

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTH ZONE

ORIGINAL APPLICATION NUMBER 125/2024

IN THE MATTER OF

Shri Harish Tholar Applicant

Vs.

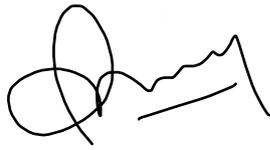
State of Karnataka & Others Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. R3 - KARNATAKA STATE

POLLUTION CONTROL BOARD

PAPERBOOK

[PLEASE SEE INSIDE FOR INDEX]



DEVRAJ ASHOK

COUNSEL FOR KARNATAKA STATE POLLUTION CONTROL BOARD

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PLACE: BENGALURU
DATE: 06/02/2026


THROUGH COUNSEL
DEVRAJ ASHOK

PH: 8050637442

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTH ZONE

ORIGINAL APPLICATION NUMBER 125/2024

IN THE MATTER OF

Shri Harish Tholar Applicant

Vs.

State of Karnataka & Others Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. R3 - KARNATAKA STATE

POLLUTION CONTROL BOARD

I, Shri. Keerthi Kumar K, aged about 56 years, son of Shri. Kempaiaha H, presently working as the Environmental Officer, Karnataka State Pollution Control Board (the "KSPCB"), Udupi region, do hereby solemnly affirm and state that I am duly authorized and competent to depose the present affidavit, on behalf of the KSPCB. I am familiar with the facts and circumstances pertaining to the present matter, based on the official documents/records of the Karnataka State Pollution Control Board and also in my official capacity and as such, I depose as set forth below:

1. It is respectfully submitted that the present affidavit is being filed with the requisite information to comply with the directions of this Hon'ble Tribunal in order dated

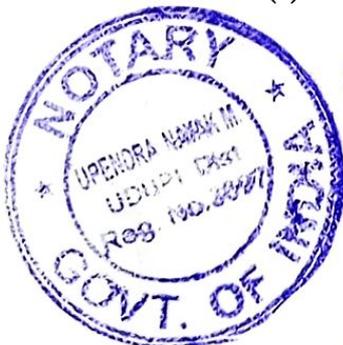


Keerthi Kumar
SIGNED BEFORE ME ¹
[Signature] 6/2/2026
NOTARY, UDUPI

02/12/2025, passed in the present matter (hereafter, the “Order”). Paragraph 10 of the Order, about the KSPCB, is set forth herein below for ready reference:

“10. The Karnataka State Pollution Control Board is also directed to file a detailed report identifying the violators and specifying the actions taken by the Board to prevent such violations”

2. In pursuance of the above directions of this Hon’ble Tribunal, officials of the KSPCB and the GramaPanchayat of Kollur inspected the subject-matter area on 08/01/2026, to identify individuals/establishments, causing pollution, if any. A copy of the Report of the Joint-Inspection of 08/01/2026 is annexed herewith as ANNEXURE R1. The contents of the same are self-explanatory and may be read herein as part and parcel of this affidavit. It may be necessary to mention the following herein: (a) out of 58 lodges, 57 are connected to the UGD network, 26 existing hotels are connected to the UGD network. There are 262 residences within the UGD area, out of which 114 residences are connected to UGD, in 27 residences no one is residing, but they have provided septic tank and there is no discharge in to the river. The remaining 121 residences are not connected to the UGD network due to difficult terrain, lack of natural gradation, etc. These residential units were using individual septic tanks, and there is no discharge into the river; (b) one (1) lodge namely M/s Ashwathi Lodge, is not connected to the UGD network because a National Highway Road cutting is required to execute and connect to the UGD network, however this lodge having septic tank for treatment of sewage and there is no discharge of waste water in to the river. (c) It was observed that the UGD pipeline was leaking near Shankar



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[Signature]
6/12/2026
[Signature]
NOTARY, UDUPI

Kripa Lodge, the main road of the temple, and this joins the Agni Thirtha River, causing water pollution; and(d) several non-compliances were observed in the working of the STPs maintained by the KUWS& DB and the Mookambika Temple Authorities, causing pollution. Partially treated STP water was also being discharged into the river. The Samples are collected from the outlet of STP, and the outfall of treated sewage at Sowparnika River, and also the samples from the river water have been collected and sent for laboratory analysis. The results are awaited.

