



## Acting against pollution – NGT’s hefty fines on Karnataka, Delhi should spur other states

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The National Green Tribunal’s order earlier this month, imposing a Rs 50-crore fine on the Karnataka government and a Rs 25 crore one on the city’s municipal government for negligence that led to the city’s lakes sporting flotillas of toxic froth—and even catching fire in the case of Bellandur—is exactly what fixing India’s patchy environmental governance needs.



National Green Tribunal

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needs. Apart from the fine, the Karnataka government will have to put Rs 500 crore in an escrow account for clean-up of three lakes—Agara, Bellandur and Varthur—and furnish a Rs 100 crore performance guarantee with regard to meeting deadlines on clean-up execution. Though the Karnataka government and the Bruhat Bengaluru Mahanagara Palike have both decided to appeal the NGT order, it is amply clear that their inaction compounded the pollution problem of Bengaluru's lakes. In March 2017, the BBMP had sanctioned illegal construction around a lake, in violation of an earlier NGT order, via a circular that was later withdrawn. The NGT also pulls up the state government for its “apathy”, saying projects were being “sanctioned without ensuring preventive, restorative and controlling measures”. The NGT made note of how the state and the local governments' failure to act has led to rampant encroachment—98% of lakes suffer from this—that has choked off recharging and the unchecked flow of untreated waste water (90% of the lakes suffer from this; more than 35% of the sewage that flows into Bellandur is untreated).

Such gross negligence by the government has led to a scenario where, of the city's 125 lakes covered in a study by the Centre for Ecological Studies at IISc, only four were found to be in a fair state while 25 were either dying or dead given they were fully covered by macrophytes or had seen dumping of solid/liquid waste of such a scale that they had little or no water. The study also found that 98% of the lakes suffered from encroachment of areas crucial to their survival while 90% were seeing sustained inflow of untreated sewage into their waters. But the problem isn't just of Bengaluru's or Karnataka's inaction. Non-profit water pollution monitor WaterAid estimates nearly 80% of surface water in India—rivers, lakes, canals, etc—to be highly polluted, mostly due to untreated domestic sewage flowing into these water bodies from urban areas and, in the case of some rivers, due to untreated effluent from factories. Indeed, 76 of 85 major lakes in the country, for instance, were found to be highly polluted in a study by an NGO involved in clean-up of lakes. The NGT's Karnataka order should spur others states into acting on pollution in their jurisdiction. In October and earlier this month, the NGT imposed fines of Rs 50 crore and Rs 25 crore, respectively, on the Delhi government for failing to comply with its order on shutting down steel pickling units within the city and for failing to curb air pollution. Within two months of the October order, Delhi had started sealing the illegal steel pickling units in Wazirpur Industrial Area. By ordering, both in Delhi's case as well as Karnataka's case, that the government was free to extract the penalty amount from polluters, the green tribunal incentivised the states to act against

**Pollution.**