૩૩ થી ૩૫ સુધી કરેલ વચગાળાનો હુકમની પ્રમાણિત નકલ આ સાથે સામેલ રાખી આપને મોકલી આપીએ છીએ. જે નકલ આયોગના સેક્શન અધિકારીશ્રી દ્વારા પ્રમાણિત કરવામાં આવેલ છે.

સદર પ્રકરણમાં નામદાર આયોગે કરેલ વચગાળાના હુકમ અન્વયે મુદત તા.૦૧/૦૫/૨૦૨૫ના રોજ કલાક ૧૩:૦૦ વાગ્યે આયોગના કોર્ટ રૂમ નં.- ૧ માં સુનાવણી રાખેલ છે. જેમાં જરૂરી અહેવાલ/દસ્તાવેજ/રેકર્ડ વગેરે સાથે વિડિયો કોન્ફરન્સના માધ્યમથી અચૂક હાજર રહેવા / રાખવા આદેશ કરવામાં આવે છે. જેની નોંધ લેશો.



બિડાણ:- હુકમની પ્રમાણિત નકલ.

હુકમથી

(ટી.વી.જોષી)

રજીસ્ટ્રાર(લીગલ),

ગુજરાત રાજ્ય માનવ અધિકાર આયોગ,

ગાંધીનગર.

ગુજરાત રાજ્ય માનવ અધિકાર આયોગ

કર્મચોગી ભવન, બ્લોક નં. ૧, પાંચમો માળ,
સેક્ટર-૧૦-એ ગાંધીનગર

વડોદરા શહેર પ્રેસ ૨૦૫/૨૪

પાના નં. ૩૩/નોવિ
તા. ૧.૪.૨૦૨૫

ડૉ. શ્રી કે.જે.ઠાકર
માનનીય અધ્યક્ષશ્રીનો હુકમ

આ કામે તા. ૧.૪.૨૦૨૫ના રોજ ૧૩-૦૦ કલાકે હાજર રહેવા પાઠવેલ સમન્સ અન્વયે શ્રી દિલીપ રાણા, મ્યુનિસિપલ કમિશનરશ્રી, વડોદરા મ્યુનિસિપલ કોર્પોરેશન (VMC), શ્રી ડી.એમ.ઠાકર, સભ્ય સચિવશ્રી, GPCB, ગાંધીનગર તથા શ્રી રોહિત પ્રજાપતિ, એક્ષપ્ટશ્રીનાઓ અત્રે આયોગ સમક્ષ ઉપસ્થિત છે. જ્યારે કલેક્ટરશ્રી, વડોદરા VC મારફતે જોડાયેલ છે.

આ કામે હાજર અધિકારીગણને આયોગની ડીવીઝન બેન્ચે અમુક સૂચનો કરતાં તેઓને તેની ઉપર સઘન વિચારણા કર્યા બાદ આ કામે નીચે મુજબની વિગતો રજૂ કરેલ છે.

તા. ૩૦.૦૩.૨૦૨૫નો વડોદરા મ્યુનિસિપલ કોર્પોરેશનનો જવાબ વંચાણે લેવામાં આવેલ છે.

૧. વિશ્વામિત્રી નદીના પુર નિવારણ અર્થે, વિશ્વામિત્રી નદીની ડિસીલ્ટીંગ અને રીવાઈવલની કામગીરી વડોદરા શહેરી વિસ્તારમાં ૨૪.૭ કિમીમાં ચાલી રહી છે. જેનું અમલીકરણ વડોદરા મ્યુનિસિપલ કોર્પોરેશન કરી રહ્યું છે. તે કામગીરી સુચારુરૂપે સમયમર્યાદામાં પૂર્ણ થાય તે માટે નેહા સરવટે, રોહિત પ્રજાપતિ, ડૉ. રણજીતસિંહ દેવકર, ડૉ. જીતેન્દ્ર ગવળી અને મિતેશ પંચાલ દ્વારા સ્થળ વિઝિટ થાય તથા દર ૧૫ દિવસે મ્યુ. કમિશનરશ્રી સાથે બેઠક થાય અને તેનો રિપોર્ટ દર ૧૫ દિવસે SHRCમાં આપવાનો રહેશે.

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તે જ રીતે - શહેરના હદની બહાર ડાઉનસ્ટ્રીમમાં ૨૪ કિમીમાં (મારેઠાથી પીંગલવાડા સુધીનું અમલીકરણની કામગીરી સિંચાઈ વિભાગ કરે છે તેનું પણ



૨૨૧

સમયમર્યાદામાં સુચારુ અમલ થાય તે માટે દર અઠવાડિયે નેહા સરવટે, રોહિત પ્રજાપતિ, ડૉ.રણજીતસિંહ દેવકર, ડૉ.જીતેન્દ્ર ગવળી અને મિતેશ પંચાલ સિંચાઈના અધિકારીશ્રી સાથે સ્થળ મુલાકાત કરશે, તથા દર ૧૫ દિવસે કલેક્ટરશ્રી સાથે મીટીંગ કરી તેનો અહેવાલ રજૂ કરશે.

સદર પ્રકરણમાં શ્રી પી.સી.વ્યાસ, સચિવશ્રી, જળ, સંપત્તિ અને સિંચાઈ વિભાગ, નવા સચિવાલયનાઓને પણ આ કામે પક્ષકાર બનાવવાની રજૂઆત ધ્યાને લેવા આયોગ કક્ષાએ વિનંતી છે.

આ કામે શ્રી ડી.એમ.ઠાકરનાઓ હાજર છે જેઓ અન્ય જે તે હોદ્દાનો હવાલો સંભાળે છે તેઓ તરફથી મ્યુનિસિપલ કમિશનરશ્રી અને કલેક્ટરશ્રીને પુરતો સાથ-સહકાર આપવામાં આવશે તે પ્રમાણે જણાવેલ છે. આ કામે મ્યુનિસિપલ કમિશનરશ્રી, કલેક્ટરશ્રી જે બે કમિટિનું ગઠન થયેલ છે તેના સુપરવીઝનની કામગીરી તેઓ કરશે અને આ કમિટિઓ પોતાના રીપોર્ટ રજૂ કરશે અને આ કમિટિઓએ દિન-૧૦માં એક વાર મીટીંગનું આયોજન કરવાનું રહેશે અને જે અન્વયે થયેલ કાર્યવાહીનો રીપોર્ટ મ્યુનિસિપલ કમિશનરશ્રી, કલેક્ટરશ્રી અને સભ્ય સચિવશ્રી, GPCB ને રજૂ કરવાનો રહેશે.

આ કામે મ્યુનિસિપલ કમિશનરશ્રીના કહેવા પ્રમાણે નલવાવાલા કમિટિએ જે બધા સૂચનો કર્યા છે તેની ઉપર તેઓશ્રી કાર્ય કરી રહ્યાં છે અને આવતાં ચોમાસા પહેલા લગભગ વિશ્વમિત્રિનું પર્યાવરણલક્ષી કાર્ય પૂર્ણ થઈ જશે. જેમાં શ્રી ડી.એમ.ઠાકર કે જેઓ વન પર્યાવરણના ડિરેક્ટરશ્રી છે તેઓ તેમાં સાથ સહકાર આપશે.

આ કામે મ્યુનિસિપલ કમિશનરશ્રીએ જણાવ્યું છે કે બધા ડીસીલ્ટીંગમાં પર્યાવરણને લગતી મંજૂરી લીધી છે કે જેથી પર્યાવરણ અને વન્ય પશુ પ્રાણીઓને નુકશાન ન થાય.

આ કામે મ્યુનિસિપલ કમિશનરશ્રીએ વિશેષમાં જણાવેલ છે કે જે માટી નીકળે છે તેના માટે એક અગ્રિમ યોજના પણ કોર્પોરેશને ઘડી કાઢી છે જેથી ભવિષ્યમાં આ માટી અને ડેબ્રીજનો સદ્ઉપયોગ થઈ શકે, અને રાત્રે પણ લોકોને ન નડે તે રીતે અને પર્યાવરણને નુકશાન ન થાય અને લોકોના માનવ અધિકારનો ભંગ ન



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થાય તે રીતે કાર્યવાહી ચાલુ છે. જેથી ભવિષ્યમાં લોકોને ચોમાસા દરમિયાન તકલીફ ન પડે, અને આ એક્ટીવીટીથી પર્યાવરણને ઘણો ફાયદો થાય તેમ છે અને વડોદરાના લોકોને રક્ષણ પણ મળશે.

આ કામે મ્યુનિસિપલ કમિશનરશ્રીએ રજુ કરેલ અહેવાલની નકલ એક્ષપર્ટશ્રીઓને આપવામાં આવેલ છે.

આ કામે સભ્ય સચિવશ્રી, SEIAAનો પણ જવાબ આવી ગયો છે જેમાં પણ આ કામે કાર્ય આગળ વધી રહ્યું છે અને તેમણે ભારત સરકારના રાજ્ય પત્ર તા.૧૧.૯.૨૦૨૪ ની જોગવાઈ રજુ કરેલ છે જે રેકર્ડ ઉપર લેવામાં આવે છે.

આ કામે વધુ સુનાવણી તા.૧.૫.૨૦૨૫ના રોજ ૧૩-૦૦ કલાકે રાખવાનો હુકમ કરવામાં આવે છે. આ કામે તમામ સંબંધિત અધિકારીશ્રીઓને વીડીયો કોન્ફરન્સ (VC) મારફતે જોડવાની પરવાનગી આપવામાં આવે છે. મ્યુનિસિપલ કમિશનરશ્રી, વડોદરા મ્યુનિસિપલ કોર્પોરેશન, વડોદરા પોતાના પ્રતિનિધિશ્રી નિયુક્ત કરી શકશે. (સંપર્ક : VC મારફતે જોડાવા માટેની લીક માટે આયોગના સીસ્ટમ મેનેજરશ્રીનો મોબાઈલ નં. ૯૫૮૬૧ ૦૫૨૭૭).

(બી.એસ.ઉપાધ્યાય)

સદસ્ય

ગુ.રા. માનવ અધિકાર આયોગ
ગાંધીનગર

(ડૉ. કે.જે.ઠાકર)

અધ્યક્ષ

ગુ.રા. માનવ અધિકાર આયોગ,
ગાંધીનગર



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૦૧૭/૨૧

રજીસ્ટ્રારશ્રી

આદેશ મુજબ
કાર્યવાહી કરાવી

રજીસ્ટ્રારશ્રી

Annexure C: National Green Tribunal Order dated 25.05.2021

Item No. 03

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 228/2020
(Earlier O.A. No. 49/2016 (WZ))

WITH

Execution Application No. 45/2016(WZ)

Rohit Prajapati & Anr.

Applicant(s)

Versus

Secretary, MoEF & CC & Ors.

Respondent(s)

Date of hearing: 25.05.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Rohit Prajapati, Applicant in person

Respondent: Mr. Maulik Nanavati, Advocate for the State of Gujarat

ORDER

1. Grievance in the application, originally filed before the Pune Bench on 07.04.2016, was against the *Vishwamitri Riverfront Development Project* (VRDP) at Vadodra, Gujrat, in violation of environmental norms. Broad averments of the applicants are that the project violated the EIA Notification, 2006, requiring prior EC, after assessment of the impact of the project on environment. The project in question adversely impacted the environment, particularly the Vishwamitri River wetlands, ravines, inter-connectivity with other water bodies, floodplains, flora and fauna, biodiversity, etc. **The River consists of catchments, floodplains, tributaries,**

ponds, river-bed and adjoining ravines which, along with the soils and vegetation on both sides, is the river's natural mechanism to retain the additional water, prevent floods and provide habitat for various species. River harbours and interacts with innumerable organisms like microbes, plants and animals. It is a natural, living organic part of a larger ecological system. River is also a network of tributaries, floodplains and ponds spread over its basin and the estuary. The *Vishwamitri* River originates from *Pavagadh* Hill, north-east of Vadodara City, has a unique ecosystem, bearing a plethora of beautiful ravines right from its beginning till its end. Of paramount importance in its ecology is the presence of the highly protected species, the Indian crocodile (*Crocodylus palustris*- Muggar Crocodile) and Turtles. The crocodiles, turtles and other species have been inhabiting and breeding in stretches of the *Vishwamitri* River for many years. This species is categorized as nationally 'vulnerable', subsequent to an assessment following IUCN criteria for threatened species (Molur and Walker 1998) and has the highest legal protection in India. It is listed in Schedule I to the Indian Wildlife (Protection) Act, 1972. The importance of this species is illustrated by the multiple legal and policy efforts which have been developed by the Government of India to protect the crocodile population. 'Indian Crocodile Conservation Project' was launched as early as the late 1960s. Subsequently, the crocodile and Turtle have been included in Appendix-I of Convention of International Trade in Endangered Species (CITES) and brought under Schedule-I of The Wildlife (Protection) Act, 1972. Any activity against the survival of the highly protected species, without approval by the State Wildlife Board/National Wildlife Board and the Government of India is illegal. The construction activity commenced on or about 25.10.2015 to which objections were raised. There were other illegal activities in the river, resulting in damage to the riverine ecology.

The activities included dumping of the solid waste, illegal constructions, etc. The flood water course changed because of illegal constructions. The T.P Scheme No.66 in Bhimnath Lake – a water body and was thus illegal. The map of the boundary of the lake was not complete.

2. The petition first came up for hearing on 28.04.2016 when notice was issued to the respondents i.e. MoEF&CC and the authorities of the State of Gujarat. **Vide order dated 25.05.2016, this Tribunal restrained the Vadodara Municipal Corporation (VMC), from proceeding with the development activities within the area of VRDP project.**

3. The stand of the VMC is that the project has not yet been finalized. It was only at conceptual stage. The project was to beautify and rejuvenate the river for the benefit of the general public. It will increase the flood carrying capacity, clean the river and protect the habitat of the wildlife. It will be integrated with the development of the city without any damage to the environment. A Consultant was hired for preparing the feasibility report. Based on the said report, a consultant was hired for the EIA report. **Thereafter, EIA application was made to the SEIAA, Gujarat. However, later, a decision was taken to withdraw the application, before any activity was undertaken. Representation of the applicant was considered about the construction activity around the Vishwamitri River, unrelated to the project.** Construction of bridge from Sama to Harni was necessary for connectivity of the two areas to reduce travel time. The said matter was pending before the Gujarat High Court and acquisition was stayed. Construction of retaining wall along the Sama-Savli road on the edge of Sama Talav was part of conservation process to beautify the pond which was subject matter of O.A No. 102/2015 before the Tribunal. Construction activity near Sanjay Nagar- Mangal Pandey Road including retention wall

work/works/acts and activities was in pursuance of Notification dated 27.01.2014 for development of slum area which was upheld by the Gujarat High Court in Writ Petition (PIL) No. 170 of 2014. The said order was affirmed by the Division Bench and later by the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 22522 of 2014. Applications were also filed before the High Court by the residents being Civil Application No. 17025 of 2014 and Special Civil Application No. 17142/2014 which were dismissed by Single Bench and later Letters Patent Appeal No. 1401 of 2014 was dismissed by the Division Bench. Special Leave to Appeal (Civil) No. 5839 of 2015 was dismissed by the Hon'ble Supreme Court on 22.09.2015. Another Letters Patent Appeal No. 915 of 2015 was dismissed on 07.05.2015 and Special Leave Petition (Civil) (CC) No. 6394 of 2016 was dismissed on 11.04.2016. With regard to construction in the river bed, Writ Petition (PIL) No. 90 of 2016 was filed in which no interim order was granted. With regard to destruction of historical sites and features in Sanaynagar, levelling land for construction project near Narhari Hospital, construction work near Bhimnath Bridge and filling of Bhimnath Talav, dumping of debris and discharge of untreated sewage in the river, the Corporation has denied the allegations.

4. The applicant also filed Execution Application alleging violation of interim order being E.A No. 45 of 2016 (WZ).

5. Both the matters were last considered on 06.10.2020 when the Pune Bench directed the matter to be transferred to the Principal Bench. Accordingly, the matter has been listed today before this Bench. We have heard learned counsel for the parties and perused the record.

6. We find that apart from the main issue with regard to construction of VRDA project without requisite EIA, several issues have also been

raised. Under Rule 14 of the NGT (Practices and Procedures) Rules, 2011, an application has to be based on 'single cause of action' or causes of action 'consequential to one another'. Admittedly, the project in question against which the applicant had the grievance has been given up. Other issues illegal constructions affecting the riverine ecology of Vishwamitri River, according to the VMC are independent of the said project. However, Shri Maulik Nanavati, learned counsel appearing for the VMC as well as other Authorities of the State of Gujarat states that all grievances of the applicant will be duly addressed and if any particular grievance remains, the applicant can take remedies independently, in accordance with law. It is submitted that some of the grievances are sub judice before the High Court and some grievances are covered by judicial orders. The applicant however submits that all constructions and other issues are incidental to the VRDP and once VRDP given up status quo ante needs to be restored.