3. Consequently, on 30/01/2026, a notice was issued to the KUWSDB and the Mookambika Temple Authority, in accordance with the Water (Prevention and Control of Pollution) Act, 1974 (the “Water Act”), to take corrective action and report compliance within seven (7) days. A copy of the Notice dated 30/01/2026, issued under the Water Act, to KUWDSB and the Mookambika Temple is annexed herewith as ANNEXURE R2 As on date of this Affidavit neither the temple authority nor KUWS&DB have not provided reply to this notice.

4. On 31/01/2026, restraining orders, under Section 32(1) (c) of the Water Act, were also issued to the Mookambika Temple authorities, forthwith restraining them from discharging polluted water into the Souparnika River or any other water body. A copy of the KSPCB Restraining Order dated 31/01/2026, under the Water Act, issued to the Mookambika Temple Authority, is annexed herewith as ANNEXURE R3.

5. The above are the necessary particulars with respect to the current sources of pollution of the subject-matter river and the consequent action taken by the KSPCB.



SIGNED BEFORE ME

 3
NOTARY, UDUPI

KSPCB will be obliged to provide additional details of the same as may be required by this

Hon'ble Tribunal.


DEPONENT

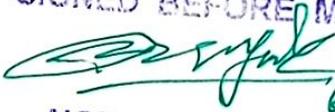
ENVIRONMENTAL OFFICER
Karnataka State Pollution Control Board
Udupi

VERIFICATION

Verified on this 6th day of February 2026, at udupi, that the contents of the above affidavit are true and correct to the best of my knowledge, information and belief and nothing material is concealed there from.


DEPONENT



SIGNED BEFORE ME

NOTARY, UDUPI 6/2/2026

NOTARIAL REGISTER
Sl. No. 146 Dt: 6-2-2026

M. UPENDRA NAYAK, B.A., LL.B.
ADVOCATE & NOTARY PUBLIC
Near Hotel Naivedya, Shri Krishna Building
Court Road, UDUPI - 576 101

**Inspection report of Sri K. Keerthi Kumar, Environmental officer, Regional office,
KSPCB, Udupi**

Officers Accompanied	Dr. Amritha A.S, DEO
Name of the industry/unit	M/s.Sri. Mookambika Temple, Kollur, Sewage Treatment Plant, Sy. No. 121 of Kollur Village & Post, Byndoor Taluk, Udupi District- 576 220
Project Cost	As per the Capital Investment is Rs. 293.52 Lakhs as declared by the AEE, KUWS & DB, Sub Division, Mangaluru
Category and classification	Large Red (the project cost is less than 10 crores)
Category code	1181-STPs established at Residential apartments, commercial complex, housing colony, housing colony with wastewater generation more than 100KLD.
PCB ID	29117
Date of Inspection	08-01-2026
Persons Contacted	Sri. Pradeep- Temple Engineer Sri. Prashanth –Water man-Kollur panchyat Smt.Mookambu –SDA Kollur Panchyat
Status of consent and validity	Obtained CFE from the Board, No: CTE-327052 dated 27.09.2021. Now applied for CFO and application is pending at Board office to issue CFO fresh.
Activity	Sewage Treatment Plant
Consent obtained for	STP of capacity 1.5 MLD

Preamble: Sri Mookambika Temple located at Sy.No-121, Kolluru Post & Village, Byndoor Taluk & Udupi District and obtained the CFE from the Board for establishment of STP of capacity 1.5MLD No: CTE-327052 dated 27.09.2021. Now applied for CFO fresh yet to be issued from the Board.

Based on the NGT OA 125/2024, order dated: 02.12.2025 the kollur STP, Kollur temple and surrounding area was visited on 08-01-2026.

As discussed with Kollur Panchyat Staffs and visited the area, out of 58 Lodges 57 were connected to UGD system, and all existing 26 hotels are also connected to UGD system. As the information give by the Panchyat officials, there are 262 residences are within the UGD area out of that 114 residences were connected to UGD network, and in 27 residences no one is residing and remaining residences yet to be connected to UGD are 121. Following are the observations made during inspection.

