

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

&

THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR

Friday, the 7th day of November 2025 / 16th Karthika, 1947

DBAR NO. 1 OF 2025

IN THE MATTER OF TRAVANCORE DEVASWOM BOARD - SPECIAL REPORT ON WATER
DISTRIBUTION AT SABARIMALA BY KERALA WATER AUTHORITY - REG:

PETITIONER:

JOINT DIRECTOR

KERALA STATE AUDIT DEPARTMENT, TRAVANCORE DEVASWOM BOARD AUDIT,
THIRUVANANTHAPURAM, PIN-695003

BY GOVERNMENT PLEADER for the petitioner

RESPONDENTS:

1. THE SECRETARY,
TRAVANCORE DEVASWOM BOARD, NANTHANCOD, KAWDIAR POST, THIRUVANANTHAPURAM, PIN - 695003
*ADDL.R2 & R3 IMPEADED
2. KERALA WATER AUTHORITY,
JALABHAVAN, VELLAYAMBALAM, THIRUVANANTHAPURAM-695033,
REPRESENTED BY ITS MANAGING DIRECTOR
3. EXECUTIVE ENGINEER,
KERALA WATER AUTHORITY, CHUTTIPARA,
VALANCHUZH, PATHANAMTHITTA - 689645
*ARE IMPEADED AS ADDITIONAL RESPONDENTS 2 & 3 VIDE ORDER DATED
03/03/2025 IN IA.NO.1/2025 IN DBAR NO.1/2025

***ADDL.R4 & R5 IMPEADED**

4. THE CHIEF ENGINEER,
TRAVANCORE DEVASWOM BOARD, DEVASWOM HEADQUARTERS, NANTHANCODE,
KAWDIAR POST, THIRUVANANTHAPURAM – 695003
5. THE EXECUTIVE ENGINEER, SABARIMALA DEVELOPMENT PROJECT,
TRAVANCORE DEVASWOM BOARD BUILDING, KUMBAZHA ROAD,
PATHANAMTHITTA – 689645

***ARE SUO MOTU IMPEADED AS ADDITIONAL RESPONDENTS 4 & 5 AS PER
ORDER DATED 07/11/2025 IN DBAR.NO.1/2025**

BY STANDING COUNSEL, TRAVANCORE DEVASWOM BOARD FOR R1

BY SRI.V.V.JOSHI, SC, WATER AUTHORITY FOR R2 & R3

(BY ORDER DATED 03/03/2025)

BY SRI.GEORGIE JOHNY, SC, KERALA WATER AUTHORITY

(BY ORDER DATED 03/06/2025)

BY SRI.P.M.JOHNY, SC, KERALA WATER AUTHORITY

**THIS DEVASWOM BOARD AUDIT REPORT HAVING COME UP FOR ORDERS AGAIN
ON 07/11/2025, UPON PERUSING THE REPORT AND THIS COURT'S ORDER DATED
22/10/2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.**

DBAR No. 1 of 2025

Dated this the 07th day of November, 2025

ORDER

Raja Vijayaraghavan V, J.

This Audit Report has been placed before this Court by the Joint Director, Kerala State Audit Department. The report pertains to the water distribution system at Sabarimala, Nilakkal, Pamba, and along the route to Sannidhanam (Sharana Patha), which is presently managed by the Kerala Water Authority (KWA).

2. The issues pointed out in the Audit Report pertains to:

(i) verify the tariff rates, (ii) assess billing practices, (iii) quantify measurement, (iv) evaluate disclosure and transparency, (v) analyse the financial impact, (vi) examine internal controls, (vii) safeguard non-profit interests, and (viii) make appropriate recommendations.

3. Having perused the Audit Report, we find that the auditors have observed that exorbitant tariff rates have been charged by the Kerala Water Authority. It has been noted that had the Travancore Devaswom Board (TDB) submitted a request to be treated as a bulk purchaser, the water bill would have been reduced by ₹2,17,45,988/- for the consumption at Pamba and Sannidhanam for the period from 01.05.2023 to 20.01.2024 alone. The auditors have further pointed out that the failure of the TDB to seek reclassification as a bulk purchaser, despite being entitled to such

treatment under the criteria fixed by the KWA, has resulted in a significant financial burden. The Audit Report also highlights substantial discrepancies in the quantity of water measured by the KWA and the TDB. The difference in recorded quantities appears to have caused considerable financial loss; however, the Executive Engineer, Sabarimala Development Project (SDP), Pathanamthitta, has not raised any objections to the KWA in this regard.