7. We have considered the rival contentions. Vishwamitri River is one of 351 identified polluted river stretches, identified as such by the Central Pollution Control Board. The issue of rejuvenation of the said polluted river stretches has been exhaustively considered by this Tribunal in OA 673/2018. The Tribunal directed constitution of a River Rejuvenation Committee in each State/UT to prepare and execute an action plan for restoration of each of such polluted stretches to give effect to the rule of law in a time bound manner. Such action plans have been prepared and approved by the CPCB and their execution is to be overseen by the Chief Secretary in the State and Central Monitoring Committee headed by the Secretary, Ministry of Jalshakti at the National level. The action plan is to address the issues relating to demarcation, protection of flood plain zone and maintaining minimum environment flow. The other consequential and incidental issues like sewage treatment, management of waste,

preventing encroachment, etc. are also covered by the action plan. Demarcation of the entire flood plain zone of the river needs to be undertaken. Further, steps are required for plantation and maintaining the integrity of the river in totality. While directing consideration of all the issues by the applicants, we reiterate the direction for implementation of the "Vishwamitri River Action Plan" including the steps for removal of unauthorised structures, demarcation and protection of flood plain zone and other action points as per the river restoration plan. They may give a consolidated representation within two weeks listing all pending issues on which consideration and action be completed by the concerned authorities within three months. The applicants will be at liberty to take appropriate remedy if any further grievance survives.

8. In view of the above, leaving the remedy of the applicants open, as above, O.A No. 228/2020 (Earlier O.A. No. 49/2016 (WZ)) and Execution Application No. 45/2016(WZ) will stand disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

May 25, 2021
Original Application No. 228/2020
(Earlier O.A. No. 49/2016 (WZ))
WITH Execution Application No. 45/2016(WZ)
AB

Annexure D: SEIAA Permission 21.01.2025

MAULIKA SHAH
MEMBER SECRETARY
SEIAA (GUJARAT)



GOVERNMENT OF INDIA
MOEF & CC
STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY
GUJARAT

No. SEIAA/GUJ/EC/55/2025

Date: 21 JAN 2025 BYR.P.A.D.

Sub: Exemption of Environment Clearance for "Vishwamitri River Flood Mitigation & River Flood Mitigation & River Rejuvenation with associated activities" at river stretch of Vishwamitri river Proposed by Vadodara Municipal Corporation.

Ref: Your Proposal No: SIA/GJ/INFRA2/513184/2024.

Dear Sir,

The SEAC, Gujarat vide their letter dated 30/12/2024 had recommended to the SEIAA, Gujarat, for exemption of EC for above-mentioned project based on SEAC meeting held on 13/12/2024.

The project activity is covered in 8(b) and falls in Category 'B'. Since the proposed project is in item no.8 of the EIA notification, 2006, exemption from Public Consultation as per Para 7(i) III. Stage (3) (i) (b) of EIA Notification, 2006.

1. Details of the Application/Project:

- Vadodara Municipal Corporation proposed Vishwamitri river regulation and flood mitigation measure with associated activities.
- Present land use of site is water body (Vishwamitri river) & its tributaries (i.e. Kans/Nala) with having removable debris & siltation which interrupt the natural flow of water as well as decrease the storage capacity of river water body and have potential to create flood with impacting surrounding/nearby area.
- By removing unnecessary debris & siltation the water carrying capacity as well as storage capacity of river water body will be increased and will give significant advantage in flood control during monsoon period.

2. Salient features of the project submitted by the Project proponent

- Plot Area: Vishwamitri River passes through Vadodara City approx. length 24 km
- % of Green Belt Provided: 103.2Ha(i.e. Govt. land available either side of river considered tree plantation)
- Land Use Change Required : Nil
- Sources of Air(+Noise) Pollution: During Construction Only
- Operation Phase : NIL
- Estimated Total Project Cost: 65 Crores
- EMP/CER Cost: 3.08 Cr (2 % of project cost as per As per MoEF & CC office Memorandum vide F.No.22-65/2017-IA, III, Dated 01.05.2018)
- Water consumption/Day: 120KLD
- Source of Water: Nearby Municipal Source
- Permission from CGWA or any other agency: NA
- Energy Consumption:
- Construction phase:
- Source: D.G. Set
- Construction phase demand: 75 KVA D.G. Set (3 x 25 KVA)
- Operation phase:
- Source of Electricity: MGVCL
- Operation phase demand: 500 KW
- However, CNG DG set provision will be made as per availability which will significantly reduce Air pollution/Emission.
- Kind of Fuel Used: Diesel
- Quantity of Fuel used: 0.4 lit/KWH

Office: Gujarat Pollution Control Board, "Paryavaran Bhavan" Sector-10 A, Gandhinagar-382010 Page 1 of 5
Phone No.:- (079) 232-32152, 232-41514 Fax No.:- (079) 232-22784
E-mail : mssseiaagi2024@gmail.com, Website:- www.seiaa.gujarat.gov.in

- Waste Water Generated/Day: 10KLD (Only during construction phase from the domestic use and same will be collected appropriately and disposed through nearby municipal drain. No any toxic or hazardous waste water generated during construction phase.)
- Treatment facility with Capacity and current operation Capacity: NA
- Mode of Discharge: Mobile STP provision as per requirement

3. Environment Sensitivity:

- **Forest Land:** Not Involved
- **National Park/Sanctuary:** Not Involved
- **ESZ Notification:** Not Applicable
- **No Development Zone :** Not Involved
- **land/Schedule –I Species:** Yes
- The proposed project area not coming any Protected Area Notified Under the Wild Life (Protection) Act, 1972.
- However, Vishwamitri River having crocodile (*Crocodylus palustris*) and Indian softshell turtle (*Nilssonina gangetica*) comes under Schedule 1 species as per Wild Life (Protection) Act, 1972.
- However, necessary precautionary measures will be taken in the interest of wild animal, as decided by SEAC:

Sr. No.	Particulars	Details of Application/Proposal No.	Permission/Clearance Status
1	Forest Clearance	Not Applicable (Based on Joint site Survey along with Forest official conducted on 06.12.2024)	NA
2	WLS Clearance	As the Vishwamitri River is not a part of any Wild life Sanctuary , National Park or Eco sensitive Zone online application for WLS not envisaged. However, Vishwamitri River having crocodile (<i>Crocodylus palustris</i>) and Indian softshell turtle (<i>Nilssonina gangetica</i>) comes under Schedule 1 species as per Wild Life (Protection) Act, 1972. Hence, manual application for filled forms (CAF, Part I, Part II, Undertaking etc.) submitted to DCF/CWW vide letter VMC/WL/Vishwamitri/396/2024-25, Dated 07.12.2024	Under Process

4. Committee deliberated on the following in SEAC VC Meeting dated: 13-12-2024 as under:

- ✓ Justify why your project needs EC.
- ✓ Justify with the guidelines why your project is not exempted from the EC.

5. Committee deliberated on the following in the SEAC VC Meeting dated 18-12-2024 as Table Agenda as under:

- ✓ Committee referred the MoEFCC Office Memorandum dated: 12-07-2023 stating that
 "Based on the recommendations of the EAC and keeping in view the direction of Hon'ble NGT, the matter has been examined by the Ministry in detail and it is hereby directed that the exemption from EC provided vide S.O. 1224 (E) dated 28.03.2020 for dredging and desilting of dams, reservoirs, weirs, barrages, river and canals shall be subject to Environmental Safeguards as proposed in the National Framework for Sediment Management (copy enclosed) issued by the Ministry of Jal Shakti, Department of Water Resources, River and Development Memorandum".
- ✓ It was observed that the project proponent has applied for dredging and desilting of river which falls under category 1(a) of the EIA Notification, 2006 However the PP has applied funder Category 8(a) Considering area development project.
- ✓ It was further observed by the Committee that no any construction work proposed by the PP under this project.
- ✓ Committee observed that there will be activities like desilting and dredging in the river. PP was asked to submit the name of department who will claim of desilting material.
- ✓ Whether material reclaimed will be used for commercial purpose or Government use?

- ✓ Any specific mineral or mineral beneficiation anticipated from the project.
- ✓ Action plan with distribution of work with time limit and season details. PP shall not do activity in monsoon season.
- ✓ Method of dredging to be incorporated like Mechanical or manual dredging.
- ✓ Details of the storage of dredged material with identification of the spots and its land acquisition for details of land used for storage is under jurisdiction of which department?
- ✓ PP was asked to undertake that there shall be no Ecological/Environmental Disturbance.
- ✓ Conservation plan/ activities proposed to save Sch- I species shall be submitted.
- ✓ PP was asked to justify the need for this activity.
- ✓ Disaster Management plan.
- ✓ PP was asked to undertake/ commit wrt all activities proposed during the presentation.

Later on PP vide letter dated 21-12-2024 has submitted as under:

- ✓ Vadodara city has experienced flood due to 90 inches rain during the year July 1927, 1974, 1976, 1994, 2014, 2019 and 2024.
- ✓ Around 40% Vadodara was submerged under flood waters of Vishwamitri River. Hence, State Government has directed immediately to start necessary work to prevent flood situation in Vadodara city. The work requires removing debris and silt from the river Rejuvenation Project and to be completed before August 2025.
- ✓ By this activity the carrying capacity of the river will increase up to 1100 cumecs significantly reducing flood reduction by 51%.
- ✓ Vishwamitri river has crocodile and Indian shell Turtle which falls under Schedule 1 Species and necessary precautionary measures in the interest of wild animal as well as environmental safeguards for dredging/ desilting as per Ministry of Environment Forest and Climate Change Office Memorandum dated 12-07-2023 will be undertaken.

✓ **PP has submitted undertakings through their letter dated 19-12-2024 as under:**

- Care will be taken to ensure that the Wild animals are not injured.
- In addition to the above operations, if the need arises, the crocodiles and Indian softshell turtles will be safely rescue and released in the Vishwamitri River in coordination with forest department.
- Suitable places will be kept on the river banks for such species so that such species can lay and incubate their eggs.
- Illegal sewerage outlet draining into Vishwamitri Raver shall be stopped.
- Necessary resources and manpower will be provided to prevent conflict between crocodiles and humans and to prevent injury to crocodiles and humans as per forest department guidance & Supervision.
- Plantation of indigenous species of trees like Vad, Pipal, Umro, Desi Simlo, Pangaro, Setur, Khakharo etc. will be planted on either side of river Vishwamitri as well as in the open land within the Vadodara City in coordination with forest department.
- Water required during construction period for various purposes (i.e. Drinking, Cooking, Cleaning /Washing/Mopping/Sanitary, Spraying for dust Suppression, Green Belt Development etc.) to the tune of 120KLD which will be met through nearby Municipal Source through tanker supply. Waste water generated will be 10KLD temporary bases only during the construction period from the domestic use only and same will be collected & disposed through Mobile STP/Nearby Municipal sewage drain.
- All vehicles/machineries (ie. JCB, Dumper, Pockland etc.) will be kept with safe distance at available nearby non-productive government land on temporary bases.
- All vehicles/machineries used confirming to stipulate emission norms as per the CPCB standards. Water will be sprinkled to mitigate the dust generated from the movement of vehicles at site.
- All vehicles/machineries used will be well maintained to avoid noise pollution.
- Excavated material generated from the of re-sectioning /desilting/debris removal activities will be collected appropriately on either side of River where non-productive Govt. land available and same will be utilized for Govt. purpose in on-going Govt. projects.
- The entire operation will be carried out in the presence of the local forest department officials and staff under their technical guidance and supervision.
- Any other measures suggested by the forest department will be taken by the Vadodara Municipal Corporation.
- Terms and condition of the approval of the forest department shall be abided by the Vadodara Municipal Corporation.

6. SEAC observed and deliberated as per Hon'ble NGT Order of Principal Bench vide O.A No. 228/2020 (Earlier O.A No 49/2016 (WZ)) Rohit Prajapati & Anr. Vs Secretary, MoEFCC & Ors dated 25-05-2021 was disposed with a direction of implementation of "Vishwamitri River Action Plan" including steps for removal of unauthorized structures, demarcation and protection of flood plain zone and other action points as per the river restoration plan.

7. SEAC examined the detailed contents of this dredging-Desilting project. SEAC discussed and observed that activity proposed is disaster Flood related Mitigation activity which involves removal of silt, debris related sediments so as to increase the water retention capacity of river, which in absence of such activity, results in large scale flooding, erosion of river banks and has been causing immense damage to agriculture land, productivity and human life. SEAC also noted that till now such action has not been taken and present proposal is Flood mitigation measure by authorities, in response to large scale flood in Vishwamitri river which caused huge damage to life and property, in Vadodara and along its course.
8. SEAC took note of clarifications and stipulated conditions for dredging and desilting in river. It noted that in the proposed dredging desilting operation, implementation and compliance of environmental safeguard to be followed, as per the guidelines provided in the National Framework for Sediment Management issued by the Ministry of Jal Shakti, Department of Water Resources, River and Development Memorandum' have been provided. The key aspect of period and duration of dredging-desilting, its collection at sites, under the control of authorities, ensure that productive land is protected, the material dredged is utilized in department road filling works and due precaution is committed to be taken to avoid any harm to existing crocodile population wherein activities will be done in coordination with local forest officers.

After detailed deliberation, it was observed by SEAC committee that project is about dredging desilting of Vishwamitri River stretch specifically for flood routing and for improvement of health of river water system. The MoEF&CC Office Memorandum dated 10-07-2023 stipulates certain conditions and exemption of such project from EC Regime. The PP submitted an undertaking and detailed note about compliance of the Office Memorandum's Technical aspect. Considering the above, SEAC decided that said project enjoys exemption from Environment Clearance with a condition to comply with the Hon'ble NGT Order in the matter of O.A No. 228/2020 (Earlier O.A No 49/2016 (WZ)) in this regard.

Authority discussed proposals forwarded by SEAC of dredging desilting of Vishwamitri River stretch specifically for flood routing and for improvement of health of river water system.

After careful consideration and discussion, **SEIAA hereby exemption of Environmental Clearance** to above project under the provisions of EIA Notification dated 14th September 2006 subject to the compliance of the following conditions.

This has reference to your online application dated 04/12/2024 along with Form-I, Form-IA submitted to SEIAA. The project activity is covered in 8(b) and is of 'B' Category.

The proposal was considered by SEIAA, Gujarat in its meeting held on 10/01/2025 at Gandhinagar. After careful consideration, the SEIAA **hereby decided for Exemption of Environment Clearance, based on SEAC recommendation of proposed project for Flood Mitigation Measure & River Rejuvenation With Associated Activities of Vishwamitri River, Vadodara.**

Authority observed the SEAC opinion wrt OM of MOEF & CC dated 10.07.2023, which stipulated certain condition and exemption of such project from EC regime. Exemption not only based on specific activity desilting but also with appropriate safe guards including safeguards of wildlife and their appropriate rehabilitation plan as approved by competent authority in State Government / MoEF & CC. Municipal corporation, Vadodara shall prepare plan for involving quantity of desilting, depth and its disposal and follow the sediment management issued by Ministry of Jalshakti Department of water resources, River & development memorandum and put it in the public domain, subject to the review by GPCB and department of forest, GoG. After deliberation, Authority agreed with SEAC opinion as per OM of MoEF & CC dated 12.7.2023 & it is hereby **exempted from Environmental Clearance with condition for submitting details as well as considering SEAC recommendation, and other conditions are as under:**

1. Proponent shall strictly follow all safe guards as per provisions mentioned in National framework for sediment management issued by Ministry of Jalshakti Department of water resources, River & development memorandum.
2. Proponent shall provide adequate Green Belt & its exact area, as per their submission to this office.

3. Proponent shall start desilting work only after obtaining necessary permission form other competent authorities like Municipal corporation, Vadodara and forest department under Wildlife Protection Act, 1972 and others etc.
4. Municipal corporation, Vadodara shall prepare plan for involving total quantity of desilting area wise, depth and its disposal and follow the sediment management plan issued by Ministry of Jalshakti Department of water resources, River & development memorandum and put it in the public domain, subject to the review by GPCB and department of forest, GoG.
5. Proponent shall strictly adhere to compliance of Hon'ble NGT Order of Principal Bench vide O.A No. 228/2020 (Earlier O.A No 49/2016 (WZ)) Rohit Prajapati & others vs Secretary, MoEF&GC & Ors. Dated 25-05-2021 was disposed with a direction of implementation of "Vishwamitri River Action Plan".
6. Proponent shall take necessary precautionary steps for controlling of dust during desilting as well as during conveyance period and submit detail.
7. Water required during construction period for various purposes (i.e. Drinking, Cooking, Cleaning / Washing / Mopping/ Sanitary, spraying for dust Suppression, Green Belt Development etc.) to the tune of 120 KLD, which will be met through nearby Municipal Source through tanker supply.
8. Wastewater generated will be 10 KLD temporary bases only during the construction period from the domestic use only and same will be collected & disposed through Mobile STP/Nearby Municipal sewage drain.


(MAULIKA SHAH)
Member Secretary

Issued to:
Vadodara Municipal Corporation Khanderav Market, Vadodara, Gujarat-390001

Annexure E: Information Requested and Received.

