

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

(By Video Conferencing)

Original Application No. 383/2022

(With report dated 03.10.2022)

In re : News item published in the Newspaper named, DHNS, Mangaluru dated: 15th May, 2022, titled "**Officials term discolouring of water in beaches as algal bloom**"

Date of hearing: 18.11.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Mukesh Kumar, Advocate for KSPCB

ORDER

1. Proceedings have been initiated in this matter in the light of captioned media report of violation damage to the environment as shown by discoloration of seawater near Surathkal Beach in Dakshina Kannada District of Karnataka. Media report also mentions that discoloration of seawater adversely affects the Sea bass fish. Part of cage farming in Phalguni river in Tannirbhavi and Bangrakulur areas were found to be dead, raising concern among fishermen and environmentalists. Tarballs were formed out of oil waste dumped by ships mid-sea.

2. Vide order dated 23.05.2022, the Tribunal sought a factual report from a joint Committee of CPCB, State PCB, District Magistrate Dakshina Kannada, Indian Coast Guard, Mangaluru, Central Marine Fisheries Research Institute, Mangaluru and Department of Ocean Development, Chennai, after undertaking visit to the site.

3. Report of the joint Committee has been filed on 03.10.2022 after undertaking visit to the site. It states that the water quality was found polluted *inter-alia* on account of discharge of untreated sewage into the sea by Mangaluru City Corporation, apart from industrial pollution along the coast of Mangaluru. The conclusions and recommendations in the report are reproduced below:-

“6.0 Conclusions and Recommendations:

1. *Committee is of the opinion that discoloring of sea water on 14.05.2022 at the Beach near Surathkal is due to algal bloom. Reasons for the formation of algal Blooms could be many. During extreme events of rainfall, the combined volume of run-off from non-point sources of pollution in the ocean system will be greater than the point sources of pollution. The characteristic of the water flow into the ocean is based on the catchment area of the non-point sources of pollution. The nonpoint sources, generally nutrient rich waters, of pollution outlets and natural channels from the city during extreme events and during monsoon season drain directly into the sea creating a conducive condition for the formation of plankton blooms.*
2. *Algal blooms are anticipated during the upwelling period, such as the withdrawal of the southwest monsoon and pre monsoon periods along the west coast of India.*
3. *Results of **analysis of sea water collected at the incident site also confirm the presence of very high ratio of DIP/DIN which could be the cause of eutrophication and occurrence of plankton bloom.** Results also indicate the predominance of diatomic species which make their presence both in freshwater and ocean system.*
4. *Since, the NIOT, Chennai report raises concern over iron concentrations inducing algal bloom and **there is iron pelletization unit along the coast of Mangalore, it is recommended that KSPCB monitor the process effluent discharges during the withdrawal of South west monsoon and pre monsoon periods as a precautionary measure.***
5. *Further, **Mangalore city Corporation has to take up the work of UGD and connection of missing links to terminal STP so as to ensure that there is no possible entry of untreated sewage/sullage into the sea from non-point sources across the jurisdiction.***
6. *As per the analysis report, there is no presence of oil and grease in the sea water. Discoloration of sea water at Surathkal Beach, death of seabass fishes in cage farming at Phalguni River at*

Thannirbhavi, and tarball formation due to offshore ship discharges are separate incidence knitted as media scoop.

7. *The incident must have occurred due to high pre-monsoon shower that occurred preceding the incident which could have carried the nutrient rich surface run-off from non point sources in the catchment area.*
8. *On the previous day to the Occurrence of bloom in the area, there was heavy rain, on such occasions the combined entry of large volume of non-point sources to the marine system with possible nutrients. Hence during the monsoon season such entry of such nutrients load to a specific area (directly) to the Sea might create a conducive for the formation of Plankton Blooms. These are very commonly reported in the coastal Environment.”*

4. In view of findings in the report, the State PCB needs to fix accountability of the violators- the concerned industries and the Municipal Corporation. We direct the Member Secretary, State PCB to now take further action in the matter and finalize the same within two months following due process of law

5. We note that as per status report about waste management filed by the State of Karnataka on 12.10.2022 in O.A. No. 606/2018, *In re: Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues*, there are four STPs at Mangalore - Pachanady (8.75 MLD), Kavoor (43.50 MLD), Surathkal (16.50 MLD) and Bajal (20 MLD) which are underutilized. The Tribunal has directed Karnataka State to bridge gaps in waste management for which compensation has been levied for restoration measures by ring-fencing an amount of Rs. 2900 crores. The relevant extract from the order is reproduced below:-

“61.....xxx.....xxx.....xxx

- (iii) *Admitted gap in generation and scientific handling of waste has resulted in damage to the environment and public health for which the State of Karnataka is liable to pay compensation of Rs. 2900 crores as per details already mentioned above (para 58). The amount of compensation is to be utilized for restoration measures preferably by evolving a suitable centralized single window mechanism by the Chief Secretary, Karnataka in the light of above observations in paras 31 to 34 & 38 to 51 above.*

The laid down timelines need to be strictly adhered to and monitored.”

6. The Corporation as well as the industries must ensure that no pollutants are discharged which are resulting in above situation which may be overseen by the State PCB.

The application is disposed of.

A copy of this order be forwarded to State PCB and Mangaluru City Corporation by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

November 18, 2022
Original Application No. 383/2022
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