

2108

BEFORE THE NATIONAL GREEN TRIBUNAL FARIDKOT HOUSE ,COPERNICUS MARG NEW DELHI.

ORIGINAL APPLICATION NO. 125/2017.

IN THE MATTER OF:

Court on its Own Motion

.....APPLICANT

Versus

State of Karnataka & Ors

.. .....RESPONDENTS

Next D.O.H: 02.12.2019

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Filed by.

*Darpan K.M.*  
DARPAN K.M. & AMRITA SHARMA

ADVOCATE

Date 28/11/19

Place New Delhi .

K-6, LGF, LAJPAT NAGAR -3,

NEW DELHI 110024.

MOB. 9899125060.

2107

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH**

**AT NEW DELHI**

**ORIGINAL APPLICATION No. 125/2017**

In the matter of:

Court on its own Motion

Applicant(s)

Versus

State of Karnataka

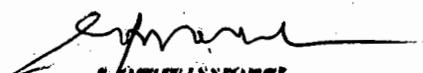
Respondent(s)

**AFFIDAVIT ON BEHALF OF THE BANGALORE DEVELOPMENT AUTHORITY  
PURSUANT TO ORDER DATED 20<sup>TH</sup> OCTOBER 2019**

**It is most humbly submitted as under:**

1. For the purpose of rejuvenation of Bellandur and Varthur lakes, the Hon'ble National Green Tribunal appointed an Expert Committee headed by Sri. Raj Panjwani to inspect the lakes. The members of the Committee visited the Lake premises on 14.04.2018 and 15.04.2018. After inspecting the lakes, the Expert Committee gave certain recommendations on 31.05.2018, with respect to the rejuvenation of the lakes.
2. The Hon'ble National Green Tribunal, on 06.12.2018, appointed a Committee headed by Justice N. Santosh Hegde (Retd.) to oversee the compliance of the directions/recommendations issued by the Expert Committee.
3. Upon inspection of the lakes and meetings held with the Respondents, the Committee headed by Justice N. Santosh Hegde (Retd.), directed the Respondents to submit the action plan for the rejuvenation of the lakes. The BDA, on 29.07.2019, has submitted an action plan before the Committee headed by Justice N. Santosh Hegde (Retd.) as directed. Upon perusal of the same, the Committee has made further recommendations based on the original recommendations of the Expert Committee and submitted the same before the Hon'ble National Green Tribunal on 20.09.2019.
4. The matter came up before the Hon'ble National Green Tribunal on 21.10.2019. On that day, the Hon'ble Tribunal directed the Respondents to rectify all the deficiencies in the compliance forthwith in terms of order dated 06.12.2018.



  
Commissioner  
Bangalore Development Authority  
Bangalore-560 070.

5. A report of compliance of the recommendations made by the Expert Committee as well as the recommendations made by the Committee headed by Justice N. Santosh Hegde (Retd.) with respect to Bellandur Lake is produced herewith as **Annexure - 1**. The photographs of fencing work completed, construction of sluice with gates, waste weir and diversion channels is produced herewith as **Annexure - 2**. A report of compliance of the recommendations with respect to Varthur Lake is produced herewith as **Annexure - 5**. The photographs of fencing work completed, construction of sluice with gates, waste weir and diversion channels is produced herewith as **Annexure - 6**.
6. With respect to the Fencing work of Bellandur Lake, it is submitted that the periphery of the entire Bellandur Lake measures 12.26 Kilometers in total. 7.86 Kilometers of the lake boundary has been fenced. 3.4 Kilometers lies towards the land belonging to the Defence. The said portion of the lake is disputed, with the Defence claiming ownership of the said portion. With respect to the recommendation of demarcation of the boundary of the lake towards the defence land (Survey Number 43 of Agara Village and Survey Number 12 of Iblur Village), a proposal has been submitted to the State Government to transfer the said lands which forms part of the lake, in favour of the BDA to enable it to fence and rejuvenate the lake.
7. Certain portion of the lake bed has been encroached by unauthorized occupants, who have created a slum in the name of "Belur Dr.B.R. Ambedkar Nagara Nivasigala Kshemabhivrudhi Sangha". Some portion of the said illegal occupation has been cleared by the Karnataka Slum Development Board with the assistance of BDA officials and Revenue Department officials, photos produced as **Annexure - 4**. A few other unauthorized occupants have approached the Hon'ble High Court of Karnataka at Bangalore by way of a Public Interest Litigation (Writ Petition No.50953/2019 {GM-RES} PIL) and obtained an ad interim stay against the eviction. The said interim order passed by the Hon'ble High Court of Karnataka on 20.11.2019 is produce herewith as **Annexure - 3**. The next date of hearing is on 09.12.2019.
8. Since 480 MLD of untreated sewage water was being let into the Bellandur Lake each day, it was extremely difficult to de-silt and de-weed the entire lake. Upon the recommendation of the Committee headed by Justice N. Santosh Hegde (Retd.), the inflow of untreated water has been diverted by construction of diversion channels, sluice with gates and waste weir. Bellandur lake is now almost empty. A Detailed Project Report (DPR) with respect to rejuvenation of Bellandur and Varthur Lake has been prepared and the same would be placed before the Technical Committee of Bellandur and Varthur Lake, which is



*[Signature]*  
 Bangalore Development Authority  
 Bangalore-560 029.