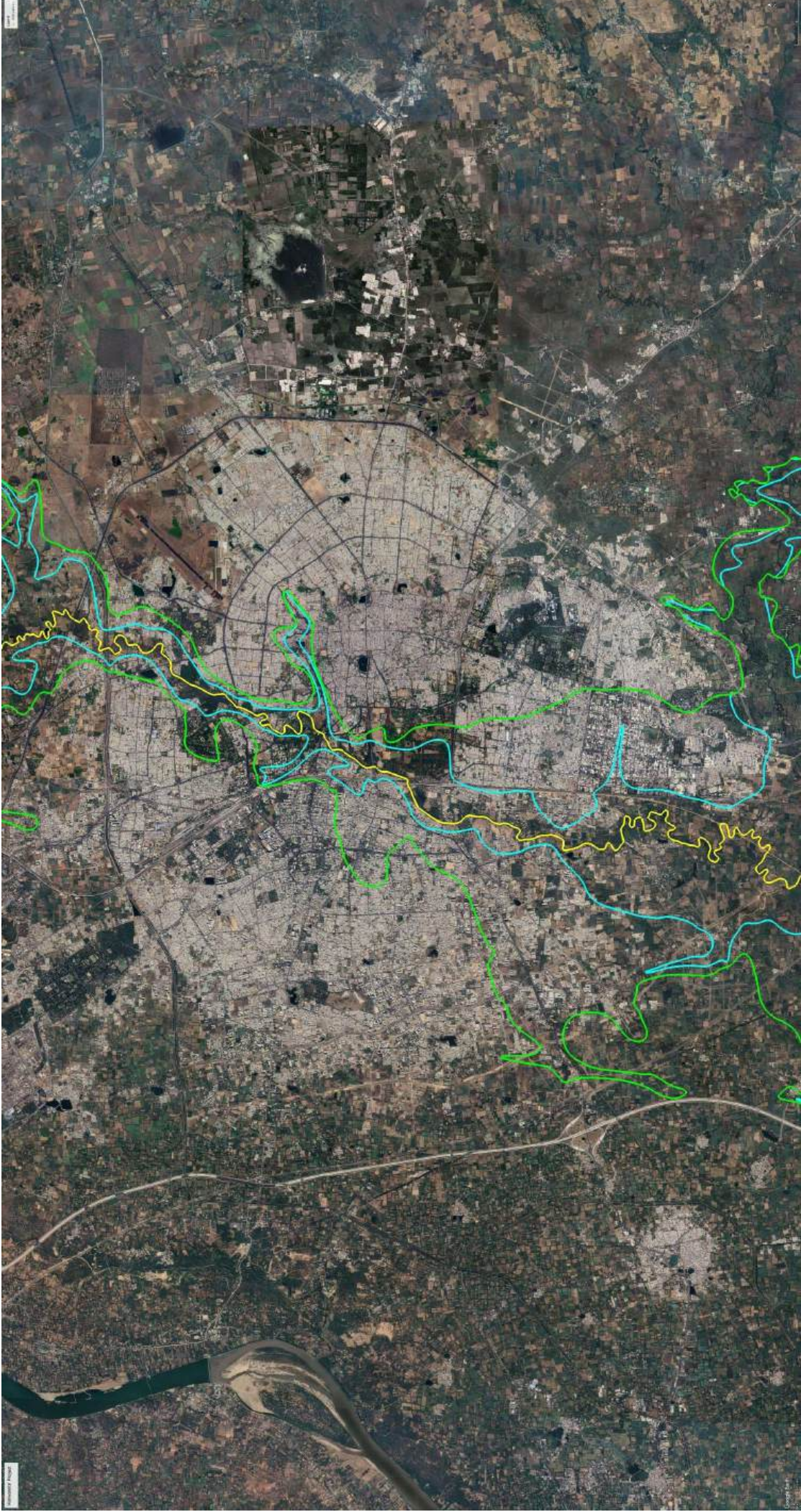
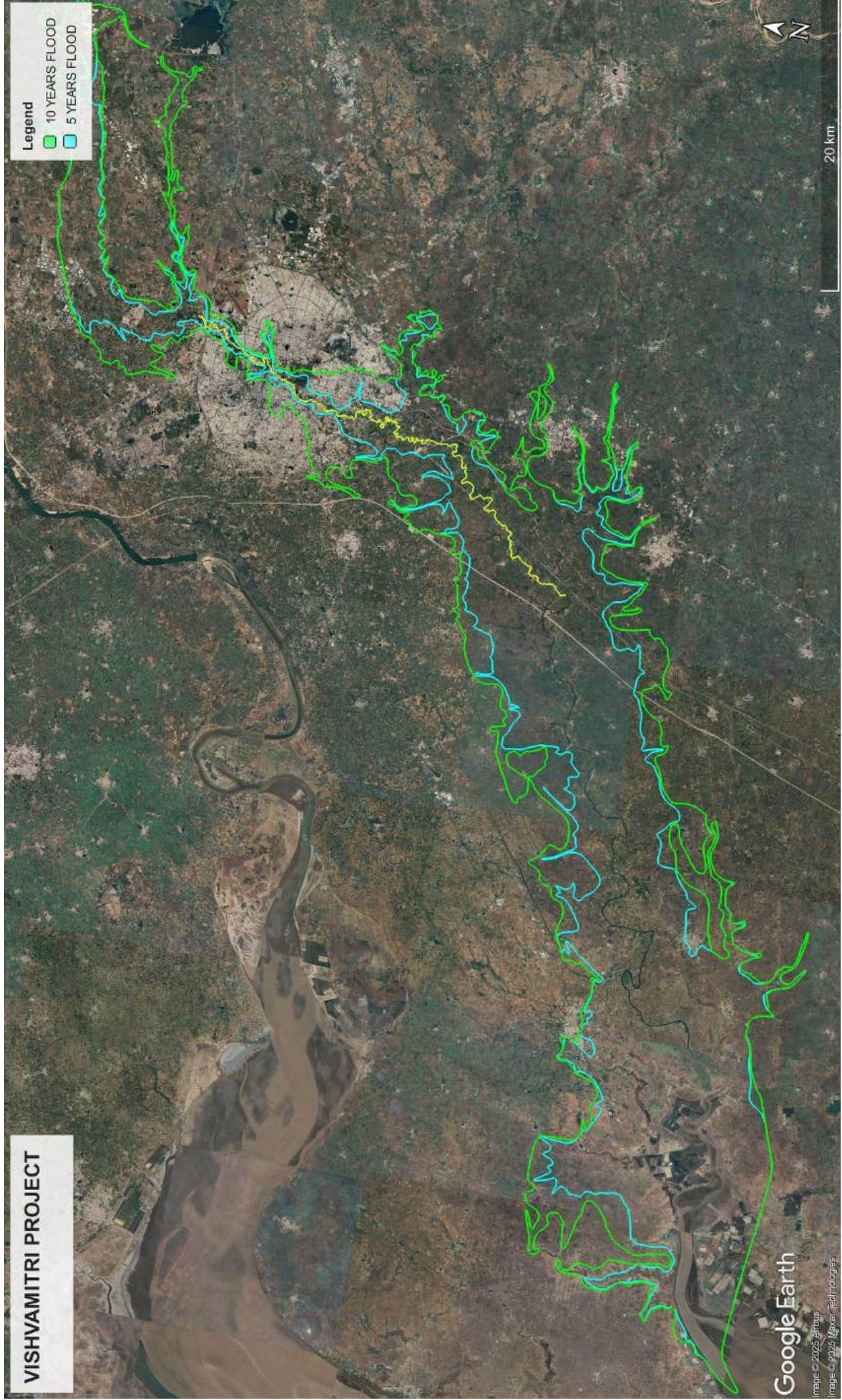
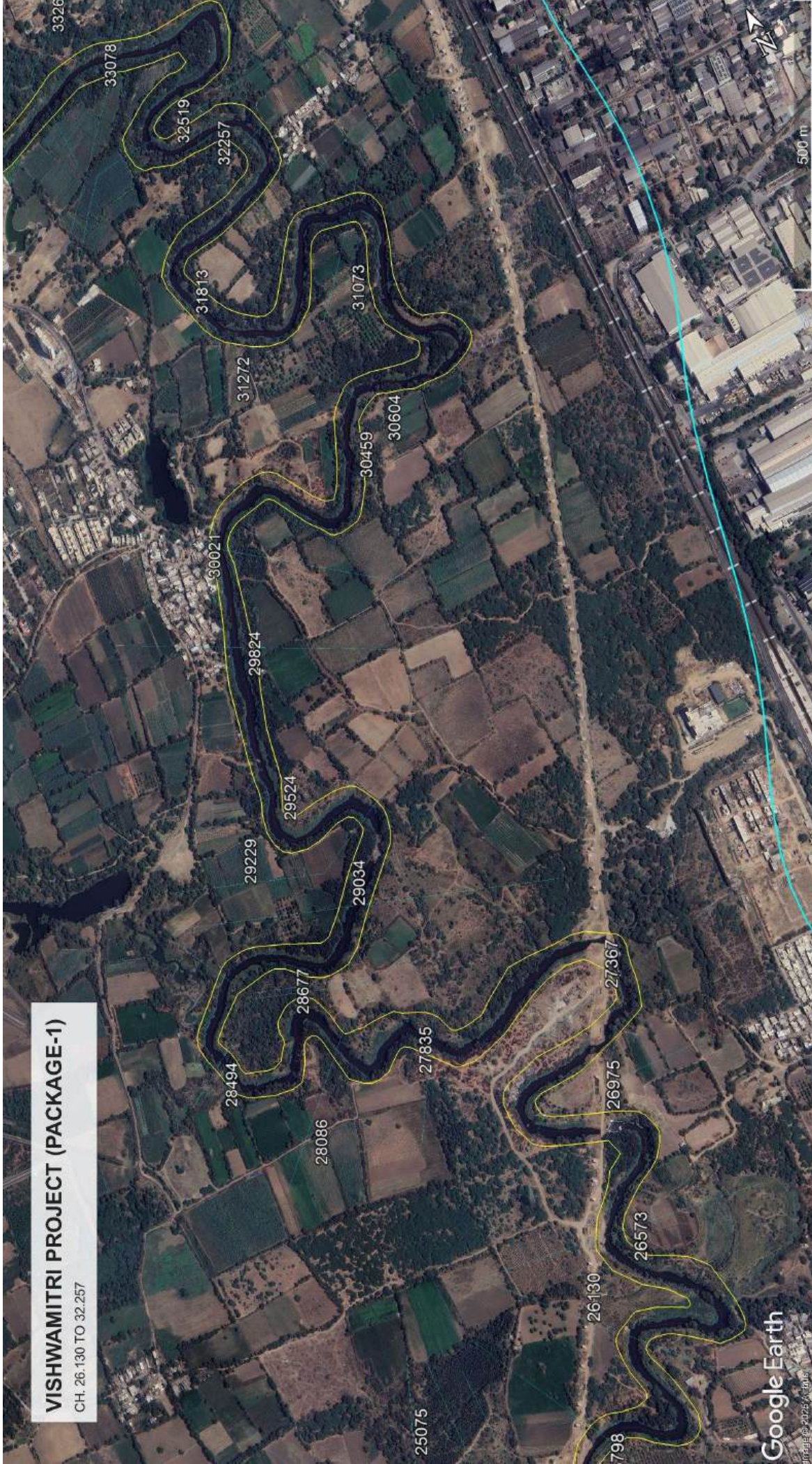


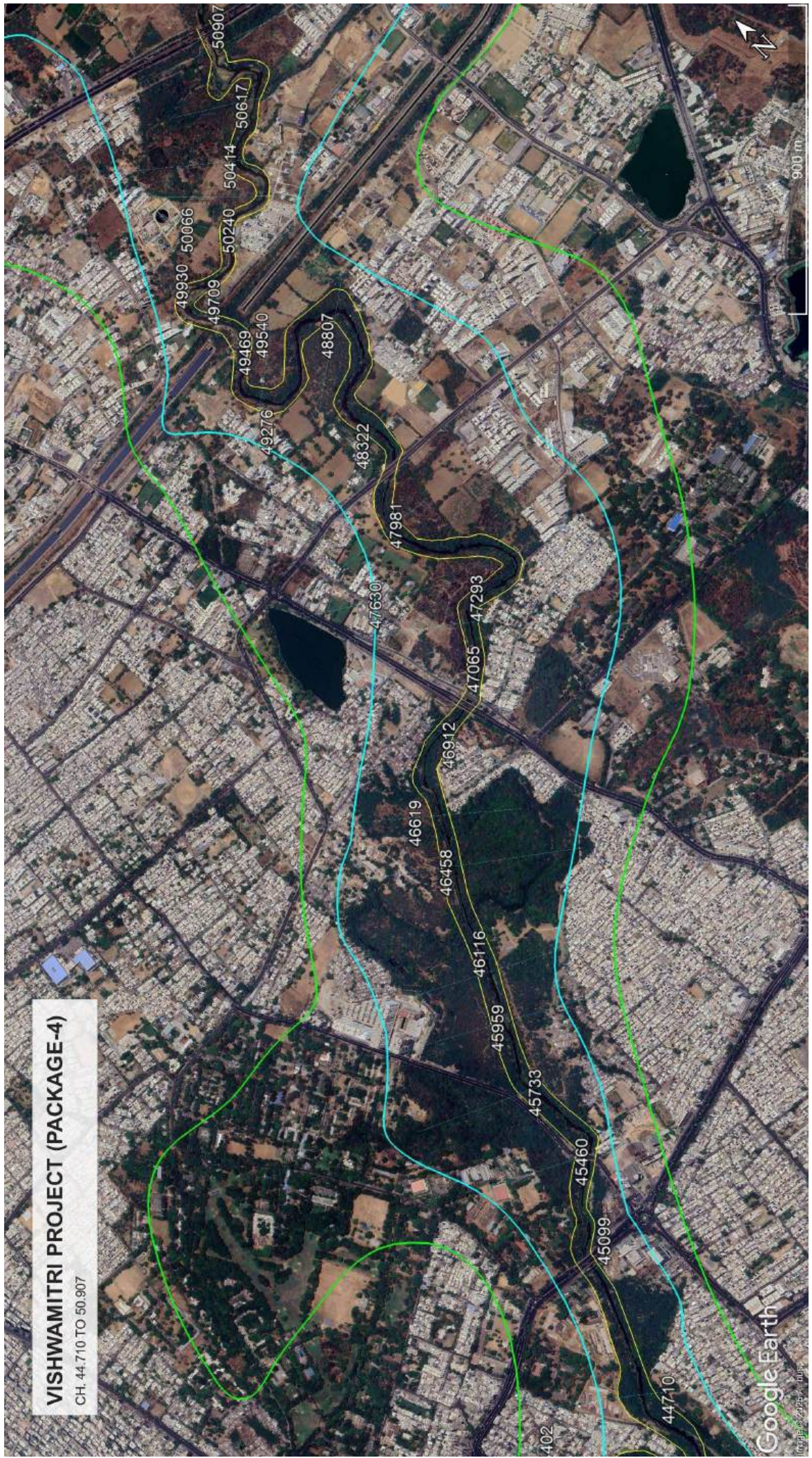
Figure 1: Floodplain Map as received from VMC