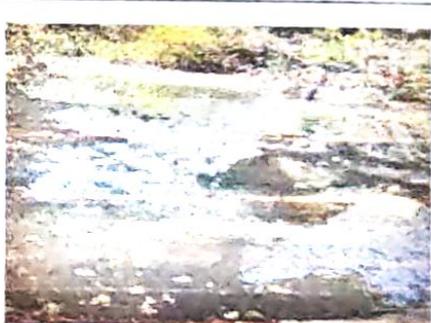
- The UGD Pipe lines leakages were observed at temple main road near Shankar kripa lodge and the same is being discharge to Storm water drain and ultimately joins to Agni thirtha river causing water pollution.
- Installed STP of capacity 1.5MLD (0.5MLD*3 units) out of that one unit was not in operation due to maintenance work.
- Installed 3No's MBBR units of capacity 0.5MLD each.
- Installed 3No's of PSF and ACF.
- Another unit is having the hole and there was a leakages of Sewage.
- STP was not in scientific operation.
- Inflow meter is provided and not provided outflow meter to the STP.
- The treated sewage is being discharged to Sowparnika River by providing pipe line.
- There is a stagnation of sewage near STP area due to leakages in MBBR tanks.
- Log book w.r.t. operation of STP is maintained, and as observed, in the record during rainy season the inflow of sewage to STP is more than 1.8 to 1.9 MLD in several months which may due to entry

STP.

- By physical observation itself was observed that the treated sewage is light brown colour indicated partial treatment of Sewage, and same is being discharged to Sowparnika river providing pipe line.
- Still there was a small cut pieces of plastic material stored near the STP which is from the STP.

There is no holding/equalization tank at the STP area to avoid sudden load of sewage pumped to STP units which effects the detention time for treatment of sewage, because of inadequate holding time in MBBR system.

Photographs taken during inspection:

		
Agni theertha	Joining point of Agnitheertha and Sowparnika	Pipeline connection from STP to Sowparnika river
		
Outfall of treated sewage	Outfall of treated sewage	Near outfall of STP
		
STP- MBBR unit	STP- MBBR unit	Sludge collection bag
		
STP	Leakage of MBBR unit	Water storage in front of temple



Manhole near wet well



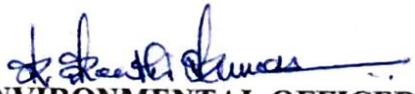
Near bathing Ghat



Sewage near Shankar kripa lodge

NGT case status : Sri Harish Tolar has filed the complaint before the Hon'ble NGT, OA.No.125/2024 (SZ) regarding the pollution of Sowpamika and Agnitheertha rivers of Kollur, Byndoor Taluk, Udupi District. Based on the Hon'ble NGT direction, the kollur area and the STP was inspected on 08-01-2026. The next hearing date at Hon'ble NGT is scheduled on 09-02-2026.

Recommendation: In view of the above, non compliances Show Cause Notice may be issued to the temple authorities and KUWS& DB authorities.


ENVIRONMENTAL OFFICER
KSPCB-RO- UDUPI

Karnataka State Pollution Control Board

Regional Office

"Parisara Bhavana"

Plot No. 36-C, Shivalli Ind. Area,

Manipal, Udupi - 576 104

Phone : 0820-2982016

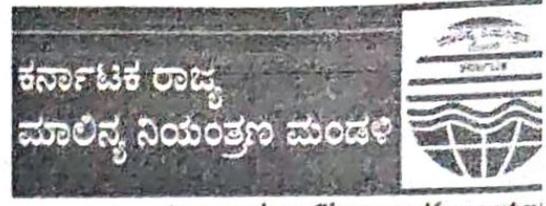
ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ

'ಪರಿಸರ ಭವನ'

ಸಂಖ್ಯೆ : ೩೬-ಸಿ, ಶಿವಳ್ಳಿ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ

ಮಣಿಪಾಲ, ಉಡುಪಿ - 576 104

ದೂರವಾಣಿ : 0820-2982016



towards a Cleaner Karnataka

KSPCB/EO(UDP)/Notice/2024-25/1354

Date: 30/01/26

To,

1. The Executive Officer,
Sri Mookambika Temple,
Kolluru Post and Village,
Byndoor Taluk,
Udupi District- 576220.

2. Executive Engineer,
Karnataka Urban water Supply and Drainage Board,
Mallikatte,
Mangalore -575002.

Sub: Non-compliances under the provisions of Water (Prevention and Control Of Pollution) Act, 1974-reg.