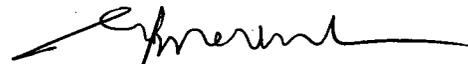
2109

scheduled to meet on 27.11.2019. After detailed analysis of the DPR, any modification suggested by the committee shall be carried out and thereafter, tenders will be floated, inviting agencies with the expertise in the field of Lake Rejuvenation.

9. In so far as installation of aerators and water fountains for the purpose of oxygenation of the lake water is concerned, the same would be taken up immediately after the de-silting work of the lakes is completed.

Drawn by:

Advocate.

  
Commissioner  
Bangalore Development Authority  
Bangalore-560 020.



SWORN TO BEFORE ME

  
D. SRINIVASA, B.A., LL.B.,  
ADVOCATE & NOTARY PUBLIC  
GOVT. OF INDIA  
# 13/4, "KAMALA NILAYA", 3rd Cross  
Journalist Colony, J.C. Road Cross  
BANGALORE - 560 002

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCHAT NEW DELHISUO MOTO APPLIATION No.125/2017

In the matter of:

Court on its own motion.

Applicant(s)

Versus

State of Karnataka &amp; Ors

Respondent(s)

VERIFYING AFFIDAVIT

I, Dr. G.C. Prakash, Son of G.C.Chennigarayappa, Aged about 55 years, The Commissioner, Bangalore Development Authority, Bangalore, do hereby solemnly affirm and state as follows:

1. I submit that I am the Commissioner of the Bangalore development Authority. I have gone through the records of the case and I am aware of the facts and circumstances of the case. Hence I am swearing by this affidavit.
2. I submit that the statements made in paragraphs 1 to 9 of the affidavit are true to the best of my knowledge and based on the information and documents, which I believe to be true.
3. I submit that the documents and photographs produced as Annexure 1 to 6 produced along with the Affidavit is the true copy of the original.

VERIFICATION

Verified that the statement made above in paragraphs 1 to 3 are true to the best of my knowledge and I believe them to be true.

Bangalore

Date:

Identified by me

Advocate

No. of Corrections

*[Signature]*  
 Commissioner  
 Bangalore Development Authority  
 Bangalore-560 029.

SWORN TO BEFORE ME

*[Signature]*  
 D. SRINIVASA, B.A.,LL.B.,  
 ADVOCATE & NOTARY PUBLIC  
 GOVT. OF INDIA  
 # 13/4, "KAMALA NILAYA", 3rd Cross  
 Journalist Colony, J.C. Road Cross  
 BANGALORE - 560 002



## Annexure-1

**Compliance report for the orders of the Hon'ble NGT during its hearing on 21.10.2019 in respect of O A No.125/2017 in line with the report of NGT Committee headed by Hon'ble Justice Sri N. Santhosh Hegde (Retd), Dated: 20.09.2019**

The Bangalore development authority is submitting its compliance to the order of the Hon'ble National Green Tribunal (NGT) in its order dated: 21.10.2019 with the status of works as on 15.11.2019 is as under. The recommendations of the committee with respect to the activities of BDA in regards to Ballandur and Varthur lakes have been indicated in Annexure-I & II.

Based on the above recommendations and in line with the Action plan submitted to the committee on 29.07.2019, BDA has taken steps to comply with the requirements as detailed below:

**Bellandur Lake**

Sl No	Direction Order No. 6(b), 14, 15 & 17 of NGT	Recommendations / suggestions / views of committee headed by Hon'ble Justice N Santhosh Hegde in its report Dated: 20.09.2019.	Particulars of the works with completion dates as per the Committee report dated: 20.09.2019	Status of the works / actions as on 15.11.2019	Remarks
1	6(b) Complete Fencing of lake area including the buffer zone to prevent any further mushrooming of illegal encroachments. As per the reports submitted by the Authorities before this Hon'ble Tribunal, the fencing work is currently in progress at a fast pace and should be completed by 30.06.2018. The authorities must abide by the said timeline.	It is noted that about 3.4 kms of fencing has not been done mainly towards the defence areas (survey number. 43 of Agra and survey number. 12 of Iblur villages) in the Bellandur lake. This should be attended to mark the identity of lake area. Further, at certain places more specifically in Varthur and also in Bellandur lakes, there has been unfinished / damaged part of fencing. This should be	a) 3.4 kms of fencing has not been done mainly towards the defence areas (survey number. 43 of Agra and survey number. 12 of Iblur villages) in the Bellandur lake. This should be attended to mark the identity of lake area.	3.4 kms of the lake boundary lies towards the Defence Land which is guarded by Army Personnel and hence, fencing is therefore, not required in this area.  However, demarcation of lake boundary will be attended, once the issue of ownership of portion of lake viz; Sy No. 43 of Agara Village, 146 Acre – 19 Guntas with department of Defence is finalised Issue has	

completed in immediate possible time. The fencing at Ambedkar Nagara slum should also be completed within one month from the date of shifting of habitants by Slum Board.

