

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1158 OF 2024**

In the matter of:

“News Item titled "Indus river dolphins in troubled waters" appearing in Mongabay dated 15.08.2024.

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Srinivas Vishven

**Filed by Adv. Srinivas Vishven
On behalf of Central Pollution Control Board**

**Place: Delhi
Dated:02.01.2025**

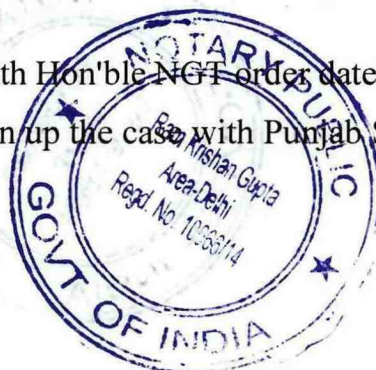
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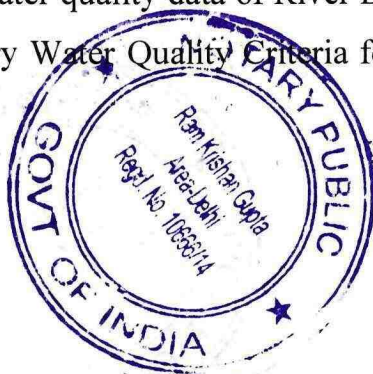
REPLY ON BEHALF OF RESPONDENT NO. 01, CENTRAL POLLUTION CONTROL BOARD

1. That, Hon'ble NGT vide order dated 12.09.2024 and notice dated 05.11.2024 has sought the reply of Central Pollution Control Board (hereinafter referred as CPCB) in the instant Original Application. Thereby, the reply 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 (hereinafter The Water Act), The Air (Prevention and control of Pollution) Act, 1981 (hereinafter The Air Act) and The Environment (Protection) Act, 1986.
3. That, the subject News item is related to news of reduction in number of Indus river dolphins in River Beas due to reduced water allegedly due to construction of irrigation barrages, hydropower projects. The main threats include water availability and pollution, worsened by upstream hydropower projects causing fluctuating water levels.
4. That, in compliance with Hon'ble NGT order dated 12.09.2024 passed in instant matter, CPCB has taken up the case with Punjab State Pollution Control Board,



Himachal Pradesh State Pollution Control Board and The Chief Wildlife Wardens of Punjab and Himachal Pradesh seeking the status report/ action taken report in the matter via letter dated 10.12.2024. A copy of the letters is enclosed as **Annexure I & II**.

5. That, the status report/ action taken report of the matter is awaited from the concerned authorities by the answering Respondent.
6. That, it is submitted that under the National Water Quality Monitoring Program (NWMP), the Himachal Pradesh State Pollution Control Board (hereinafter referred as HPSPCB) monitors water quality of river Beas at 27 locations. It is further submitted that Punjab State Pollution Control Board (hereinafter referred as PSPCB) monitors water quality of river Beas at 15 locations.
7. That, it is submitted that the water quality data for the year 2023 as submitted by the PPCB and HPSPCB for 11 and 27 locations respectively in River Beas are provided as **Annexure-III A** and **Annexure-III B** respectively.
8. That, it is submitted that the Ministry of Environment, Forest and Climate Change (hereinafter referred to as MoEF&CC) had notified the Primary Water Quality Criteria for Bathing Waters vide notification dated 25th September 2000 under the Environment (Protection) Rules, 1986. Copy attached as **Annexure-IV**.
9. That, it is submitted that the water quality data of River Beas for the year 2023 was compared with the Primary Water Quality Criteria for Bathing Water and the following was observed:



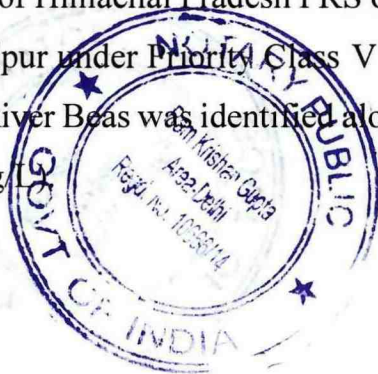
A. Himachal Pradesh: Water quality is meeting the Primary Water Quality Criteria for Bathing Water at 22 locations out of total 27 locations in the state except for the following 5 locations:

- i. River Beas D/S Manalsu Nallah
- ii. River Beas U/S Sujanpur Tihra
- iii. River Beas D/S Sujanpur Tihra
- iv. River Beas D/S Nadaun Town After Confluence of Maan Khad
- v. River Beas At Talwara (Pong Dam)

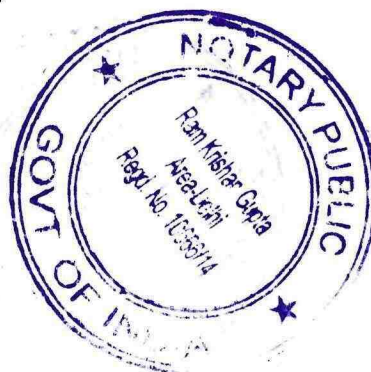
B. Punjab: Water quality is meeting the Primary Water Quality Criteria for Bathing Waters at 10 locations out of total 11 locations monitored in the state except the location at D/S Changarwa Village.

10. That, CPCB identifies polluted river stretches (PRS) based on the water quality data of rivers. For identification of PRS, locations/stretches of rivers not meeting with the Primary Water Quality criterion of Biochemical Oxygen Demand (BOD) parameter (indicator of organic pollution) for outdoor bathing is considered. BOD concentration exceeding 3 mg/l is identified as polluted stretches. Further, the PRS are also classified under Priority Class I to V, the Priority I being most polluted with BOD value of more than 30 mg/l and Priority V least polluted with BOD ranging between 3 – 6 mg/l.

11. In year 2018, based on water quality data of years 2016 & 2017, 351 polluted river stretches (PRS) were identified across the country. Out of this, PRS on River Beas was identified in one location each both in Himachal Pradesh and in Punjab. In the case of Himachal Pradesh PRS on River Beas was identified from Kullu to Dehragopipur under Priority Class V (BOD is 3 - 6 mg/L). In the case of Punjab PRS on River Beas was identified along Mukerian under Priority Class V (BOD is 3 - 6 mg/L).



12. That, action plans were prepared for the rejuvenation of polluted river stretches, including stretches in River Beas, identified in the year 2018, by River Rejuvenation Committee (RRC); the RRC was constituted by the respective State Government/ UT Administration, under the overall supervision and coordination of Principal Secretary, Environment of the concerned State /Union Territory for bringing all the polluted river stretches identified by CPCB fit for bathing purposes (i.e. BOD < 3 mg/L and FC < 500 MPN/100 mL). The responsibility of the implementation of the action plans lies with the Chief Secretary, State Governments/UT Administrations. The progress of implementation of action plans is reviewed by the RRC at State Level.
13. That, the progress of implementation of action plans is reviewed at centre by the Central Monitoring Committee (CMC), which was constituted under the Chairmanship of the Secretary, Ministry of Jal Shakti at Central Level. All States/ UTs are submitting monthly progress reports (MPRs) to Central Monitoring Committee (CMC) as per format circulated by NMCG for reviewing the progress on execution of action plans for rejuvenation of polluted river stretches. So far, CMC has conducted 19 meetings with States/UTs to review the progress on execution of action plans for rejuvenation of polluted river stretches and the last meeting was held on 30.09.2024.
14. In year 2022, based on water quality data of year 2019 & 2021, 311 polluted river stretches (PRS) were identified across the country. However, no PRS were identified on River Beas during this assessment either in the state of Himachal Pradesh or in the state of Punjab.



15. That, the instant matter relates to decrease in the habitat of Indus river dolphins. It is humbly prayed that the Hon'ble Tribunal may consider the response filed by state agencies for adjudication of the instant matter.
16. That, the answering respondent craves leave of the Hon'ble Tribunal to file additional reply, in future, if required.
17. That in the light of the above submissions, 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 Court in the instant OA.



