

IN THE HON'BLE NATIONAL GREEN TRIBUNAL AT
NEW DELHI

ORIGINAL APPLICATION No.125/2017

In the matter of:

COURT ON ITS MOTION ...APPLICANT

VERSUS

STATE OF KARNATAKA RESPONDENT

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Place: New Delhi

Filed by

Dated: 29.11.2019

Kashi Vishweshwar

Advocate for APPLICANT/BBMP

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Compliance report for the orders of the Hon'ble NGT during its hearing on 21.10.2019 in respect of OA No. 125/2017 in line with the report of NGT Committee headed by Hon'ble Justice Sri N. Santhosh Hegde Dated 20.09.2019

The Bruhat Bengaluru MahanagaraPalike 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 work as on 15.11.2019 is submitted as under. Also these compliances are in respect of the final report submitted by the Committee headed by Hon'ble Justice Sri. N. Santhosh Hegde on 20.09.2019. The recommendations of the committee with respect to the activities of BBMP in regards to Bellandur, Varthur and Agara lakes have been indicated in **Annexure-6** appended to the committee report.

Based on the above recommendations and in line with the action Plan submitted to the committee on 30.07.2019, BBMP has taken steps to comply with the requirements as detailed below.

Sl. No	Direction/ order No. 19 (1) and 19 (2) of NGT	Recommendations/ suggestions/ views of the Committee headed by Hon'ble Justice N.Sathosh Hedge in its report. dated :20.09.2019	Particular of the works with completion dates as per the committee report dated :20.09.2019	Status of the work/ action as on 15.11.2019	Remarks of BBMP
1.	19 (4) No further channelization and concretization of Rajakaluves.	It is recommended that no further narrowing and concretization of Raja Kaluves_ (storm water drains) should be allowed to ensure the hydrologic function of natural drains (percolation of water, remediation, etc.) NGT may kindly issue orders in this regards.	Maintenance of Storm water drain	Ongoing	The concretization of SWD is avoided in all Big Rajakaluves having width more than 4.00 mtrs. However, due to development/construction of buildings by side of Rajakaluves, the retaining walls are unable to withstand the exterior pressure. At these points after technical verification 'U' shaped drain is being constructed, with intermediate pervious section / holes in the form

		NGT may kindly issue orders in this regards.			constructed, with intermediate pervious section / holes in the form of circular openings for enabling recharge of ground water. where width of the land available for Rajakaluve is less than 4.0 m Channelization of Storm water drain is being avoided in the outskirts of the city and natural flow of the Rajakaluves is allowed, especially the downstream flow of Vrushabhavathi Valley, Challaghatta Valley, Hebbal Valley and Kormangala Valley.
2	6 (a). The authorities must conduct a survey in the buffer zone of the lake to identify the encroachments and appropriate exercise should be undertaken to remove them.	In spite of directions no survey of 30 meter buffer zone around the lakes have been done and also not marked on the ground. Hence, the extent of encroachment for the prohibited activities/work /structure could not be assessed in the buffer zones of all lakes. The NGT may kindly take note of it and issue order to BBMP and Revenue Department to complete the work in three months and report compliance.	<ol style="list-style-type: none"> 1. Survey of Buffer zone around the lakes 30 meters along the Lake Boundary and maintenance of the same in the three lakes. 2. Removing of encroachment around the lake and maintenance of trees and plants. 	BBMP has requested the Commissioner Survey settlement and Survey Record to demark the Buffer zone	As per the directions of Hon'ble NGT and in response to request of The Chief Engineer lake Division Bruhat Bengaluru Mahanagara Palike (Enclosed as Annexure 1) for conducting survey of Bellandur, Varthur, Agara Lakes for demarcation of Buffer zones and also to identify the encroachments within the buffer zone area, The Joint Director, Survey Settlements and Survey Records vide in his letter dated 21.11.2019 has submitted a detailed map prepared in co-ordination with Karnataka State Remote Sensing Application Centre (KRSRAC) demarking the lake boundary and 30m buffer zone from the lake boundary along with details of the structure within the 30m of buffer zone. The letter dated 21.11.2019 of The Joint Director,

It may kindly be noted that the Hon'ble High Court vide dated 18.06.2019 in WP.38401/2014 have directed to State Government to survey storm water drains and then follow up of eviction of encroachments. The outcome of the survey to be carried out by the Commissioner of survey settlement and land records may be taken as final and all encroachments should be removed by BBMP/ Revenue Department in time bound manner.

Survey Settlements and Survey Records, is(enclosed as **Annexure 2**), Details of encroachments of structure within 30m buffer zone (Satellite image by KRSAC) with regard to Bellandur and Varthur lakes is enclosed as **Annexure 3,4** and map is enclosed as **Annexure 5,6**.

As per the Hon'ble High Court direction WP.38401/2014 dated 18.06.2019. The Storm Water Division BBMP has identified 2626 encroachments on Storm Water Drain **and 1409 Numbers** of encroachments have been removed as on 15-11-2019.