- b) Further, at certain places more specifically in Varthur and also in Bellandur lakes, there has been unfinished / damaged part of fencing. This should be completed in immediate possible time.
- c) The fencing at Ambedkar Nagara slum should also be completed within one month from the date of shifting of habitants by Slum Board.

been brought to the notice of Defence Department on 10.07.2019.

Unfinished and damaged part of fencing has been completed and rectified as on 30.06.2019. Fencing work photos enclosed in Annexure-2 for kind perusal.

Certain portion of the lake bed has been encroached by unauthorized occupants, who have created a slum in the name of "Belur Dr.B.R. Ambedkar Nagara Nivasigala Kshemabhivrudhi Sangha". Some portion of the said illegal occupation has been cleared by the Karnataka Slum Development Board with the assistance of BDA officials and Revenue Department officials, photos produced as Annexure - 4. A few other unauthorized occupants have approached the Hon'ble High Court of Karnataka at Bangalore by way of a Public Interest Litigation (Writ Petition No.50953/2019 {GM-RES} PIL) and obtained an ad interim stay against the eviction. The said interim order passed by the Hon'ble High Court of Karnataka on 20.11.2019 is produce herewith as Annexure - 3. The next date of hearing is on 09.12.2019.

14) The estimated 480 MLD of sewage, which flows into Bellandur Lake eventually via Varthur Lake, finally discharges into South Pinakini River, a tributary of River Cauvery. Hence, it would be advisable that the de-siltation process of Bellandur Lake commences after reasonably treated water has reduced the pollutants, which have proved to be ecologically fatal for the lake. As per the material on record, admittedly the storage capacity of the lake has decreased by 71.45%. Once the quality of water has improved, it would be ecologically fair that the treated water flowing from Rajkaluves into Bellandur is diverted towards the waste weir leading to Varthur Lake. Thereafter the task of de-silting and de-sedimentation ought to be undertaken. The process of de-silting and de sedimentation would restore the original storage capacity and ecology of the lake.

The de-silting of the lakes is one of the prime and major activities in the process of rejuvenation of these two lakes. The quantity to be de-silted and funds required would be substantial. The actual quantity and cost would be known after having the final estimation through a proved, tested and scientific method. In carrying out such huge task there should be a complete transparency and accountability while executing the job in the working of de-silting. It is observed with experience that in the de-silting of the lake, the estimate quantum of silt removal and transportation is always land in some dispute. To have the transparent records and accounts for proper quantification of silt removed from the lake beds, it is recommended to establish online E-weighment and E-transportation (to be installed by the contractor / BDA and certified by the competent Authority of weight and measurement department at the satisfaction of BDA) wherein all the loaded trucks/vehicles moved from and within the lake bed shall be weighed at online E-weighbridges which should be connected with an auto

- a) Committee recommends To have the transparent records and accounts for proper quantification of silt removed from the lake beds, it is recommended to establish online E-weighment and E-transportation (to be installed by the contractor / BDA and certified by the competent Authority of weight and measurement department at the satisfaction of BDA) wherein all the loaded trucks/vehicles moved from and within the lake bed shall be weighed at online E-weighbridges which should be connected with an auto system/program (auto weighment).
- b) All the exit points of transportation from the lake beds shall have online E-weighbridges connected with central server at the BDA office and other offices as deemed fit. The silt/mud to be used for construction of elevated boundary/walking paths/others, should also be weighed as explained above and properly accounted. Payment should be made only for the quantity so arrived as stated above. This system should be established well in advance and not beyond 30.11.2019.

Recommendations/suggestions / views of committee headed by Hon'ble Justice N Santhosh Hegde in its report Dated: 20.09.2019 will be incorporated in the tender as one of the conditions in the tender document, while inviting notification for de-silting and de-weeding of Bellandur Lake.