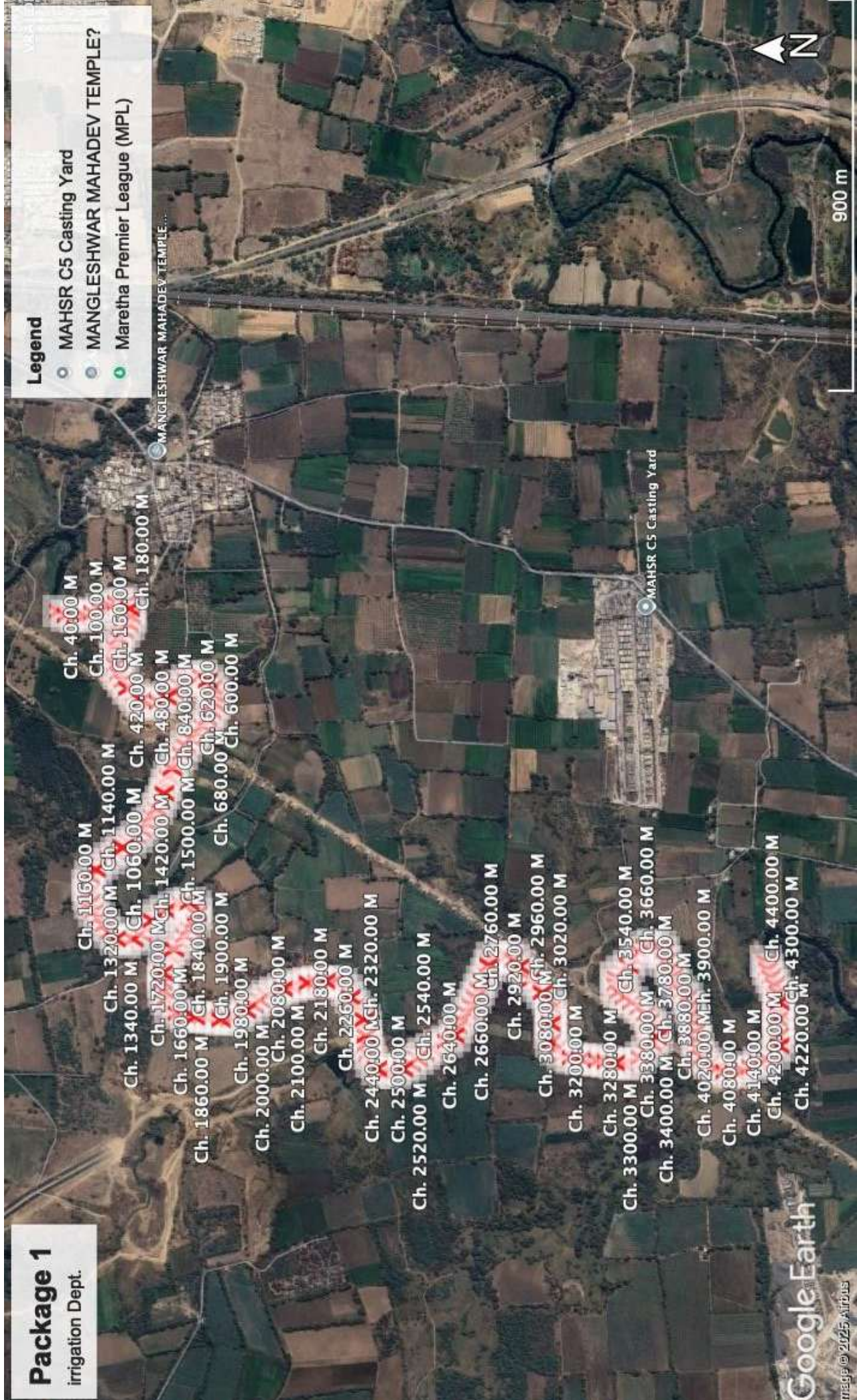


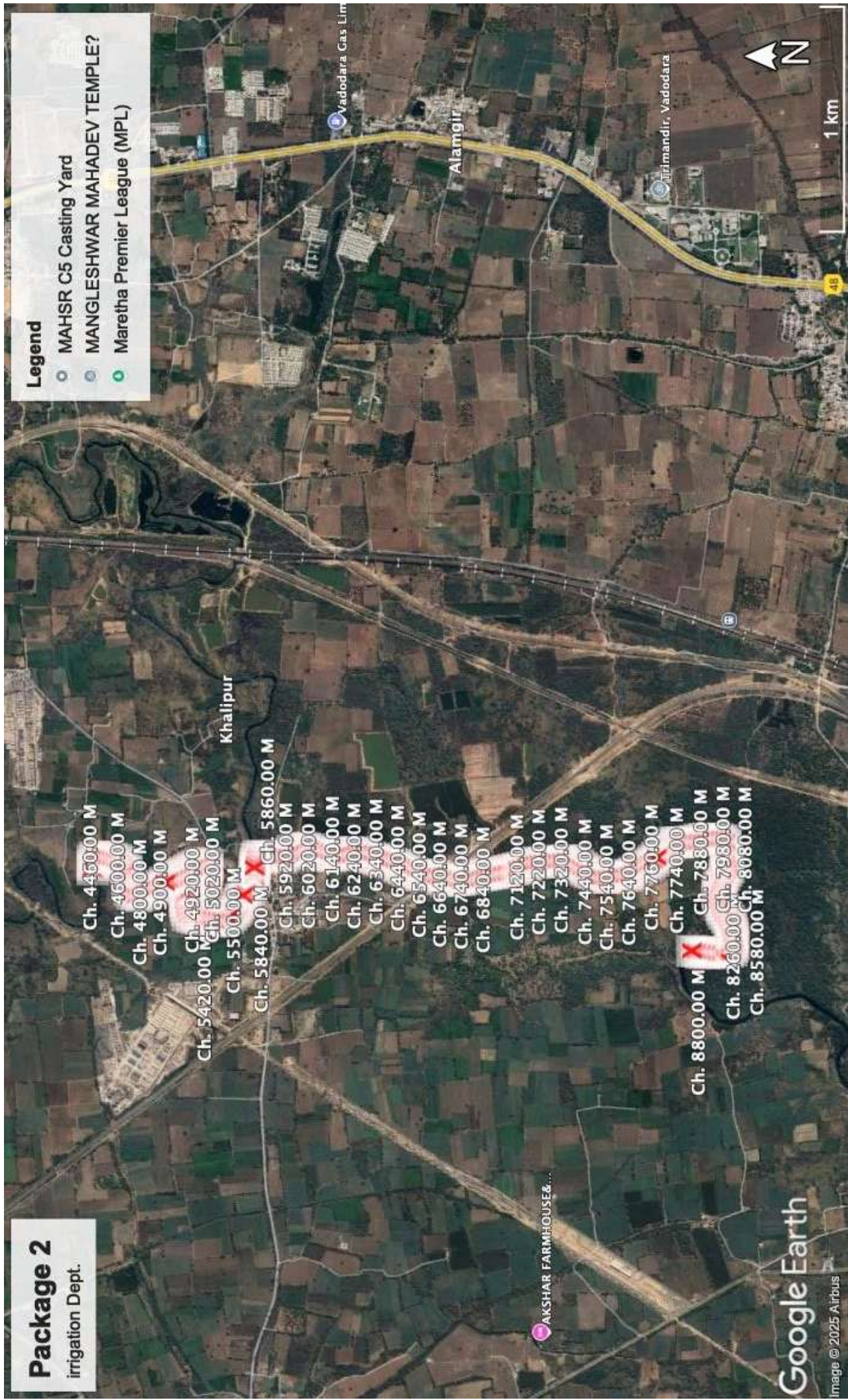


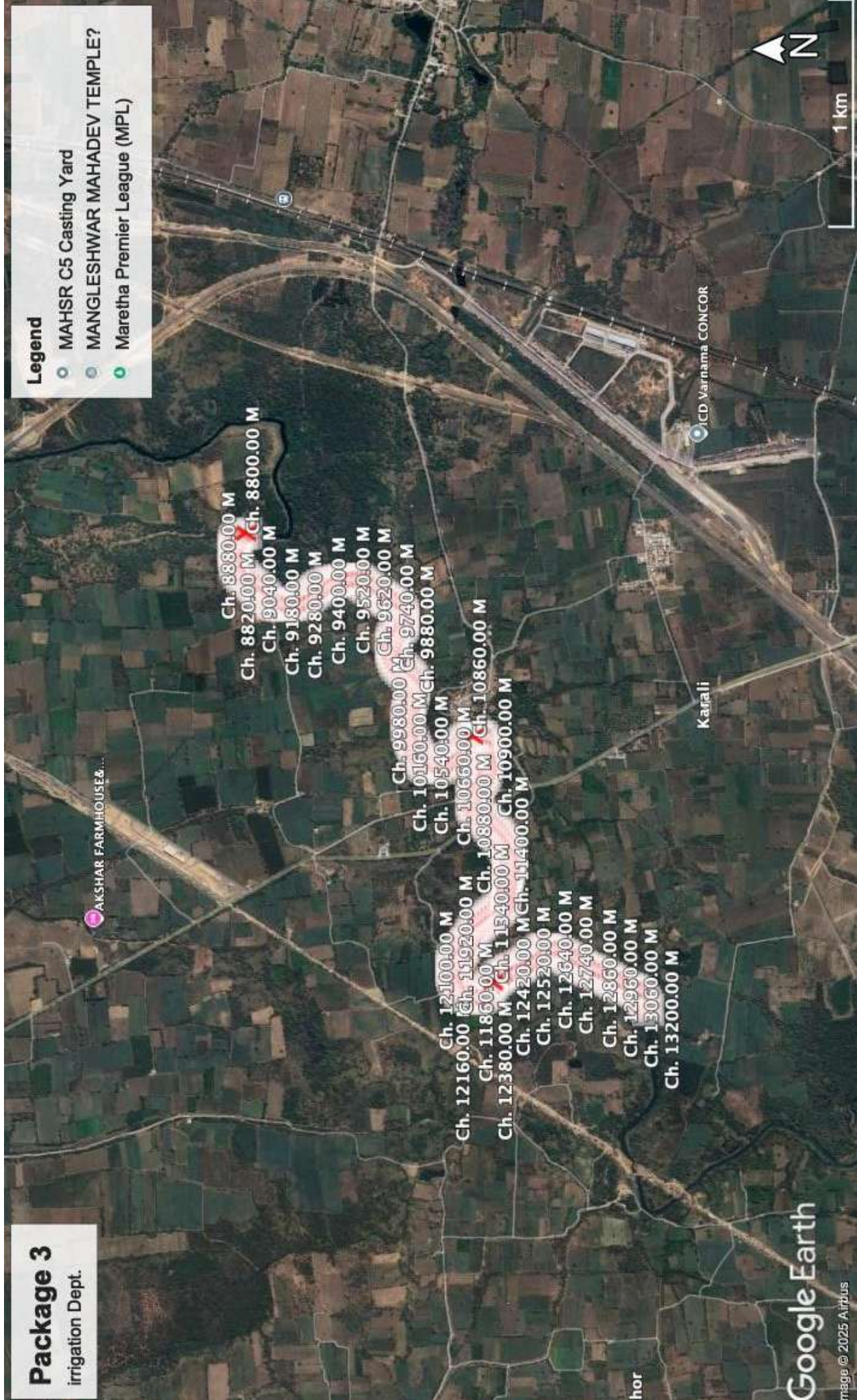


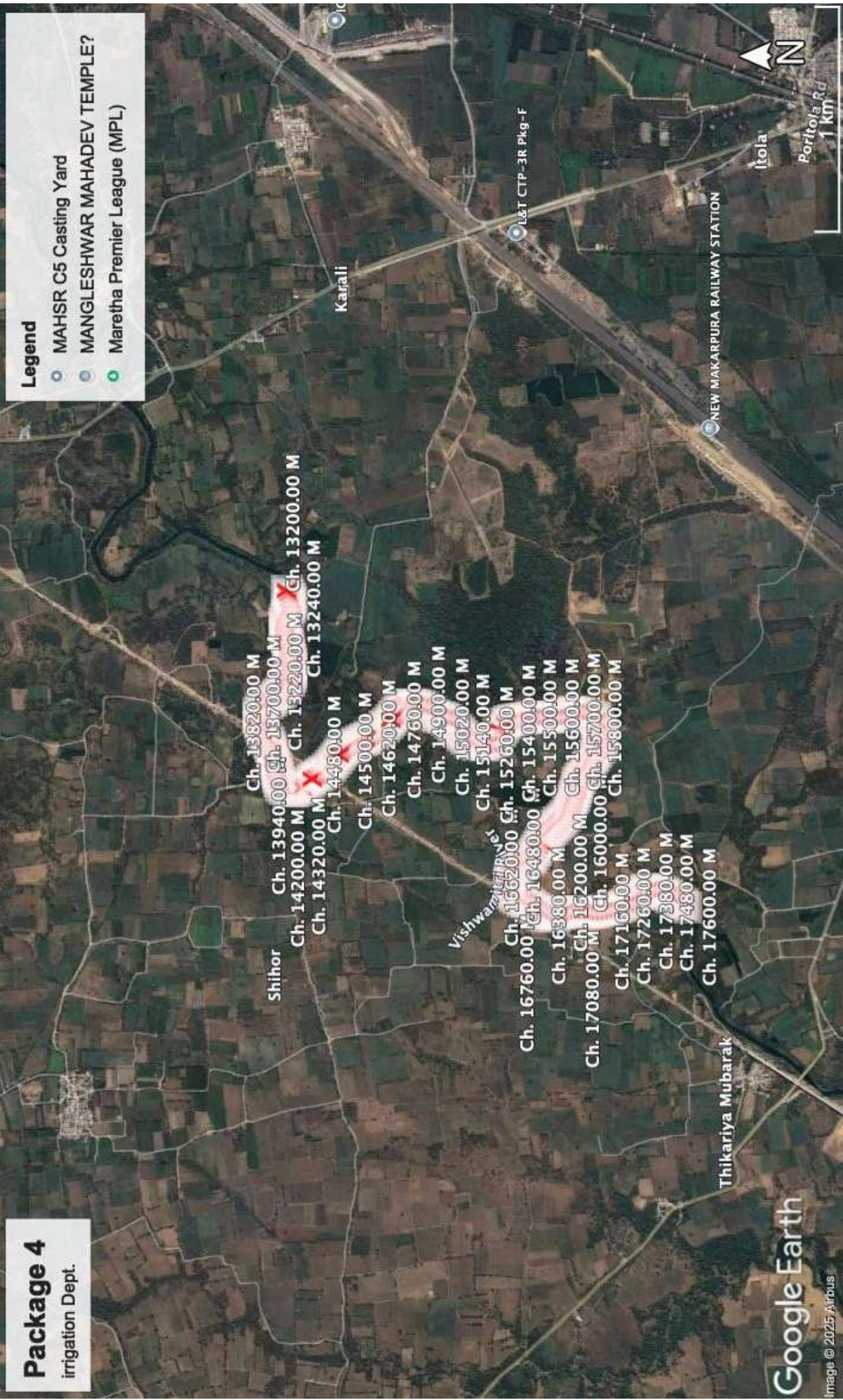




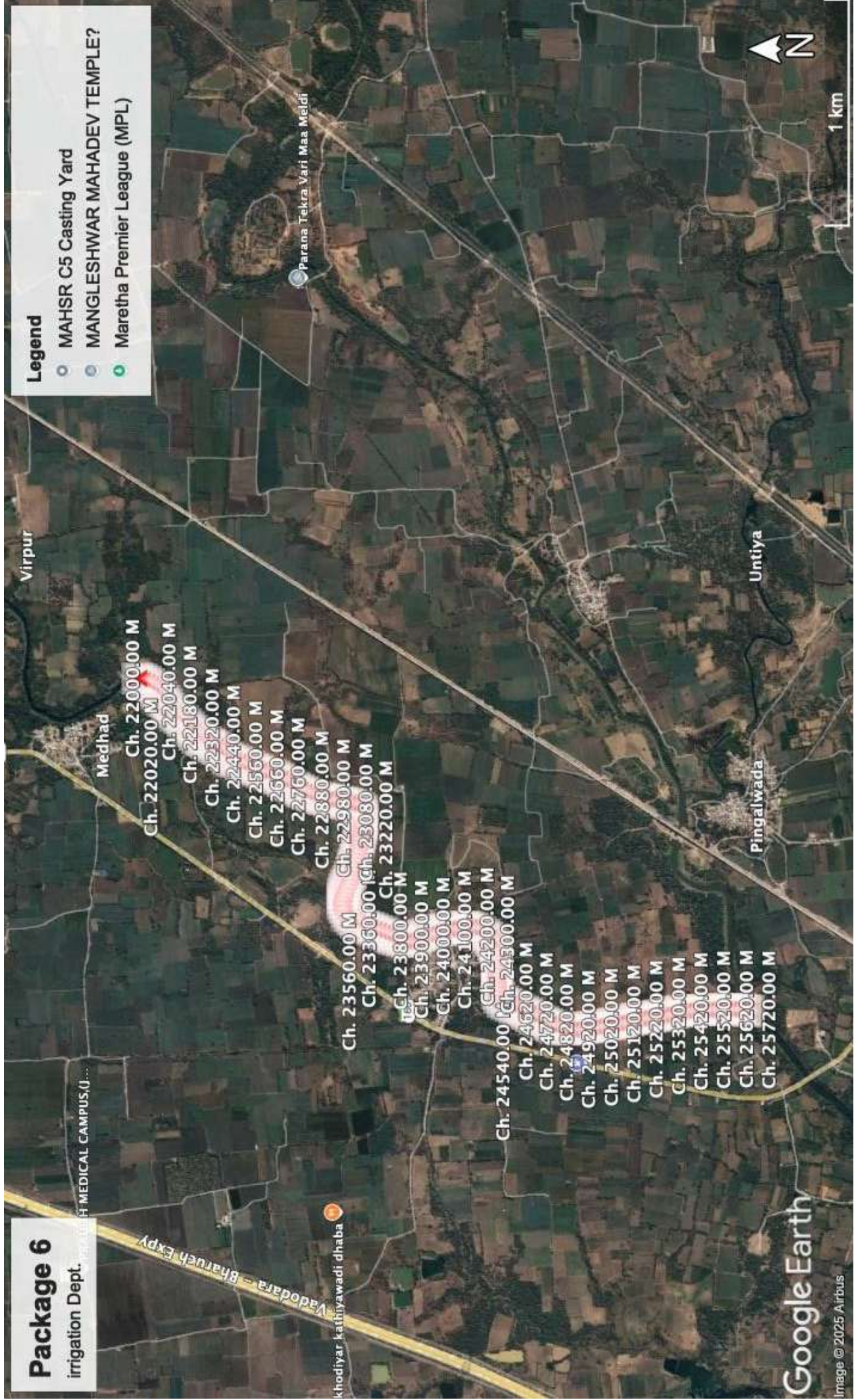












Annexure F: Visits, Meetings, and Discussions

01.04.2025: GSHRC Hearing

Location: Gandhinagar

Time:

Attendee:

Rohit Prajapati

Neha Sarwate

Krishnakant Chauhan

Subject: Suo Motu for Vishwamitri River towards Implementation of NGT Order dated 25.05.2021

Formation of the Vishwamitri Committee by the GSHRC to comprise of the following members:

1. Neha Sarwate, Environmental and Urban Planner;
2. Rohit Prajapati, Environment Activist, Researcher, and Writer;
3. Dr Ranjitsinh Devkar, PhD, Zoologist;
4. Dr Jitendra Gavali, PhD, Botanist;
5. Mitesh Panchal, Architect and Urban Planner

02.04.2025: Meeting with Vadodara District Collector

Subject: GSHRC Suo Motu Order

Location: O. P. Road, Diwalipura, Vadodara

Time: 12.00 pm to 01.00 pm

Attendee:

Rohit Prajapati

Neha Sarwate

Jitendra Gavali

Mitesh Panchal

Discussions:

1. Introduction of the overall work, 25.05.2021 onwards till date, to the Collector.
2. Schedule meeting with the Irrigation Department in the upcoming week.
3. Point of contact for all communications will be Neha Sarwate & Jitendra Gavali.
4. Prior to the Irrigation Department team meeting, documents related to ongoing work, will be shared with this committee.

