पर्यावरण और वन मंत्रालय
अधिमंडला

नई दिल्ली, 8 फरवरी, 2010

का.अ. 287(31)।—भारत सरकार के पर्यावरण और वन मंत्रालय की अधिमंडला स. का.आ. 521 (अ), तारीख 20 फरवरी। 2009 द्वारा राष्ट्रीय गंगा नदी बंधन प्राधिकरण का गठन किया गया है।

और संबंधित राज्य सरकारों द्वारा राज्य सत्र पर नदी संरक्षण क्रियाकलापों का समन्वय और कार्यान्वयन, और अपने राज्यों में गंगा नदी के व्यापक प्रबंधन के लिए उपयोग करना आरम्भित है।

अतः, अन्तर्देशीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिससे इसके परवर्ती उद्देश्य अधिनियम कहा गया है) की धारा 3 की उप-धारा (3) द्वारा प्रतिनिधियों का प्रयोग करते हुए, बिहार सरकार में गंगा नदी के प्रौद्योगिकी उपयोग संरक्षण और संरक्षण करते हुए उपयोग करने के लिए निम्नलिखित प्राधिकरण का गठन करती है।

1. प्राधिकरण का नाम:—केंद्रीय सरकार द्वारा इस प्रकार गठित प्राधिकरण को बिहार राज्य गंगा नदी संरक्षण प्राधिकरण (जिससे इसके परवर्ती उद्देश्य प्राधिकरण कहा गया है) के नाम से जाना जाएगा।

2. प्राधिकरण का मुख्यालय:—प्राधिकरण का मुख्यालय बिहार में होगा।

3. प्राधिकरण की संरचना:—प्राधिकरण निम्नलिखित अध्याय और सदनों से मिलकर बना, अर्थात्—

(क) मुख्यमंत्री, बिहार —पदेन अध्याय
(ख) मंत्री, तिथि बिहार सरकार —पदेन सदन
8. प्राधिकरण का प्रशासनिक और तकनीकी सहायता:—
प्राधिकरण को राज्य सरकार के शहरी विकास और आवास विभाग
द्वारा, जो नोट्स विभाग होगा, और प्राधिकरण के संचालन के रूप
में भी करने का अधिकार, विभाग और अन्य संगठनों सहित प्राधिकरण
और तकनीकी सहायता प्रदान की जाएगी।

9. राज्य कार्यकारी समिति:—कंट्रोल सरकार, विहार राज
सरकार के प्राधिकरण से प्राधिकरण की राज्य कार्यकारी समिति का
गठन करना है, जिसमें निर्माण समिति सदस्य और सदस्यों का
अधिकार करना है।

10. राज्य कार्यकारी समिति की शक्तियां और कूंशकोश:—
(1) राज्य कार्यकारी समिति, प्राधिकरण के विभाग और
परियोजनाओं के विभाग की नीति और मान्यता करने तथा
कार्यनिवृत्तता अधिकारियों को आवश्यक प्रधान करने और
कार्यनिवृत्तता का प्रदर्शन करने का अधिकार.
(2) राज्य कार्यकारी समिति विधिवत निर्माण दृष्टि
प्राधिकरण का कार्य के लिए आवश्यक समय,
सामग्री और निर्माण को अनुसरण करेगा।
(3) राज्य कार्यकारी समिति, विधिवत निर्माण दृष्टि
प्राधिकरण के कार्य के लिए आवश्यक समय,
सामग्री और निर्माण को अनुसरण करेगी।

5. प्राधिकरण की वैचारिक—प्राधिकरण अपनी बैठकों में सहित
अपने कार्य के संबंधित लाभों के लिए अपने स्वयं की प्रक्रिया नियंत्रित कर
सके।

6. प्राधिकरण का अधिकारिता:—प्राधिकरण का
अधिकारिता का विश्लेषण विहार राजनीति में होगा।

7. विहार राज्य में गंगा नदी के प्रदुषण के प्रभावी
उपयोग और संरक्षण का मानदंड करना:—प्राधिकरण विहार
राजनीति में गंगा नदी के प्रदुषण के प्रभावी उपयोग और
संरक्षण का मानदंड करने के लिए अपने स्वयं का तंत्र तैयार कर सकेगा।

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 8th February, 2010

S.O. 287(E).—Whereas a National Ganga River Basin Authority has been constituted vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 521(E), dated the 20th February, 2009;

And whereas the State Governments concerned are required to coordinate and implement the river conservation activities at the State level, and take steps for comprehensive management of the river Ganga in their States;

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

1. Name of Authority.—The Authority so constituted by the Central Government shall be known as the Bihar State Ganga River Conservation Authority (hereinafter referred to as the said Authority).