	<p>system/program (auto weightment). This technology is being used in the State for the transportation of Iron ores from the mines in Bellary sector. The technology / device which is used by Mine Department may be adopted and use. Training may also be given in this regard to the persons involved. All the exit points of transportation from the lake beds shall have online E-weighbridges connected with central server at the BDA office and other offices as deemed fit. The silt/mud to be used for construction of elevated boundary/walking paths/others should also be weighed as explained above and properly accounted. Payment should be made only for the quantity so arrived as stated above. This system should be established well in advance and not beyond 30.11.2019. It is in addition to the volumetric measurement at the destinations/quarries. The de-silting shall be carried out up to the original bed level to ensure complete de-silting. The dates suggested in column 4 by BDA may be accepted. The removed silt may be disposed-off in integrated manner including use by the farmers. The abandoned quarries</p>	<p>c) The de-silting shall be carried out up to the original bed level to ensure complete de-silting. The dates suggested in column 4 by BDA may be accepted.</p> <p>d) The removed silt may be disposed-off in integrated manner including use by the farmers. The abandoned quarries for dumping should be identified nearest to the lakes. There is no need of Synthetic lining of the quarries.</p> <p>e) To ensure the complete removal of accumulated silt, there shall be topographic survey of the lake bed (through well established surveying technique of total stations survey) to ascertain the attainment of original contours (or topography)</p> <p>f) The Chief Secretary of the state may be requested to constitute a Monitoring Committee for the successful scientific rejuvenation of Bellandur &amp; Varthur lakes (while ensuring de-contamination of these lakes) including entire de-silting &amp; other operations to be carried out by various departments with technical &amp; Scientific experts in the field. Further, the Chief Secretary should also review the progress monthly so has to complete the work in designated time period. The committee shall submit the rejuvenation work progress reports to NGT on quarterly basis.</p>	<p>DPR prepared by the BBMP is placed before Technical Committee held on 19.09.2019 and subsequent date on 04.11.2019. DPR was reviewed and members gave instructions to arrive at correct quantity of silt with respect to Bellandur lake.</p> <p>Quantity of silt is being assessed and on completion will be placed before Technical Committee scheduled on 27.11.2019.</p>
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		<p>for dumping should be identified nearest to the lakes. There is no need of Synthetic lining of the quarries.</p> <p>To ensure the complete removal of accumulated silt, there shall be topographic survey of the lake bed (through well established surveying technique of total stations survey) to ascertain the attainment of original contours (or topography)</p> <p>The Chief Secretary of the state may be requested to constitute a Monitoring Committee for the successful scientific rejuvenation of Bellandur &amp; Varthur lakes (while ensuring de-contamination of these lakes) including entire de-silting &amp; other operations to be carried out by various departments with technical &amp; Scientific experts in the field. Further, the Chief Secretary should also review the progress monthly so has to complete the work in designated time period. The committee shall submit the rejuvenation work progress reports to NGT on quarterly basis.</p>			
15)	The Commission observed that the current exercise de-weeding is not only slow but also futile as the growth rate of	The DPR prepared by consultant may be examined and approved through a Committee of experts in the field before final	The DPR prepared by consultant may be examined and approved through a Committee of experts in the field before final approval.	DPR prepared by the BBMP is placed before Technical Committee held on 19.09.2019 and subsequent date on	

<p>the weeds is much more than the rate at which is being removed due to unhampered inflow of nutrients through the sewage. The Commission is of the view that the exercise of de-silting and de-weeding can be carried out simultaneously since the water content would be substantially reduced due to the diversion of treated water. Post completion of de-silting and de-sedimentation process, the diversion so created for treated water can be removed.</p>	<p>approval.</p>		<p>04.11.2019. DPR was reviewed and members gave instructions to arrive at correct quantity of silt with respect to Bellandur lake.</p> <p>Quantity of silt is being assessed and on completion will be placed before Technical Committee scheduled on 27.11.2019.</p> <p>Construction of Diversion channel completed on 13.11.2019 in on either sides of the lake boundary and water allowed to flow except Defence Land.</p> <p>Remaining portion of Diversion Channel of length 1.2 km will be taken up, once the issue of ownership of lake portion viz; Sy No. 43 of Agara Village, 146 Acre – 19 Guntas with department of Defence is finalised. Issue has been brought to the notice of Defence Department on 10.07.2019. Construction of lakes photos enclosed in Annexure-2.</p>	
<p>17) The Commission is of the view that after achieving the above, the authorities must install adequate number of water fountains in order to sustain ecology of the lake water.</p>	<p>It is suggested to install required number of Fountains (to enhance oxygen exchange) only after rejuvenation.</p> <p>It is suggested that if any officer/official transfers/retires</p>	<p>Installation of Aerators and Fountains will be part of Detailed Project Report (DPR). 31<sup>st</sup> December 2020 (One year from the finalising of agency for the silting)</p>	<p>In so far as installation of aerators and water fountains for the purpose of oxygenation of the lake water is concerned, the same would be taken up immediately after the de-silting work of the lakes is completed.</p>	

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		<p>as stated in column 5 in this table the incumbent officer would be responsible for execution of works and liable for actions as if his name is a part of the column 5. The names stated in column 5 may be accepted.</p> <p>If the concerned authorities (BDA do not complete the works and take more time to complete; the para 26 (xiii) and xiv) of the NGT order dated 06.12.2018 may be invoked.</p>			
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Engineer Member,  
Bangalore Development Authority,  
Bangalore

  
Commissioner,  
Bangalore Development Authority,  
Bangalore

# **ANNEXURE – 2**

## **BELLANDUR LAKE**

2119

Name of work : Flood Control work (Sluice with Gate)