03.04.2025: Site Visit with Vadodara Municipal Commissioner

Location: On site: Bhimnath Bridge & Bhimnath (Jamwadi) Lake

Time: 3:30 to 4:30 pm

Attendees:

Rohit Prajapati

Neha Sarwate

Jitendra Gavali

Mitesh Panchal

Reporting:

1. Work is in progress and debris will be removed.
2. Connection between lake and river needs to be deliberated upon.



03.04.2025: Site Visit of Committee Members

Location: On site: Behind Vadsar tree museum & Kalali Lake

Time: 4:30 to 5:30 pm

Attendee:

Rohit Prajapati

Neha Sarwate

Jitendra Gavali

Mitesh Panchal

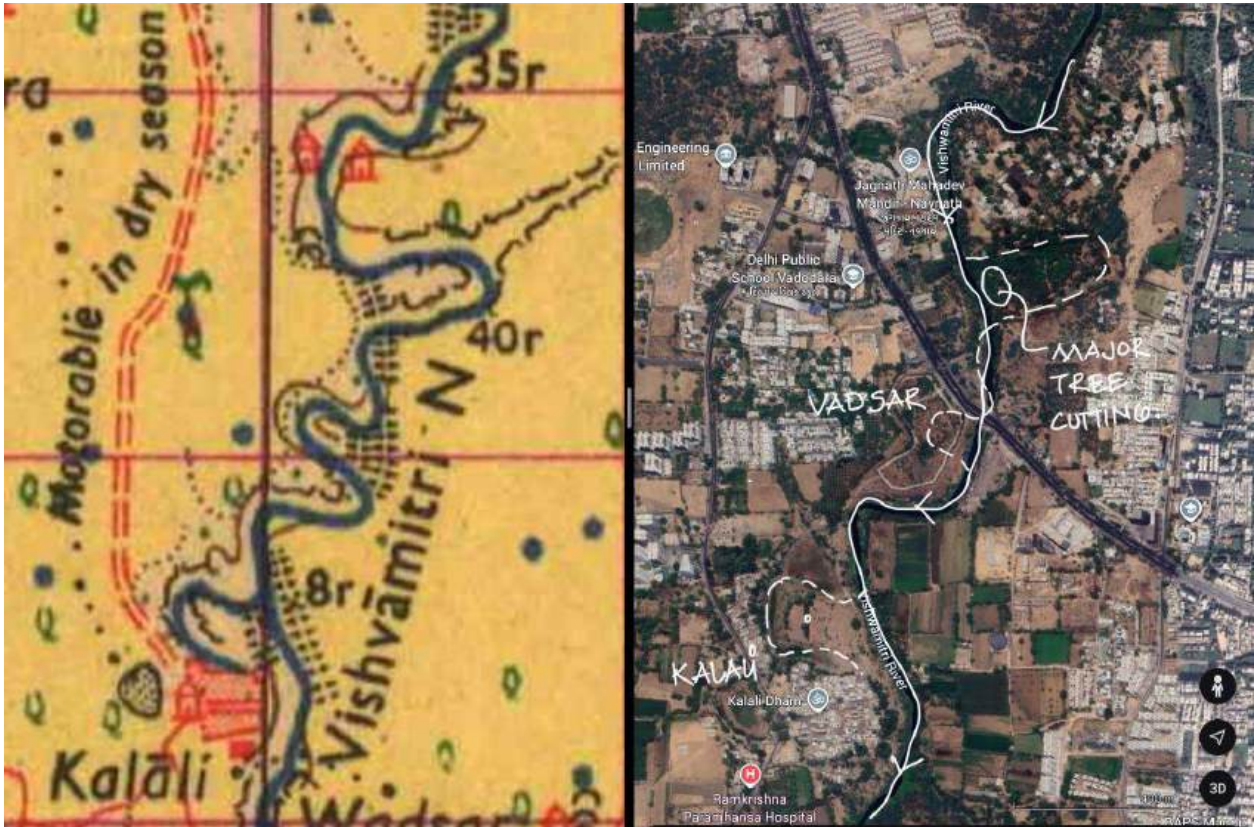
Reporting:

1. Need to remove more debris, municipal solid waste & silt from the river bank towards the tree museum corner.
2. Need to verify elevations and invert levels of adjacent areas to prevent potential overflow into residential areas.
3. Below maps indicates straightening of the river at the said location where Kalali lake used to be a part of the river.



Kalali lake connection with River





Comparison of Old (1960) and current Google map (2024)

04.04.2025: Site Visit with Municipal Commissioner

Location: On site: Behind Vadsar tree museum, Kalali Lake, & Oxbow east of Vadsar bridge.

Time: 5:30 to 7:30 pm

Attendees:

Rohit Prajapati

Neha Sarwate

Jitendra Gavali

Mitesh Panchal

Reporting:

1. Requested the VMC team to bring printed maps on A2 size for detailed discussion.
2. Some more debris will be removed from the corner of the tree museum.
3. Work is on hold because of some land ownership related issue.
4. Connection between lake/oxbow and river is to be explored.



Back side of Tree Museum & Nearby lake at kalali village.





1. Demarcation and cleaning up of the land will be done in a week.
2. This area will be preserved as urban forest for public recreational spaces.



Land of the oxbow near Vadsar bridge

06.04.2025: Site Visit at Vadodara zoo

Location: Vadodara Zoo

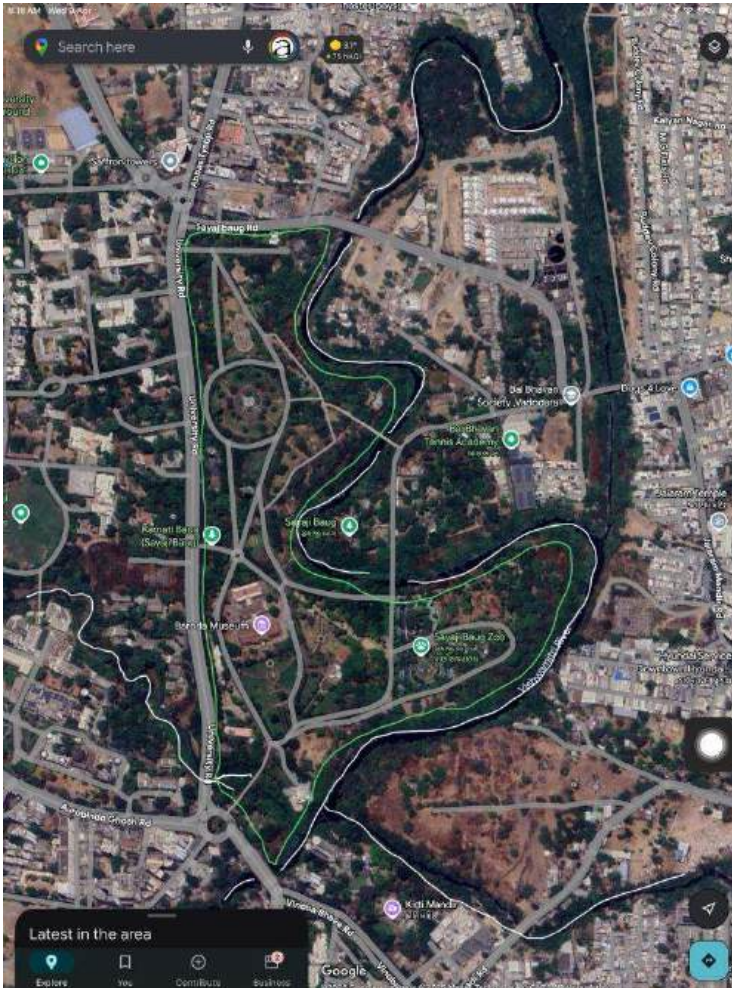
Time: 2:30 pm to 4:30 pm

Attendee:

Jitendra Gavali

Rohit Prajapati

Pratyush Patankar



River has a sharp meander with gentle slope behind the Zoo. The bank behind the Planetarium has experienced scouring and is prone to erosion.

Bushes beneath which crocodile dens are located (4 in number) have been kept intact. Rest of multi stem shrubs may be removed, sparing single trunk trees.

Areas with wide stretches and gentle topography can be made in a tree park. Treeline will be kept minimum 3 meter away from Zoo fence considering safety of Zoo.

07.04.2025: Site Visit with VMC for coir work

Location: Mangal Pandey Bridge

Time: 4:30 to 5:00 pm

Attendee:

Rohit Prajapati

Neha Sarwate

Mitesh Panchal

Observations:

1. 100 mt length of Coir sample for bank stabilisation is proposed by Municipal Commissioner.
2. Land records around river-Government and private land.



12.04.2025: Masiya kaans-Akota Dandia Bazar Bridge

Location: Masiya Kaans

Time: 10 am

Attendee:

Jitendra Gavali

Observations:

1. In an ad-hoc manner major felling of trees clearing of the vegetation in the kaans.



2010 Google image



2024 Google image

23.04.2025: Meeting with VMC Officials

Location: Khanderao Market

Time: 12 PM

Attendee:

Rohit Prajapati

Neha Sarwate

Jitendra Gavali

Mitesh Panchal

Observations:

1. Introduction with new Municipal Commissioner
2. Background to the river rejuvenation initiative & NGT order
3. Requested for data related to a) Floodplain DEM Maps by SECON, b) Drone Survey Before and After Interventions, c) Details of Areas of Intervention in Floodplain Areas.
4. Site visit to Vadsar Landfill Site with the Commissioner and VMC Team in the afternoon.
5. Visit to be planned with the Collector and Irrigation Department for downstream areas in next few days.
6. Identify location for STPs toward tertiary treatment of water.
7. Commissioner insisted to have a vision and set a system in place for effective functioning.
8. Mapping experts to be engaged.



23.04.2025: Meeting with Collector of Vadodara

Location: New Collectorate

Time: 1:30 PM

Attendee:

Rohit Prajapati

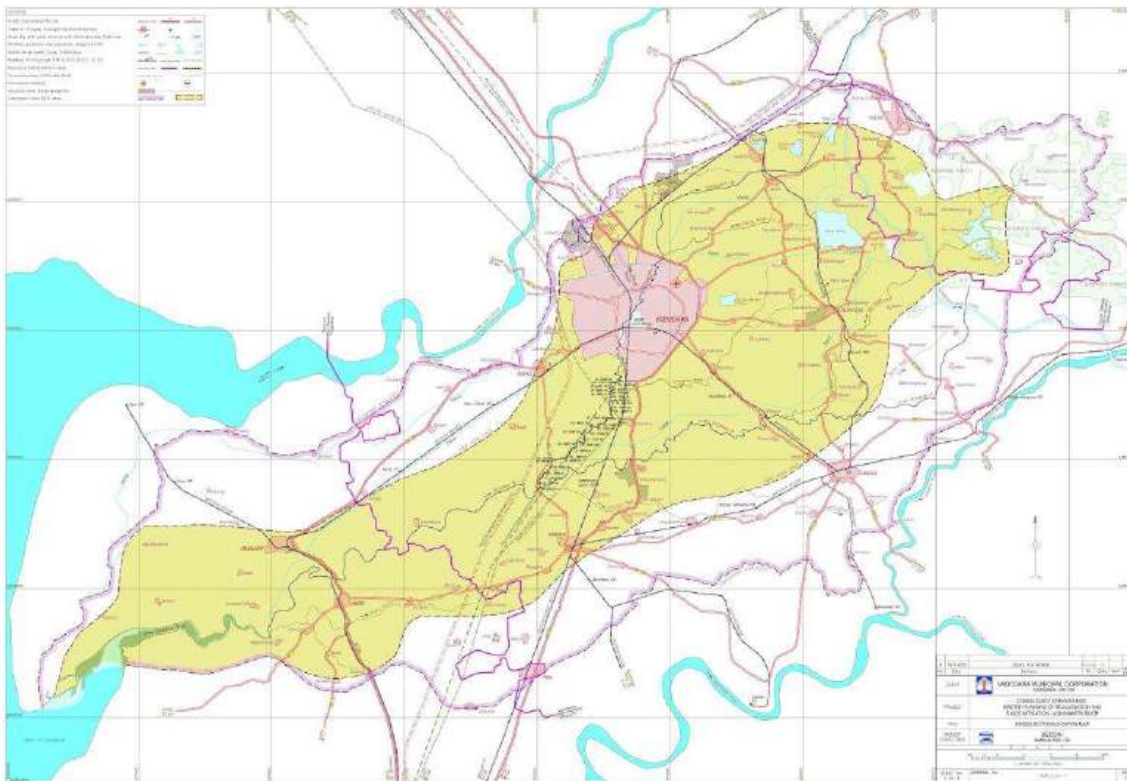
Neha Sarwate

Mitesh Panchal

Observations:

1. Irrigation Department representatives were present-point of contact to be Mr. Mehul Chaudhary.
2. 30% of work has been accomplished.
3. Requested for data related to a) Floodplain DEM Maps by SECON, b) Drone Survey Before and After Interventions, c) Details of Areas of Intervention in Floodplain Areas.
4. Visit to be planned with the Collector and Irrigation Department for downstream areas in next few days.

Received Map below



23.04.2025: Site Visit at Vadsar with Commissioner, Standing Committee Chairperson & VMC Team

Location: Vadsar back side

Time: 4:00 PM

Attendee:

Rohit Prajapati

Neha Sarwate

Mitesh Panchal

Observations:

1. Remaining debris will be removed from the corner of the tree museum.
2. Commissioner instructed the onsite VMC officials to follow the suggestion of the GSHRC Committee.
3. Suggestion by Standing Committee Chairperson Plastic to be removed/collected from site and treated on site.
4. Need to verify elevations and invert levels of adjacent areas to prevent potential overflow into residential areas. Local residents adjacent to Kalali lake were apprehensive towards this proposition.
5. Slopes should be maintained for crocodile basking.



10:10

<

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#VMCVadodara #VMC #Vadodara
#SmartVadodara #DigitalVadodara
#greenvadodara #cleanvadodara
#AzadiKaAmritMahotsav #cmo #pmo

 વડોદરા મ્યુનિસિપલ કોર્પોરેશન

આજરોજ સ્થાયી સમિતિના અધ્યક્ષ ડૉ. શીતલભાઈ મિસ્ત્રી અને મ્યુનિસિપલ કમિશનર શ્રી અરૂણ મહેશ બાબુ એ વડોદરા મહાનગર પાલિકા દ્વારા ચાલી રહેલ વિશ્વામિત્રી રિવાઈવલ પ્રોજેક્ટ ની કામગીરીનું વડસર વિશ્વામિત્રી નદીના તટ પર નિરીક્ષણ કરવામાં આવ્યું તથા તબક્કાવાર ચાલી રહેલ કામગીરીઓની સમીક્ષા કરી કામગીરી સમય મર્યાદામાં પૂર્ણ થાય તે માટે અધિકારીઓને વિવિધ સૂચનો આપવામાં આવ્યા.



