

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

**Original Application No.152/2024 (WZ)  
[Earlier Original Application No.730/2024(PB)]**

**IN THE MATTER OF:**

Tribunal on its own motion SUO MOTU based on the news item titled "untreated effluents cause widespread fish mortality at Velsao bay rivulet" appearing in O Herald dated 26.05.2024

*And*

Goa State Pollution Control Board represented by Member Secretary and Ors.

..... Respondent(s).

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Place: Bengaluru  
Date: 21.04.2025

*J. Chandra Babu*  
21/4/2025

**DEPONENT**

Filed through CPCB Counsel



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  
**ATTESTED BY ME**

*R. Raghunath Rao*  
**R. RAGHUNATH RAO, B.Sc., LL.B. DBM**  
ADVOCATE & NOTARY  
GOVT. OF INDIA

N: 297, 4th Main, 1st Stage, 1st Phase  
WOC Road, Manjunathanagar  
Rajajinagar, Bangalore-560 010

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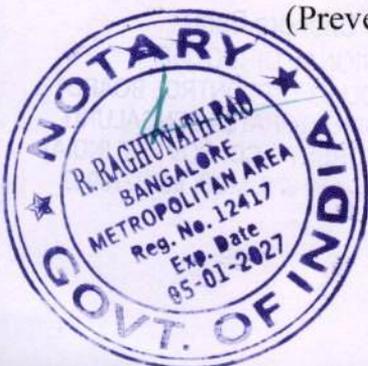
*And*

Goa State Pollution Control Board represented by Member Secretary and Ors.

..... Respondent(s).

**REPLY ON BEHALF OF RESPONDENT NO. 2, THE CENTRAL POLLUTION CONTROL BOARD**

1. That, this Hon'ble National Green Tribunal, Western Zone Bench, Pune vide order dated 24.10.2024 in the instant matter has directed all the respondents to file replies and thereby the reply is made in succeeding paragraphs.
2. That, Central Pollution Control Board (hereinafter referred to as CPCB) is 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



*J. Chandra Babu*  
21/10/2025  
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REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903

Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.

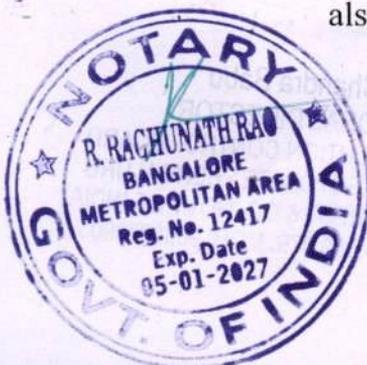
3. That, as per the provisions under section 3 of The Environment (Protection) Act, 1986, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as MoEF&CC) has laid down the effluent discharge standards for various industrial sectors including 'Fertilizer Industries'.
4. That, as per the powers vested under both the Water (Prevention and Control of Pollution) Act, 1974 (section 25/26) and Air (Prevention & Control of Pollution) Act, 1981 (section 21/22), the State Pollution Control Boards are authorized to grant 'Consent to Establish/Operate' to the industrial units within their jurisdiction, regulating the operations of the industry, stipulating the conditions/limits of effluent & emission discharge norms and ensuring compliance to the laid down norms.
5. It is humbly submitted that the instant application was registered as suo-motu by the Hon'ble National Green Tribunal, Principle Bench, New Delhi as original application No. 730/2024 on the basis of the news item titled "Untreated effluents cause widespread fish mortality at Velsao bay, rivulet" appearing in O Herald dated 26.05.2024. Central Pollution Control Board was impleaded as Respondent No. 2 and the matter was transferred by Hon'ble NGT (PB) to the Hon'ble NGT WZ Bench, wherein the same has been renumbered as OA No 152/2024 (WZ).



*J. Chandra Babu*  
26/4/2025

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

6. It is to be submitted that the newspaper article in this matter relates to widespread fish mortality at Velsao Bay and the brackish rivulet in Goa, wherein it is alleged that untreated effluent is being discharged into the Arabian Sea from the industry, M/s. Paradeep Phosphates Ltd.
7. That, CPCB requested Goa State Pollution Control Board (hereinafter referred to as GSPCB) to provide the details in the matter with updated status of actions initiated in an online meeting through Video Conferencing (VC) held between the officials of CPCB, Regional Directorate, Bengaluru and Goa SPCB on 14.08.2024, which was arranged to discuss the incident and actions initiated afterwards.
8. That, as per the discussions held in the VC meeting held on **14.08.2024**, the following major observations have been made by the officials of Goa SPCB;
- The Goa SPCB Officials inspected Velsao Beach and the industrial unit, M/s. Paradeep Phosphates Limited, a fertilizer manufacturing unit, (hereinafter referred to as 'industry') on **26/05/2024**, i.e. on the same date of the fish kill incident, at Velsao Beach, Goa and the team also collected water samples at the time of inspection from 5 locations including the beach side and the industry.
  - The analysis results of water samples collected on 26/05/2024 indicated higher values of Total Kjeldahl Nitrogen (TKN) and Potassium in the samples of beach water & Creek water, compared to samples collected during non-monsoon period in the past. It was also informed that analysis result of the sample of puddle water