Date of completion : 26.07.2019

**Sluice Gate view at downstream near Bellandur Kodi**



**Sluice Gate view at upstream near Bellandur Kodi**



2/20

Waste weir at Bellandur Kodi



Sluice gate at Bellandur Kodi



2121

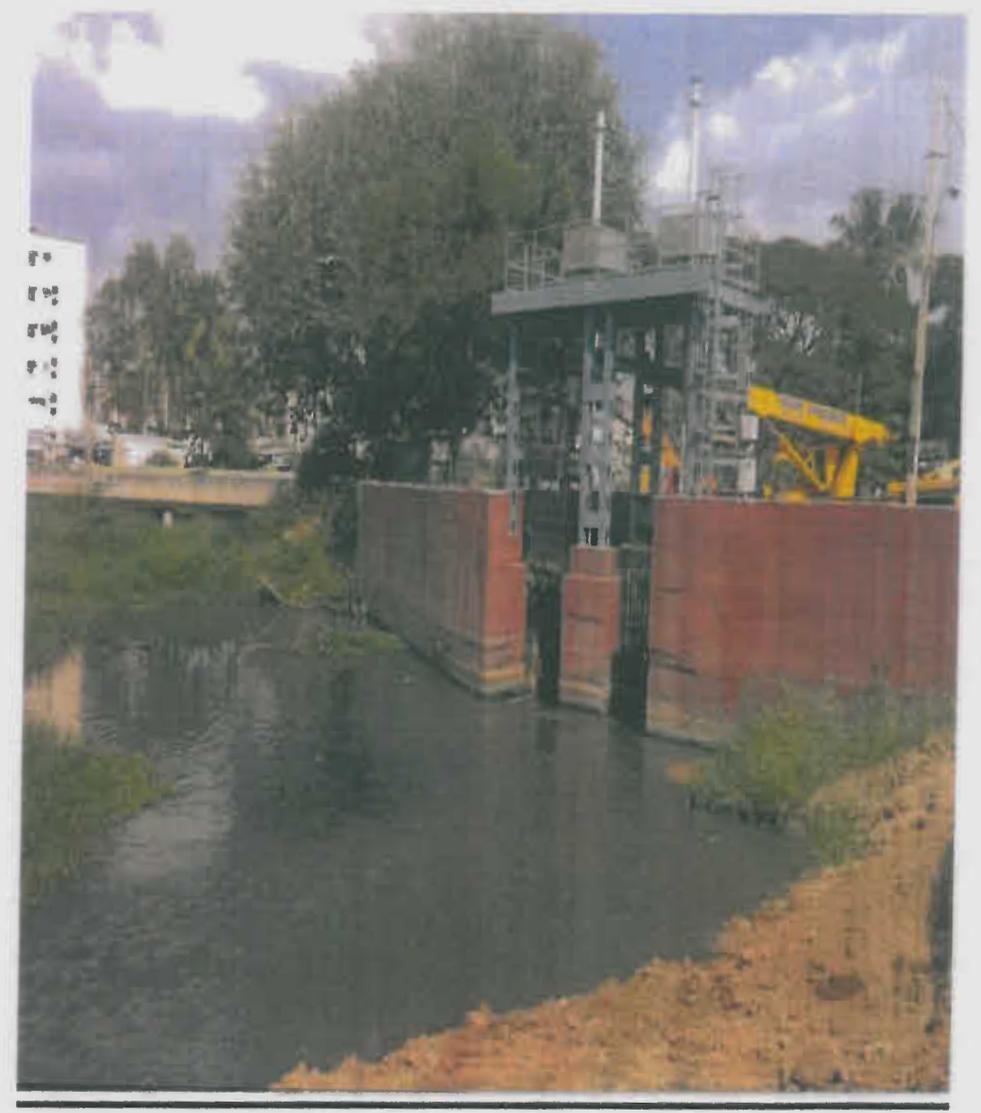
Name of work : Flood Control work (Sluice with Gate)

Date of completion : 26.07.2019

**Sluice Gate view at downstream near Yamalur Kodi**



**Sluice Gate view at upstream near Yamalur Kodi**



2/22

Name of work : Chain Link Fencing of lake boundary at Bellandur lake

Date of completion : 30.06.2019

**Chain link fencing of main bund at Bellandur Lake**



**Chain link fencing adjacent to Bellandur village**



2123

Name of work : Diversion Channel at Bellandur Lake  
Date of completion : 13.11.2019

**Near Sun City Apartment**

1)



2)

**Behind HAL Compound**



2124

Near coconut tree plantation

3)



Near Kateramma Temple

4)



# ANNEXURE- 3

Head Delivery Copy

FORM III A  
IN THE HIGH COURT OF KARNATAKA, BENGALURU

WRIT PETITION NO 50953 /2019 (GM-RES) PIL.

