

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

Original Application No. 727/2024

News Item titled "Endangered Gangetic dolphins found in most tributaries of Ganges prompting urgent conservation" appearing in Mongaby- India dated 20.05.2024

Date of hearing: 04.07.2024

**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 "Endangered Gangetic dolphins found in most tributaries of Ganges prompting urgent conservation" appearing in Mongaby- India dated 20.05.2024.

2. The matter relates to the dwindling numbers of the Gangetic dolphin in the Ganga River. As per the article, these Gangetic dolphin (*Platanista gangetica*), endemic to the Ganga river, play a crucial role in stabilising the ecosystem, regulating the energy flow of the river and maintaining the fish and crustacean populations. They have also been listed as endangered by the International Union for Conservation of Nature (IUCN). The article states that the dolphin population has dwindled in recent years, especially in the upstream stretches of the river, with estimates pegging the numbers between 2500 and 5000 individuals.

3. The news item further highlights that as per research conducted by the Wildlife Institute of India and National Mission for Clean Ganga, the Gangetic dolphin inhabits most tributaries and sub-tributaries of the river with smaller rivers being a refuge for aquatic macro fauna such as the Gangetic dolphin, and that the smaller rivers provide resilience to the larger rivers by contributing towards the functioning of ecological processes lesser-known rivers harbor more than 15% of the Gangetic dolphins and contribute to habitat diversity, identifying a total of 620 kilometers as priority conservation areas. This underscores the importance of conserving these rivers to safeguard biodiversity.

4. The news item further states that conservation of the Gangetic dolphin faces significant challenges. The construction of dams and barrages on the river has impacted the river flow and water availability, which is further compounded by the impacts of climate change. A proposed river-interlinking scheme has also drawn criticism for its potential impact on the species habitat. Additionally, increasing pollution from agricultural run-offs that contain pesticides and other chemicals, directed and unintentional killings, increasing sediment deposition in the river due to loss of forests in their catchment areas, and the rise in mechanised boat traffic further, have also affected the species. Finally, the survival of dolphins critically depends on the health of rivers. Water development projects fragment dolphin habitats, jeopardising their long-term survival.

5. The above matter indicates violation of the Environment Protection Act, 1986 and the Water (Prevention and Control of Pollution) Act, 1974. Gangetic river dolphin is listed in the Schedule -1 Of Wildlife (Protection) Act, 1972 and requires highest degree of protection. Gangetic river dolphin has been designated as the National aquatic animal of India.

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

7. 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*.

8. Hence, we implead the following as respondents in the matter:

i. Wildlife Institute of India, Through its Director

Post Box #18, Chandrabani, Dehradun, Uttarakhand- 248001

ii. National Mission for Clean Ganga, Through its Deputy Director

First floor, Major Dhayan Chand national Stadium

India Gate, New Delhi- 110002

iii. Central Pollution Control Board, Through its Member Secretary

Indira Paryavaran Bhawan Jorbagh Road, New Delhi – 110 003

9. Let notice be issued to the above respondents for filing their response at least one week before the next date of hearing.

10. Project dolphin has been launched to protect and enhance the population of dolphins addressing the concern over conservation and empowering stakeholders, such as the river-dependent population, reducing river pollution and allowing for sustainable fishery and other river-based livelihood option through scientific conservation methods.

11. The respondents are also required to respond and disclose the steps taken for effective implementation of the said project.

12. List on 24.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 04, 2024
O.A. No. 727/2024
HB