4. Another major irregularity noted in the Audit Report concerns the reluctance of the KWA to install water meters at master water tanks. The report further observes that the availability of water at Nilakkal, Pamba, and along the Sharana Patha up to Sannidhanam could be better managed if the TDB utilised its own water resources more efficiently, thereby reducing dependency on KWA and lowering costs.

5. A particularly important recommendation of the Audit Department is that a permanent solution to address water scarcity at Nilakkal and to reduce the escalating water bills, lies in the completion of the pipeline project to bring water from Seethathodu to Nilakkal. Although the KWA initiated this project in 2015, the report notes with concern that it remains incomplete even after eight years. The specific recommendations made by the Audit Department are as follows:

- (a) The TDB shall submit an application to the KWA seeking reclassification from Non-Domestic to Bulk Purchaser category.
- (b) Fitting water meters in the pipelines originating from water tanks will eliminate the need to manually count tanker lorries supplying water to the Nilakkal Base Camp.

- (c) Replenish ponds and check-dams using rainwater harvesting.
- (d) Install push-button taps at drinking-water kiosks to prevent misuse of water for bathing and washing vehicles.
- (e) Prohibit the washing of vehicles at the Nilakkal Base Camp, as the TDB is paying water charges at exorbitant rates.

6. After considering the report, this Court, by order dated 01.08.2025, has noted that a systemic framework must be established to prevent future disputes and to ensure seamless regulation of water supply. The learned Standing Counsel appearing for the Kerala Water Authority was directed to file a detailed statement setting out a comprehensive plan for uninterrupted and transparent water supply. The KWA was also directed to disclose the measures it proposes to implement to ensure clarity, accountability, and continuity in the supply system.

7. In compliance with the above directions, a counter affidavit has been filed by respondent Nos. 2 and 3. As regards the recommendation that the TDB be treated as a bulk purchaser, it is stated that no application for re-categorisation in the prescribed Form X has been submitted either by the TDB or by the Assistant Executive Engineer concerned. With respect to the alleged inflation in quantity measurement, it is contended that meters are read periodically and billing is conducted in accordance with the provisions of the Kerala Water Supply and Sewerage Act, 1986. It is further submitted that no complaints regarding excessive billing have been received at any point. The affidavit also notes that, at the request of the TDB, the KWA has

deployed 24-hour plumbing teams at Pamba, Sannidhanam, and Nilakkal during the festival seasons. The expenses for these services, amounting to ₹3,52,64,481/-, have not been reimbursed by the TDB. As of 01.04.2025, the total outstanding amount due from the TDB is ₹13,55,34,856/-, comprising ₹10,02,70,375/- towards water charges and ₹3,52,64,481/- towards deposit works and infrastructure costs. It is contended that all charges have been levied strictly as per government-approved tariffs. The payment of ₹6,04,77,030/- made through two cheques dated 28.06.2025 has been treated only as partial settlement.

8. It is further stated in the affidavit that the Nilakkal Water Scheme, constructed under the NABARD-assisted Seethathodu–Nilakkal–Plappally Water Supply Scheme (WSS), is now complete, including the pump house, mainline, and overhead tank. The infrastructure is ready for commissioning, and the KWA is prepared to provide a non-domestic connection at Nilakkal upon receipt of a formal request from the TDB. It is stated that the KWA has invested approximately ₹83,00,00,000/- in this project, and as of June 2025, the entire scheme stands completed. All that remains is for the TDB to submit a formal request to obtain water through the pipeline system as a non-domestic consumer. However, it is noted that no such request has been made from July 2025 till date. This is a matter of utmost concern. We find that water is being supplied by private contractors in tankers, and this expense involving a huge sum of money could have been prevented by taking very small measures, like submitting a formal request to secure water through the pipeline system, which is already put in place.

9. We therefore suo motu implead the following as additional respondents:

- (i) The Chief Engineer, Travancore Devaswom Board, Devaswom Headquarters, Nanthancode, Kawdiar Post, Thiruvananthapuram – 695003; and
- (ii) The Executive Engineer, Sabarimala Development Project, Travancore Devaswom Board Building, Kumbazha Road, Pathanamthitta – 689645.

The Registry shall carry out the necessary impleadment forthwith.

10. The Travancore Devaswom Board, as well as the newly impleaded respondents, shall file separate statements before this Court explaining the delay in submitting the requisite requests before the KWA for (i) obtaining water supply through the completed Scheme, and (ii) securing classification as a bulk purchaser.

11. The aforesaid additional respondents and the 3rd respondent shall appear in person before this Court on 12.11.2025.

Post on 12.11.2025.

Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE**

Sd/-
**K.V. JAYAKUMAR,
JUDGE**

APM