The Committee vide its meeting dated 09.05.2019 has requested the BBMP Authorities to inspect and give report as regard the encroachment at storm water drain No. K-200 at chains 700 flowing in between survey No.6 of Jakkasandra and survey No.38 of Agara villages. On perusal of the survey report submitted by them, it is noted that there is encroachment by utilizing the storm water drain area for the construction of mud road of a width of 40 feet out of 118.75 feet of total width. The NGT may kindly take note of it and may request to Chief Secretary, State of Karnataka for enquiry/ investigation in the matter and to take necessary action to remove the encroachments.

With regard to the encroachment at Kormangala Valley No.K-200 originating from NIMHANS and flowing towards Suddaguntepalya, Tavarekere, Maruthi Layout, Silk Board Junction, HSR Layout and connecting Agara Lake later leading to Sarjapura road connecting Kormangala Valley No.K-100 at Bellandur Lake 'Y' Junction.

The Storm Water Drain No.K-200 at chainage 7000 is flowing in-between Survey No.6 of Jakkasandra Village and Sy No.38 of Agara Village.

1. As per the Survey records the total width of the drain at that point is 36.20 mtrs (118.75 feet).
2. Out of 118.75 ft width of SWD 40 ft is being utilized as connecting road to BWSSB and KPTCL service sub stations. (The said width is a Kaccha Road)
3. The 40ft road connecting BWSSB and KPTCL offices is also utilized by M/s. Adwaith Ventures Residential Apartment for connecting their property by construction of a Bridge over Drain vide approval by

		<p>Shifting of residents of Ambedkar Colony of BelurNagasandra Sy.No.58/1, 58/2, 58/4, 58/5 and 58/6 at Challaghatta.</p> <p>Out of 220 huts 140 beneficiaries would be shifted in the first installment. The remaining 80 member's would be evicted as per the court order.</p>	<p>Shifting of Ambedkar slum</p>		<p>the Standing Committee for Town Planning and Development, BBMP.</p> <p>Bangalore Development Authority to submit the action taken report.</p>
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3	<p>7. (a) The Commission recommends that CCTVs should be installed at appropriate locations for ensuring that no C&D waste is dumped in the buffer zone area of the lake.</p>	<p>No CCTVs and watch towers have been installed around the Varthur lake. More numbers of CCTV and watch towers is required to be installed at Bellandur lake also. The dumping of C &D wastage is being reported by locals at Varthur lake. The NGT may kindly take note of it and direct the BBMP to install the CCTVs around Varthur lake within two months. It has been reported (with photographs) that some of the CCTV poles installed around Bellandur lake have fallen during heavy wind/miscreants for reasons of poor quality of works. The BBMP should take necessary measures to protect the CCTVs.</p>	<p>Installation and maintenance of Street lights, CCTV cameras and control room around the Lake.</p>		<p>As regards to Bellandur Lake BBMP has installed 54 No. of 360 degree CCTV cameras and 200 No. LED street lights at appropriate locations of lake boundary to ensure that no C&D waste is dumped and to monitor the construction in Buffer zone area.</p> <p>The work of erecting 4 No of Watch tower in Bellandur lake area is in progress, the expected date of completion of Watch Tower will be 31st January 2020</p> <p>The BBMP is spending Rs198.00Lakhs to install CCTV, Street Light and Watch Towers at Bellandur lake.</p> <p>As regard to Varthur lake BBMP is installing 54 No's 360 degree wireless cameras and 200 No's LED street lights at the cost of 198 lakhs from 15/11/19.</p> <p>So far 20 CCTV cameras and 85 LED street lights have been installed and balance works are in progress. BBMP is proposed to erect 4 No's of</p>

				Watch Towers in Varthur Lake area , the date of completion of installation of street lights, cameras and watch towers will be 15/02/2020.
4	7 (b) Security Guards should be deployed at the most vulnerable locations to keep vigilance on illegal dumping of debris and to prevent encroachment activities.	No marshals/ watchman have been deployed at Varthur lake despite the committee's suggestion to deploy them with immediate effect. The illegal dumping in the buffer zone has been reported. The NGT may kindly take a note of it and direct the BBMP to deploy the marshals within one month.	Removing of encroachments unauthorized construction and prevention of illegal dumping of C&D waste.	<p>(i) Physical Guarding of lake and buffer zone at Bellandur and Agara Lake (Presently under the custody of Karnataka Forest Department) has been done by deploying 21 Marshals on 24 hours duties. Exclusive Mahindra Bolero Jeep has been provided for effective patrolling of Lake Boundary. The Marshals were deployed with effect from 01 Mar 2018. The C&D Waste/Solid wastedumping has been controlled after physical surveillance by marshals at Bellandur. The total expenditure incurred so farto Marshallsover the past 19 months is Rs.1,29,63,882/-</p> <p>(ii) Physical Guarding of lake and buffer zone at Varthur Lake has been done by deploying 21 Marshalson 24 hours duties. The Marshals were deployed with effect from</p>