(Vishal Gnadhi)
Scientist 'E'

Central Pollution Control Board



पंजाब शाखा, पूर्व अटोमोबाइल, दिल्ली-110032
 (Ministry of Environment, Forest & Climate Change, Govt. of India)
 (पंजाब शाखा, पूर्व अटोमोबाइल, दिल्ली-110032)
 Central Pollution Control Board
 (पंजाब शाखा, पूर्व अटोमोबाइल, दिल्ली-110032)
 वैशाल गंधी \ Scientist 'E'
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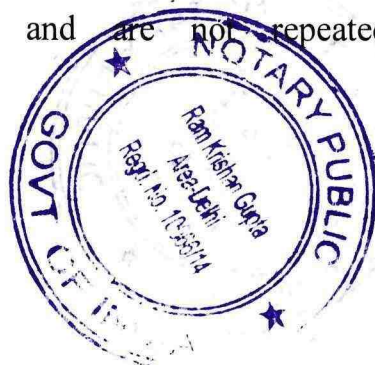
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"News Item titled "Indus river dolphins in troubled waters" appearing in Mongabay dated 15.08.2024.

AFFIDAVIT

I, **Vishal Gandhi**, working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 1, in the above matter, do hereby solemnly affirm, declare on oath and state as under: -

1. That I, the deponent herein is the 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 to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
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 records 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.



Vishal Gandhi

DEPONENT

विशाल गांधी / Vishal Gandhi
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at Delhi on this day of 02 JAN 2025 2025 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 therefrom or mis-stated.

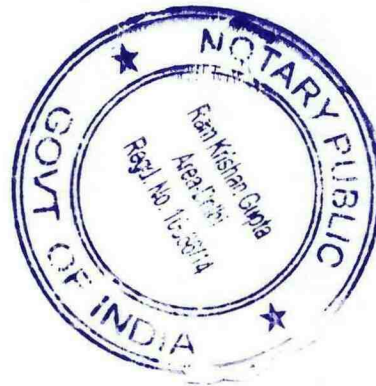

DEPONENT

विशाल गांधी / Vishal Gandhi
 वैज्ञानिक 'ई' / Scientist 'E'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
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 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (Min. Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ATTESTED
 NOTARY
 DELHI (INDIA)



02 JAN 2025





केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed Post/E-mail

CM-13011/294/2024-LAW-HO-CPCB-HO /737

10/12/2024

To

The Member Secretary
Himachal Pradesh State Pollution Control
Board, Him Parivesh, Phase-III, New
Shimla-171009. Himachal Pradesh


Sub: Compliance of Hon'ble NGT (PB) dated 12.09.2024 in the matter of OA No. 1158/2024; News Item titled "Indus river dolphins in troubled waters" appearing in Mongabay dated 15.08.2024.

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 12.09.2024 in the matter of OA No. 1158/2024; News Item titled "Indus river dolphins in troubled waters" appearing in Mongabay dated 15.08.2024.

In this regard, it is requested to provide the status report/ action taken report in the said matter at earliest.

Yours faithfully


(Vishal Gandhi)
Scientist 'E',
WQM-I Division

Encl: As above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.
Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in



Speed Post/E-mail

CM-13011/294/2024-LAW-HO-CPCB-HO/737

10/12/2024

To

The Member Secretary
Punjab State Pollution Control Board,
Vatavaran Bhavan, Nabha Road, Patiala,
Punjab- 147001


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MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed Post/E-mail

CM-13011/294/2024-LAW-HO-CPCB-HO 1737

10/12/2024

To

The Chief Wildlife Warden,
Forest Department (Wildlife Wing),
Talland Shimla, HP-171001


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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
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पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed Post/E-mail

CM-13011/294/2024-LAW-HO-CPCB-HO / 1737

10/12/2024

To

The Chief Wildlife Warden,
Govt. of Punjab, Tower No. 2 IInd Floor,
Forest Complex Sec-68
Mohali-160068