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21/4/2025  
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CENTRAL POLLUTION CONTROL BOARD  
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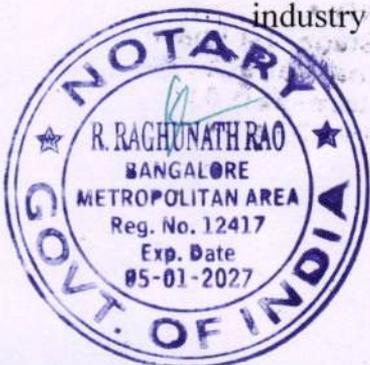
also indicated high concentration of Nitrogen, Potassium & Phosphate indicating spillages/discharge from M/s. Paradeep Phosphates Limited, mixing with storm water runoff.

- c. It was also informed that another inspection was carried out by the Goa SPCB officials, on **08/06/2024**, upon receipt of a telephonic complaint regarding another fish kill incident at Velsao Beach, Goa. The team had collected water samples from, upstream of the rivulet, downstream of the rivulet and beach water sample.
- d. The team observed that dead fish were washed ashore and scattered all over the Velsao Beach, Goa, approximately 50-60 kgs; however, reports from other concerned departments including Department of Fisheries, Department of Water Resources/Irrigation, District Administration etc. indicating the actual quantity of fish kill or detailed analysis on the cause of the same, were not available.
- e. The team also observed a storm water drain from the industry leading to the beach and that the colour of the water flowing in the storm water drain was slightly milky and sediments of this white substance were also observed on the walls of the drain indicating spillage/discharge from M/s. Paradeep Phosphates Limited.
- f. The analysis results indicated higher values of Total Kjeldahl Nitrogen (TKN) in samples of beach water and creek water and sample of storm water drain within the unit premises also indicated high concentrations of Nitrogen & Phosphate, indicating spillages mixing with storm water runoff.



*J. Chandra Babu*  
21/4/2025  
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REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
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- g. It was further apprised by GSPCB officials that based on the observations made, a personal hearing was conducted on 11/06/2024 with the industry representatives and a compliance report has been submitted by the industry. Further, GSPCB has issued show cause notice and subsequent directions to the industry to pay an environmental compensation (EC) of Rs. 12,37,500/-, which has been subsequently paid by the industry.
9. It is submitted that, during the meeting, CPCB further requested Goa SPCB to provide details of the technical directions issued and corrective measures taken, apart from imposing EC and its compliance status by the industry and also to share the assessment reports by other concerned Departments of Goa State, on the fish kill at Velsao. Copy of the minutes of the VC meeting held on 14.08.2024 is placed at **Annexure 1**.
10. It is submitted that, as per the discussions held with GSPCB officials during the above referred VC meeting held on **14.08.2024**, GSPCB had conducted the visits and sampling from the location and industrial premises and had initiated steps, including issuing show cause notice and imposing EC on the industrial unit.
11. That, it is also observed from the reports received from GSPCB that NEERI had been engaged by the industry for conducting study on the comprehensive storm water management in the industry, which has been completed. It is reported that as per the recommendations by the NEERI, industry is in the process of constructing 02 nos. of storm water retention



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21/4/2025  
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catchments pits with a combined capacity of 1300 m<sup>3</sup> at the lowest elevations on the South-West and South-East ends of the factory premises, to collect and divert the storm water/ surface run-off during rainfall.

12. It is submitted that even though the consent to operate issued to the unit by Goa SPCB stipulates zero discharge policy (ZLD) i.e. the treated waste water may be re-used in process/greenbelt development/or any other use, the standards for using the treated effluent in gardening as well as for the overflow from the monsoon water settling tank have also been stipulated.

13. That, in the light of the above submissions, it is respectfully prayed that this Answering Respondent No.2 i.e., CPCB shall abide by orders or directions passed by the Hon'ble Tribunal in the instant matter.