(Notice under Rule 13 (a) Proviso)

PETITIONER

1. BELUR DR.B.R. AMBEDKAR NAGARA NIVASIGALA  
KSHEMABHIRUDHI SANGHIA  
BELUR AMBEDKARNAGAR, NAL WIND TUNNEL ROAD,  
YAMALUR POST, BENGALURU-560 037.  
REPRESENTED BY ITS PRESIDENT SHRI. KESHAVA

By Sri./Smt : MAITREYI KRISHNAN  
VS

RESPONDENTS

1. STATE OF KARNATAKA  
REPRESENTED BY THE PRINCIPAL SECRETARY,  
DEPARTMENT OF HOUSING, VIKASA SOUDHA,  
DR. B. R. AMBEDKAR VEEDHI, BANGALORE-560 001.
2. KARNATAKA SLUM DEVELOPMENT BOARD  
NO.2, SUB-DIVISION, NO.55, RISALDAR ROAD,  
SESHADRIPURAM, BENGALURU-560 020.
3. COMMISSIONER OF POLICE  
BENGALURU, INFANTRY ROAD,  
BENGALURU-560 001.

Whereas, a Writ Petition filed by the above named petitioner under Article 226 & 227 of the Constitution of India, as in the copy annexed hereunto, has been registered by this court.

Notice is hereby given to you to appear in this court in person or through an Advocate duly instructed or through some one authorised by law to act for you in this case, at 10.30 A.M. in the forenoon on the 09/12/2019 (Notice returnable on 09/12/2019) to show cause why rule nisi should not be issued.

If you fail so to appear on the said date or any subsequent date to which the matter may be posted as directed by the court, without any further notice, the petition will be dealt with, heard and decided on the merits in your absence.

Contd..2/-..



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- 2 -

INTERIM ORDER

Pending issue of Rule nisi in the aforesaid Writ Petition it is hereby ordered by this Court on

WEDNESDAY THE 20TH DAY OF NOVEMBER 2019

BEFORE  
THE HON'BLE CHIEF JUSTICE  
AND

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

as follows :-

Heard the learned counsel for the petitioner.

Issue notice to the respondents returnable on 9<sup>th</sup> December, 2019. The learned AGA takes notice for the first and third respondents.

There will be an order of interim relief as prayed for till the next date.

Sd/-  
JUDGE.

Sd/-  
JUDGE.

COPY

*[Signature]*  
20/11

(S.VIJAYA KUMARI)  
ASSISTANT REGISTRAR

*[Signature]*  
20/11/19

Note:- As an interim relief, it is prayed to restrain the respondents from evicting the Petitioners and/or demolishing their tenements in Belur Ambedkarnagar, NAL Wind Tunnel Road, Yamalur Post, Bengaluru-560037.

*[Signature]*  
20/11/19

ASSISTANT REGISTRAR

*[Signature]*  
20/11/19

RA-201119.7



2128

**ANNEXURE – 4**  
**DEMOLITION PHOTOS**

2129

Demolition of Unauthorized Sheds at Belur Ambedkar Nagar Slum on 16-11-2019



2130

**Demolition of Unauthorized Sheds at Belur Ambedkar Nagar Slum on 16-11-2019**



2131

Demolition of Unauthorized Sheds at Belur Ambedkar Nagar Slum on 16-11-2019



2132

# **ANNEXURE – 5**

## **VARTHUR LAKE REPORT**

2133

## Annexure-5

## Varthur Lake

Sl No	Direction Order No. 6(b), 14, 15 & 17 of NGT	Recommendations / suggestions / views of committee headed by Hon'ble Justice N Santhosh Hegde in its report Dated: 20.09.2019.	Particulars of the works with completion dates as per the Committee report dated: 20.09.2019	Status of the works / actions as on 15.11.2019	Remarks
1	<p>6(b) Complete Fencing of lake area including the buffer zone to prevent any further mushrooming of illegal encroachments. As per the reports submitted by the Authorities before this Hon'ble Tribunal, the fencing work is currently in progress at a fast pace and should be completed by 30.06.2018. The authorities must abide by the said timeline.</p>	<p>The observations / recommendations / views made in case of the Bellandur lake is also applicable to Varthur lake in total.</p> <p>It is suggested that if any officers / official transfers/retires as stated in column 5 in this table the incumbent officer would be responsible for execution of works and liable for action as if his name is a part of the column 5. The name stated in column 5 may be accepted.</p> <p>If the concerned authorities (BDA) do not complete the works and take more time to complete; the para 26 (xiii) and (xiv) of the NGT order dated: 06.12.2018 may be involved.</p>	<p>a) Further, at certain places more specifically in Varthur and also in Bellandur lakes, there has been unfinished / damaged part of fencing. This should be completed in immediate possible time.</p>	<p>Unfinished and damaged part of fencing has been completed and rectified as on 05.10.2019</p>	
	<p>14) The estimated 480 MLD of sewage, which flows into Bellandur Lake eventually via Varthur Lake, finally discharges into South Pinakini River, a tributary of River Cauvery. Hence, it would be advisable that the de-siltation process of Bellandur Lake commences after reasonably treated water has reduced the pollutants, which have proved to be ecologically fatal for the lake.</p>		<p>a) Committee recommends To have the transparent records and accounts for proper quantification of silt removed from the lake beds, it is recommended to establish online E-weightment and E-transportation (to be installed by the contractor / BDA and certified by the competent Authority of weight and measurement department at the satisfaction of BDA) wherein all the loaded trucks/vehicles moved from and within the lake bed shall be weighed at online E-weighbridges</p>	<p>Recommendations/suggestions/ views of committee headed by Hon'ble Justice N Santhosh Hegde in its report Dated: 20.09.2019 will be incorporated in the tender as one of the conditions in the tender document, while inviting notification for de-silting and de-weeding of Varthur Lake.</p>	

