

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

Original Application No. 504/2024

News item titled "The Drowning Jewel - Tapestry of Dal Lake's Decline and Fishing Community's Struggle in Kashmir" appearing in The Wire dated 01.03.2024

Date of hearing: 21.08.2024

**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**

Respondent: Mr. Ghansham Singh, Member Secretary, J&K PCC (Through VC)
Mr. Vikrant N. Goyal, Adv. for CPCB (Through VC)

ORDER

1. In this original application, Tribunal is considering the deteriorating condition of Dal Lake in Kashmir on account of flowing of municipal sewage and other pollutants from different sources.

2. Tribunal on 08.05.2024 had impleaded the respondents and had issued notice to them.

3. Response only from Member Secretary, J&KPCC has been received. The said response reveals unabated flow of untreated domestic water into channels and violation of environmental norms in the sample analysis report such as high concentration of BOD, total coliform and fecal coliform etc. It further reveals that untreated sewage is flowing into Dal Lake from areas like Telbal, Lalbazar etc. and there are about 910 houseboats in Dal and Nigeen Lake and their water often gets discharged into Dal Lake without any treatment.

4. The relevant extract of the report of Member Secretary, J&K PCC is as under-

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1. **“Water Quality Analysis Report:**

Water samples were collected from 24 spots of the Dal and Nageen Lakes and subjected to analysis for various physico-chemical parameters. Out of the water samples collected and tested for 24 locations during the period w.e.f January to May 2024, only one spot conforms to Class "B" criteria (Report Annexed as Annexure `B'. Results of key indicative water quality parameters are tabulated as below:

Parameters	Range Value
pH	7.26-9.7
Dissolved Oxygen (DO)	1.0 -12.5 mg/l
Biological Oxygen Demand (BOD)	2.1-23.5 mg/l
Total Coliform Bacteria	200 cfu/ 100ml - 36,000 cfu/ 100ml
Fecal Coliform Bacteria	20 cfu/ 100ml - 2000 cfu/ 100ml

Low concentration of Dissolved oxygen was recorded in the back water channels of the Dal Lake viz., Nayadyar and Jogilankar, which is due to unabated flow of untreated domestic water into these channels. Higher concentrations of Dissolved Oxygen was recorded near the STPs and some open areas of the Dal lake.

The higher concentration of BOD was recorded near STPs and in interior areas of Dal Lake viz., Nayadyar and Jogilankar.

High concentration of Total coliform bacteria has been observed at Konkhan Intermediate Pumping Station (IPS) site, whereas, maximum concentration of Fecal Coliform Bacteria was observed near Hazratbal shrine and Konkhan Intermediate Pumping Station (IPS).

2. **Waste Water Quality Analysis of STPs:**

Approximately, 193.34 MLD of domestic sewage is generated in Srinagar city based on 80% of 135 lpcd water supply to 1790249 of population (Projected population).

For treatment of sewage generated from the catchment areas of the Dal and Nageen Lake, there are six STPs, with capacity of 53.8 MLD of sewage water. One more Common STP with capacity of 60.0 MLD is under final stage of commissioning.

Untreated sewage gets entry into the Dal Lake from areas like Telbal, Lalbazar etc.

3. **Waste water quality analysis:-**

Waste water quality analysis reports of the six number of operational STPs indicate that quality of the treated water for all analysed parameters does not fall within the prescribed limits and

treated water is entering into the Dal lake, which should have been otherwise utilized for irrigation, construction work etc. Results of key indicative water quality parameters are tabulated as below:

STP Location	Parameters	Norms as per general standards
Nishat team	pH: 7.3 - 7.7 BOD: 15.3- 34.0 PO ₄ : 0.39-0.63 Ammonical Nitrogen: 3.61-8.62	5.5 to 9.0 30 5.0 50
Habak	pH: 7.49 - 7.83 BOD: 15.7- 46.8 PO ₄ : 0.42-1.0 Ammonical Nitrogen: 6.01-9.03	5.5 to 9.0 30 5.0 50
Hazratbal	pH: 7.36 - 7.87 BOD: 15.8- 40.7 PO ₄ : 0.25-0.67 Ammonical Nitrogen: 5.97-9.60	5.5 to 9.0 30 5.0 50
Nallah Khan	pH: 7.60 - 7.8 BOD: 15.4- 19.7 PO ₄ : 0.28-0.83 Ammonical Nitrogen: 7.8-9.09	5.5 to 9.0 30 5.0 50
Barinambat LAWDA	pH: 7.48 - 7.63 BOD: 14.3- 21.7 PO ₄ : 0.53-0.91 Ammonical Nitrogen: 2.82-7.32	5.5 to 9.0 30 5.0 50
Barinambal UEED	pH: 7.31 - 7.61 BOD: 61.5- 87.7 PO ₄ : 1.19-1.61 Ammonical Nitrogen: 9.22-10.01	5.5 to 9.0 30 5.0 50

4. Status of disposal of sewage generated by the Houseboats: -

There are about 910 houseboats present in Dal and Nigeen lake as per J&K Tourism Department whose water often gets discharged into Dal lake without any treatment. Sewage generated from houseboats stationed in Nigeen lake has been directed into sumps constructed near the fringe of the lake for its treatment.

Based upon the report of the Regional Director, J&K PCC and results of the water quality test reports, directions were issued to Vice Chairman J&K Lakes, Conservation & Management Authority, Srinagar vide No. JKPCC/show cause notices /

2024/236-244 dated 27-06-2024 with the advise to immediately comply with the directions issued on 18-05-2024 (in OA 239 of 2024) as well as in OA No. 504/2024, failing which the officers, officials responsible for continued violation of Rules, shall be liable to be prosecuted under the relevant Acts. The response of the Vice Chairman, J&K, LCMA is awaited.

Similarly, Deputy Commissioner, Srinagar has also been asked to furnish the requisite information on the following aspects vide this office No. JKPCC/OA-504-2024/24/657 dated 10-08-2024 (Copy enclosed as Annexure `C') to share information with respect to

- i) Impact of tourism and rising population on the deteriorating condition of Dal Lake;*
- ii) Scale of deterioration of Dal Lake owing to dumping of raw sewage / treated water from STPs specifically impact on fishes;*
- iii) Factual status of Hanji people due to rising pollution in Dal Lake and its impact on fisheries”*

4. We find that Dal Lake and two backflow channels (Nayadar and Jogilankar) are almost anaerobic and high organic load going upto level of 23.5 mg/l. With regards to reporting data and FC, it is to be ensured that analysis of Total Coliform and Fecal Coliform may be carried out as per standard notified i.e. MPN/100 ml and not cfu/100ml. We further find that operating STPs are non-compliant. They should meet standards directed by the Tribunal in OA No. 1069/2018, order dated 30.04.2019. It is a matter of serious concern that STP at Barinambal is not designed and operated properly. J&KPCC in the next report is expected to give performance data of all STPs with the particular of designed capacity, utilization and quality of inlet and outlets performance with reference to FC.

5. Expeditious remedial action is required to be taken to ensure that pollutants including untreated sewage does not enter the Dal Lake. Hence, we constitute a Joint Committee comprising of the following:

- (i) Member Secretary, J&K PCC,
- (ii) Vice-Chairman, J&K Lake Conservation and Management Authority, Srinagar;

- (iii) Deputy Commissioner, Srinagar;
- (iv) Ro, MoEF&CC, Chandigarh;
- (v) District Magistrate, Srinagar;
- (vi) Senior Officer of CPCB nominated by Member Secretary, CPCB.

6. District Magistrate, Srinagar will act as a coordinating agency in the Joint Committee. The Committee will ascertain the sources of pollution in Dal Lake and will find out the persons/entities responsible for the same and will take appropriate remedial and punitive action. The Committee will also prepare environmental management guidelines for houseboats.

7. Let this exercise be completed within a period of three months and an action taken report be filed by the joint committee at least one week before the next date of hearing.

8. A copy of this order be forward to Members of the Joint Committee by email for compliance.

9. List on 02.12.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 21, 2024
Original Application No. 504/2024
JG.