   /VadodaraMunicipalCorporation

 6

25.04.2025: Site Visit with Collector of Vadodara and Irrigation Department

Location:

Time: 3:30 PM

Attendee:

Rohit Prajapati

Neha Sarwate

Jitendra Gavali

Mitesh Panchal

Observations and Discussions:

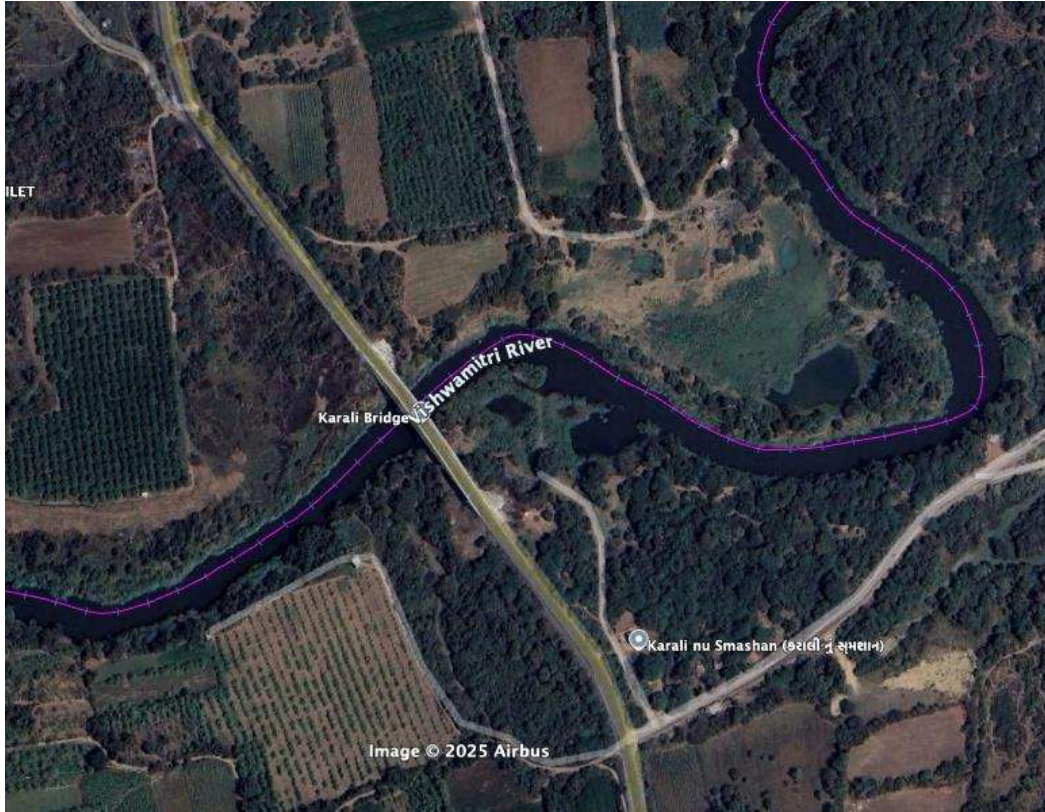
1. Desilting work in progress.
2. Many Bullet Train project pillars at different locations are either within the river bed, or on the banks of the river, affecting the flow of water.
3. Reconnect tributaries and smaller waterways to the river.
4. Maintain slope angles upto 35 degrees.
5. Protect crocodile habitats and vulnerable structures.
6. Connect river with adjacent ravines, lakes and water entities, where ever possible.
7. It was suggested that the team walk the entire length of the river along the banks.
8. Demarcate private and public lands.
9. Irrigation Department was instructed to address the Jambua river confluence to ease water flows during monsoon.
10. Coordination with other utility agencies (MGVCL) to relocate or strengthen the poles.



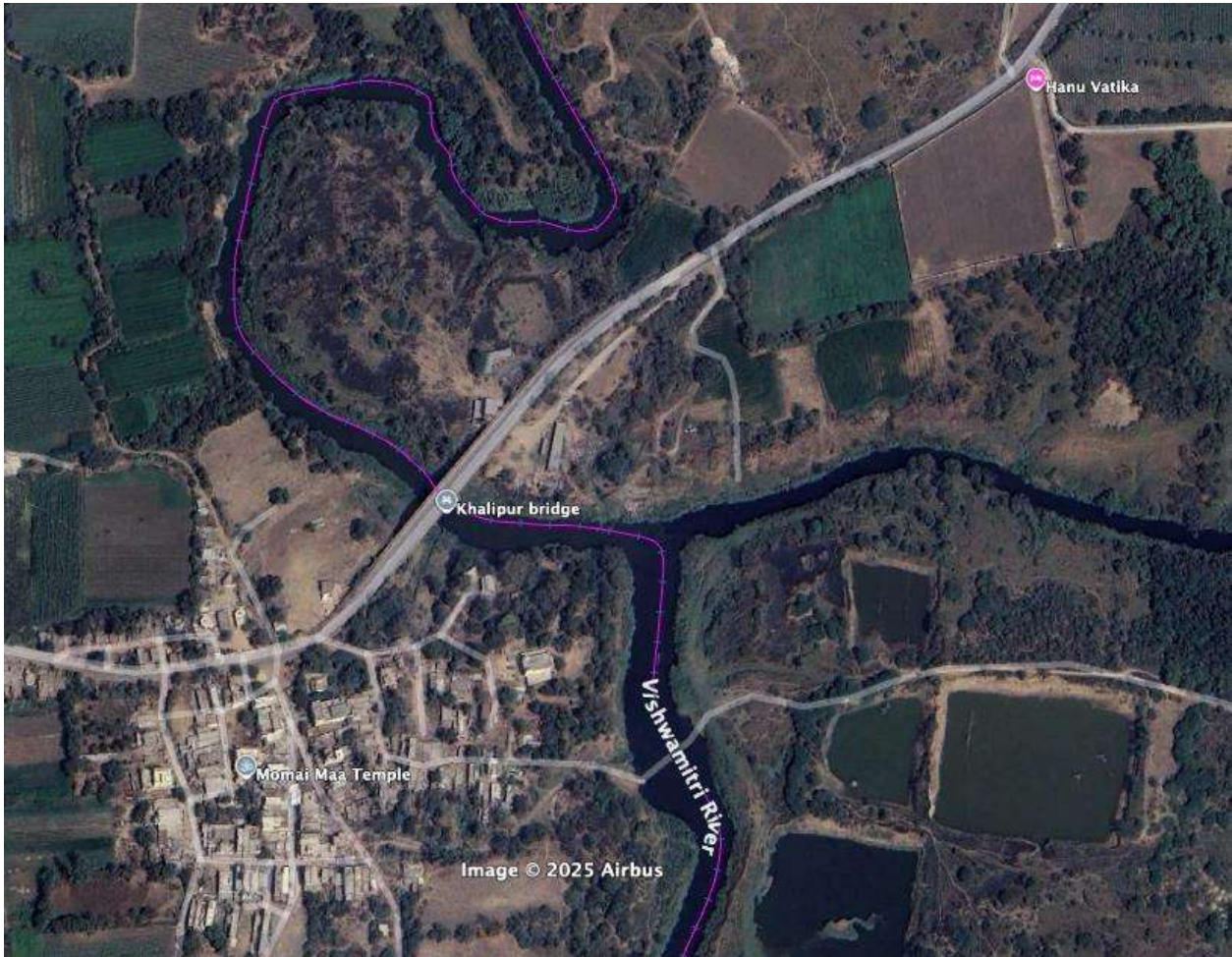














28.04.2025: Site Visit with Irrigation Dept.

Location: All junctions of river and Bullet Train

Time: 8:00 AM

Attendee:

Irrigation department

Jitendra Gavali

Mitesh Panchal

Observations:

1. Visited all locations of conflict between river and Bullet train pillars.
2. Reconnect tributaries and smaller waterways to the river.
3. Maintain slope angles upto 35 degrees.
4. Protect crocodile habitats.

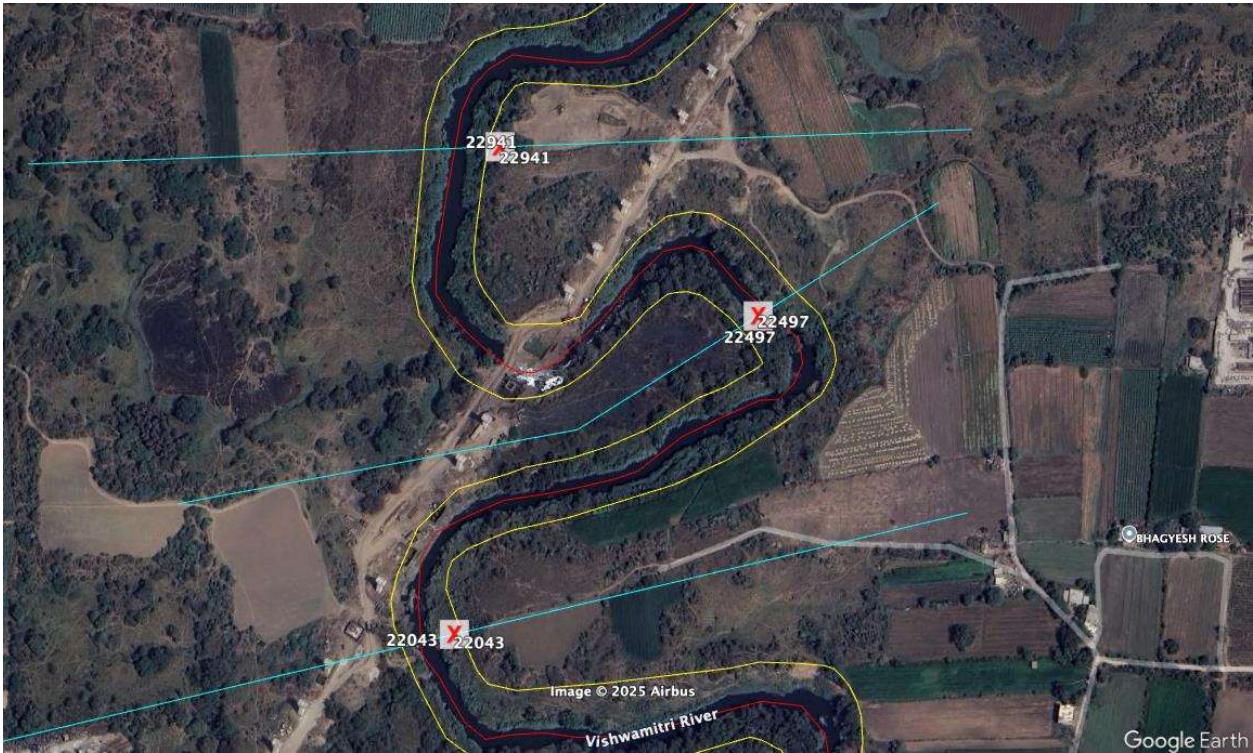
Location 1







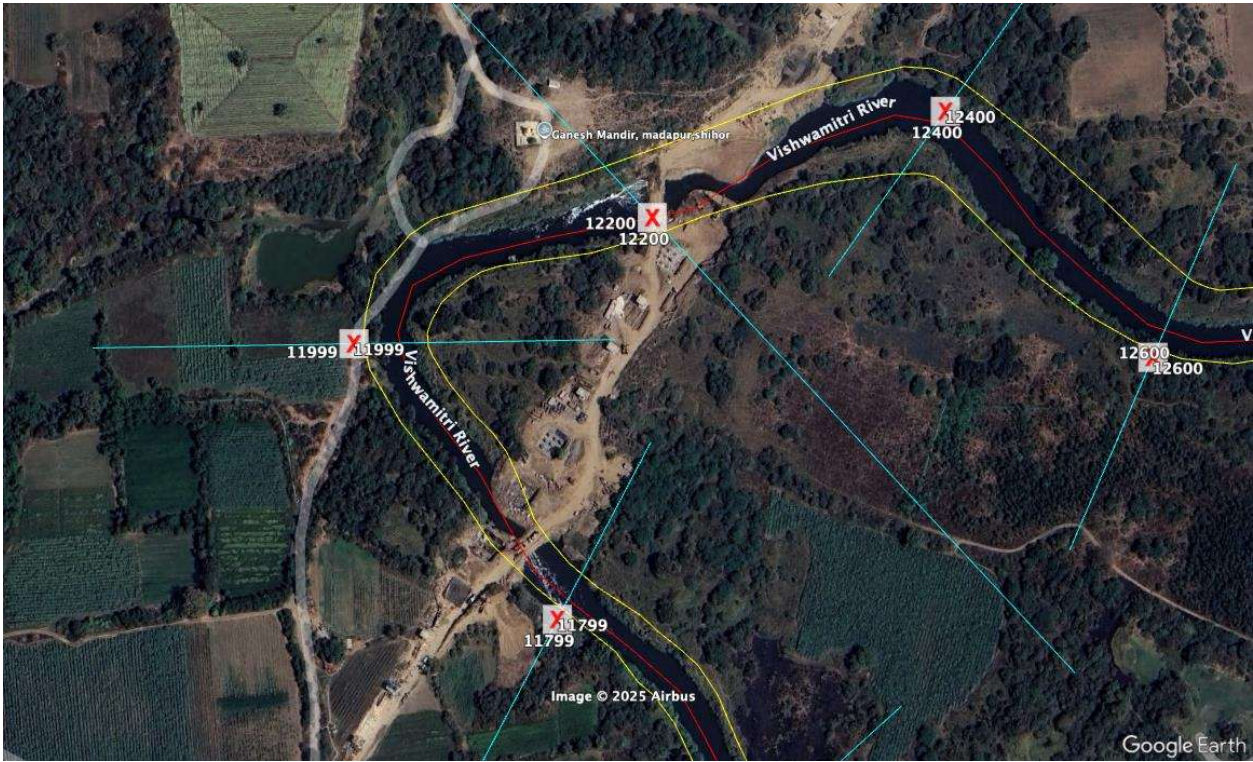
Location 2







Location 3



Location 4







Location 5





01.05.2025: GSHRC Hearing

Location: Gandhinagar

Time: 1:00 pm

Attendees:

Rohit Prajapati

Neha Sarwate

Highlights:

1. GSHRC asked the Commissioner and the Collector to submit their reports.
2. The Committee submitted that they will also file their Report after detailed visits.
3. Next Date of Hearing is 26.05.2025.

02.05.2025: Turtle Accidental Death Location Visit

Location: Mangal Pandey bridge behind Ratri Bazaar

Time: 3:30 pm

Attendee:

Ranjitsinh Devkar

Jitendra Gavali

Mitesh Panchal

Observations:

1. Interacted with wildlife volunteers for the exact location and cause of the turtle death.
2. The accident occurred during desilting work in late evening hours.
3. Same information was shared at the rescue center where the turtle was taken.
4. Post mortem information related to crocodile and turtle deaths was requested.



03.05.2025: Site Visit with VMC Officials

Location: Mangal Pandey bridge, Bharwadvaas behind Sama village & Dena at NH48 works

Time: 7:30 am – 10:30 am

Attendee:

Neha Sarwate

Rohit Prajapati

Ranjitsinh Devkar

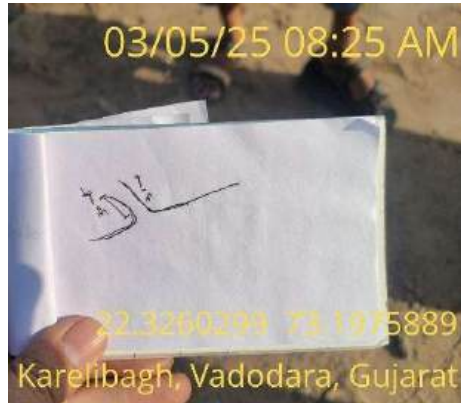
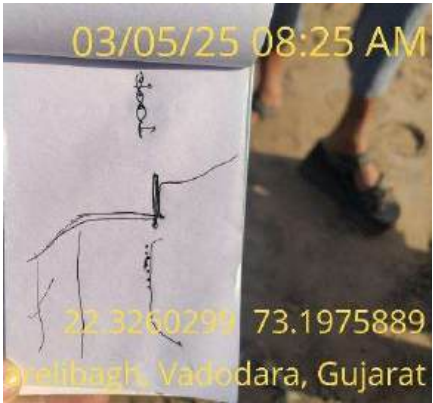
Jitendra Gavali

Mitesh Panchal

Observations:

1. Observed machinery tyre marks in the river bed and workers were questioned. Received no answer.
2. Reconnect the meanders between Sama and Mangal Pandey bridge.
3. Remove debris from below Ratri Bazaar Bridge.
4. Remove debris from Bharwadvaas behind Sama village to reconnect the straightened meanders.
5. Steep slopes, Vertical cliff conditions need to be address by other ecological engineering measures.
6. Sewage from Bharwadvaas into the river, needs to be addressed.
7. It was learned that for coir work, the Vadodara Futuristic Planning Cell was responsible and for resectioning works, WAPCOS is executing agency.
8. The extension work for the NH-48 has created temporary bottlenecks in the river. NHAI has installed piped culverts for ease of construction work. Two major piers were observed on the banks of the river.
9. It was reported by the wildlife volunteers that fish deaths have occurred in this vicinity.
10. It was observed that there were no measures in place to address biodiversity.