2. Headquarters of Authority.—The Headquarters of the Authority shall be at Patna.

3. Composition of Authority.—The Authority shall consist of the following Chairperson and members, namely:—

(a) Chief Minister, Bihar ex-officio Chairperson

(b) Minister, Finance, Government of Bihar ex-officio-Member

(c) Minister, Urban Development and Housing, Government of Bihar ex-officio-Member

(d) Minister, Water Resources, Government of Bihar ex-officio-Member

(e) Minister, Environment and Forests, Government of Bihar ex-officio-Member

(f) Minister, Public Health Engineering, Government of Bihar ex-officio-Member

(g) Chief Secretary, Government of Bihar ex-officio-Member

Provided that the Authority may co-opt one or more Ministers of the State Government as may be required, as ex-officio-Member:

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

4. Powers and Functions of Authority.—(1) Subject to the provisions of the said Act, the Authority shall have the power to take all such measures as it deems necessary or expedient for effective abatement of pollution and conservation of the river Ganga and for implementing the decisions or directions of the National Ganga River Basin Authority.

(2) In particular, and without prejudice to the generality of the provisions of sub-paragraph (1), such measures may include all or any of the following matters, namely:—

(a) coordination and implementation of the river conservation activities including augmentation of sewerage infrastructure, catchment area treatment, protection of flood plains, creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the river Ganga to maintain its water quality, and to take such other measures relevant to river ecology and management in the State;

(b) implementation of the river basin management plan prepared by the National Ganga River Basin Authority;

(c) maintenance of minimum ecological flows in the river Ganga with the aim of ensuring water quality and environmentally sustainable development through implementing water conservation practices including recycling and reuse, rain water harvesting, and decentralised sewage treatment systems and promoting water augmentation by storage projects in the catchment;

(d) monitoring and review of the implementation of various programmes or activities taken up by the implementing agencies for prevention, control and abatement of pollution in the river Ganga;

(e) address issues related to land acquisition, encroachments, contracts, power supply and other such issues for the purpose of implementing the decisions or directions of the National Ganga River Basin Authority;

(f) power of entry and inspection under Section 10 of the said Act and power to take sample under Section 11 of the said Act for the purpose of exercising and performing the functions of the Authority; and

(g) issuance of directions under Section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient for achievement of its objectives.

(3) The powers and functions of the Authority shall be without prejudice to any of the powers conferred upon the State under any Central or State Act, being not inconsistent with the provisions of the Environment (Protection) Act, 1986 (29 of 1986).

(4) The Authority shall combine regulatory and developmental functions as stated in sub-paragraphs (1)
and (2), keeping in view the powers vested with the State Government and their constitutions.

5. Meetings of Authority.—The Authority may regulate its own procedures for transacting its business including its meetings.

6. Jurisdiction of Authority.—The Jurisdiction of the Authority shall extend to the State of Bihar.

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

8. Administrative and technical support to Authority.—The Authority shall be provided administrative and technical support including financial and other logistic support by the State Government in the Department of Urban Development and Housing, which shall be the nodal Department and shall also act as the Secretariat for the Authority.

9. State Executive Committee.—The Central Government, in consultation with the State Government of Bihar, hereby constitutes the State Executive Committee of the Authority consisting of the following Chairperson and members, namely:

(a) Chief Secretary, ex-officio-Chairperson
   Government of Bihar

(b) Principal Secretary, ex-officio-Member
   Finance, Government of Bihar

(c) Principal Secretary, ex-officio-Member
   Environment and Forests
   Government of Bihar

(d) Principal Secretary, ex-officio-Member
   Water Resources,
   Government of Bihar

(e) Principal Secretary, ex-officio-Member
   Public Health Engineering,
   Government of Bihar

(f) Chairman, ex-officio-Member
   Bihar State Pollution Control Board

(g) Managing Director, ex-officio-Member
   Bihar Urban Infrastructure Development Corporation

(h) Managing Director, ex-officio-Member
   Bihar Rajya Jal Parishad,

(i) Principal Chief Conservator, ex-officio-Member
   of Forests, Government of Bihar

(j) Engineer-in-Chief, ex-officio-Member
   Water Resources Department,
   Government of Bihar

(k) Not more than five experts Members
   from relevant fields to be
   nominated by the Government
   of Bihar

(l) Principal Secretary, ex-officio-Member-
   Urban Development and
   Housing, Government of Bihar

Secretary.

10. Powers and Functions of the State Executive Committee.—(1) The State Executive Committee shall oversee and monitor the implementation of various programmes and projects of the Authority and give necessary directions to the implementing agencies, and shall report to the Authority, the progress of implementation and seek its directions from time to time.

   (2) The State Executive Committee shall convene its meetings at least once in every three months time.

   (3) The State Executive Committee shall exercise the powers and perform such other functions as may be delegated to it by the Authority for the purposes of implementing its decisions and directions.

[F. No. A-12011/7/2009-NRCD-II]

RAJIV GAUBA, Jt. Secy.