*J. Chandra Babu*  
24/1/2025  
**DEPONENT**

**COUNSEL FOR  
RESPONDENT No. 2**



**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



**ATTESTED BY ME**

*R. Raghunath Rao* 21/1/25  
**R. RAGHUNATH RAO, B.Sc., LL.B. BDM**  
ADVOCATE & NOTARY  
GOVT. OF INDIA  
No. 297, 4th Main, 1st Stage, 1st Phase  
WOC Road, Manjunathanagar  
Rajajinagar, Bangalore-560 010  
Mobile No 7019231677



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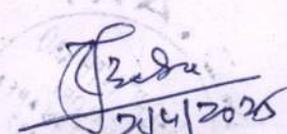
..... Respondent(s).

**AFFIDAVIT**

I, Jathikartha Chandra Babu, Son of (Late) Sh. J Balaramaiah, aged about 57 years, having office at the Regional Directorate - Bengaluru, Central Pollution Control Board, 1<sup>st</sup> and 2<sup>nd</sup> Floors, Nisarga Bhavan, A-Block, Thimmaiah Main Road, 7<sup>th</sup> D Cross, Shivanagar, Bengaluru, Karnataka – 560 079, do hereby solemnly affirm, declare on oath and state as under:-

1. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.



  
 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 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 the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

*J. Chandra Babu*  
21/4/2025

**DEPONENT**

J. Chandra Babu  
REGIONAL DIRECTOR

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REGIONAL DIRECTORATE - BENGALURU  
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**VERIFICATION**

I, Jathikartha Chandra Babu, working as Scientist 'E' and posted as Regional Director (Bengaluru), CPCB, the respondent herein do hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

Verified at Bengaluru on this the 21<sup>st</sup> day of April, 2025.

*J. Chandra Babu*  
21/4/2025

**DEPONENT**

**COUNSEL FOR  
RESPONDENT No. 2**



J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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**SWORN TO BEFORE ME**

*R. Raghunath Rao*  
21/4/25  
**R. RAGHUNATH RAO, R.Sc., LL.B. DBM**  
ADVOCATE & NOTARY  
GOVT. OF INDIA  
No. 297, 4th Main, 1st Stage, 1st Phase  
WOC Road, Manjunathanagar  
Rajajinagar, Bangalore-560 010  
Mobile No: 7019231634

**MINUTES OF THE MEETING WITH REGARD TO LARGE SCALE FISH MORTALITY AT VELSAO HELD ON 14/08/2024 AT 11.00 A.M. IN THE BOARD CONFERENCE HALL OF GOA STATE POLLUTION CONTROL BOARD, SALIGAO, BARDEZ- GOA.**

A meeting was organized on 14,08.2024 by Goa State Pollution Control Board on the request of Regional Director, Regional Directorate, CPCB, Bengaluru to know about the incidence of the large scale fish mortality at Velsao, Goa as reported in O Heraldo dated 26/05/2024. The following representatives remained present for the online VC meeting held on 14/08/2024 at 11.00 AM.

**A. Regional Directorate, CPCB, Bengaluru**

1. Sh.J Chandra Babu, Regional Director Bengaluru, CPCB
2. Sh.Vivek K, A.D, CPCB Regional Office - Bengaluru
3. Mrs. P. K. Selvi A.D, CPCB Regional Office – Bengaluru

**B. Goa State Pollution Control Board**

4. Dr. Shamila Monteiro, Member Secretary, Goa State Pollution Control Board.
5. Dr. Mohan Girap, Sci “C”, Goa State Pollution Control Board,
6. Sh. Bhagavat Karmali, Deputy Collector Mormugao.
7. Sh. Rohan Nagvekar, Assistant Environmental Engineer
8. Sh. Siddhant Desai, Junior Environmental Engineer.

Dr. Shamila Monteiro, MS – GSPCB and Dr. Mohan Girap, Scientist C – GSPCB welcomed the dignitaries and gave a brief introduction on the event of fish mortality at Velsao, Goa. Thereafter, Mr. Siddhant Desai, JEE – GSPCB, gave a presentation on the large scale fish mortality that happened at Velsao. It was informed that, based on the news article published in the daily newspaper on page 1 of O Heraldo dated 26/05/2024, regarding large scale Fish mortality at Velsao, on the same date the Board Officials inspected Velsao Beach and the unit viz., M/s Paradeep Phosphates Limited located at Survey No. 110-252, Zuarinagar, Sancoale, Mormugao-Goa on 26/05/2024.