- Ref: 1. Board CFE order No, CTE-327052 dated 27.09.2021.
2. CFO application submitted by temple authority in XGN with PCB ID: 29117 Inward No. 275874 dated 01.01.2025.
3. CFO application submitted by temple authority in XGN with PCB ID: 29117 Inward No. 275874 dated 01.01.2025
4. Personal hearing held at Board office on 23.12.2025.
5. Hon'ble NGT order dated 02.12.2025.
6. Inspection of the STP & surrounding location was made by undersigned on 08.01.2026.

With reference to above subject, you have established & operating the STP in the name of M/s Sri Mookambika Temple located at Sy.No-121, Kolluru Post and Village, Byndoor Taluk & Udupi District and obtained the CFE from the Board for establishment of STP capacity 1.5MLD which is valid upto 26.09.2026 vide ref (1). They have applied for the CFO fresh application under Water Act & Air Act vide ref (2) by remitting the CFO fee of Rs.18,85,000/. The application was forwarded to Board office on 18.02.2026. The Board has called for Personal hearing to Temple Authority and KUWS&DB on 23.12.2025 and proceedings of the personal hearing was received at this office on 05.01.2026. As per the proceedings of the personal hearing direction, "the authority shall explore the possibility of utilization of treated sewage for irrigation and other purposes".

Email : udupi@kspcb.gov.in

"ಪ್ಲಾಸ್ಟಿಕ್ ಬಳಕೆ ನಿಲ್ಲಿಸಿ, ಪರಿಸರ ಹಾನಿ ತಪ್ಪಿಸಿ"

Website : www.kspcb.karnataka.gov.in

"AVOID USE OF PLASTIC, BE ECOFRIENDLY"

Further, the STP and surrounding area was inspected on 08.01.2026 and following observations are made :

- The UGD Pipe lines leakages were observed at temple main road near Shankarkripa Lodge and the same is being discharge to Storm water drain and ultimately joins to Agni thirtha river causing water pollution.
- Installed STP of capacity 1.5MLD (0.5MLD*3 units) out of that one unit was not in operation due to maintenance work.
- Installed 3No's MBBR units of capacity 0.5MLD each.
- Installed 3No's of PSF and ACF.
- One MBBR unit is damaged and having the hole and there was a leakages of Sewage .
- STP was not in scientific operation.
- Inflow meter is provided and not provided outflow meter to the STP.
- The treated sewage is being discharged to Sowparnika river by providing pipe line which in violation of the CFE condition.
- There is a stagnation of sewage near STP area due to leakages from MBBR tanks.
- Log book w.r.t. operation of STP is maintained, and as observed, in the record during rainy season the inflow of sewage to STP is more than 1.8 to 1.9 MLD in several months which may due to entry of rain water through UGD/manhole which ultimately hampered the operation and maintenance of STP.
- By physical observation itself was observed that the treated sewage is light brown colour which indicated partial treatment of Sewage, and same is being discharged to Sowparnika river by providing pipe line.
- Still there was a small cut pieces of plastic material stored near the STP which is removed from the STP.
- There is no holding/equalization tank at the STP area to avoid sudden load of sewage pumped to STP units which effects the detention time for treatment of sewage, because of inadequate holding time in MBBR system.

Also, the treated sewage samples collected on April, 2024, May 2024, April 2025, May 2025 and July 2025 are not confirming to standards stipulated by Board. This office is repeatedly receiving the complaints published in the newspaper regarding the discharging partially/untreated sewage to Sowparnika River causing the river pollution. Till date not made any effort to rectify the issues and to stop the discharge of sewage to sowparnika river even after repeated notices issued by this office.

In view of the above, you are hereby informed to submit the action taken report and compliance report within **7 days' time**. Failing which this office will recommend to the Board for further course of action under the Provision of Water (Prevention and Control of Pollution) Act, 1974.

Please acknowledge the receipt of this notice.

