

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

Original ApplicationNo. 1009/2024

News item titled "Karnataka among worst performing states in clean air programme spending; Bengaluru at bottom among cities" appearing in Deccan Herlad dated 20.07.2024

Date of hearing: 02.08.2024

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

Respondent: Mr. Rajat Jonathan Shaw, Adv. for R - 4 (Through VC)

ORDER

1. This original application is registered *suo-motu* on the basis of the news item titled "Karnataka among worst performing states in clean air programme spending; Bengaluru at bottom among cities" appearing in Deccan Herlad dated 20.07.2024.

2. News item relates to Karnataka being one of the three worst-performing states in spending the money allocated by the central government for air clean up. The news item alleges that Bengaluru is the worst performer among 25 cities when it comes to utilize the money provided under the National Clean Air Programme (NCAP).

3. The news item alleges that despite four of its prominent cities receiving money to improve their air quality under NCAP, Karnataka's performance is dismal. The other three cities being Davanagere, Gulbarga and Hubli-Dharwad. Bengaluru spent 13 per cent of the money received in the last four fiscal years, as per a report by Central Pollution Control Board.

4. The news item cites a report prepared by the Centre for Science and Environment, which states that cities spent over 6 per cent of funds on road dust mitigation, leaving little money for controlling emissions from combustion sources such as industries, vehicles and biomass burning. Over Rs 10,566 crore has been released for 131 cities but just about Rs 6,806 crore (64%) has been spent in road dust mitigation. In comparison curbing of industrial pollution gets 0.61 per cent while reduction of vehicular pollution and biomass burning get 12.63 per cent and 14.51 per cent respectively.

5. 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.

6. The news item raises substantial issue relating to compliance of provisions of Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986.

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

1. The Central Pollution Control Board

Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi-110032.
Phone: 91-11-43102030
Email: ccb.cpcb@nic.in;

2. Karnataka Pollution Control Board, Through its Member Secretary

'Parisara Bhawan', No. 49, Church Street, Bengaluru-560001.
Phone: 080-25589112/25589113
E-mail: memsecy@kspcb.gov.in;

3. Ministry of Environment and Forest, Through its Regional Office

Regional Office (SZ), Kendriya Sadan, 4th Floor, E&F
Wings, 17th Main Road, Koramangala II Block, Bangalore - 560034
Phone: 080-25537184, 25537180, 25635901
E-mail:rosz.bng-mef@nic.in;

4. State of Karnataka through Secretary (Environment).

8. Issue notice to the above respondents for filing their response before the appropriate Bench of the Tribunal at least one week before the next date of hearing.

9. Mr. Rajat Jonathan Shaw, Advocate accepts notice on behalf of respondent no.4 and seeks four weeks time to file reply.

10. Since the matter falls within the jurisdiction of Southern Zonal Bench of the Tribunal, therefore, the OA is transferred to the Southern Zonal Bench, Chennai for appropriate further action. Let the original record of the OA be transferred to Southern Zonal Bench, Chennai.

11. List before Southern Zonal Bench at Chennai with OA No.159/2021(SZ) on 03.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 02, 2024
Original Application No. 1009/2024
SN