06.05.2025: Site Visit with Municipal Commissioner, NHAI, Bullet Train, and VMC Officials

Location: Dena, Jambua, Vadsar Bullet Train junction

Time: 9:30 am

Attendee:

Neha Sarwate

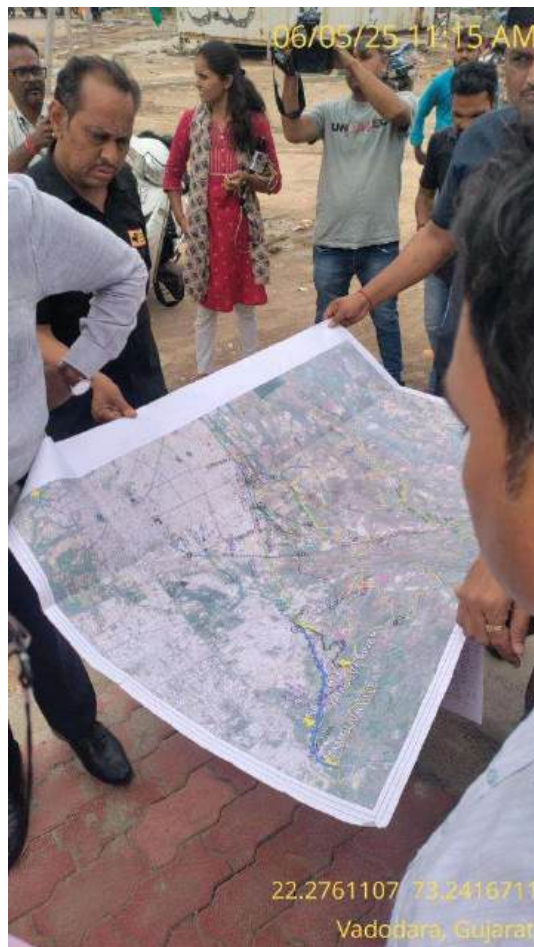
Rohit Prajapati

Mitesh Panchal

Observations:

1. Multiple piped culverts and storm water drains blocked by NHAI along the eastern segments, as reconfirm by VMC officials, need to be opened and addressed.
2. A connector drain is planned from the above piped network into Jambua River.
3. Lack of coordination between VMC and Irrigation Department at Jambua confluence.
4. The Manjalpur storm water drain and its confluence with the river is not addressed.
5. The Bullet Train locations near Maretha village were discussed in detail and remedial action plans were requested.









06.05.2025: Meeting with VMC Officials, NHA, Bullet Train, Irrigation Department

Location: Khanderao Market VMC Conference Room

Time: 4:00 pm

Attendee:

- Neha Sarwate
- Rohit Prajapati
- Mitesh Panchal

Observations:

1. Requested locations and work schedule Bullet train pillars in the river bed areas, considering upcoming rains.
2. Requested for various permissions and clearances taken by the Bullet Train authority.
3. Work schedule of NHA considering upcoming rain.
4. Requested for post construction restoration plans.
5. Representatives of the Bullet Train team informed that the river health is not in ambit, but the water flow is and has been into account.
6. Irrigation department has not issued to Bullet Train as yet.
7. 1,35,000 sq.mt. of coir work has been tendered by the VMC.
8. Copy of the application by the Bullet train various permissions from concerned authorities has been requested.
9. Post desilting works, landscape plans for and gardens are desired with design directives.



વડોદરા 07-05-2025

પાલિકામાં NGT એક્સપર્ટ ટીમની NHA-બુલેટ ટ્રેનના અધિકારીઓ સાથે બેઠક બુલેટ ટ્રેનના પિલર વિશ્વામિત્રીના પાણીને અવરોધે છે? કમિટીએ રિપોર્ટ માગ્યો શહેર-જિલ્લામાં 13 સ્થળે બુલેટ ટ્રેનના પિલર, 15 જૂન પૂર્વે કામ પૂર્ણ થશે:મ્યુ.કમિ.

વિશ્વામિત્રીને બુલેટ ટ્રેનના પિલર અવરોધે છે કે કેમ તેમજ પિલરનું હાલનું અને બન્યા પછીનું સ્ટેટસ શું હશે તે અંગે નેશનલ ગ્રીન ટ્રિબ્યુનલ દ્વારા ગઠિત કરાયેલી કમિટીએ બુલેટ ટ્રેનના અધિકારીઓ પાસે સ્ટેટસ રિપોર્ટ માગ્યો છે. પાલિકામાં મળેલી બેઠકમાં એક્સપર્ટ કમિટીએ નેશનલ હાઈવે ઓથોરિટી પાસે ઠાકર નદીને અવરોધતાં પરિબળો અંગે રિપોર્ટ સોંપવા હોવાનું જણાવ્યું છે.

બેઠકમાં પર્યાવરણવિદ રોહિત પ્રજાપતિએ બુલેટ ટ્રેનના અધિકારીઓને કહ્યું કે, કલકત્તા અરિયાના મેપ પર પિલરની નોંધ કરી સ્ટેટસ રિપોર્ટ આપો. પિલર બનાવવાની મંજૂરી, પિલરનું હાલનું સ્ટેટસ અને પિલર બની ગયા પછી સ્ટેટસ શું હશે તે સહિતનો રિપોર્ટ આપવા કહવાયું હતું. પિલરની આસપાસ કામગીરી માટે જે દબાણ કરાયું છે તેની વિગતો પણ મગાઈ છે. બેઠકમાં ટિક્કી-મુંબઈ એક્સપ્રેસ વેને કારણે ઠાકર નદીનાં પાણી અવરોધાઈ રહ્યાં છે. ધણા બ્લોકેજ છે, જેના કોટો અધેનો સ્ટેટસ રિપોર્ટ એનએચએઆઈ પાસે માગ્યો છે. જ્યારે મ્યુ. કમિશનર અરુણ બાબુએ કહ્યું કે, એક્સપર્ટ કમિટી અને બુલેટ ટ્રેનના અધિકારીઓ સાથે વાત કરી છે. શહેરમાં 7, જિલ્લામાં 6 અને 13 પિલર છે. 15 જૂન પહેલાં બુલેટ ટ્રેન પ્રોજેક્ટે પિલરનું કામ પૂર્ણ કરવાની ખાતરી આપી છે, જેથી પાણીનું વહેણ અવરોધાય નહીં.

નદી પહોળી કર્યા બાદ 30 ડિગ્રીથી વધારેનો સ્લોપ ન હોવો જોઈએ એક્સપર્ટ કમિટીએ કહ્યું કે નદી પહોળી કર્યા બાદ તેનો ઢાળ ડિગ્રી કરતાં વધુ ન હોવો જોઈએ. ઢાળને ક્રોસર દ્વારા સ્ટેબિલાઈઝ કરવો જોઈએ. જેથી ધોવાણ ન થાય. ત્યાં કયા વિસ્તારમાં, કેટલા મીટરમાં આ કામ કરવું તે અંગે પણ કમિટીએ પાલિકાને સૂચન કર્યું છે.

એક્સપર્ટ કમિટીને સાથે રાખીને પાલિકા, બુલેટ ટ્રેન અને NHAના અધિકારીઓએ સ્થળ નિરીક્ષણ કર્યું એનજીટીએ ગઠિત કરેલી રોહિત પ્રજાપતિ, નેહા સરવટે સહિતના તજજ્ઞોની કમિટીએ વિશ્વામિત્રી પ્રોજેક્ટ સહિત અનેક બાબતોનું નિરીક્ષણ કર્યું છે. મંગળવારે મ્યુ. કમિશનર, એનએચએઆઈના અધિકારી અને બુલેટ ટ્રેન પ્રોજેક્ટના અધિકારીઓ સાથે કમિટીએ ઠેરપા કિંજલ હાઈવે અને બુલેટ ટ્રેનની કામગીરીનું નિરીક્ષણ કર્યું હતું.

of
their
taken
NOC
for
parks

07.05.2025: During Rain Visit

Location: Vishwamitri

Time: 11:00 pm

Attendee:

Ranjitsinh Devkar

Mitesh Panchal

Observations:

1. All major locations were visited after short rain fall on 7th May, 2025 to check the bank conditions.
2. No major landslides were observed.
3. Gully formations at natural waterways were observed at various locations.
4. Consolidation of soil was observed.
5. Few meanders are reconnected. Outfalls from storm water drains and sewage lines were observed.
6. Sample coir work was undisturbed.













13.05.2025: Meeting with Collector of Vadodara, Bullet Train, NHA, Taluka representatives, Irrigation Department

Location: Collector office

Time: 4:50 pm

Attendee:

Neha Sarwate

Rohit Prajapati

Ranjitsinh Devkar

Jitendra Gavali

Mitesh Panchal

Observations:

1. The Collector instructed all departments to be prepared for early rains – removal of temporary obstructions.
2. The Bullet Train team and NHA was requested to submit an action plan for the monsoon.
3. All clearances and permissions obtained by Bullet Train and NHA to be shared with this committee.
4. It was stated by Bullet Train officials that ecological impact of the projects on the river ecosystem is not part of this discussion.
5. Short term and Long term action plans for during and after work to be submitted.

15.05.2025: Site visit with VMC Futuristic Planning Cell, coir agency

Location: Mangal Pandey Bridge

Time: 7:50 am

Attendee:

Rohit Prajapati

Mitesh Panchal

Observations:

1. All junctions and edge condition details were explained by the contractor team.
2. All discussed details by the contractor need to be put on record and shared with the Committee.
3. Specifications of the coir - 300 GSM. It will remain in this condition for 2-3 years
4. Plantation, watering and maintenance after rains is a part of the tender/contract.
5. Tender includes only plantation of vetiver grass; variety of plantation is recommended and required.
6. Priority for location of coir work will be done by VMC & shared with the committee.
7. Kaans and tributary confluences need to be addressed as discussed previously.
8. Contractor to share laying out strategy for coir work with committee for deliberation.





19.05.2025: Meeting with VMC Officials & Bullet Train

Location: Khanderao Market

Time: 4:50 pm

Attendee:

Neha Sarwate

Rohit Prajapati

Jitendra Gavali

Mitesh Panchal

Discussions:

1. The Bullet Train Project has constructed their pillars at multiple locations in the river bed, on the river banks, and active floodplains of the Vishwamitri River. During our meetings, it was conveyed to us that a linear infrastructure railway project does not require environment clearances. The various required permissions that were sought and received by them are awaited. The remedial plans for these obstructions were not addressed proactively and in a timely manner by the concerned authorities who were then repeatedly asked to share their action plans, which have not yet been received.
2. Bullet Train team will share action plan, relevant permissions obtained for onsite work.
3. It was conveyed by the Bullet Train team that the circular pillars were designed so as to facilitate flow of waters.

Annexure G: Supreme Court Order dated 22.02.2017

1

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION(C) NO. 375 OF 2012

Paryavaran Suraksha Samiti and another ..Petitioners

versus

Union of India and others ..Respondents

J U D G M E N T

JAGDISH SINGH KHEHAR, CJI

The petitioners have approached this Court, seeking a writ in the nature of mandamus, for a direction to the respondents, (which includes the Union Government, all the State Governments and the Union Territories) to ensure, that no industry which requires "consent to operate" from the concerned Pollution Control Board, is permitted to function, unless it has a functional effluent treatment plant, which is capable to meet the prescribed norms for removing the pollutants from the effluent, before it is discharged.

2. The Union of India, and the State Governments (including the Union Territories) have filed counter affidavits, expressing their individual positions. During the course of hearing, learned counsel representing the respondents, also made some suggestions,

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which could be highly beneficial, in carrying forward the process of removing pollutants, from the discharged effluent, in a systematic and co-ordinated manner.

3. During the course of hearing, it was not disputed between

the rival parties, that the initiation of the process has to be at the individual level of the industry itself. It was suggested that each industry which requires "consent to operate" from the concerned Pollution Control Board, should be mandated to set up a functional primary effluent treatment plant. We are informed, that only when such an effluent treatment plant has been set up, the concerned Pollution Control Board grants a "no objection" to the industry, and accordingly "consent to operate", so as to allow the industry to become functional. It is therefore apparent, that all running industrial units, which require "consent to operate" from the concerned Pollution Control Board, have a functional primary effluent treatment plant, in place.

4. The question that arises for our consideration is, whether the same is maintained in good order, after the industry itself has become functional. The industry requiring "consent to operate", can be permitted to run, only if its primary effluent treatment plant, is functional. We therefore consider it just and appropriate, to direct the concerned State Pollution Control Boards, to issue notices to all industrial units, which require "consent to operate", by way of a common advertisement, requiring them to make their primary effluent treatment plants fully operational, within three months from today. On the expiry of the notice period of three months, the concerned State Pollution Control Board(s) are mandated to carry out inspections, to verify, whether or not, each industrial unit requiring "consent to operate", has a functional primary effluent treatment plant. Such of the industrial units, which have not been able to make their

primary effluent treatment plant fully operational, within the notice period, shall be restrained from any further industrial activity. This direction may be implemented by requiring the concerned electricity supply and distribution agency, to disconnect the electricity connection of the defaulting industry. We therefore hereby further direct, that in case the concerned State Pollution Control Boards make a recommendation to the concerned electrical supply and distribution agency/company, to disconnect electricity supply to an industry, for the reason that its primary effluent treatment plant is not functional, it shall honour such recommendation, and shall disconnect the electricity supply to such defaulting industrial concern, forthwith.

5. Such an industrial concern, which has been disabled from carrying on its industrial activities, as has been indicated in the foregoing paragraph, is granted liberty to make its primary effluent treatment plant functional to the required capacity, and thereupon, seek a fresh "consent to operate" from the concerned Pollution Control Board. Only after the receipt of such fresh "consent to operate", the industrial activities of the disabled industry, can be permitted to be resumed. In carrying out the above exercise, we consider it just and appropriate to require, the Pollution Control Boards to carry out inspections, by prioritizing inspections of severely and critically polluted industries, so that visible results emerge at the earliest.

6. Liberty is hereby granted to private individual(s) and organizations, to address complaints to the concerned Pollution Control Board, if any industry is in default. On the receipt of any

such complaint, the concerned Pollution Control Board, shall be obliged to verify the same, and take such action against the defaulting industry, as may be permissible in law. Such action, would be in addition to the discontinuation of industrial activity forthwith, in the manner directed hereinabove (but only after verification).

7. Having effectuated the directions recorded in the foregoing paragraphs, the next step would be, to set up common effluent treatment plants. We are informed, that for the aforesaid purpose, the financial contribution of the Central Government is to the extent of 50 per cent, that of the concerned State Government (including the concerned Union Territory) is 25 per cent. The balance 25 per cent, is to be arranged by way of loans from banks. The above loans, are to be repaid, by the industrial areas, and/or industrial clusters. We are also informed, that the setting up of a common effluent treatment plant, would ordinarily take approximately two years (in cases where the process has yet to be commenced). The reason for the above prolonged period, for setting up "common effluent treatment plants", according to learned counsel, is not only financial, but also, the requirement of land acquisition, for the same.

8. In view of the fact, that the financial position has been taken care of, as has been expressed above, we are of the view, that the setting up of "common effluent treatment plants", should be taken up as an urgent mission. With reference to common effluent treatment plants, which are already under implementation, we hope and expect, that they would be completed within the time

lines already postulated. With reference to common effluent treatment plants, which are yet to be set up, we consider it just and appropriate to direct, the concerned State Governments (including, the concerned Union Territories) to complete the same within a period of three years, from today. We are also of the view, that while acquiring land for the 'common effluent treatment plants', the concerned State Governments (including, the concerned Union Territories) will acquire such additional land, as may be required for setting up "zero liquid discharge plants", if and when required in the future.

9. During the course of hearing, we were informed by learned counsel, that the running of 'common effluent treatment plants', which are in place, is also a matter of serious concern. In this behalf, it was submitted, that some of the common effluent treatment plants are dis-functional, because of lack of finances, whilst some others are dis-functional, because of the requirement of repairs, which have not been carried out, again because of lack of financial resources.

10. Given the responsibility vested in Municipalities under Article 243W of the Constitution, as also, in item 6 of the 12th Schedule, wherein the aforesaid obligation, pointedly extends to "public health, sanitation conservancy and solid waste management", we are of the view, that the onus to operate the existing common effluent treatment plants, rests on municipalities (and/or local bodies). Given the aforesaid responsibility, the concerned municipalities (and/or local bodies), cannot be permitted to shy away, from discharging this onerous duty. In case there are further

financial constraints, the remedy lies in Articles 243X and 243Y of the Constitution. It will be open to the concerned municipalities (and/or local bodies), to evolve norms to recover funds, for the purpose of generating finances to install and run, all the "common effluent treatment plants", within the purview of the provisions referred to hereinabove. Needless to mention, that such norms as may be evolved for generating financial resources, may include all or any, of the commercial, industrial and domestic beneficiaries, of the facility. The process of evolving the above norms, shall be supervised by the concerned State Government (Union Territory), through the Secretaries, Urban Development and Local Bodies respectively, (depending on the location of the respective common effluent treatment plant). The norms for generating funds, for setting up and/or operating the 'common effluent treatment plant' shall be finalized, on or before 31.03.2017, so as to be implemented with effect from the next financial year. In case, such norms are not in place, before the commencement of the next financial year, the concerned State Governments (or the Union Territories), shall cater to the financial requirements, of running the "common effluent treatment plants", which are presently dis-functional, from their own financial resources.

11. Just in the manner suggested hereinabove, for the purpose of setting up of "common effluent treatment plants", the concerned State Governments (including, the concerned Union Territories) will prioritize such cities, towns and villages, which discharge industrial pollutants and sewer, directly into rivers and water bodies.