Yours faithfully,


ENVIRONMENTAL OFFICER
KSPCB, UDUPI

Zonal Office:
Karnataka State Pollution Control Board
Parisara Bhavana, Block No. 23 & 24, 1st Floor,
4th Cross, Near ESI Hospital, Industrial Area,
Balkampady, Mangaluru - 575 011
Tel: 0824-2408420
E-mail: seo@kspcb.gov.in

ವಿಭಾಗೀಯ ಕಛೇರಿ:
"ಪರಿಸರ ಭವನ", ಬ್ಲಾಕ್ ನಂ. 23&24,
1ನೇ ಮಹಡಿ, 4ನೇ ಅಡ್ಡ ರಸ್ತೆ,
ಇ.ಎಸ್.ಐ. ಆಸ್ಪತ್ರೆ ಹತ್ತಿರ
ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ, ಬೈಕಂಬಾಡಿ,
ಮಂಗಳೂರು - 575 011

ಕರ್ನಾಟಕ ರಾಜ್ಯ
ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ



towards a cleaner Karnataka

No. PCB/SEO(MNG)/Restraining order/2025-26/414

DATE: 31.01.2026

02/02/26

//BY RPAD//

ಸಂಖ್ಯೆ: 2609

**RESTRAINING ORDERS UNDER SECTION 32 (1) (C) OF THE
WATERPREVENTION & CONTROL OF POLLUTION) ACT, 1974**

ಶಿ. ಅ.:

Sub: Non-compliance to the provisions of the Water (Prevention & Control of Pollution) Act, 1974 by The Executive Officer of M/s Sri Mookambika Temple, Kolluru Byndoor Taluk & Udupi District-reg.

- Ref.:**
1. Consent for Establishment (CFE) issued by the Board vide order No: CTE-327052 dated: 27.09.2021.
 2. CFO application submitted by temple authority in XGN with PCB ID: 29117Inward No: 275874 dated: 01.01.2025.
 3. Personal hearing held at Board office on 23.12.2025.
 4. Hon'ble NGT order dated: 02.12.2025.
 5. Inspection of the STP & surrounding location made by Regional Officer, Udupi on 08.01.2026.
 6. Legal sample collected by DEO of Regional Office, Udupi on 13.01.2026.
 7. Notice issued by Regional Office, Udupi vide No: 1354 dated: 30.01.2026.
 8. Letter received from Regional Office, Udupi vide No: 1355 dated: 30.01.2026.

PREAMBLE:

M/s Sri Mookambika Temple authority have established and operating the STP to treat sewage generated from Kolluru temple town and surrounding located at Sy. No: 121, Kolluru Post and Village, Byndoor Taluk & Udupi District. They have obtained the Consent for Establishment from the Board for the establishment of STP of capacity 1.5MLD which is valid upto 26.09.2026 vide ref (1). Further, they have applied for the CFO-fresh application under Water Act & Air Act vide ref (2). The application was forwarded to the Board Office on 18.02.2026. Further, the Board has called for the personal hearing to Temple authority and KUWS&DB, on 23.12.2025 vide ref (3) and proceedings of the personal hearing was received at Regional Office, Udupi on 05.01.2026. As per the proceedings of the personal hearing direction, "the authority shall explore the possibility of utilization of treated sewage for irrigation and other purposes".

Further, the STP and surrounding area was inspected by the Regional Officer, Udupi on 08.01.2026 vide ref (5) and following observations are made: -

- The UGD Pipe lines leakages were observed at temple main road near Shankarkripa Lodge and the same is being discharge to Storm water drain and ultimately joins to Agni Thirtha River causing water pollution.
- Installed STP of capacity 1.5MLD (0.5MLD*3 units) out of that one unit was not in operation due to maintenance work.
- Installed 3No's MBBR units of capacity 0.5MLD each.
- Installed 3No's of PSF and ACF.

02/02/26

- One MBBR unit is damaged having the hole and there was a leakage of Sewage.
- STP was not in scientific operation.
- Inflow meter is provided and not provided outflow meter to the STP.
- The treated sewage is being discharged to Sowparnika river by providing pipe line which in violation of the CFE condition.
- There is a stagnation of sewage near STP area due to leakages from MBBR tanks.
- Log book w.r.t. operation of STP is maintained, and as observed, in the record during rainy season the inflow of sewage to STP is more than 1.8 to 1.9 MLD in several months which may due to entry of rain water through UGD/manhole which ultimately hampered the operation and maintenance of STP.
- By physical observation itself was observed that the treated sewage is light brown colour which indicated partial treatment of Sewage, and same is being discharged to Sowparnika river by providing pipe line.
- Still there was a small cut pieces of plastic material stored near the STP which is removed from the STP.
- There is no holding/equalization tank at the STP area to avoid sudden load of sewage pumped to STP units which effects the detention time for treatment of sewage, because of inadequate holding time in MBBR system.