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Water Quality data of River Beas Monitored under NWMP- PUNJAB, 2023

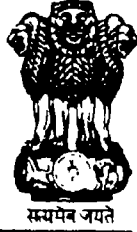
Sl. No.	Monitoring Location	Dissolved O2 (mg/L)		pH		BOD (mg/L)		Fecal Coliform (MPN/100ML)		Fecal Streptococci (MPN/100ml)		Compliance Status
		Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	
Primary Water Quality for Outdoor Bathing notified under the E(P) Rules, 1986		>5 mg/L		6.5-8.5		< 3 mg/L		< 2500 MPN/100ML		< 500 MPN/100ML		
1	RIVER BEAS AT MIRTHAL BRIDGE, GURDASPUR	7.7	9.1	7.5	8.3	1.0	1.3	26	78			Complying
2	RIVER BEAS AT G.T.ROAD UNDER BDG. NEAR KAPURTHALA	6.9	9.4	7.8	8.2	1.0	1.4	63	170			Complying
3	RIVER BEAS AT 100M D/S INDUST. DISCH. GOINDWAL	7.9	8.9	7.8	8.1	1.0	1.3	93	170			Complying
4	RIVER BEAS AT 1KM.D/S OF EFFL. DISH. POINT AT MUKERIAN , PUNJAB	7.0	9.1	7.6	8.2	1.0	1.3	27	140			Complying
5	RIVER BEAS AT TALWARA H/W, PUNJAB	6.7	10.1	7.4	8.2	1.0	1.2	18	46			Complying
6	RIVER BEAS AT U/S PATHANKOT, PUNJAB	7.7	9.1	7.7	8.3	1.0	1.2	27	93			Complying
7	RIVER BEAS D/S PATHANKOT, PUNJAB	7.4	8.9	7.5	8.3	1.0	1.2	31	140			Complying
8	RIVER BEAS U/S GOINDWAL, PUNJAB	8.0	9.2	7.5	8.2	1.0	1.2	68	140			Complying
9	RIVER BEAS AT HARIKE, PUNJAB	8.1	9.1	7.7	8.2	1.0	1.2	120	210			Complying
10	RIVER BEAS RIVER, NR VILL KIRI AFGHANA, TEHSIL BATALA, GURDASPUR	6.5	9.2	7.7	8.2	1.0	1.3	33	170			Complying
11	RIVER BEAS AT D/S CHANGARWA VILLAGE, (PUNJAB)	5.8	10.7	8.0	8.4	1.0	1.1	110	22000	6.8	1400	Non-Complying

