

Item No.06:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

**Original Application No.174 of 2023 (SZ) &
I.A. No. 133 of 2023(SZ)**

[Earlier O.A. No.541 of 2023(PB)]

IN THE MATTER OF:

Tribunal on its own motion - SUO
MOTU based on the News item in The
Hindu dated 29.08.2023, titled "**Fish
kill at Lingambudhi lake in Mysuru**".

CPCB, Rep. by its Chairman,
New Delhi and Ors.



...Respondent(s)

Date of hearing: 14.11.2024.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER

HON'BLE Dr. VIJAY KULKARNI, EXPERT MEMBER

For Applicant(s):

Suo Motu.

For Respondent(s):

Mrs. Revathi Manivannan for R1.
Mr. Rajat Jonathan Shaw represented
Mr. K.M. Darpan for R2, R3 & R5.
Mr. Mukesh Kumar for R4.
Mr. V.R. Sachin for R7.

ORDER

I.A. No.133 of 2023 (SZ): -

1. This interlocutory application has been filed by the Central Pollution Control Board (CPCB) with a prayer that the Member Secretary, CPCB, Bengaluru Office may kindly be replaced with the Regional Director, CPCB Regional Directorate, Bengaluru Office.

2. The learned counsel Mr. Raj Kumar, who moved this interlocutory application on behalf of the CPCB, has now submitted that since the report of the Joint Committee has already been filed, this interlocutory application has become infructuous. Therefore, it may be decided as infructuous.

3. We allow the prayer made by the learned counsel and dispose of this interlocutory application [I.A. No.133 of 2023 (SZ) in O.A. No.174 of 2023 (SZ)] as infructuous in view of the Joint Committee report having been submitted.

O.A. No.174 of 2023 (SZ):-

4. The matter in this Original Application concerns fish fill at Lingambudhi Lake in Mysuru. Regarding which, the Principal Bench by its Order dated 05.09.2023 has constituted a Joint Committee comprising the (i) Karnataka SPCB, (ii) CPCB and (iii) District Magistrate, Mysuru to ascertain the clear cause of

fish kill and also to take appropriate action against the defaulting parties and suggest remediation measures.

5. In compliance with the said order, the Joint Committee report has been submitted through e-mail dated 08.01.2024, wherein after conducting the study and finding the reasons for pollution, a proposed action plan for control of pollution and restoration of the said lake is given at Point No.(6) in the table, which is quoted as follows:-

Sl. No.	Proposed Remedial measures	Organization responsible for implementation	Proposed Time line for execution
1	Rejuvenation of lake by introducing suitable local Fish species as a biological restoration	Forest Department : Introduction of Hatchlings & further harvesting in Monsoon	By June-July, 2024
2	Water quality Assessment of Upstream Lakes and natural drains contributing to pollution under NWMP	KSPCB : Water Quality Monitoring of Lakes (including upstream lakes connected to Lingambudhi Lake as well as Natural Drains contributing to inflow to Lake under NWMP)	Every Month
3	Treating the sewage water before the entry point of the lake and then letting the water after removing the floating solids	<u>Mysuru City Corporation (MCC):</u> To arrest sewage entering into the lake through missing links of UGD identified at 09 places. Missing link has been attended at identified 06 places, and balance 03 places are pending as below:	
		a Near Ashraya Badavane, TP Bogadhi	Within 6 Months

		b	Near Cabana Hotel in Ward No. 44 of TP Bogadhi	Within 6 Months
		c	Near Deaf & Dum School in Ward No. 44 of MCC	Within 6 Months
		d	Lingambudhi lake road to Udayaravi road through Dakshineshwara Road of MCC (Trunk line sewer for ultimate flow). Measures already taken to divert the sewage to nearby manhole and completion of UGD network.	Within 6 Months
			2. To install screen chamber and silt traps in storm water drains leading to Lingambudhi lake to arrest floating and silt materials.	Within 6 months
			<u>MUDA:</u> 1. To monitor the Septic tank provided in 2 Private Layouts located at Western side of the tank and desludging the septic tank regularly as a short term plan. De-sludge water without allowing to over flow and join lake is proposed to transport and treated at MCC STP	Within 6 months
			2. a. Establishment of Decentralized treatment plant with provision to utilize the treated effluent for gardening (long term plan)	Within 2 years
			2. b. Connecting the sewer line to ADB main line of MCC located near the Lingambudhi tank and further treat in STP located at Rayanakere.	Within 2 Years
4	To install environmentally friendly floating aerators / surface aerators / diffusers		Forest Department (Work is in progress to install aerators)	Within 6 months

5	Provision of Water Sports like Kayaking, Peddling etc.,	Forest Department (work is in progress to conduct feasibility assessment for water sports)	Within one year
6	To place the Screen chamber at suitable locations along the Raja Kaluvas for cleaning of sewers periodically.	Mysore Urban Development Authority (MUDA)	Within 6 months
7	Periodic De-weeding using mechanical equipment	Forest Department (Proposed to take up this work in upcoming summer)	Within 6 months (initially)and in every year thereafter
8	Periodic De-sludging/De-silting of lake to enhance capacity of the lake	Forest Department (Proposed to take up this work in upcoming summer)	Within 6 months (initially) and in every year after (depending on the requirement)
9	Measurement of inflow at all the drains contributing to flow	Forest Department Installation of V Notch to all the Natural Drains leading to Lingambudhi Lake for flow measurements and its record maintenance	Within one year
10	Restoration of all natural storm water drains by interception and diversion of sewage to the existing nearby STPs or to the new STP of adequate capacity	Mysuru City Corporation (MCC) and Mysore Urban Development Authority	Within one year

6. The previous order of this Tribunal dated 03.09.2024 directed the impleadment of Commissioner - Mysore City Corporation and the Chairman - Mysore Urban Development Authority as Respondents No.6 and 7 respectively to carry out the action plan submitted by the Joint Committee. In pursuance of this order, the impleadment has been made of these two authorities in the application.

7. From the side of the 6th Respondent - Mysore City Corporation, none has appeared despite sufficient service.

8. Today, from the side of the 7th Respondent - Mysore Urban Development Authority, the learned counsel Mr. V.R. Sachin has appeared and prayed for two weeks time to be allowed for filing the reply along with the action taken report with regard to implementing the action plan. We allow the same.

9. From the side of the 1st Respondent - CPCB, the learned counsel Mr. Raj Kumar has appeared.

10. From the side of Respondent No.2 - Principal Secretary to Government of Karnataka, Department of Animal Husbandry and Fisheries and Respondent No.3 - Principal Secretary to Government of Karnataka, Department of Forests, Environment and Ecology, the learned counsel Mr. Rajat Jonathan Shaw is present, but does not want to file any reply affidavit on their side.

11. From the side of the 4th Respondent - Karnataka SPCB, the learned counsel Mr. Mukesh Kumar has appeared and stated that the reply affidavit is to be filed from their side, for which, he prayed some time to be allowed. We allow two weeks time for the same.

12. From the side of the 5th Respondent - Deputy Commissioner & District Magistrate, Mysuru, the learned counsel Mr. Rajat Jonathan Shaw has appeared and stated that he is

relying on the report of the Joint Committee and does not want to file the reply affidavit.

13. List the matter on 17.01.2025 for further consideration.

Sd/-
Justice Dinesh Kumar Singh, JM

Sd/-
Dr. Vijay Kulkarni, EM

O.A. No.174/2023 (SZ) &
I.A. No. 133/2023(SZ)
14th November, 2024. Mn.