					16Nov 2019. Exclusive Mahindra Bolero Jeep has been provided for effective patrolling of Lake Boundary. The total expenditure of Marshalls for 12 Months is Rs.79, 54,463.00. the work order of deployment of Marshal at Varthur lake is enclosed as Annexure-7 .
5	7 (c) In case anyone is found to be dumping C&D waste or debris into the lake or its buffer zone, a penalty of Rs.5 Lakhs be imposed for each offence in terms of the Order passed by this Hon'ble Tribunal on 19.04.2017.	The BBMP has booked some cases against the dumpers of C &D waste but the penalty imposed is not to the tune of Rs. 5 lakhs per offence. As per solid waste management ruled 2016, the BBMP is supposed to set up a functional C & D waste processing unit for scientific handling &	Removing of encroachments unauthorized construction and prevention of illegal dumping of C&D waste.	September-2020	Notice boards and sign boards have been installed at important locations at Bellandur and Varthur lake area, informing public about the penalty of Rs.5.00 Lakhs that will be imposed for each offense of dumping C&D waste or debris into the lake or its buffer zone as per the directions of Hon'ble National Green Tribunal. A total of 9 cases of illegal dumping by tractors, individuals, dumpers and other groups have been captured at Varthur, Total penalty levied so far is 7,03,200/- . Most of the vehicles used for dumping are of a lesser value than the 5 lakh penalty and in such cases the recovery becomes difficult and the vehicle gets abandoned by owners .prosecuting the owners for recovery of the

		reuse of C&D waste (Debris) which is not done yet.			<p>penalty and to Store such abandoned vehicles requires space and additional resources to pursue such legal claims.</p> <p>At present one private agency M/s Rock Crystals has established a 1000 MT capacity processing plant at Chikkajala at his own cost and receives C&D waste.</p> <p>The work order issued to M/S Rubble Revival Private Ltd. on 11.11.2019 to Design, Finance, Build, Operate, and transfer 750 MTPD construction and demolition waste processing facility is enclosed as Annexure-8. The plant is expected to operate in Eight months time, with this combined capacity would be 1750 Tonnes Per Day.</p>
6	8. No new facility or expansion of existing facility, whether for commercial or non-commercial purpose, to be permitted within the territorial jurisdiction of Municipal Corporations of catchment area of the lake, which generates sewage, until the commissioning of the STPs except public toilets.	As regard the para 8,9,10,11 of NGT order, the principal secretary Ecology and environment and the Commissioner, BBMP and other concerned authorities have been requested by the committee to take action as per the order of the Hon'ble Supreme court dated: 05-03-2019 in civil appeal no. 5016 of 2016.	Maintenance of buffer zone and Maintenance of Lakes.	Maintenance of Storm Water Drains	<p>Based on the order of Hon'ble Supreme Court dated. 05-03-2019 with respect to Civil Appeal No. 5016/2016 and other connected cases, Government of Karnataka vide its letter No. UDD 536 Bembuswa 2017, Dated. 16-03-2019 issued directions to follow the orders of the Hon'ble Supreme Court (Annexure -9)</p> <p>As per the order of the Hon'ble Supreme Court and directions of the Government, Commissioner BBMP vide Office Order No.</p>

7	9. No new facility or expansion of existing facility within 75 meters (buffer zone) of Rajakaluves/SWDs to be permitted. No fresh permission or sanction ought to be given by the municipal authorities to any project or facility within the buffer zone.	It is noted that the Hon'ble high court of Karnataka is also perusing this subject matter and certain interim directions have been issued in the order dated:18-06-2019 and the same were reviewed on 14-08-2019 in WP 38401/2014. The State Government may take action accordingly.	Maintenance of buffer zone and Maintenance of Lakes.		Addl.Dir/TP/PR/1084/2018-19, Dated. 19-03-2019 ordered to follow the buffer as per Zoning Regulation 2015 i.e., 30.00 mts for the lakes, 50.00 mts, 25.00 mts and 15.00 mts from the Centre of Primary Drain, Secondary Drain and Territory Drain respectively while giving permissions for Development / Re-development. (Annexure -10) . As per the Govt. notification no. FEE 316 EPC 2015, Bengaluru, Dated. 19.01.2016, all residential Group Housing projects / apartments with 20 units and above or having a total built up area of 2000 sq.mts, for residential building, 2000 sq.mts of Commercial building and 5000 sq.mts. of educational buildings, developments are permitted only after production of Consent for Establishment from KSPCB and the Occupancy Certificate is issued to occupy the buildings only after the installation of STP's and duly obtaining Consent for Operation of STP's from KSPCB (Annexure - 11)
8	10. Structures, between 30-75 meters of Rajakaluves, which have already been constructed prior to 07.05.2015 (Forward Foundation Judgment) but are uninhabited, not to be occupied without the prior permission of the Hon'ble Tribunal and in any event not until the commissioning of the STPs in order to prevent generation of more sewage.		Maintenance of Storm water drain	Ongoing activity	<ul style="list-style-type: none"> No new facility or expansion of existing facility permitted within the territorial jurisdiction of Municipal Corporation of catchment area of the lake until