Note: Data was not available for 4 stations for the reported period

Water Quality data of River Beas Monitored under NWMP- HIMACHAL PRADESH 2023

Sl. No.	Monitoring Location	Dissolved O2 (mg/L)		pH		BOD (mg/L)		Fecal Coliform (MPN/100ML)		Fecal Streptococci (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		< 500 MPN/100ML		
1	RIVER BEAS AT U/S MANALI	7.8	9.2	7.2	8.2	1.0	2.8	2	170	1.8	1.8	Complying
2	RIVER BEAS D/S KULLU	7.5	8.4	7.2	8.0	1.0	1.6	110	540	1.8	1.8	Complying
3	RIVER BEAS D/S AUT	7.5	8.1	7.2	8.2	1.0	1.0	34	280	1.8	1.8	Complying
4	RIVER BEAS AT EXIT OF DEHAR POWER HOUSE	8.1	9.1	6.9	8.1	1.0	1.0	17	94	1.8	1.8	Complying
5	RIVER BEAS D/S MANDI TOWN	8.3	9.1	7.0	8.0	1.0	1.0	41	280	1.8	1.8	Complying
6	RIVER BEAS AT D/S ALAMPUR	8.5	9.2	7.3	8.3	1.0	1.0	1.8	45	1.8	1.8	Complying
7	RIVER BEAS AT D/S DEHRAGOPIPUR	6.7	9.2	7.2	8.2	1.0	1.0	1.8	110	1.8	1.8	Complying
8	RIVER BEAS AT D/S PONG DAM	8.1	9.2	7.4	8.2	1.0	1.0	2	68	1.8	1.8	Complying
9	BEAS RIVER, U/S OF MANDI TOWN	7.8	9.2	7.2	8.0	1.0	1.0	23	94	1.8	1.8	Complying
10	RIVER BEAS AT D/S MANALI	7.6	9.0	6.5	8.1	1.0	2.8	110	1600	1.8	1.8	Complying
11	RIVER BEAS, U/S KULLU	7.6	8.7	6.7	7.8	1.0	1.0	49	220	1.8	1.8	Complying
12	RIVER BEAS, D/S PANDOH DAM	8.0	9.3	7.1	8.2	1.0	1.0	41	110	1.8	1.8	Complying
13	RIVER BEAS AT D/S JAISINGHPUR	8.6	9.4	7.2	8.2	1.0	1.0	2	68	1.8	1.8	Complying
14	RIVER BEAS D/S NADAUN BRIDGE, VILL BHADOLI	6.8	9.3	7.5	8.5	1.0	1.2	1.8	93	1.8	1.8	Complying
15	RIVER BEAS D/S MANALSU NALLAH	7.9	8.9	6.3	8.0	1.0	1.0	22	110	1.8	1.8	Non-Complying
16	RIVER BEAS U/S SUJANPUR TIHRA	7.7	9.0	6.9	8.8	1.0	4.8	1.8	4.5	1.8	1.8	Non-Complying
17	RIVER BEAS D/S SUJANPUR TIHRA	7.6	8.8	7.0	8.2	1.0	3.6	1.8	4.5	1.8	1.8	Non-Complying
18	RIVER BEAS U/S NADAUM TOWN	6.7	8.9	7.4	8.3	1.0	2.8	1.8	8.2	1.8	1.8	Complying
19	RIVER BEAS D/S NADAUN TOWN AFTER	7.8	8.9	7.2	8.4	1.0	3.4	1.8	8.3	1.8	1.8	Non-Complying

	CONFLUENCE OF MAAN KHAD											
20	RIVER BEAS AT RAISON	7.8	8.7	6.8	8.2	1.0	1.0	47	140	1.8	1.8	Complying
21	RIVER BEAS D/S OF WASTE PROCESSING FACILITY AT MANALI	7.8	8.8	6.7	7.8	1.0	2.8	110	1600	1.8	1.8	Complying
22	RIVER BEAS D/S OF WASTE PROCESSING FACILITY AT KULLU	7.6	8.4	6.6	7.7	1.0	1.6	47	150	1.8	1.8	Complying
23	River Beas D/S New bajaura Bridge	7.5	8.5	7.0	8.1	1.0	1.0	58	140	1.8	1.8	Complying
24	RIVER BEAS AT TALWARA (PONG DAM)	7.2	10.0	8.1	8.6	1.0	2.0	11	3800	2	4.5	Non- Complying
25	RIVER BEAS AT PONG DAM ,PONG VILLAGE	8.2	9.1	7.5	8.5	1.0	1.0	2	78	1.8	1.8	Complying
26	RIVER BEAS U/S BEFORE CONF. OF MANALSU NALLAH	7.8	9.1	7.0	7.8	1.0	1.0	23	120	1.8	1.8	Complying
27	RIVER BEAS AT PANDOH DAM	8.3	9.0	7.1	8.3	1.0	1.0	22	79	1.8	1.8	Complying



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 25 सितम्बर, 2000

सा. का. नि. 742(अ).—केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1996 (1996 का 29) की धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) नियम, 1996 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) संशोधन नियम, 2000 है।

(2) इस अधिसूचना में अन्यथा जैसा उपबंधित है उसके सिवाय, वे राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. पर्यावरण (संरक्षण) नियम, 1986 में,—

