

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

Original Application No. 158/2024

News item titled "**Once upon a River**" appearing in the Bangalore Mirror dated 10.01.2024.

Date of hearing: 22.02.2024

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

Respondent: Mr. Mahesh Choudhary, Adv. for R - 1 (Through VC)
Mr. Rajat Jonathan Shaw, Adv. for R - 3 & 4 (Through VC)

ORDER

1. This original application is registered *suo motu* on the basis of the news item titled "**Once upon a River**" published in 'Bangalore Mirror' dated 10.01.2024.

2. The news item discloses poor water quality of river across State of Karnataka. As per the said news item, the recent water quality analysis of 12 rivers in the State reveal that nine were having stretches with poor water quality (class D). The 12 rivers monitored under the central government's National Water Monitoring Programme (NWMP) include Arkavathi Lakshmantirtha, Tungabhadra, Bhadra, Cauvery, Kabini, Kagina, Krishna, Shimsha, Bhima, Netravati and Tunga. The cause of poor quality is stated to be rapid population growth, immense pressure from urbanisation, or inaction of authorities concerned. Under the programme, water quality of these rivers is monitored at 38 locations and out of these, at 19 locations, water quality has been found to be under class 'D', suitable only for propagation of wildlife and fisheries. The water quality report released by the Karnataka State Pollution Control Board

(KSPCB) for November 2023 showed that the biological oxygen demand of some of these stretches is as high as 8 mg/l, the fecal coliform level at some stations have reached 2,60,000 MPN/100 ML and total coliform bacteria has increased to 2,80,000 MPN/100 ml.

3. The news item also reveals that number of industries along these river stretches have gone up. The cities are discharging untreated sewage and the concerned Board/Authorities have failed to treat sewage generated by the city and even the sample collection protocols are not being followed.

4. The news item raises substantial issue relating to compliance of the provisions of Scheduled enactments.

5. Power of the Tribunal to take up the matter in *suo-motu* exercise of power 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.

6. Hence, we implead the following as respondents in the matter:

- i. Karnataka State Pollution Control Board (KSPCB) through its Member Secretary.
- ii. Bangalore Water Supply and Sewerage Board (BWSSB) through its Chairman.
- iii. Deputy Commissioner and District Magistrate, Bangaluru.
- iv. State of Karnataka through the Chief Secretary.

7. Mr. Mahesh Choudhary Advocate, accepts notice on behalf of Respondent No. 1 and Mr. Rajat Jonathan Shaw, Advocate accepts notice on behalf of Respondents No. 3 and 4 and seek time to file Vakalatnama as well as the response.

8. Let notice be issued to Respondent No. 2 for filing the response before the appropriate Bench of the Tribunal.

9. Since the matter relates to the Southern Zonal Bench, Chennai, therefore, OA is transferred to the Southern Zonal Bench for appropriate further action. Let the original record of the OA be transferred to the Southern Zonal Bench, Chennai.

10. List before Southern Zonal Bench at Chennai on 08.04.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 22, 2024
Original Application No. 158/2024
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