9	<p>11. Structures between 30-75 meters of Rajakaluves, which are under construction, be restrained from constructing further without the prior permission of the Hon'ble Tribunal and in any event not until the commissioning of the STPs.</p>		Maintenance of Storm water drain	Ongoing activity	<p>the commissioning of STPs as per Govt. Notification No. FEE 316 EPC 2015, Bengaluru, Dated. 19.01.2016.</p> <ul style="list-style-type: none"> • No new facility or expansion of existing facility within the buffer zone as per zoning regulations 2015 of rajakaluves / SWDs are permitted. • Structures between 30 – 75 mts of rajakaluves which have already been constructed prior to 07-05-2015 but are uninhabited, not allowed to be occupied until the commissioning of STPs and production of consent for operation of STPs from KSPCB. • No structures are permitted to be constructed within the buffer zones of rajakaluves as per zoning regulations 2015.
	<p>12. Permission or sanction or consent or EC for structures between 30-75 meters of Rajakaluves where construction was below 25% of the total built up area as on 07.05.2015 (Forward Foundation Judgment) be withdrawn. The Hon'ble Tribunal may issue appropriate directions and orders keeping in view the interests of the buyers who would eventually suffer financial loss.</p>		Maintenance of Storm water drain	Ongoing activity	
10	<p>16. Post removal of waste from the Lake and from the</p>	<p>The BBMP and BDA should take the work as suggested in Para 16 at</p>	<p>Disposal of silt removed from lakes and Storm</p>	<p>Ongoing activity</p>	<p>A detailed project report is under preparation to dispose off the silt removed from Storm Water Drain and</p>

<p>Rajakaluves, the State ought to prepare a detailed project report with respect to disposal of the same.</p>	<p>column 2 and should finish the task in 2 months from the completion of works of desilting by the BDA. 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 Fractions as if his name is a part of the column 5. The names stated in column 5 may be accepted. If the concerned authorities (BBMP and BDA) do not complete the works and take more time to complete the work and take more time to complete; the Para 26(xii)and (xiv)of the NGT order dated 06.12.2018 may be invoked.</p>	<p>Water Drain in scientific manner.</p>	<p>Lakes in a scientific manner in abandoned quarries as per Solid Waste Management Rule 2016 so that the quarry land is reclaimed and also such reclaimed land can be later used for afforestation and / or play grounds or parks. Identification of specific quarry out of available quarries at Marenahalli, Bagalur, Hullalliwill be decided in respect of disposal of silt from Bellandur and Varthur lake, keeping in mind the size of landfill requirement with minimum transportation is being done by Bangalore Development Authority, are part of the DPR.</p>
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2195

IN THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH
NEW DELHI

OA No. 125 /2017

IN THE MATTER OF: -

COURT ON ITS OWN MOTION

APPLICANT

VERSUS

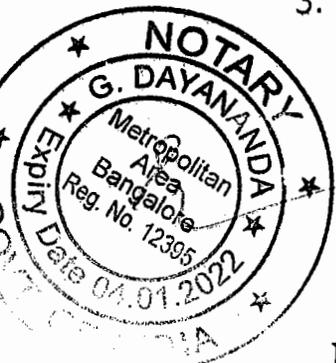
STATE OF KARNATAKA

RESPONDENT

AFFIDAVIT

I, B.H ANILKUMAR aged 57 years, S/o. B.H. HANUMANTHA RAJU
Commissioner, Bruhat Bengaluru Mahanagara Palike (BBMP), N R Square,
Bengaluru-560002, Karnataka, do hereby solemnly affirm and state as
follows:-

1. That I am the Commissioner of BBMP and I am fully conversant with the facts of the case.
2. That I have read and understood the contents of the accompanying status report filed by my department and I say that the facts stated therein are true and correct to the best of my knowledge and as per the record maintained by department Counsel which I believe to be true.
3. That I have read and understood the contents of the Accompanying status report and I say that the contents thereof are true and correct to the best of my knowledge.



No of Corrections Nil

2196

4. That the Annexures Accompanying status report filed with the application are true and correct copies of the originals.

H. H. Anil
DEPONENT

VERIFICATION:

I, the deponent above named, do hereby verify and state on solemn affirmation that the contents of the paras 1 to 4 are true and correct to best of my knowledge and I believe the same to be true and that nothing material has been concealed therefrom.

Verified by me at Bengaluru on this day of 26 day of November, 2019.

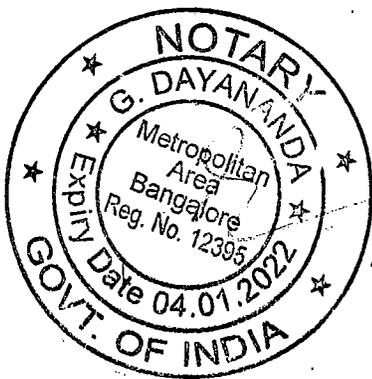
Identified by me

H. H. Anil
DEPONENT

Advocate

SWORN TO BEFORE ME

G. Dayananda
26/11/2019
G. DAYANANDA
Advocate & Notary
Govt. of India
61, 2nd Floor, 7th Cross
Malleswaram
Bangalore - 560 003



No of Corrections *Nil / Twenty*

26 NOV 2019

2197

BRUHAT BENGALURU MAHANAGARA PALIKE

Office of the chief Engineer, lakes, BBMP, 3rd floor, annex -3building, Main BBMP office compound
Bengaluru.