(1) अनुसूची 1 में पटाखों के लिए शोर मानकों से संबंधित क्रम संख्याक 89 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्याक और उनसे संबंधित प्रविष्टियां अन्तःस्थापित की जाएंगी, अर्थात् :—

“90. कोयला खानों के लिए मानक

1. वायु क्वालिटी मानक

निम्नलिखित धूल उत्पादक स्रोतों से 500 मीटर की दूरी पर प्रबल हवा की दशा पर विचार करते हुए नीचे की ओर हवा की दिशा में निलंबित कणिकीय पदार्थ (एस. पी. एम.), अन्तः श्वसनीय कणिकीय पदार्थ (आर. पी. एम.), सल्फर डाईआक्साइड (एस ओ₂) और नाइट्रोजन आक्साइड (एन ओ_x) का संकेन्द्रण नीचे दी गई मारणी-I, और II, और III में विनिर्दिष्ट मानकों से अधिक नहीं होगा।

धूल उत्पादन के स्रोत

लदाई या उतराई, कर्षण मड़क, कोयला परिवहन मड़क, कोयला हथालने का संयंत्र (मी. एच. बी.) रेल सरकवां, विस्फोट, छेदन, अधिक ऊंचे ढेर या कोई अन्य धूल उत्पादन के बाहरी स्रोत जैसे कोक भट्टी (कठोर तथा मुलायम), इष्टिका उद्योग, पास की मड़क आदि।

- टिप्पण :— 1. जहां उपचारित बहिस्त्राव ऐसे नगर सीवर में डाला जाता है जो अंतिम उपचार संयंत्र में जाता है, वहां जैव-रसायन आक्सीजन मांग (बी ओ डी) की 100 मि.ग्रा./लि. तक और रसायन आक्सीजन मांग (सी ओ डी) की 400 मि.ग्रा./लि. तक छूट दी जा सकेगी।
2. बहिस्त्राव की क्वालिटी (एक लिटर प्रति किलोग्राम उत्पाद) संयुक्त सूती वस्त्र उद्योग संयुक्त ऊनी वस्त्र उद्योग और टैक्सटाइल प्रसंस्करण उद्योग में क्रमशः 100, 250 और 80 होगी।

93. स्नान-जल के लिए प्राथमिक जल क्वालिटी मानदंड

जलाशय या उसके भाग में के जल का कई प्रकार से उपयोग किया जाता है। जल के उपयोगों और क्रियाकलापों के प्रकार पर निर्भर रहते हुए जल क्वालिटी की कसौटी किसी विशिष्ट प्रयोजन के लिए उसकी उपयुक्तता अवधारित करने के लिए विनिर्दिष्ट कर दी गई है। विभिन्न प्रकार के उपयोगों में एक उपयोग यह भी है जो जल के उच्चतर स्तर की क्वालिटी या शुद्धता की मांग करता है और उस जलाशय के विस्तार में उसे "अभिहित सर्वोत्तम उपयोग" के रूप में जाना जाता है। इस पर आधारित प्राथमिक जल क्वालिटी की कसौटी के निबंधनों के अनुसार विभिन्न उपयोगों के लिए जल क्वालिटी अपेक्षाएं विनिर्दिष्ट की गई हैं। सारणी 1 में स्नान-जल के लिए प्राथमिक जल क्वालिटी की तर्कयुक्त कसौटी विनिर्दिष्ट की गई है।

सारणी 1

स्नान-जल के लिए प्राथमिक जल क्वालिटी मानदंड

(संगठित बाह्य स्नान के लिए प्रयुक्त जल)

