

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE, AT CHENNAI.**

**Original Application No.187 of 2023**

Tribunal on its own motion SUO MOTU  
based on the News Item in The Times  
of India, Chennai Edition Newspaper  
dt: 28.11.2023, under the caption "**Fish  
in Mylapore temple tank found dead,  
deepam oil blamed**" and in The Hindu  
Newspaper dt: 28.11.2023, under the  
caption "**Thousands of dead fish removed  
from Kapaleeswarar Temple's tank in Chennai**".

**With**

Hindu Religious Charitable Endowments  
Department, Rep. by its Commissioner,  
Chennai and Ors.

...Respondents

**INDEX**

S.No	Description	Page No.
1.	<b>REPORT FILED ON BEHALF OF THE SECOND RESPONDENT TAMIL NADU POLLUTION CONTROL BOARD.</b>	1 - 3
2.	<b>Annexure I &amp; III</b>	4 - 7



**Filed by  
Thiru.S. Sai Sathya Jith,  
Advocate, Chennai.**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE, AT CHENNAI.**

**Original Application No.187 of 2023**

Tribunal on its own motion SUO MOTU based on the News Item in The Times of India, Chennai Edition Newspaper dt: 28.11.2023, under the caption "**Fish in Mylapore temple tank found dead, deepam oil blamed**" and in The Hindu Newspaper dt: 28.11.2023, under the caption "**Thousands of dead fish removed from Kapaleeswarar Temple's tank in Chennai**".

**With**

Hindu Religious Charitable Endowments  
Department, Rep. by its Commissioner,  
Chennai and Ors.

...Respondents

**REPORT FILED ON BEHALF OF THE SECOND RESPONDENT  
TAMIL NADU POLLUTION CONTROL BOARD.**


I, K.Nalini, Daughter of Thiru.K.Krishnaswamy, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby solemnly affirm and sincerely state as follows:

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am authorized to file this report on behalf of the second respondent and as such I am well acquainted with the facts of the case from the records available at office.
2. It is respectfully submitted that the Hon'ble National Green Tribunal, SZ, Chennai has taken up Suo Motu on 20.12.2023 based on the News Item in The Times of India, Chennai Edition Newspaper dt: 28.11.2023, under the caption "**Fish in Mylapore temple tank found dead, deepam oil blamed**" and in The Hindu Newspaper dt: 28.11.2023, under the caption "**Thousands of dead fish removed from Kapaleeswarar Temple's tank in Chennai**".
3. It is respectfully submitted that as per the order passed by the Hon'ble National Green Tribunal (SZ) dated 20.12.2023, the report is submitted on behalf of the TNPCB herein.

  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
 CHENNAI-600 032.

4. It is respectfully submitted that the Kapaleeshwarar temple was inspected on 12.2.2024 and 29.2.2024 by the officials of the 2<sup>nd</sup> respondent- (TNPCB). The Kapaleeshwarar temple tank area consist of 4 acres, with its primary source of water being reported as rain water. The Temple pond has an outlet through which excess rainwater is discharged from the temple pond.
5. It is respectfully submitted that the Arulmigu Kapaleeswarar Temple, Mylapore pond is fully fenced to ensure limited public usage. The Temple pond had a water depth of 1/3 of its capacity during inspection. Live fish and bird activities were noticed. A water sample from the temple pond was collected on 29.02.2024 and the Results of Analysis (ROA) of the collected samples reveals that all the parameters were within the Board's prescribed standards. The ROA is enclosed as **Annexure – 1**.
6. It is respectfully submitted that the 5<sup>th</sup> respondent has informed that fish death occurred in the pond during the month of November coinciding with the Kaarthigai Deepam festival at Kapaleeshwarar temple. The 5<sup>th</sup> respondent also reported that the reasons for the fish death was the confluence of oil washed out from the steps of the pond during Kaarthigai Deepam.
7. It is respectfully submitted that the Hindu Religious and Charitable Endowments Department Arulmigu Kapaleeswarar Temple, Mylapore has been addressed by the 2<sup>nd</sup> respondent (TNPCB) vide letter dated 29.02.2024 (Enclosed as **Annexure – II**) to take necessary action so as to ensure ecosystem in the temple pond is not polluted by oil from lamps that spilled into the tank due to rain. It is respectfully submitted that the HR&CE Department has scheduled a Joint meeting on 18.03.2024 for the "Formulation of Standard Operating Procedures" as directed by the Hon'ble NGT. (Enclosed as **Annexure – III**)

In this regard, the following standard operating procedures/methods were suggested by TNPCB for temple tanks to improve the quality of water and to avoid fish kills

  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.78, MOUNT SALAI, GUINJOY,  
 CHENNAI-600 032.