No. CE/LAKES/PR/283/2019-20

Date: 04.11.2019

To,
The Joint Director,
Department of land Survey and land Records
K.R Circle, Bengaluru.

Sir,

Sub: Request to conduct survey of Bellandur and Varthur lakes under the jurisdiction of Bengaluru East Taluk and demarcation of 30 m buffer zones from Lake Boundary Regarding.

Ref: Order of Hon'ble NGT dated 21.10.2019 in respect of application No. 125/2017.

With reference to the above subject, As per the order dated 21.10.2019 of the Hon'ble NGT in respect to application No. 125/2017, it is directed to remove structure coming under 30m buffer zones from lake boundary of Bellandur, Varthur and Agara lakes.

In the order of Principle Bench of Hon'ble NGT dated 20.09.2019 it is mentioned as below.

9.6 (a) "The authorities to survey buffer zone around Bellandur Lake, Varthur Lake and Agara Lake to identify the encroachment and appropriate exercise should be under taken to remove them"

In view of the above,

It is requested to direct the concerned to conduct survey of Bellandur Lake, Varthur Lake and Agara lake and mark the boundary of lake, the 30m buffer zone and identify the structure encroached within 30m buffer zone and communicate the report to this office as this information/report is to submit Hon'ble NGT on 27/11/2019.

Enc: NGT order dated 20.09.2019

Yours faithfully,

Chief Engineer
Lakes, BBMP

2198

Government of Karnataka

Office of the Commissioner
Department of Survey,
Settlements and land records
K.R circle Bangalore 560001

No. SSLR/11025/625/2019

Date: 21.11.2019

To,

The Chief Engineer
Lakes, BBMP
3rd floor, Annex -3 building
Bengaluru

Sir,

Sub: - Demarcation of Buffer zones of Bellandur and Varthur lakes comes under Bengaluru East Taluk- reg.

Ref: - Your office letter No. CE/lakes/PR/283/2019-20, date 04.11.2019.

With reference to the above subject, under ref letter cited above. It is requested to furnish the Report regarding Demarcation of Buffer zones of Bellandur and Varthur lakes coming under jurisdiction of Bengaluru East Taluk, as the same to be submitted to National Green Tribunal at the earliest.

Regarding the structures observed within the said lakes, the detailed map prepared in, co-ordination with KRSAC demarking the lake boundary and 30 mts buffer zone from Lake Boundary have prepared along with details of structures within 30mtr Buffer zones from Lake Boundary and some are enclosed for your information.

- Enc: 1. Lake sketch -5 nos
2. Structures details of two lakes comes under 30m buffer zone -2 sheets
3. Lake maps of KRSAC- 2 nos.

Yours faithfully,

Sd/-

Joint Director
Land Records
(Enquiry and Investigation)

2199

Details of structures comes within 30m buffer zone marked (satellite image) by KRSAC along with Bellandur lake boundary.

Sl. No.	Village	Sy.No.	Partial Structures	Full Structures
1	Beluru	2	28	6
2	Bellandur Amani kere	1	4	18
3	Ibbaluru	12	13	18
4	Agara	43	04	02

Details of structures as per Village map in inlet canal within the buffer zone.

Sl. No.	Village	Sy.No.	Inlet canal No. as marked on Map	Partial Structures	Full Structures
1	Beluru	2	1	10	Nil
			2	02	Nil
2	Bellandur Amani kere	1	3	Nil	Nil
			4	02	01
3	Ibbaluru	12	5	Nil	Nil
			6	01	Nil
			7	01	Nil
4	Agara	43	8	Nil	Nil
			9	Nil	Nil
			10	Nil	Nil
			11	Nil	Nil
			12	01	Nil
			13	01	Nil

BBMP has to take Initiation to identify the structures coming within the 30 Mtr buffer zones with reference to the map prepared in co-ordination with KRSAC.

Sd/-

(C. N SRIDHAR)

Joint Director Land Records
(Enquiry and Investigation)

2200

Details of structures comes within 30m buffer zone marked (satellite image) by KRSAC along with Varthur lake boundary:

Sl. No.	Village	Sy.No.	Partial Structures	Full Structures
1	Varthur	319	19	29

Details of structures as per Village map in inlet canal within the buffer zone.

Sl. No.	Village	Sy.NoP.	Inlet canal No. as marked	Details of Structures
1	Varthur	319	1,2,3	Structures not exist

BBMP has to take initiation to identify the structures coming within the 30 Mtr buffer zones with reference to the map prepared in co-ordination with KRSAC.