मानदंड	तर्कआधार
1. फिकल	निम्न मल जल संदूषण सुनिश्चित करने के लिए,
कोली फॉर्म	फिकल कोलीफॉर्म और फिकल स्ट्रेप्टोकोक्का के
एम. पी. एन./100 मि.लि.	बारे में यह माना गया है कि वे जीवाणु रोगोत्पादकता
2. फिकल स्ट्रेप्टोकोक्की	को दर्शित करते हैं। वांछनीय और अनुज्ञेय सीमाएं
एम. पी. एन./100 मि.लि.	पर्यावरणिय दशाओं में उतार-चढ़ाव
2. पी. एस.	को अनुज्ञात करने के लिए मुझाव देती हैं जैसे कि
3. घुली हुई आक्सीजन	मौसमी परिवर्तन, बहाव की दशाओं में परिवर्तन
4. जैव-रसायन	आदि।
आक्सीजन मांग (बी ओ डी)	यह रेंज त्वचा और आँख, नाक, कान आदि जैसे
(27° से. पर 3 दिन)	कोमल अंगों को संरक्षण प्रदान करती है जो बाह्य
(2) अनुसूची 6 के शोर मान दंडों से संबंधित भाग ड में, मोटरगाड़ियों के लिए शोर सीमा से संबंधित भाग क के पश्चात् निम्नलिखित अन्तः	स्नान के दौरान सीधे प्रभावित होते हैं।
स्थापित किया जाएगा :—	5 मि.ग्रा./लि. के न्यूनतम घुली हुई आक्सीजन
	संकेन्द्रण ठीक ऊपरीधारा में आर्गनिक प्रदूषण युक्त
	आक्सीजन लेने से युक्तयुक्त मुक्ति सुनिश्चित करते
	हैं जो तलछट से अनाइरोबिक गैसों (आबनोक्सीयस
	गैसों) के उत्पादन को निवारित करने के लिए
	आवश्यक है।
	3 मि.ग्रा./लि. या इससे कम जल की जैव रसायन
	आक्सीजन मांग आक्सीजन डिमांडिंग प्रदूषकों
	से युक्तयुक्त मुक्ति सुनिश्चित करती है और
	आबनाक्सीयस गैसों के उत्पादन को रोकती है।"

“कक. 1 जनवरी, 2003 से मोटर यानों के लिए शोर सीमा

मोटर यानों के लिए निम्नलिखित शोर सीमा 1 जनवरी, 2003 से लागू होगी। अनुसरण किए जाने वाली परीक्षण पद्धति भा मा.

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 25th September, 2000

G.S.R. 742(E).— In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely.

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2000.
- (2) Save as otherwise provided in this notification, they shall come into force on the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, —
 - (1) In Schedule I, after serial number 89 relating to Noise standards for fire crackers and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:—

“90. Standards for coal mines**1. Air Quality Standards**

The Suspended Particulate Matter (SPM), Respirable Particulate Matter (RPM), Sulphur dioxide (SO₂) and Oxides of Nitrogen (NO_x) concentration in downwind direction considering predominant wind direction, at a distance of 500 metres from the following dust generating sources shall not exceed the standards specified in the Tables I, II and III given below:

Dust Generating Sources

Loading or unloading, Haul road, coal transportation road, Coal handling plant (CHP), Railway siding, Blasting, Drilling, Overburden dumps, or any other dust generating external sources like coke ovens (hard as well as soft), briquette industry, nearby road etc.

93. Primary Water Quality Criteria for Bathing Waters.

In a water body or its part, water is subjected to several types of uses. Depending on the types of uses and activities, water quality criteria have been specified to determine its suitability for a particular purpose. Among the various types of uses there is one use that demands highest level of water quality or purity and that is termed as "Designated Best Use" in that stretch of water body. Based on this, water quality requirements have been specified for different uses in terms of primary water quality criteria. The primary water quality criteria for bathing water are specified along with the rationale in table 1.

Table 1.

