

**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

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

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

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, 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**".

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

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.
4. It is respectfully submitted that the Kapaleeshwarar temple was inspected on 29.2.2024 by the officials of the 2nd respondent- (TNPCB). The Kapaleeshwarar temple tank area consists 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 maximum 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 as per Water Quality Criteria for Class SW – II Waters. The ROA is enclosed as **Annexure – 1**.
6. It is respectfully submitted that the 5th 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 5th 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 festival.
7. It is respectfully submitted that the Hindu Religious and Charitable Endowments Department Arulmigu Kapaleeswarar Temple, Mylapore has been addressed by the 2nd respondent (TNPCB) vide letter dated 29.02.2024 (Enclosed as **Annexure – II**) to take necessary action so as to ensure that the ecosystem of the temple pond is not polluted by oil from lamps that spilled into the tank due to rain.
8. 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.


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

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

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.
4. 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

9. It is respectfully submitted that, as per the order passed by the Hon'ble National Green Tribunal (Southern Zone) dated 27.02.2025, it was directed that:

"The Pollution Control Board (PCB) is directed to include in its Standard Operating Procedure (SOP) a backup mechanism for the removal of oil from water to prevent fish mortality."

In compliance with the said direction, it is submitted that the Standard Operating Procedure (SOP) may be appropriately amended as proposed herein.

10. In this regard, it is respectfully submitted that, fish mortality is an inevitable consequence when oil mixes with pond water due to the drop in dissolved oxygen, making the water unsuitable for aquatic life. To prevent this, it is essential to ensure oil-contaminated water does not enter the tank. Hence the following recommendations may be added as part of the Standard Operating Procedure (SOP), that


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

- To Create awareness among the public, through posters, announcements, etc. about the impact of oil pollution and promote responsible practices like lighting lamps in the designated areas that has no access to the tank or water bodies.
- To install raised bunds around the tank perimeter lined with oil-absorbent pads/sheets to block oil-laden water, particularly during the Karthigai Deepam festival, managed by qualified contractors/vendors.

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.Krishnasamy, working as Joint Chief Environmental Engineer, having office at No.76, Mount Salai, Guindy, 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.



TAMIL NADU POLLUTION CONTROL BOARD
DISTRICT ENVIRONMENTAL LABORATORY – MANALI

REPORT OF ANALYSIS

R.O.A.No. 725/DEL-Manali Water Report 2023-2024 Dated:25.03.2024



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"

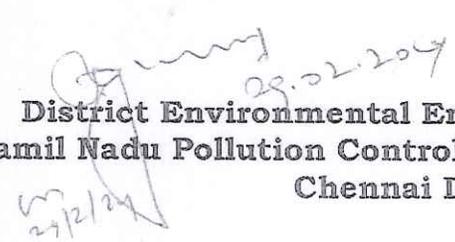
During inspection of the temple pond and its surrounding area on 04/12/2024 Temple authorities informed that fish death incident happend during the rainy season and kaarthigai deepam festival. They also reported that possible reasons for death of fish is due to oil mixing into temple pond during karthigai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


28.02.2024
District Environmental Engineer
Tamil Nadu Pollution Control Board
Chennai District

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Hindu Religious Charitable Endowments
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Chennai and Ors.

...Respondents

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

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

Date:17.04.2025.

Date of hearing on: 26.06.2025