Sd/-

(C. N.SRIDHAR)

Joint Director Land Records
(Enquiry and Investigation)

Map Showing Tank of Ibbaluru (Sy. No.12), Agara (Sy. No.43) and Belanduru Amanikere (Sy. No.1), Beluru (Sy. No.2), Villages, Beguru and Varthuru Hoblies, Bengaluru South and Bengaluru East Taluks, Bengaluru Urban District

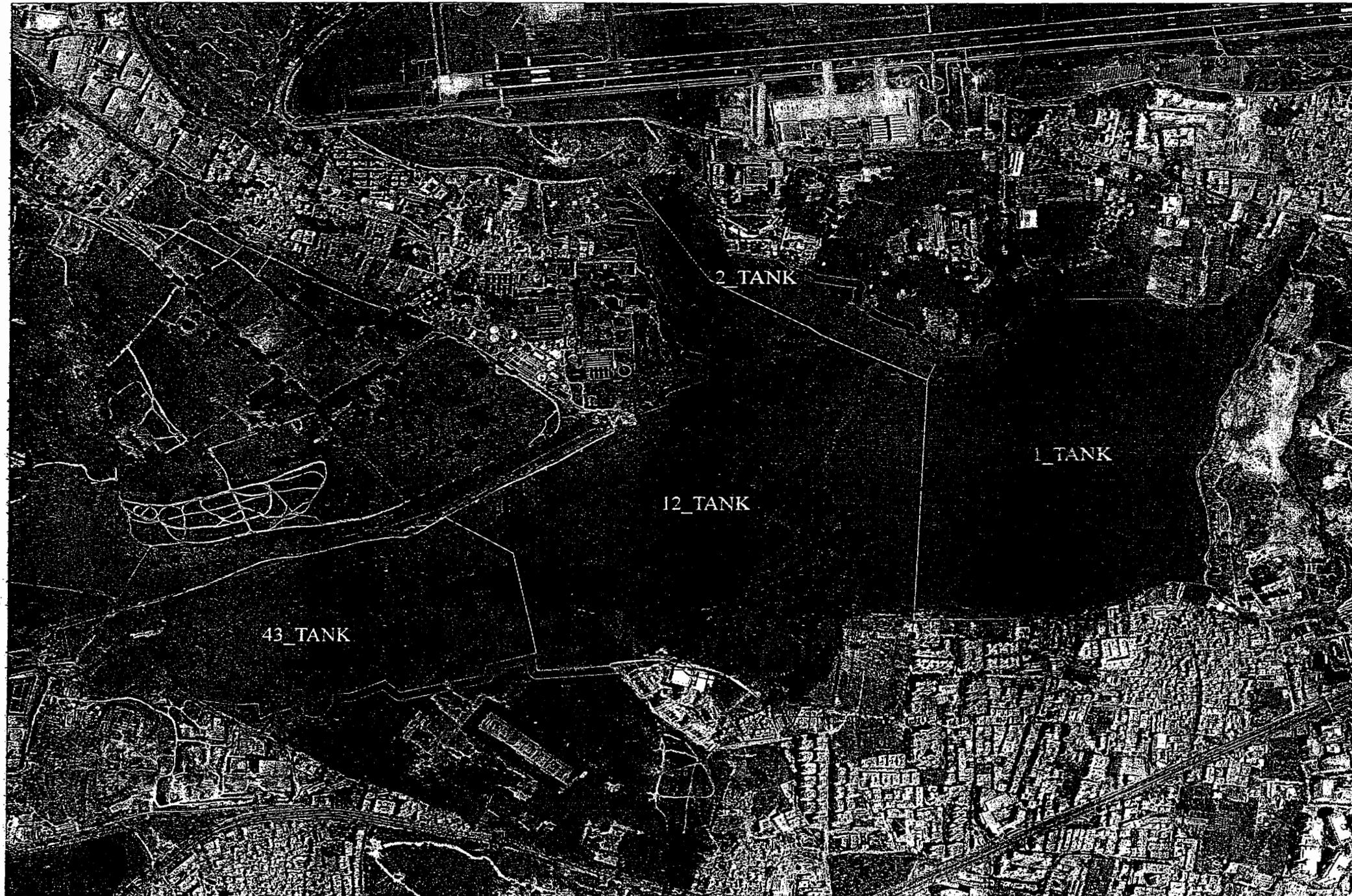


Image Source : Google Image
Date of Image Capture : 20th March 2019

Legend

-  30mts Buffer
-  Belanduru Lake



2204

ANNEXURE - 5

Map Showing Tank of Varthuru (Sy. No.319) Village, Varthuru Hobli,
Bengaluru East Taluk, Bengaluru Urban District



1:1,000



Image Source : Google Image
Date of Image Capture : 20th March 2015

Legend

	30mts Buffer
	Varthuru Lake

2202

KRSAC



BRUHAT BENGALURU MAHANAGARA PALIKE

ASST. EXECUTIVE ENGINEER OFFICE, MAHADEVAPURA DIVISION BANGALORE-560048

No: BBMP/AEE (SWM)/M.D/PR/19/2019-20

Date: 16-11-2019

To,
Karnataka Ex-Servicemen's Welfare Society (R)
Bangalore

WORK ORDER

SUB: Deployment of Marshals around Varthur Lake in Ward-149 Varthur.

Ref: Approval by honorable Commissioner BBMP vide file no EE (P.C-5&SWM)/PR-95/20189-2019 Para no 37 dt: 11/11/2019.