**PRIMARY WATER QUALITY CRITERIA FOR BATHING WATER
(Water used for organised outdoor bathing)**

CRITERIA		RATIONALE
1. Fecal Coliform MPN/100 ml:	500 (desirable) 2500 (Maximum Permissible)	To ensure low sewage contamination. Fecal coliform and fecal streptococci are considered as they reflect the bacterial pathogenicity.
2. Fecal Streptococci MPN/100 ml:	100 (desirable) 500 (Maximum Permissible)	The desirable and permissible limits are suggested to allow for fluctuation in environmental conditions such as seasonal change, changes in flow conditions etc.
2. pH:	Between 6.5 –8.5	The range provides protection to the skin and delicate organs like eyes, nose, ears etc. which are directly exposed during outdoor bathing.
3. Dissolved Oxygen:	5 mg/l or more	The minimum dissolved oxygen concentration of 5 mg/l ensures reasonable freedom from oxygen consuming organic pollution immediately upstream which is necessary for preventing production of anaerobic gases (obnoxious gases) from sediment.
4. Biochemical Oxygen demand 3 day,27°C:	3 mg/l or less	The Biochemical Oxygen Demand of 3 mg/l or less of the water ensures reasonable freedom from oxygen demanding pollutants and prevent production of obnoxious gases";

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1158/2024

News Item titled "Indus river dolphins in troubled waters" appearing in Mongabay dated 15.08.2024

Date of hearing: 12.09.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This Original Application is registered *suo-motu* on the basis of the news item titled "Indus river dolphins in troubled waters" appearing in Mongabay dated 15.08.2024.

2. The matter relates to the decrease in the habitat of Indus river dolphins. As per the article, the Indus river dolphin (*Platanista minor*) is a critically endangered freshwater dolphin species found only in the lower Indus river system in Pakistan and India. Since the 1870s, its habitat has decreased by 80% due to irrigation barrages, leaving around 2,000 individuals today.

3. The article states that in 2007, a small isolated population of dolphins was discovered in the Beas River in India, about 600 kilometers from their main habitat. This population is crucial for genetic diversity. The article states that as apex predators, the Indus river dolphins shape the population dynamics of fish and other aquatic species. They are crucial for sustaining the overall health of the river system. Furthermore, the dolphins face threats from habitat degradation and other challenges.

4. The article further explains that as per recent data, fewer than 10 dolphins, primarily located in the lower third of the river are left. Recent surveys (2011-2022) also show counts ranging from one to eight individuals, with annual calf sightings indicating ongoing reproduction. However, the overall population size has been consistently low raising concerns about habitat usage and range shifts.

5. The article highlights that reconnecting the small population of Indus River dolphins in the Beas River with those in the Indus River is unlikely due to physical barriers like barrages and dry rivers. The Beas River dolphins face significant challenges, including entanglement in fishing gear, water pollution, and difficulties escaping through the Harike Barrage. The specific habitat needs of these dolphins are not fully understood, but they likely prefer high-volume pools, which may be diminishing due to hydrological changes. The main threats include water availability and pollution, worsened by upstream hydropower projects causing fluctuating water levels. The Beas River population is critically small, making their survival highly vulnerable.

6. The above news item indicates violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974, Biological Diversity Act, 2002 and the Environment (Protection) Act, 1986.

7. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

8. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

9. Hence, we implead following as respondents in this matter:

- (i) Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032
- (ii) Ministry of Environment, Forest and Climate Change, Through its Member Secretary, Integrated Regional Office, Gandhi Nagar, A-Wing – 407 & 409, Aranya Bhawan, Near CH-3 Circle, Sector-10A, Gandhi Nagar – 382010
- (iii) National Mission for Clean Ganga, Through its Director General, NMCG, I Floor, Major Dhyan Chand National Stadium, India Gate, New Delhi- 110002
- (iv) Ministry of Jal Shakti, Through its Secretary, 6th Floor Cabin, Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001
- (v) Wildlife Institute of India, Through its Director, Wildlife Institute of India, Post Box # 18, Chandrabani, Dehradun 248 001 Uttarakhand
- (vi) Chief Wildlife Warden, Himachal Pradesh, Forest Department (Wildlife Wing), Talland Shimla, HP-171001
- (vii) Chief wildlife Warden, Punjab, Chief Wildlife Warden, Govt. of Punjab, Tower No. 2 IInd Floor, Forest Complex Sec-68 Mohali-160068

10. Issue notice to the above respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.

11. List on 03.01.2025

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

September 12, 2024
Original Application No. 1158/2024
AS..