

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

Original Application No. 323/2024

News item titled "No permission provided for use of chemicals in cleaning water bodies: MPCB" appearing in The Hindustan Times dated 23.02.2024.

Date of hearing: 05.04.2024

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

Respondent(s): Mr. Mukesh Verma, Adv. for MPCB
Mr. Rahul Garg, Adv. for PMC (Through VC)
Ms. Tanisha Samanta & Mr. Balendu Shekhar, Advs. for CPCB (Through VC)

ORDER

1. This original application is registered *suo motu* on the basis of the news item titled "No permission provided for use of chemicals in cleaning water bodies: MPCB" appearing in 'The Hindustan Times' dated 23.02.2024.

2. The news item relates to the decision of the Pune Municipal Corporation (PMC) to spray bio-enzyme or natural chemicals on rivers and lakes to deal with the problem of water pollution and water hyacinth. As per the news item, PMC came up with the idea of spraying bio enzymes or natural chemicals on rivers and lakes after the mosquito tornado video went viral on social media. The news item reveals that the PMC has sprayed a bio-enzyme on Ramnadi river of Bavdhan. It also reveals that subsequently the civic body has started using drones to spray insecticide on Mula Mutha river stretch along Keshav Nagar, Kharadi and Mundhwa. The news item also contains the opinion of one of the Professors and Director of Centre for Sustainable Development,

Gokhale Institute of Politics and Economics that the PMC's use of enzymes and other additives on Pune's water bodies is like experimenting with the natural ecosystem without scientific proof and that long term results of such use are not known. The report also states that though the PMC claims that these enzymes are natural but are they naturally occurring in the rivers, and if they are foreign matter in the aquatic ecosystem then their use must go through scientific experimentation overtime.

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

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. On advanced notice, report on behalf of the Maharashtra Pollution Control Board (MPCB) has been filed disclosing that the use of Glyphosate has been restricted, as it involves health hazard and risk to human beings and that the MPCB has already issued letter dated 30.06.2023 to the PMC.

6. A report on behalf of the PMC has also been filed stating that the PMC has sprayed Draynzyme on water hyacinth on trial basis on an area of 40 sq. feet stagnant water pool along Ramnadi.

7. Learned Counsel for the PMC has submitted that no such experiment will be done in future till the appropriate competent body gives a clearance in this regard.

8. We are of the view that the permissibility of the spray of Draynzyme on water hyacinth needs to be first examined by the Central Pollution Control Board (CPCB) in coordination with ITRC, Lucknow and if it is found that it has no adverse effect on the ecology of the water body, then its use can be permitted in accordance with law.

9. Hence, we dispose of the OA directing the CPCB to do the needful to ascertain the feasibility of use of Draynzyme on water hyacinth/natural water bodies and submit a report before the Registrar of the Western Zonal Bench of the Tribunal within four months. If found necessary the matter will be listed for consideration before the Western Zonal Bench, Pune. Let the original record of this OA be transferred to the Western Zonal Bench, Pune.

10. A copy of this order be forwarded to CPCB by e-mail for compliance.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

April 05, 2024
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