With respect to the above subject and reference in order to monitor and control unauthorized dumping of Garbage & C&D waste around Varthur Lake, orders has been issued to Appoint Marshals.

You are hereby instructed to Appoint 6 Marshals per shift in 3 shifts (including Night Shift), Total 18 Marshals, 1 Chief Marshal, and 3 Drivers. This work order will be put into effect from 16-11-2019 for a period of 1 year.

Asst. Executive Engineer (SWM)
Mahadevapura Division

Copy to:

1. Joint Commissioner BBMP Mahadevapura Division.
2. Chief Engineer (lakes).
3. Chief Engineer BBMP Mahadevapura Division.
4. Superintendent Engineer BBMP Mahadevapura Division.

2204



Bruhat Bengaluru Mahanagara Palike

O/o: Executive Engineer-2, SWM-1, 2nd Floor, Dasappa Hospital Building, N.R. Road, Bengaluru - 560 002.
Off.No: 080-22975546, e-mail: eeswmhbmp@gmail.com

No: EE-2/ SWM-1/ WO/ 01/ 2019-20

Date: 11.11.2019

Work order

To:

M/s Rubble Revival Private Ltd.,
No: E-127, Manyatha Residency,
Nagawara Ring Road,
Bengaluru - 560 045.

Sub: Design, Finance, Build, Operate & Transfer 750 MTPD Construction and Demolition waste processing facility operation & maintenance for 20 years at Kannur, Biderahalli Hobli, Bengaluru East Taluk, Bengaluru (Abandoned Quarry area)

Ref: 1. This office Tender Notification No: EE/SWM-1/TEND/ 01/ 2017-18, Dated: 03.04.2017 (Through Gokse-Procurement Portal)
2. Government order No: UDD 517 MNY 2018 Bengaluru, Dated: 08.03.2019
3. LOA letter No: EE-2/ SWM-1/ PR/ 288/ 2019-20, Dated: 24.04.2019.
4. Agreement No: EE-2/ SWM-1/ AGR/ 01/ 2019-20, Dated: 11.11.2019.

Referring to the above subject, this is to notify that Government has accorded approval to your Tender vide its order at ref (2) above for a processing fee of Rs. 134/- (Rupees one hundred thirty four only) per Metric Tonne of C&D waste inclusive of all taxes and duties, as corrected and modified in accordance with the instructions to Tenderers is hereby accepted by competent authority subject to the conditions laid down in the Government order.

And by virtue of having executed agreement with you, the work order for the above work is issued for further needful action.


Executive Engineer-2
Solid Waste Management-1

1. Copy submitted to the Learned Commissioner for kind information
2. Copy submitted to the Special Commissioner Health & SWM for kind information
3. Copy submitted to the Joint Commissioner, SWM for kind information
4. Copy submitted to the Chief Engineer (SWM-1)/ Superintendent Engineer (SWM-1) for kind information
5. Copy to Additional I.T. Advisor, BBMP to publish in BBMP Website.
6. Office copy.

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TRANSLATED COPYGovernment of Karnataka

No. NaAaE 536 BemBhuSwa 2017

Karnataka Government Secretariat,
Vikasa Soudha, 4th Floor,
Bengaluru, Dated: 16.03.2019.

From:

Addl. Chief Secretary to Government,
Urban Development Department,
Vikasa Soudha,
Bengaluru.

To,

- 1) The Commissioner, Bengaluru Development Authority.
- 2) The Commissioner, Bruhat Bengaluru Mahanagara Palike, Bengaluru.

Sirs,

Sub: Regarding the Civil Appeal No. 5016/2016 and
other connected cases filed before the Hon'ble
Supreme Court.

With reference to the above subject, the copy of the order dated 05.03.2019 passed by the Hon'ble Supreme Court in Civil Appeal No. 5016/2016 and other connected cases. In the said Judgment the Civil Appeal No. 5016/2016 and 8002-03/2016 have been dismissed and the direction issued by the Hon'ble National Green Tribunal Board in Original Suit No. 222/2014 dated 04.05.2016 has cancelled except the Respondent-9 & 10. Therefore, I have been directed to send the Judgment of the Hon'ble Supreme Court along with this letter for further action.

Yours faithfully,

Sd/-

(K.S. JAGADEESHAREDDY)
Under Secretary to Government,
Urban Development Dept.

TRANSLATED COPY

E M B L E M

BRUHAT BENGALURU MAHANAGARA PALIKE

Office of the Commissioner, Narasimharaja Square, Bengaluru-560 002

No.HeNiNaYo/PR/1084/2018-19

Dated: 19/03/2019

OFFICE ORDER

Sub: Regarding reservation of buffer zone to the Tanks
And Rajakaluves while issuing License, Preliminary
Certificate and Possession Certificate for construction
of building in the ambit of Palike.

- Ref: 1) Order dated 05-03-2019 passed by the Hon'ble
Supreme Court in Civil Appeal No. 5016/2017,
4923-4924/2017 and other connected Civil Appeals.
2) Order dated 04-05-2017 passed to the Original Suit
No. 222/2014 of the Hon'ble National Green Tribunal
Bench.

