

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 14 of 2025 (SZ)

In the matter of:

Tribunal on its own motion SUO MOTU based
on the news item in NDTV.com dt.05.12.2024
titled "Sea of Toxic after dam discharge surplus water"

Versus

Tamil Nadu Pollution Control Board
Through its Member Secretary, Chennai and Ors.
...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel for Government of Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

DATE: 14.07.2025

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 14 of 2025 (SZ)
(Earlier O.A. 1374/2024 (PB))

IN THE MATTER OF :

Tribunal on its own motion SUO MOTU
based on the news item in NDTV.com.

Dt: 05.12.2024 titled “ **Sea of Toxic
after dam discharge surplus water**”

With

Tamil Nadu Pollution Control Board,
Through its Member Secretary,
Chennai and Ors.

----Vs----

1. Tamil Nadu Pollution Control Board,
Through its Member Secretary,
No.76, Mount Salai, Guindy,
Chennai – 600032.
2. Central Pollution Control Board (CPCB),
Through its Member Secretary,
Parivesh Bhawan,
East Arjun Nagar,
Delhi – 110032.
3. The Ministry of Environment,
Forest and Climate Change,
Through its Regional Office,
Integrated Regional Office,
1st Floor,
Additional Office Block for GPOA,
Shastri Bhawan,
Haddows Road.
Nungambakkam,
Chennai – 600006.

4. The District Magistrate,
Collectorate,
Krishnagiri.
5. The Chief Secretary to Government of Tamil Nadu
6. The Chief Secretary to Government of Karnataka
7. The Additional Chief Secretary to Government,
Water Resources Department, State of Tamil Nadu.

.....Respondent(s)

REPORT FILED ON BEHALF OF THE 7TH RESPONDENT -
THE SECRETARY TO GOVERNMENT, WATER RESOURCES
DEPARTMENT, TAMILNADU STATE

I, Thiru.J.Jayakanthan S/o Jagadeeswaran Hindu, aged 58 years serving as the Secretary to Government, Water Resources Department, Tamilnadu State do hereby solemnly affirm and sincerely state as follows:

I humbly submit that I am the Secretary to Government, Water Resources Department, Tamilnadu State and the 7th respondent herein as such I am well acquainted with the facts and circumstances of the case from the available records in my office. I have gone through the Suo Moto motion of the National Green Tribunal. I am filing this report for myself.

1. I respectfully submit that the Hon'ble NGT Suo-Motu registered by the Principal Bench of the National Green Tribunal, New Delhi as Original Application No. 1374 of 2024 (PB) based on the news item published in NDTV. com dt: 05.12.2024 titled "Sea of Toxic after dam discharge surplus water" which has been transferred to the Southern Zone Bench and renumbered as Original Application No. 14 of 2025 (SZ).
2. It is submitted that the issue referred by the NDTV.com on 05.12.2024 mixing of sewages in the Thenpennai river at Hosur Taluk. The said case came up for hearing on 10.02.2025 and this Hon'ble Tribunal has directed
the Additional Chief Secretary to Government Water Resources Department, State of Tamilnadu, Tamilnadu Pollution Control Board (TNPCB)

and the District Collector Krishnagiri to make inspections and file their respective reports, in this issue.

3. It is submitted that as per the orders of the Hon'ble Tribunal dated: 10.02.2025 the 7th respondent has inspected the Thenpennai river on 13.07.2025 at Sokkarasanapalli Village & Kelavarapalli Dam in Hosur Taluk of Krishnagiri District. The report is as follows:
4. It is submitted that Thenpennai River also known as South Pennar or Dakshina Pinakini is an interstate River. The River originates on the south eastern slopes of Chennakesava Hills, northwest of Nandidurg of Chikkaballapur district in Karnataka State and flows southern direction through Chikkaballapura, Bengaluru Rural and Bengaluru Urban districts in Karnataka State and descends to Tamilnadu near Bagalur in Hosur taluk of Krishnagiri district. This river then flows through Krishnagiri, Dharmapuri, Thiruvannamalai, Villupuram & Cuddalore districts and finally enters into Bay of Bengal.
5. It is submitted that Thenpennai river is one of the major rivers of the state of Tamilnadu. The river has supported for drinking, irrigation and industry to the people of the states of Karnataka, Tamilnadu and Puducherry. The total length of Pennaiyar River is 432 Km, of which 112 Km lies in Karnataka state, and 320 Km in Tamilnadu With a total catchment of approximately 15679 Km². This river receives water in both monsoons, i.e. South-west and North-east monsoon seasons.
6. It is submitted that in Karnataka, the river traverses through series of zilla panchyat tanks and minor Irrigation tanks in Chikkaballapur district, Bengaluru Rural district, and Bengaluru Urban district and then enters into Tamilnadu. Before descending the interstate border into Tamilnadu, overflow water from Bellandur and Varathur lakes carry the domestic sewage of Bengaluru into Thenpennai river and thereby causes frothing of river stretch from Tamilnadu border upto Kelavarapalli dam.
7. It is submitted that the Kelavarapalli Reservoir Project is constructed across Pennaiyar River at 16th Km from Tamilnadu border during 1978-1995 across Pennaiyar River near Kelavarapalli village situated at the