Further, the officials were briefed by the officials of Goa SPCB regarding the observations made by the Goa SPCB inspecting team during the first inspection carried out on 26/05/2024, and it was also informed regarding the Samples that were collected at the time of Inspection from 5 locations, from the beach side and the industry, M/s Paradeep Phosphates Limited as detailed below;

1. Beach water sample
2. Upstream of rivulet
3. Downstream of rivulet
4. Final treated water from industry ETP
5. Puddle of Water near Urea loading Gantry of the industry

It was also mentioned that analysis results of water samples collected on 26/05/2024 indicated that the values of the Total Kjeldahl Nitrogen (TKN) and potassium were remarkably higher in the samples of beach water & Creek water, compared to samples collected during non-monsoon period. It was also brought to the notice that Nitrogen and Potassium are constituents of the final product of M/s Paradeep Phosphate Limited. Further, it was also informed that analysis result of the ample of puddle water also indicated high concentration of Nitrogen, Potassium & Phosphate indicating spillages (from M/s Paradeep Phosphate Limited) mixing with storm water runoff. Even though afore-said unit informed that the storm water is pumped to the unit premises for further treatment, the storage tank capacity and records of pumping need to be verified and to be assessed.

The officials were then briefed regarding inspection carried out by the Goa SPCB officials, once again on 08/06/2024, upon receipt of a telephonic complaint. The observation made by the inspecting team were showcased along with conclusion of the inspection report as follows:

**Observations:**

- Dead fish were washed ashore and scattered all over the Velsao, Goa beach.
- Team collected samples from the Rivulet and the Beach.
- The premises of M/s Paradeep Phosphates Limited was inspected for possible discharges.
- The team observed a storm water drain, passing from Paradeep Phosphate Ltd. leading to the beach and that the colour of the water flowing in the storm water drain was

slightly milky and sediments of this white substance were also observed on the walls of the drain. Sample was collected at the mouth of the creek.

- The team collected water samples from, Upstream of the rivulet, downstream of the rivulet and beach water sample

### **Conclusion of the Inspection Report**

- Surface runoff water, milky white in appearance was observed in the garland storm water drains of the M/s Paradeep Phosphate Limited and the same was flowing outside the premises of the above unit.
- No discharge of untreated effluent was observed from the ETP of the said unit.

### **Analysis Report of water samples collected on 08/06/2024 indicate:**

- The values of Total Kjeldahl Nitrogen (TKN) are remarkably higher in the samples of beach water and creek water compared to samples collected during non-monsoon period. Nitrogen is one of the constituents of the product of the unit. The sample of storm water drain within the unit premises also indicated high concentrations of nitrogen & phosphate, indicating spillages mixing with storm water runoff.

Mr. J Chandra Babu, Regional Director, CPCB, Bengaluru was of the opinion that in case of such incidents, concerned departments including Department of Fisheries, Department of Water Resources/Irrigation, Urban Local Bodies, District Administration, State Disaster Management Unit should also take part in the assessment apart from Goa State Pollution Control Board, Also, to know that main reason for fish kill, Department of Fisheries or Goa SPCB should have carried out analysis of dead fish specimen through institute of repute and also analyse the types of fish that were found dead at the site. Reacting to the query of RD, CPCB, Bengaluru with regard to the type of fish kill and quantum of fish kill, the Member Secretary, Goa SPCB clarified that about 50 to 60 Kgs of fish kill was observed at Velsao, Goa.

Further, Goa SPCB officials apprised regarding Personal Hearing conducted on 11/06/2024 with the industry representatives. It was further elaborated that the unit was given a time period of 15 days to submit the compliance report, following which the unit has submitted compliance report vide letter dated 19/06/2024, w.r.t minutes of Personal hearing held on 11/06/2024. Also, briefed that the unit was issued a SCN and subsequent directions to pay an EC amount of Rs.

12,37,500/-, and accordingly the unit paid the environmental compensation amounting to Rs. 12,37,500/- to Goa SPCB.

Subsequently, the Goa SPCB officials briefed regarding Payment of Bank Guarantee by the Unit amounting to Rs. 25,00,000/- towards compliance of consent condition stipulated in consent bearing No.: 12/2023-PCB/1948660/R00013712 dated 14/06/2024. It was also informed that the industry had further made a payment of Rs. 10,00,000/- in favour of the Goa SPCB towards non-compliance of consent conditions as stipulated in consent dated 18/09/2019.

Sh. Vivek K, Scientist 'E', RD, CPCB enquired regarding the technical directions and corrective measures, which were directed by the GSPCB, apart from imposing EC and its compliance by the unit and suggested to provide the details of the same. Further, it was also informed that for imposing EC, aspect such as time period of first instance of non-compliance to the verification of the compliance on field need to be considered by the Goa SPCB.

In conclusion, Regional Director – CPCB, requested the Dy. Collector – Mormugao and all other concerned Departments of Goa State to share their assessment reports regarding the inspections or assessment carried out subsequent to the fish kill at Velsao, Goa. He also requested Goa SPCB to share photographs of the before and after incidences, and compliance verification report (s) of the Goa Board w.r.t. inspection carried out on 13/07/2024.for record, at an early date.

GSPCB officials thanked all the officials for attending the meeting.

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