

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN BENCH CHENNAI

ORIGINAL APPLICATION NO. 176 OF 2024

[Earlier OA No. 478 of 2024 (PB)]

IN THE MATTER OF:

Suo Moto matter In re: News item titled "KARNATAKA KODAGU RESIDENTS DEMAND ACTION AS RIVER CAUVERY'S PURITY DEGRADES TO C GRADE" appearing in the New Indian Express dated 19.02.2024

VERSUS

Central Pollution Control Board (CPCB)

& Ors

..... RESPONDENTS

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Signed and Verified on 18th Day of September, 2024 at Bengaluru

Counsel for
CPCB

DEPONENT

J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)
BENGALURU - 560 079. MOB: 9868278903



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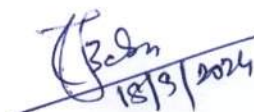
Central Pollution Control Board
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REPLY ON BEHALF OF THE RESPONDENT NO. 1, THE CENTRAL POLLUTION CONTROL BOARD (CPCB)

1. That, Hon'ble NGT vide order dated 30.04.2024 issued notice to all the Respondents. Thereby, the reply on behalf of Answering Respondent, herein, is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.
3. That the article referred in Hon'ble NGT order are about the degrading water quality of River Cauvery in Kodagu district of Karnataka




18/3/2024
J. Chandra Babu
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4. That, it is humbly submitted that CPCB developed the Designated Best Use Classification (**Annexure I**), which classifies surface water bodies into 5 classes from Class A to Class E. Primary Water Quality Criteria for Outdoor Bathing has been notified by MoEF&CC vide notification dated 25th September 2000 under the Environment (Protection) Amendment Rules, 2000. These criteria include Faecal Coliform (2500 MPN/100 ml Maximum Permissible), Faecal Streptococci (500 MPN/100 ml Maximum Permissible), pH (6.5-8.5) Dissolved Oxygen (5 mg/l or more) and Biochemical Oxygen Demand (3 mg/l or less).
5. That, it is humbly submitted that, the CPCB in association with the State Pollution Control Boards (hereinafter referred as SPCBs) in the States and Pollution Control Committees (hereinafter referred as PCCs) in Union Territories (hereinafter referred as UT) has established Water Quality Monitoring Network under National Water Quality Monitoring Programme (hereinafter referred as NWMP) to assess status of water quality of water resources in the respective States/UTs to facilitate prevention and control of pollution in the water bodies. Under NWMP, Karnataka Pollution Control Board (KSPCB) is monitoring water quality of river Cauvery in Karnataka.
6. That it is humbly submitted that in the year 2023, the water quality of River Cauvery was monitored at 33 locations in Karnataka by the KSPCB under the NWMP programme. Out of these 33 locations, 10 are located in Kodagu district in Karnataka.
7. The water quality data of River Cauvery monitored in the year 2023 at these 10 locations in Kodagu district reveals that 5 locations ('D/S Kondanagiri Bridge', 'D/S Bethri Bridge', 'D/S Nellu Dikeri Bridge', 'D/S Dubare' and 'At Balmavati Bridge') are complying with the notified Primary Water Quality Criteria for Outdoor Bathing with respect to all monitored parameters.



J. Chandra Babu
14/9/2024

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The remaining 5 locations viz. 'Kushalanagar U/S', 'Napokulu Bdg D/S', 'Bhagamandala Bridge', 'Kushalanagar town D/S' and 'Kanive Ramalingeswara Temple Bridge D/S', found non complying to the notified Primary Water Quality for Outdoor Bathing with respect to pH (maximum pH ranging 8.6 - 8.9 as against prescribed criteria of 8.5); other monitored parameters i.e., Biochemical Oxygen Demand (BOD), Dissolved Oxygen (DO) & Fecal Coliform (FC), were found complying to the Primary Water Quality Criteria for Outdoor Bathing. However, these five locations conform to the DBU Class C Criteria (Drinking water source after conventional treatment and disinfection).

8. The Water Quality data of River Cauvery in Kodagu district during the year 2023 is attached as **Annexure II**.
9. The answering respondent craves leave of the Hon'ble Tribunal to file additional reply, in future, if required.
10. That in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the instant OA.

Dated at Bengaluru on this the 18th day of September 2024.