1. Ensuring stoppage of sewage/ sullage or any other waste water from entering the temple tanks.
2. Providing water fountains of suitable numbers at various locations within the temple tank to increase Dissolved Oxygen (DO) content in the water by promoting oxygen exchange at the water surface. in case of small temple tanks.
3. Providing surface aeration system in case of large tanks to increase Dissolved Oxygen content in the water which is essential for aquatic life and overall water quality.

Awareness shall be created among temple devotees not to throw items such as garlands/clay lamps or any other items during pooja rituals or any other occasions

8. It is respectfully submitted that the temple authorities has to ensure that no oil is reaching the pond by earmarking specific area for lighting oil lamps in an enclosure.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

*K. Nalini*  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

### VERIFICATION

I, K.Nalini, Daughter of Thiru.K.Krishnaswamy, working as Joint Chief Environmental Engineer, Chennai 600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records.

*K. Nalini*  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

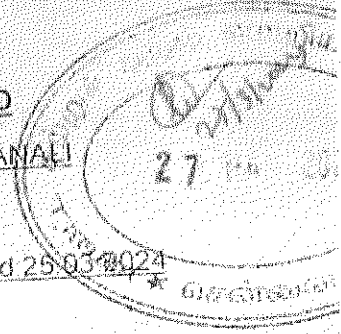


Annexure - I

TAMIL NADU POLLUTION CONTROL BOARD  
DISTRICT ENVIRONMENTAL LABORATORY - MANALI


REPORT OF ANALYSIS

R.O.A.No. 725/DEL-Manali Water Report 2023-2024 Dated 29-03-2024



1. Name of the Sender : DEE-Chennai  
2. Nature and Number of Sample(s) : One number of sample  
3. Date and Time of Collection : 29.02.2024 at 03:55 PM  
4. Point of Collection : CRS 22/02/24

S. No.	Parameters	DEE code	CRS 22/02/24
		LAB code	1764
		Unit	
1.	pH		6.70
2.	TSS	mg/l	6
3.	TDS	mg/l	354
4.	Chloride	mg/l	124
5.	Sulphate	mg/l	48
6.	BOD	mg/l	3
7.	COD	mg/l	24
	Analytical Charges		₹3550.00
	Total Amount		₹3550.00

  
Deputy Chief Scientific Officer  
DEL, Manali



**TAMILNADU POLLUTION CONTROL BOARD**

**From**

Dr. R. Jayamurugan, M.E., Ph.D.,  
District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
No. 950/1, Poonamalle High Road,  
Arumbakkam,  
Chennai 600 106.

**To**

The Executive Officer  
Hindu Religious and Charitable  
Endowments Department  
Arulmigu Kapaleeswarar Temple,  
Mylapore,  
Chennai - 600004

**Lr.No: DEE/TNPCB/CHN/COMP 407990932/2024 Dt: 29/02/2024**

Sir,

**Sub:** TNPCB-Complaints - O/o. DEE, Chennai – Hon'ble NGT (SZ)- OA No 187 of 2023-SUO MOTU case based on the news item in news daily "Time of India, Chennai dated 28/11/2023 –under the caption "Thousands of dead fish removed from Kapaleeswarar Temple's tank in Chennai- Action requested- Regarding.

**Ref:** 1. Hon'ble NGT (SZ)- OA No 187 of 2023  
2. Inspection of the site on 12/02/2024 & 29/02/2024

\*\*\*\*\*

I invite kind attention to the a court case has been filed on SUO MOTU basis on the news item in news daily "Time of India, Chennai dated 28/11/2023 under the caption "Thousands of dead fish removed from Kapaleeswarar Temple's tank in Chennai"

During inspection of the temple pond and its surrounding area on 04/12/2024 Temple authorities informed that fish death incident happend during the rainy season and kaarthigai deepam festival. They also reported that possible reasons for death of fish is due to oil mixing into temple pond during karthigai deepam because of the confluens of oil washed out from the steps of the pond.

In this regard, it is requested to comply with the following action points so as to ensure ecosystem in the temple pond is not polluted from external sources.

1. To take appropriate action to prevent oil spillage in the steps in case of any function into temple pond and to avoid eutrophication of temple pond.

The action taken report may be intimated to this office early and the receipt of this letter shall be acknowledged.

Encl: As above.