latitude of 12°52'42"N and longitude 78°46'06" in Hosur Taluk of Krishnagiri District.

8. It is submitted that Kelavarapalli Dam irrigates about 3239 Hectares (8000 Acres) of lands in 22 villages of Hosur & Shoolagiri Taluk. Also 27.27 MLD of water to Hosur SIPCOT, Corporation of Hosur, Mathigiri & near by villages. The Surplus water from the Dam benefits 438 Ha (1083 Acres) through 12 Anicuts in this river. Thus totally 9083 acres of land getting direct irrigation through this river upto Krishnagiri dam which is located 60 km below Kelavarapalli dam.
9. It is submitted that this Pollution issue is a long term problem of Upper Pennaiyar river due to the domestic urbanisation and population growth of Bengaluru city. The untreated water directly let into Pennaiyar river and through small streams and by letting into the tanks in Karnataka State.
10. It is submitted that during North east Monsoon 2024, heavy rain in upper catchment area of Pennaiyar river resulting surplus water discharge from Kelavarapalli dam on 04.12.2024 resulting foam formation below the Kelavarapalli Dam and blocked the road which was published in NDTV News.
11. It is submitted that a Suo-Motu case was already registered in O.A. No.111/2020 by Hon'ble Green Tribunal (SZ), Chennai on the basis of news regarding polluted water of Thenpennai river.
12. It is submitted that based on the interim order dated 20.07.2020, a joint committee was formed. The joint committee has studied the area and submitted the detailed report along with recommendation including action plan and remedial measures on 20.11.2020.
13. It is submitted that the Hon'ble National Green Tribunal (SZ), Chennai vide its final order dated 13.07.2022 has disposed this case with certain direction as the joint committee report, most of the action plans and remedial measures were suggested to the stake holder of Karnataka state since the prime source of pollution were located in Bengaluru, Karnataka and the sewage from the Bengaluru metro city both treated and untreated is being discharged into the lakes of Bellandur, Agara and Varathur and the over flow from the lakes enters into River Thenpennaiyar.

14. It is submitted that during April 2023, The Chief Secretary, Government of Tamilnadu already informed the above facts and request to the Chief Secretary, Government of Karnataka to instruct the stakeholders to ensure that untreated sewage and effluents are not let into Pennaiyar river and its Tributaries and Karnataka State Pollution Control Board to monitor the water quality of Pennaiyar river.
15. It is submitted that the Water Resources Department has collect and analyse the water samples from Thenpennaiyar river every month at Sokkarasanapalli Village (interstate Border), Kodyalam Anicut, Bagalur, Kelavarapalli Dam and Peranadapalli to monitor the quality of water.
16. It is submitted that TNPCB has collect and analyse the water samples from river Thenpennaiyar in month intervals at Sokkarasanapalli Village (interstate Border) to monitor the quality of water. The Water Resources Department has cleared the solid waste of Pennaiyar river near Bagalur Bridge and erected the warning board stating not to pollute river/water.
17. It is submitted that as per O.S.No. 1 of 2018 order dated on 23.01.2024 a Negotiation committee on Pennaiyar water Disputes was formed to solve the inter-State water dispute over Pennaiyar River. Pollution of Upper Pennaiyar is also a major topic to be negotiated by the committee.
18. It is submitted that the above said Negotiation committee has conducted nine meetings in 2024, with members from Government of Tamilnadu, Karnataka, Pondicherry, Andhra Pradesh, Ministry of Agriculture, Ministry of Environment, Forest & Climate Change, Chief Engineer IMO, CWC which were chaired by the Chairman, CWC.
19. It is submitted that the Negotiation committee had also undertook a field visit from 8th to 10th June 2024, to disputed Project sites of Karnataka and Tamilnadu in Pennaiyar river basin headed by Shri.Kushvinder Vohra, Chairman of the Negotiation committee & Chairman , Central Water Commission, New Delhi along with the top officials of Tamilnadu, Karnataka and Pondicherry alongwith Central water Commission officials. The following places were inspected by the Negotiation Committee and findings were given below:

During Field visit on 9th June 2024

- i) Entry Point of Pennaiyar River near Sokkarasanapalli village in Tamilnadu*
 - a) River water at this point was blackish in color and with sewage like odour.*
- ii) Kodiyalam Anicut, Tamilnadu*
 - a) Incoming water at the Anicut was appearing highly polluted. It was blackish in color, foamy and emanating sewage like odour.*
 - b) Upstream of the Anicut was full of algae and thick cover of hyacinth.*
- iii) Kelavarapalli Reservoir, Tamil Nadu*
 - a) Pennaiyar River water at the Reservoir visibly appeared as highly polluted. It was blackish in color and emanating sewage like bad odour. It seemed sewage of localities in Tamil Nadu u/s of dam also being discharged into the river.*
 - b) There was release of water from Left Bank Canal. River water after releasing from the reservoir was seen with full of thick white foam.*
 - c) There was also release of water through the gates of the reservoir and there too, thick white foam was seen as when water was released from the reservoir.*

During Field visit on 10th June 2024

- i) Varathur Tank, Karnataka*
 - a) The team stopped at the right bank of Varathur tank. The foreshore of the tank was seen to be full of algae and thick cover of hyacinth as the water reaching the tank is polluted and blackish in color. Officers from the State Government informed that untreated sewage from localities around the tank is polluting the water of the tank and the stream on which tank is located.*

ii) *Yelemallappa Chetty Tank, Karnataka*

- a) *The team observed that untreated sewage water of Bengaluru city is being fed into Yelemalappa chetty tank which is polluted and covered with water hyacinth.*

20. It is submitted that during the site inspection on 13.07.2025, it is observed that the Pennaiyar river water at Sokkarasanapalli is looking blackish in color and emanating sewage like odour and at Kelavarapalli dam, water is in yellowish green colour with frothing and odour. This issue was elaborately discussed with officials concerned and officials expressed that there is no aqua life in Kelavarapalli dam due to heavy pollution.
21. It is submitted that prime sources of pollution were located in Bengaluru city of Karnataka and the untreated sewage from the Bengaluru city are continuously discharged into the lakes of Bellandur, Agara and Varathur and the overflow water of the lake flows into the Thenpennai river. Hence Government of Karnataka has to take immediate actions to avoid inflow of untreated sewages in the river as recommended by the Joint Committee report of O.A.No.111/2020.
22. It is submitted that an announcement was made during the budget session 2025 of Tamilnadu state assembly for construction of high level bridge across Pennaiyar river just below the Kelavarapalli reservoir to prevent the accumulation of foam and to avoid the road blockage due to frothing.
23. It is submitted that M/s Enpro Water Systems, Chennai has implemented the Bio-remedial works in Chennai was asked to inspect the polluted water of Thenpennai river to study & analyse for Bio-remediation. They inspected the site and they are studying about feasibility of implementing Bio-remediation works at Kelavarapalli dam area where there is for huge inflow of continuous running water.
24. It is submitted that there is an urgent need to upgrade the Sewage treatment plants which were pointed out in the IISc's report and to expedite the balance STPs by Karnataka state so that no untreated sewage is let into the river.

25. It is submitted that the effluent from Red and Orange category industries at Pennaiyar river catchment in Karnataka state have to be completely treated or stopped from let into Pennaiyar river to operate the Bio-remedial measures effectively to treat the sewage. So Government of Karnataka have to control the industrial pollution and starts doing Bio-remedial sewage treatment process. The Government of Tamilnadu will take up Bio-remedial measures after getting feasibility report once the industrial pollution is controlled significantly.

Therefore, it is prayed that this Hon'ble National Green Tribunal (SZ) may be pleased to pass such appropriate order or further orders to the stakeholders of Karnataka state mentioned in the Joint Committee report dated 20.11.2020 to speed up the process of treatment of sewage as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

VERIFICATION

I, Thiru.J.Jayakanthan S/o Jagadeeswaran Hindu, aged 58 years serving as the Secretary to Government, Water Resources Department, Tamilnadu State, do hereby verify that the contents of above are true to the best of my knowledge through records.


Secretary to Government
Water Resources Department
Tamilnadu State

Solemnly affirmed at Chennai this 14th
of July, 2025 and signed his name in
my presence