As per the material on record, admittedly the storage capacity of the lake has decreased by 71.45%. Once the quality of water has improved, it would be ecologically fair that the treated water flowing from Rajkalaves into Bellandur is diverted towards the waste weir leading to Varthur Lake. Thereafter the task of de-silting and de-sedimentation ought to be undertaken. The process of de-silting and de sedimentation would restore the original storage capacity and ecology of the lake.

which should be connected with an auto system/program (auto weighment).

- b) All the exit points of transportation from the lake beds shall have online E-weighbridges connected with central server at the BDA office and other offices as deemed fit. The silt/mud to be used for construction of elevated boundary/walking paths/others, should also be weighed as explained above and properly accounted. Payment should be made only for the quantity so arrived as stated above. This system should be established well in advance and not beyond 30.11.2019.
- c) The de-silting shall be carried out up to the original bed level to ensure complete de-silting. The dates suggested in column 4 by BDA may be accepted.
- d) The removed silt may be disposed-off in integrated manner including use by the farmers. The abandoned quarries for dumping should be identified nearest to the lakes. There is no need of Synthetic lining of the quarries.
- e) To ensure the complete removal of accumulated silt, there shall be topographic survey of the lake bed (through well established surveying technique of total stations survey) to ascertain the

DPR prepared by the BBMP is placed before the Technical Committee held on 19.09.2019 and subsequent date on 04.11.2019. In the committee members are of the view that the same DPR may be adopted after updating with current year S.R.

On completion of updating of DPR, same is placed before the Technical Committee for approval Scheduled on 27.11.2019.

			<p>attainment of original contours (or topography)</p> <p>f) The Chief Secretary of the state may be requested to constitute a Monitoring Committee for the successful scientific rejuvenation of Bellandur &amp; Varthur lakes (while ensuring de-contamination of these lakes) including entire de-silting &amp; other operations to be carried out by various departments with technical &amp; Scientific experts in the field. Further, the Chief Secretary should also review the progress monthly so has to complete the work in designated time period. The committee shall submit the rejuvenation work progress reports to NGT on quarterly basis.</p>		
<p>15)</p>	<p>The Commission observed that the current exercise de-weeding is not only slow but also futile as the growth rate of the weeds is much more than the rate at which is being removed due to unhampered inflow of nutrients through the sewage. The Commission is of the view that the exercise of de-silting and de-weeding can be carried out simultaneously since the water content would be substantially reduced due to the diversion of treated water. Post completion of de-</p>	<p>The DPR prepared by consultant may be examined and approved through a Committee of experts in the field before final approval.</p>	<p>The DPR prepared by consultant may be examined and approved through a Committee of experts in the field before final approval.</p>	<p>DPR in respect of Varthur lake has been finalised. The estimate updated with the current year SR and will be placed before Technical Committee for approval scheduled on 27.11.2019.</p> <p>To execute the Diversion Channel work for Varthur lake, 4(g) exemption from Government for appointing Agency was obtained as on 31.10.2019. Construction of Diversion Channel commenced on 02.11.2019. Diversion Channel work photos enclosed in Annexure-6.</p>	

<p>silting and de-sedimentation process, the diversion so created for treated water can be removed.</p>			<p>Diversion channel construction is under progress will be completed in three months time.</p>
<p>17) The Commission is of the view that after achieving the above, the authorities must install adequate number of water fountains in order to sustain ecology of the lake water.</p>	<p>It is suggested to install required number of Fountains (to enhance oxygen exchange) only after rejuvenation.</p> <p>It is suggested that if any officer/official transfers/retires as stated in column 5 in this table the incumbent officer would be responsible for execution of works and liable for actions as if his name is a part of the column 5. The names stated in column 5 may be accepted.</p> <p>If the concerned authorities (BDA do not complete the works and take more time to complete; the para 26 (xiii) and xiv) of the NGT order dated 06.12.2018 may be invoked.</p>	<p>Installation of Aerators and Fountains will be part of Detailed Project Report (DPR). 31<sup>st</sup> December 2020 (One year from the finalising of agency for the silting)</p>	<p>In so far as installation of aerators and water fountains for the purpose of oxygenation of the lake water is concerned, the same would be taken up immediately after the de-silting work of the lakes is completed.</p>



Engineer Member,  
Bangalore Development Authority,  
Bangalore



Commissioner,  
Bangalore Development Authority,  
Bangalore

# ANNEXURE – 6

## VARTHUR LAKE

2138

Name of work : Flood Control work (Sluice with Gate)

Date of completion : 26.07.2019

**Sluice Gate at Varthur Lake**



**Waste weir at Varthur**



2139

29.