DEPONENT

J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
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**COUNSEL FOR
1st RESPONDENT**



BOARD
BENGALURU
(OF INDIA)

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AFFIDAVIT

I, J Chandra Babu, son of late Shri. J Balaramaiah, aged 56 years, having office at the Regional Directorate (Bengaluru), Central Pollution Control Board (CPCB), 1st & 2nd Floors, Nisarga Bhavan A- Block, Thimmaiah Main Road, 7th D Cross, Shivanagar, Bengaluru – 560 079, Karnataka, do hereby solemnly affirm, declare on oath and state as under:

1. That I, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.




J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)
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2. That the accompanying reply may be read part and parcel of the present affidavit.

3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

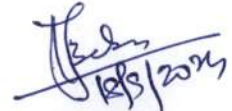

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VERIFICATION

Verified at Bengaluru on this 18th day of September 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed there from or mis-stated.


18/9/2024

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**COUNSEL FOR
1st RESPONDENT**



Annexure-I

Water Quality Criteria, Designated Best Use Water Quality Criteria

Designated-Best-Use	Class of water	Criteria
Drinking Water Source without conventional treatment but after disinfection	A	Total Coliforms Organism MPN/100ml shall be 50 or less pH between 6.5 and 8.5 Dissolved Oxygen 6mg/l or more Biochemical Oxygen Demand 5 days 20C 2mg/l or less
Outdoor bathing (Organised)	B	Total Coliforms Organism MPN/100ml shall be 500 or less pH between 6.5 and 8.5 Dissolved Oxygen 5mg/l or more Biochemical Oxygen Demand 5 days 20C 3mg/l or less
Drinking water source after conventional treatment and disinfection	C	Total Coliforms Organism MPN/100ml shall be 5000 or less pH between 6 to 9 Dissolved Oxygen 4mg/l or more Biochemical Oxygen Demand 5 days 20C 3mg/l or less
Propagation of Wild life and Fisheries	D	pH between 6.5 to 8.5 Dissolved Oxygen 4mg/l or more Free Ammonia (as N) 1.2 mg/l or less
Irrigation, Industrial Cooling, Controlled Waste disposal	E	pH between 6.0 to 8.5 Electrical Conductivity at 25C micro mhos/cm Max.2250 Sodium absorption Ratio Max. 26 Boron Max. 2mg/l

Annexure II

Water Quality Data of River Cauvery in Kodagu District in Karnataka monitored under NWMP-2023

S. N	Monitoring Location	Dissolved Oxygen (mg/L)		pH		BOD (mg/L)		Fecal Coliform (MPN/100ML)		Total Coliform (MPN/100ML)		Compliance Status
		Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	
Primary Water Quality for Outdoor Bathing notified under the E(P) Rules, 1986		>5 mg/L		6.5-8.5		< 3 mg/L		< 2500 MPN/100ML		-		
1.	RIVER CAUVERY D/S AT BHAGA MANDALA BRIDGE	6.5	7.8	6.8	8.9	1.0	2.5	17	41	210	350	Non-Complying
2.	RIVER CAUVERY AT BALMAVATI BRIDGE TO THANDRA HOLE TRIBUTARY	6.7	7.3	7.3	8.0	1.0	2.0	17	41	220	350	Complying
3.	RIVER CAUVERY AT NAPOKULU BRIDGE (D/S)	6.3	7.7	7.0	8.7	1.0	2.5	17	43	210	350	Non-Complying
4.	RIVER CAUVERY D/S OF AT BETHRI BRIDGE , MURNAD	6.6	7.7	7.5	8.0	1.0	2.5	24	33	220	430	Complying
5.	RIVER CAUVERY D/S AT KONDA NAGIRI BRIDGE	6.7	7.7	7.2	8.1	1.0	2.0	17	47	210	350	Complying
6.	RIVER CAUVERY D/S OF AT NELLU DIKERI BRIDGE, SIDDAPURA	6.8	7.6	6.8	8.0	1.0	2.0	22	32	210	280	Complying
7.	RIVER CAUVERY D/S OF AT DUBARE, HANGING BRIDGE (THEPPADA KINDI)	6.8	7.5	7.3	7.8	1.0	2.0	27	47	240	350	Complying
8.	RIVER CAUVERY D/S OF KUSHALANAGAR TOWN	6.2	7.7	7.3	8.6	1.0	3.0	32	68	240	700	Non-Complying
9.	RIVER CAUVERY AT KUSHALANAGAR U/S (NEAR BAICHANAHALLI)	6.2	7.7	7.2	8.6	1.0	3.0	32	78	240	630	Non-Complying
10.	RIVER CAUVERY D/S AT KANIVERAMALINGESWARA TEMPLE BRIDGE, KUSHALANAGAR	6.6	7.6	7.2	8.8	1.0	3.0	21	92	220	1200	Non-Complying