12. We are of the view, that in the manner suggested above, the malady of sewer treatment, should also be dealt with simultaneously. We therefore hereby direct, that 'sewage treatment plants' shall also be set up and made functional, within the time lines and the format, expressed hereinabove.

13. We are of the view, that mere directions are inconsequential, unless a rigid implementation mechanism is laid down. We therefore hereby provide, that the directions pertaining to continuation of industrial activity only when there is in place a functional "primary effluent treatment plants", and the setting up of functional "common effluent treatment plants" within the time lines, expressed above, shall be of the Member Secretaries of the concerned Pollution Control Boards. The Secretary of the Department of Environment, of the concerned State Government (and the concerned Union Territory), shall be answerable in case of default. The concerned Secretaries to the Government shall be responsible of monitoring the progress, and issuing necessary directions to the concerned Pollution Control Board, as may be required, for the implementation of the above directions. They shall be also responsible for collecting and maintaining records of data, in respect of the directions contained in this order. The said data shall be furnished to the Central Ground Water Authority, which shall evaluate the data, and shall furnish the same to the Bench of the jurisdictional National Green Tribunal.

14. To supervise complaints of non-implementation of the instant directions, the concerned Benches of the National Green Tribunal, will maintain running and numbered case files, by

dividing the jurisdictional area into units. The above mentioned case files, will be listed periodically. The concerned Pollution Control Board is also hereby directed, to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters.

15. Liberty is granted to private individuals, and organizations, to approach the concerned Bench of the jurisdictional National Green Tribunal, for appropriate orders, by pointing out deficiencies, in implementation of the above directions.

16. It however needs to be clarified, that the instant directions and time lines, shall not in any way dilute any time lines and directions issued by Courts or Benches of the National Green Tribunal, hitherto before, wherein the postulated time lines would expire before the ones expressed through the directions recorded above. It is clarified, that the time lines, expressed hereinabove will be relevant, only in situations where there are no prevalent time line(s), and also, where a longer period, has been provided for.

17. It would be in the interest of implementation of the objective sought to be achieved, to also require each concerned State (and each, concerned Union Territory) to make provision for "online, real time, continuous monitoring system" to display emission levels, in the public domain, on the portal of the concerned State Pollution Control Board. We are informed, that at least three State Governments have already adopted the aforesaid

measures. Such measures shall be put in place by all the concerned State Governments(including, the concerned Union Territories), within six months from today.

18. The instant writ petition stands disposed of, in the aforesaid terms.

.....CJI
[JAGDISH SINGH KHEHAR]

.....J.
[Dr. D.Y. CHANDRACHUD]

NEW DELHI;
FEBRUARY 22, 2017.

.....J.
[SANJAY KISHAN KAUL]

State of Uttarakhand	Ms. Mamta Singh, Adv. Ms. Bhuvneshwari Pathak Kaushik, Adv. Ms. Shilpi Satya Priya Satyam, Adv. Mr. Rahul Kaushik, Adv. Mr. Ashutosh Kr. Sharma, Adv.
State of Jharkhand	Mr. Tapesk Kumar Singh, Adv. Mr. Mohd. Waquas, Adv. Mr. Sukant Vikram, Adv. Mr. Aditya Pratap Singh, Adv.
State of Telangana	Mr. S.Udaya Kumar Sagar, Adv. Mr. Mrityunjai Singh, Adv.
State of AP	Mr. Guntur Prabhakar, Adv. Ms. Prerna Singh, Adv.
State of UP	Mr. M.R. Shamshad, Adv. Mr. Rajat Singh, Adv. Mr. Aditya Samaddar, Adv. Ms. Harshita Deshwal, Adv.
State of Tamil Nadu	Mr. Paramasivam, Adv. Mr. B. Balaji, Adv. Mr. Muthuvel palani, Adv. Mr. S. Kumar, Adv.
For CPCB	Mr. Vijay Panjwani, Adv.
State of Bihar	Ms. Varsha Poddar, Adv. for Mr. Gopal Singh, AOR
State of West Bangal	Mr. Joydeep Mazumdar, adv. Mr. Debojyoti Bhattacharya, Adv. for Mr. Parijat Sinha, AOR
State of Odisha	Mr. Krishnayan Sen, Adv. Mr. Himanshu Bhushan, Adv. Mr. Uddyam Mukherjee, Adv.
State of Chhatisgarh	Ms. Sakshi Kakkar, Adv. for Mr. C. D. Singh, AOR Mr. Mohit Kumar Shah, Adv. Mr. Gaurav Kanth, Adv. Mr. Pushkar Taimni, Adv.
State of Karnataka	Mr. V. N. Raghupathy, Adv. Mr. Lagnesh Mishra, Adv. Mr. Parikshit P. Angadi, Adv. Mr. Prakash Jadhav, Adv.

State of Punjab Mr. Saurabh Ajay Gupta, Adv.
 Mr. Nishant Bishnoi, Adv.
 for Mr. Kuldeep Singh, AOR

 Mr. C. K. Sasi, AOR

 Mr. Varinder Kumar Sharma, AOR

 Ms. Sunita Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

The writ petition stands disposed of, in terms of the reportable judgment.

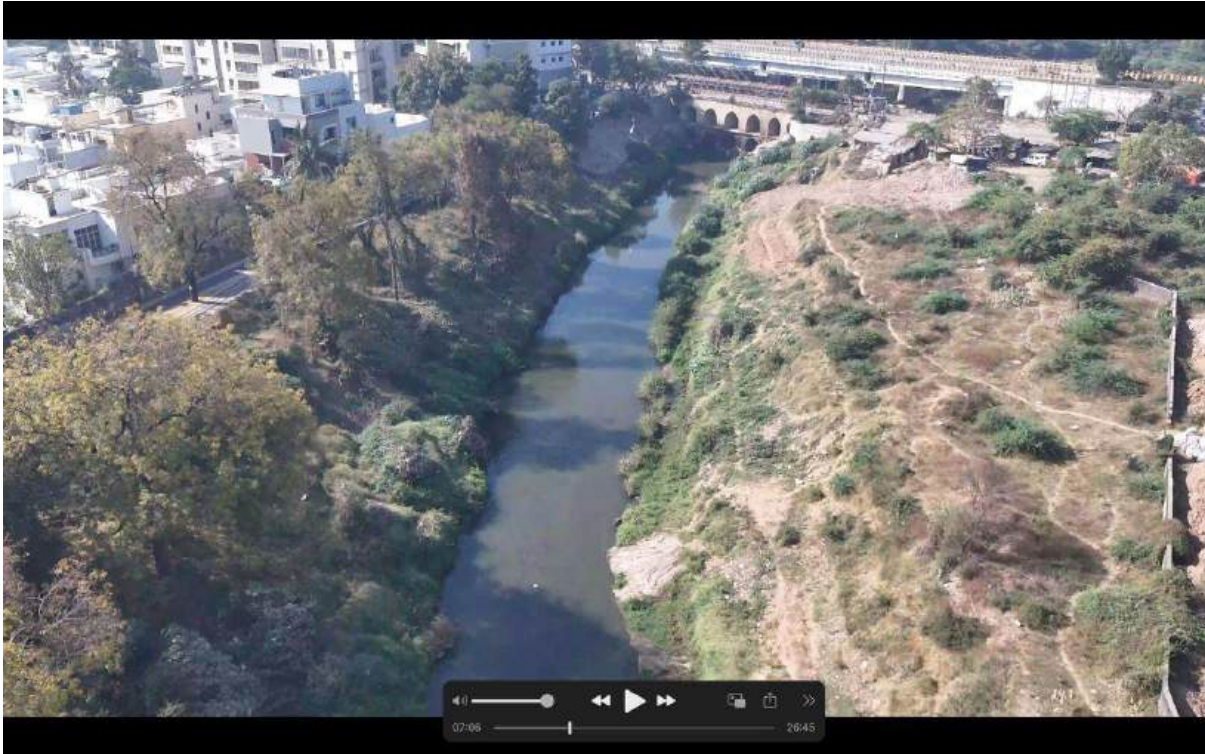
(Renuka Sadana)
Assistant Registrar

(Parveen Kumar)
AR-cum-PS

[Reportable signed judgment is placed on the file]

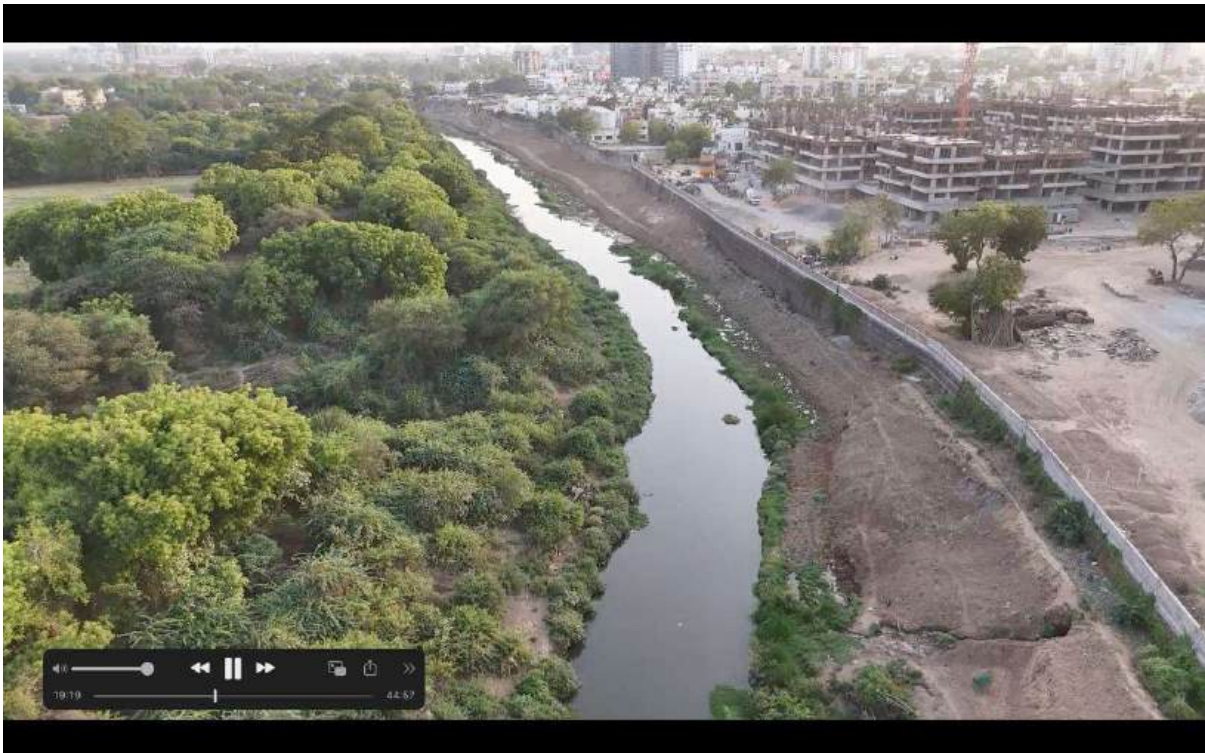
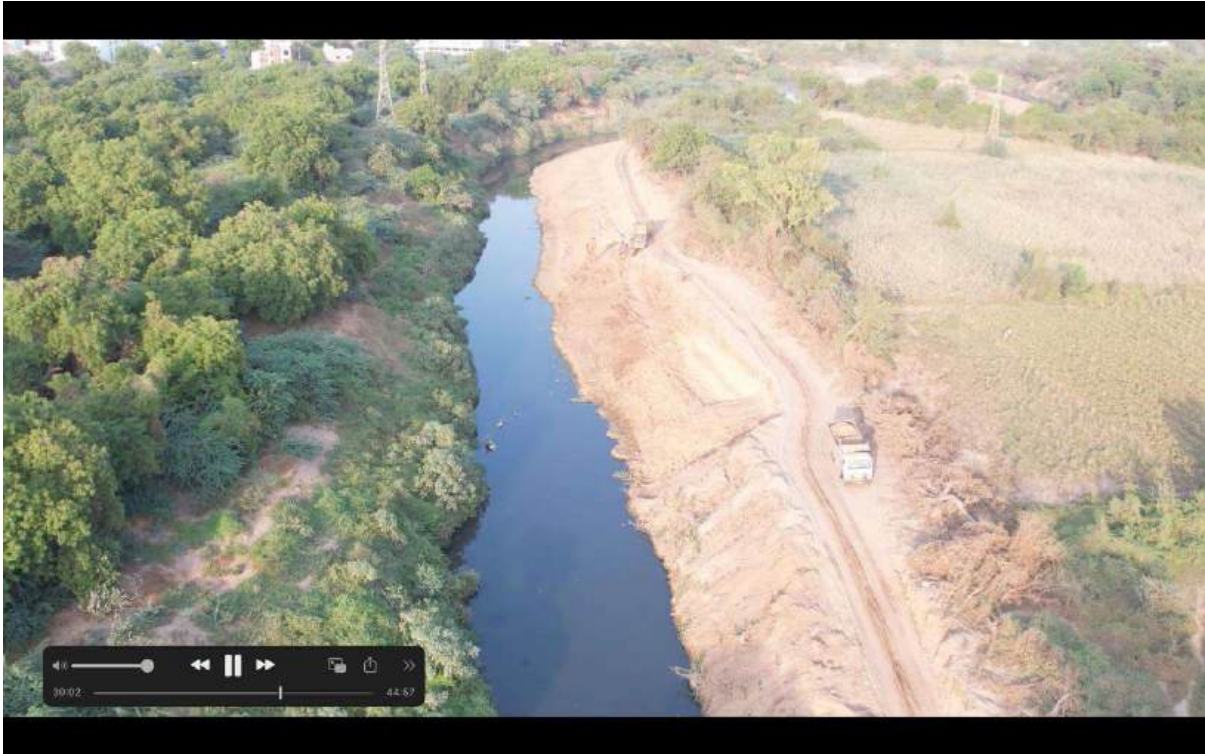
Annexure H: Select Images from Drone Videos

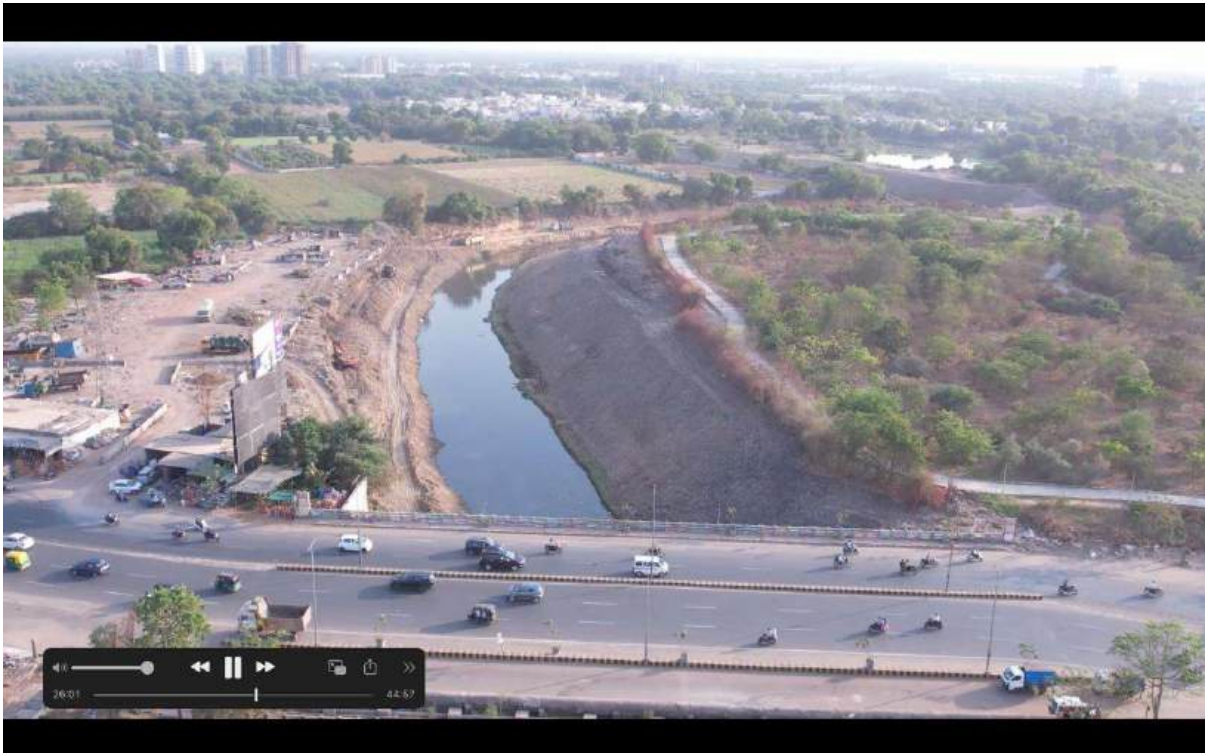
Before Commencement of work – March 2025





After commencement of work





Screenshot from the Drone Survey after rain event of 7th May 2025