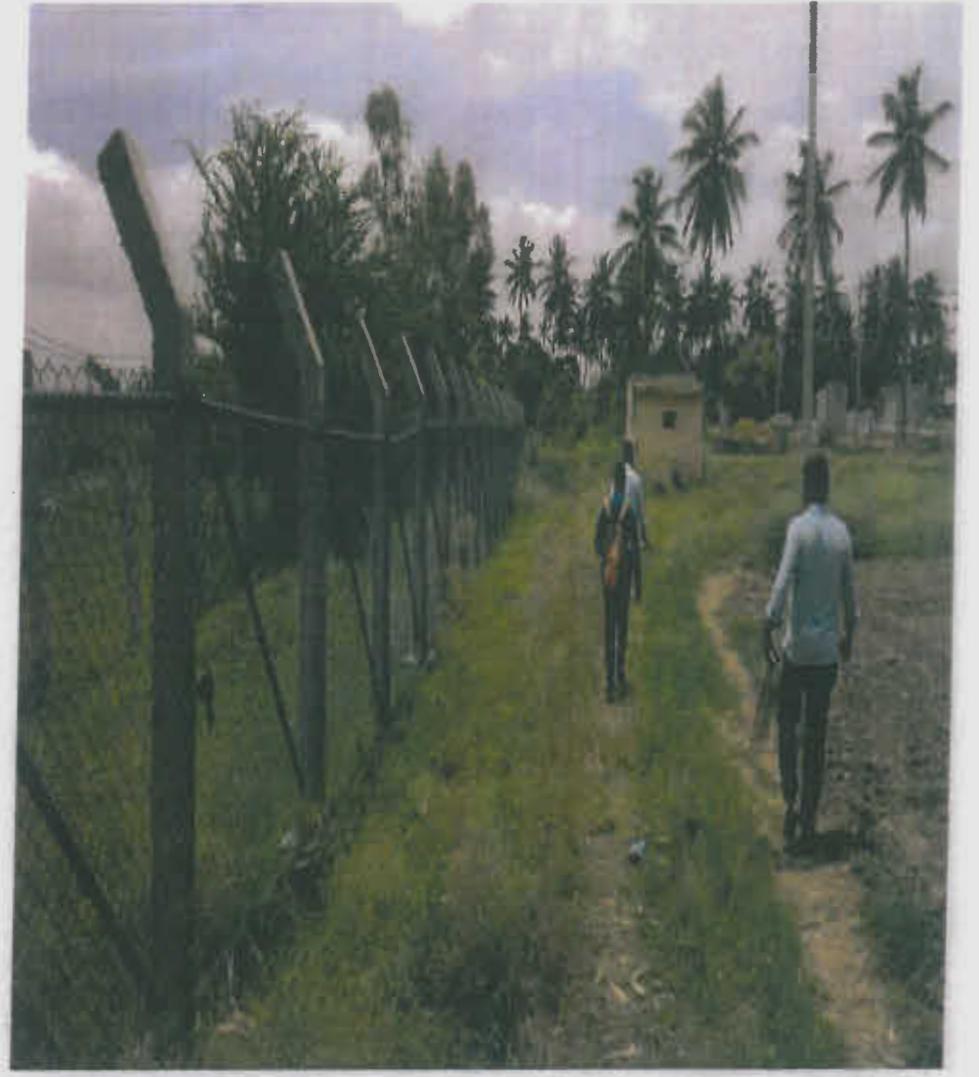
Name of work : Chain Link Fencing of lake boundary at Varthur lake

Date of completion : 05.10.2019

**Chain link fencing at Balagere**



**Chain link fencing near Varthur village**



Name of work : Construction of Diversion Channel at Varthur Lake  
Work Under Progress

Near Thubarahalli village

1)



Near Balagere village

2)



2141

Near Thubarahalli village

(3)



Near Balagere village

4)



BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION 125 OF 2019

IN THE MATTER OF:-

*Constanik Ouh nation*

... APPLICANT

VERSUS

*State of Karnataka*

...RESPONDENTS

PROOF OF SERVICE

S. NO.	ADVOCATE NAME	SIGNATURES
1	<i>for the state of Karnataka</i>	<i>[Signature]</i>
2	<i>for the state of Karnataka</i> <i>no 48 99843774</i>	
3	<i>for the state of Karnataka</i>	
4	<i>miners of Karnataka</i>	
5	<i>As. for the state of Karnataka</i>	<i>[Signature]</i>
6	<i>no 46 5 909 1258</i>	
7		
8		
9		
10		