  
 District Environmental Engineer  
 Tamil Nadu Pollution Control Board  
 Chennai District

29/2/24

Demand (3 days at 27°C)	1974
-------------------------	------

**Table 1.3 Primary Water Quality Criteria for Class SW-III Waters** [For Industrial cooling, Recreation (non-contact) and Aesthetics]

Sl.No	Parameter	Standards	Rationale/Remarks
1	pH range	6.5-8.5	The range is conducive for propagation of aquatic species and restoring natural system
2	Dissolved Oxygen	3.0 mg/l or 40 percent saturation value whichever is higher	To protect aquatic lives
3	Colour and Odour	No noticeable colour or offensive odour	None in such concentration that would impair usages specifically assigned to this class.
4	Floating Matters	No visible/obnoxious floating debris, oil slick, scum	As in (3) above
5	Fecal Coliform	500/100 ml (MPN)	Not exceeding 1000/100 ml in 20 percent of samples in the year and in 3 consecutive samples in monsoon months
6	Turbidity	30 NTU	Reasonably clear water for Recreation, Aesthetic appreciation and Industrial cooling purposes.
*7	Dissolved Iron (as Fe)	0.5 mg/l or less	It is desirable to have the collective concentration of dissolved Fe and Mn less or equal to 0.5 mg/l to avoid scaling effect
*8	Dissolved Manganese (as Mn)	0.5 mg/l or less	

\* Standard included exclusively for Industrial Cooling purpose. Other parameters same.

**Table 1.4 Primary Water Quality Criteria for Class SW-IV Waters** (For Harbour Waters)

Sl.No	Parameter	Standards	Rationale/Remarks
1	pH range	6.5-9.0	To minimize corrosive and scaling effect
2	Dissolved Oxygen	3.0 mg/l or 40 percent saturation value	Considering bio-degradation of oil and inhibition to oxygen production through photosynthesis

5	Suspended Solids	None from sewage or industrial waste origin	Settleable inert matters not in such concentration that would impair any usages specially assigned to this class
6	Oil and Grease (including Petroleum Products)	0.1 mg/l	Concentration should not exceed 0.1 mg/l as because it has effect on fish eggs and larvae.
7	Heavy Metals Mercury (as Hg) Lead (as Pb) Cadmium (as Cd)	0.01 mg/l 0.01 mg/l 0.01 mg/l	Values depend on: (i) Concentration in salt, fish and shell fish. (ii) Average per capita consumption per day. (iii) Minimum ingestion rate that induces symptoms of resulting diseases.

**Table 1.2 Primary Water Quality Criteria for Class SW-II Waters** (For Bathing, Contact Water Sports and Commercial Fishing)

Sl.No	Parameter	Standards	Rationale/Remarks
1	pH range	6.5-8.5	Range does not cause skin or eye irritation and is also conducive for propagation of aquatic life
2	Dissolved Oxygen	4.0 mg/l or 50 percent saturation value whichever is higher	Not less than 3.5 mg/l at anytime for protection of aquatic lives.
3	Colour and Odour	No noticeable colour or offensive odour	Specially caused by chemical compounds like creosols phenols, naphtha, benzene pyridine, volume etc. causing visible colouration of water and tainting of and odour in fish flesh
4	Floating Matters	Nothing obnoxious or detrimental for use purpose	None in concentration that would impair usages specially assigned to this class.
5	Turbidity	30 NTU (Nephelo Turbidity Unit)	Measured at 0.9 depth
6	Fecal Coliform	100/100 ml (MPN)	The average value not exceeding 200/100 ml. in 20 percent of samples in the year and in 3 consecutive samples in monsoon months
7	Biochemical Oxygen	3 mg/l	Restricted for bathing (aesthetic quality of water). Also prescribed by IS:2296-

**BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL, SOUTHERN  
ZONE, AT CHENNAI.**

**Original Application No.187 of 2023**

Tribunal on its own motion SUO MOTU based on the News Item in The Times of India, Chennai Edition Newspaper dt: 28.11.2023, under the caption "**Fish in Mylapore temple tank found dead, deepam oil blamed**" and in The Hindu Newspaper dt: 28.11.2023, under the caption "**Thousands of dead fish removed from Kapaleeswarar Temple's tank in Chennai**".

**With**

Hindu Religious Charitable Endowments  
Department, Rep. by its Commissioner,  
Chennai and Ors.

...Respondents

**REPORT FILED ON BEHALF OF  
THE SECOND RESPONDENT TAMIL  
NADU POLLUTION CONTROL  
BOARD.**

**Advocate for Respondent: TNPCB  
Thiru.S. Sai Sathya Jith,  
Advocate, Chennai.**

**Date: ~~22~~.08.2024**

**Date of hearing on: 23.08.2024.**