The treated sewage samples collected on April-2024, May-2024, April-2025, May-2025 and July-2025 are not confirming to standards stipulated by the Board. Regional Office, Udupi is repeatedly receiving the complaints published in the newspaper regarding the discharging partially/untreated sewage to Sowparnika river causing the river pollution. Till date the authority has not made any effort to rectify the issues and to stop the discharge of sewage to Sowparnika River even after repeated notices issued. Further, DEO of Regional Office, Udupi again inspected and collected the legal sample at final collection tank of STP and outfall of pipeline made from STP which is being discharged to the Sowparnika river on 13.01.2026 and submitted to Regional Laboratory for analysis vide ref (6). Regional Office, Udupi has issued Notice to the temple authorities and KUWDB authorities vide ref (7).

The above actions on your part are in violation under Section 25/26 of the Water (Prevention and Control) Act, 1974 and Section 24 (1) (a) of Water (Prevention and Control) Act, 1974. Hence, in the view of above violations, the Regional Officer, Udupi has recommended to this office vide ref (8) to issue Restraining Order under section 32(1)(C) of Water (Prevention and Control of Pollution) Act 1974 to The Executive Officer of M/s Sri Mookambika Temple, Kolluru, Byndoor Taluk & Udupi District directing to stop the discharge of partially/untreated sewage to Sowparnika river immediately.

For your kind reference, Section 24(1) (a) of Water (Prevention and Control) Act, 1974 is reproduced as below:

“24. Prohibition on use of stream or well for disposal of polluting matter, etc.— (1) Subject to the provisions of this SECTION, — (a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into stream or well or sewer or on land”

In view of the above, it is intended to issue restraining order under section 32 (1) (C) of Water (Prevention and Control of Pollution) Act, 1974, directing to stop the discharge of partially/untreated sewage to Sowparnika river immediately and to rectify the issues.

Hence, the following order: -

ORDER

*In exercise of the powers conferred under section 32 (1) (C) of Water (Prevention & Control of Pollution) Act, 1974 the Karnataka State Pollution Control Board hereby issue **RESTRAINING ORDER** to M/s Sri Mookambika Temple located at Sy. No: 121, Kolluru Post & Village, Byndoor Taluk & Udupi District, prohibiting/restraining the authority for discharge of partially/untreated sewage or any kind of effluent to the Sowparnika river/storm water drain/outside the premises/to water bodies at any point of time forthwith and until further order. Any non-compliance to this order will attract Penal action under Section 41,43 & 44 of the Water (Prevention and Control of Pollution) Act, 1974.*

You are directed to give your action taken report to control the above said discharge within seven days, failing which further course of action as mentioned above will be initiated.

**BY ORDER AND IN THE NAME OF
KARNATAKA STATE POLLUTION CONTROL BOARD
Sd/-
SENIOR ENVIRONMENTAL OFFICER (A/C)
KSPCB, MANGALURU**

To,

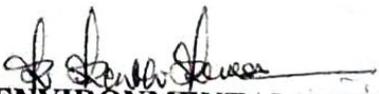
The Executive Officer,
Sri Mookambika Temple,
Kolluru Post & Village,
Byndoor Taluk ,
Udupi District-576220

Copy Submitted to:

1. Member Secretary, Parisara Bhavana, KSPCB, Bangalore for kind information & necessary action.
2. Senior Environmental Officer, Infrastructure section, Parisara Bhavana, KSPCB, Bangalore for kind information and needful action.

Copy to:

1. Executive Engineer, Karnataka Urban water Supply and Drainage Board, Mallikatte, Mangalore -575002 for information & needful action.
2. The Regional Officer, KSPCB, Udupi, for information and necessary action.
3. Case File.


**SENIOR ENVIRONMENTAL OFFICER (A/C)
KSPCB, MANGALURU**