

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

Original Application No. 322/2024

News item titled "Pavana River enters 'priority 1' category due to increase in pollution" appearing in the Hindustan Times dated 26.02.2024.

Date of hearing: 05.04.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent(s): Ms. Suman Arora, Adv. for R – 1  
Mr. Mukesh Verma, Adv. for R - 2

**ORDER**

1. This Original Application is registered *suo-motu* on the basis of the news item titled "Pavana River enters 'priority 1' category due to increase in pollution" appearing in the Hindustan Times dated 26.02.2024. The news item relates to increasing pollution in the River Pavana near the Pimpri-Chinchwad area in Pune, Maharashtra. As per the news item due to the increase in Biochemical Oxygen Demand (BOD), the Pavana river has entered 'priority 1' as most polluted category of the river as per the guidelines of the Central Pollution Control Board (CPCB). The news item reveals that recent water sample testing conducted by the Maharashtra Pollution Control Board (MPCB) between November 2023 and January 2024, the BOD level in Pavana River was found to be above 30 mg/L, indicating a very high degree of pollution.

2. As per the article, Pavana River has been classified into four stretches encompassing Pimprigaon, Chinchwadgaon, Ravet and Sangavi. As per the disclosure made in the news item BOD levels in these stretches have constantly been increasing. In 2023, the BOD was

recorded below 20 till the month of October. In November 2023, the BOD was recorded as 27 mg/L and from December onwards, it was constantly recorded as 31 mg/L with WQI of 46 and 41, respectively. The increased urbanization, inadequate infrastructure for sewage water treatment and mixing of untreated sewage with river water are the main cause for the pollution of the river across Pune.

3. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

4. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

5. Hence, we deem it proper to implead following as respondents in the matter:

- (i) Central Pollution Control Board (CPCB), through its Member Secretary
- (ii) Maharashtra Pollution Control Board (MPCB), through its Member Secretary
- (iii) District Collector/District Magistrate, Pune
- (iv) Commissioner, Pimpri Chinchwad Municipal Corporation (PCMC)

6. Respondent No. 1 and 2 are represented through the counsel. Let notice be issued to Respondent No. 3 and 4 for filing the response before the appropriate bench of the Tribunal.

7. The report on behalf of the MPCB has been filed wherein the water quality of the river at different points is shown as under:-

*“ From the above analysis reports and field observation made during river water monitoring at Pawana river, it was observed as follows:-*

- At Ravet station, BOD ranges from 2.4 mg/ l to 8.5 mg/l.*
- At Chinchwad station, BOD ranges from 4.8 mg/ l to 13 mg/l.*
- At Pimpri station, BOD ranges from 9.0 mg/ l to 31.0 mg/l.*
- At Kasarwadi station, BOD ranges from 13.0 mg/ l to 36.0 mg/l.*
- At Dapodi station, BOD ranges from 13.5 mg/ l to 28.0 mg/l.*
- At Sangavi station, BOD ranges from 12.0 mg/ l to 30.0 mg/l.*
- Parameter BOD exceeded 30 mg/ l at Pimpri Station on 05/12/2023 and at Kasarwadi Station on 08/01/2024 only. Further, in the month of Feb, 2024 BOD level is observed less than 30.0 mg/ l at all locations.*
- Treated effluent from Sewage treatment plants of PCMC is not meeting the consented standards and substandard effluent is being discharged in to Pawana river.*
- Untreated domestic effluent is being discharged through various nalla's in to Pawana river from PCMC area.”*

8. The report filed by the MPCB also reveals that the MPCB has taken following action against the PCMC:-

*“ 3) Action taken by MPCB:- As per the non-compliances observed and considering pollution of Pawana river, MPCB has taken following actions against PCMC*

*i) MPCB has issued Proposed direction to PCMC vide letter dated 04/ 12/ 2023 for discharge of untreated domestic effluent into the river and substandard treated domestic effluent from Ravet STP to Pawana river.*

*ii) MPCB has issued a non-compliance letter dated 16/02/2024 to PCMC informing about Pawana river water quality and possibility of change in priority. Also, informed to submit short term and long-term measures to avoid direct discharge of untreated domestic effluent into the Pawana river.*

*iii) MPCB has filed criminal complaints before JMFC, Pune having RCC No. 709/2016, 144/2020 & 3168/2020 against PCMC for discharge of untreated effluent into river, which are pending. A copy of the Proposed direction dated 04/12/2023 and noncompliance letter dated 16/02/2024 are attached herewith and marked as an Annexure-I and Annexure- II respectively.”*

9. The report also contained the brief response of the PCMC that the steps have been taken for strengthening the sewage network and a new interceptor line has been laid down. The report does not contain the details of the total discharge and different drains which are discharging the sewage in the river and the detailed steps which have been taken to prevent such discharge.

10. Hence, the PCMC i.e. Respondent no. 4 is required to file a detailed report covering all the aspects relating to sources of pollution of river and the remedial actions which have been taken/proposed by the PCMC. Along with the report of the MPCB, the details of STP's have been enclosed which reveals that most of the STP's are not functioning and are exceeding the parameters. Hence, Respondent no. 4 will also respond to the above issue in the reply.

11. Since the matter relates to the Western Zonal Bench, Pune, therefore, OA is transferred to the Western Zonal Bench for appropriate further action. Office is directed to transfer the original record of the OA to Western Zonal Bench, Pune.

12. List before Western Zonal Bench at Pune on 21.05.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

April 05, 2024  
Original Application No. 322/2024  
AS.