The General Condition and direction No. (1) in the order dated 04-05-2016 of Original Suit No. 222/2014 by the Hon'ble National Green Tribunal and the Civil Appeal No. 4923-4924/2017 and other connected Civil Appeals have been questioned before the Hon'ble Supreme Court in the Civil Appeal No. 5016/2016. The relevant portion of the order dated 05-03-2019 passed by the Hon'ble Supreme Court in the said Civil Appeals, is as hereunder.

"62. In the light of the above discussion, we pass the following order.

- (i) Civil Appeal No. 5016 of 2016 and Civil Appeal Nos. 8002-8003 of 2016 filed by the appellants/respondent nos. 9 and 10 are hereby dismissed. The impugned judgment and order in so far as appellants/respondent Nos.9 and 10 are concerned is sustained.
- (ii) All the other appeals are hereby allowed and the diction/condition No. (1) in the order dated 4.5.2016 is hereby set aside except the direction issued against respondent Nos. 9 and 10".

The General Conditions or directions at Sl.No. 1, the buffer zone prescribed in the Rules for Tank and Rajakaluvus of the NGT Order to

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the Original Suit No. 222/2014 (Forward Foundation & Ors. V/s. State of Karnataka & Ors) dated 04-05-2016, have been re-fixed and ordered.

As per the order dated 05-03-2019 issued by the Hon'ble Supreme Court in Civil Appeal No. 5016/2016 and other Civil Appeals, the buffer zone prescribed to the tanks and Rajakaluves by the National Green Tribunal has been set aside. Therefore, the approval for the plan to be granted as per the buffer zone prescribed to the Tanks and Rajakaluveys as per the Master Plan 2015;

Therefore, in future while issuing the License for construction of building in the ambit of Palike and the approval for the revised plan for the buildings already granted, Preliminary and Possession Certificates, it is instructed to verify and issue necessary License/ Preliminary Certificate / Possession Certificate as per the buffer zone prescribed for the tanks and Rajakaluves (Primary, Secondary and Territory category) in the existing Rules.

Enclosure:

Government letter No. NaAaE 536 BemBhuSwa
2017, dated 16-03-2019.

Sd/-

Commissioner,
Bruhat Bengaluru Mahanagara Palike.

Copy for information and suitable action:

- 1) The Special Commissioner (Projects).
- 2) The Addl. Commissioner (Administration).
- 3) The Special Commissioner (Finance).
- 4) Head Office Legal Cell.
- 5) The Addl./ Joint Commissioner (East Zone)/ West Zone/ South Zone/ Mahadevapura Zone/ Yalahanka Zone/ Dasarahalli Zone/ Bommanahalli Zone/ Rajarajeshwari Zone.
- 6) The Engineer-in-Chief.
- 7) Addl. Director (Town Planning).
- 8) The Chief Engineer (Lake) SWD/ Road Infrastructure.
- 9) The Chief Engineer (East Zone)/ West Zone/ South Zone/ Mahadevapura Zone/ Yalahanka Zone/ Dasarahalli Zone/ Bommanahalli Zone/ Rajarajeshwari Zone.
- 10) The Joint Director (Town Planning) / North /South/ Squad.
- 11) The Joint Commissioner (Revenue).
- 12) The Asst. Director (Town Planning) (East Zone)/ West Zone/ South Zone/ Mahadevapura Zone/ Yalahanka Zone/ Dasarahalli Zone/ Bommanahalli Zone/ Rajarajeshwari Zone.
- 13) All Zonal Sub-divisional AEEs
- 14) IT Advisor to publish in the website.
- 15) Office Copy.

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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪರಿಷತ್

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬೆಂಗಳೂರು ರಾಜ್ಯ ಪರಿಷತ್

ಭಾಗ - III	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ಜನವರಿ ೨೦, ೨೦೧೬ (ಪುಷ್ಯ ೩೦, ಶಕ ವರ್ಷ ೧೯೩೭)	ಸಂ. ೧೧೩
Part- III	Bengaluru, Wednesday, January 20, 2016 (Pushya 30, Shaka Varsha 1937)	No. 113

FOREST, ECOLOGY & ENVIRONMENT SECRETARIAT NOTIFICATION

No. FEE 316 EPC 2015, Bengaluru, dated: 19.01.2016

Whereas, Tanks/Lakes both in Urban and rural areas were serving as source of drinking water to people, animals and birds and helped in increasing the fertility of the lands through controlling soil erosion which in turn enhanced the agricultural production. Tanks served as habitat for aquatic fauna, boosting fish production and most importantly increasing the ground water table. Lakes are considered as lung spaces of cities and help moderate vagaries of climate and maintenance of ambient temperatures. Construction activities, destruction of tanks and wetland systems have added to the deterioration of urban environment.

Whereas, siltation, pollution, encroachment of Raja Kaluves, construction of apartments and entry of untreated sewage into the tanks, have resulted in deterioration to the level of hyper eutrophication state in many Tanks / Lakes in the urban areas. The services that the tanks were rendering earlier are vanished in Bengaluru and other urban areas. Such tanks, lakes are contrarily posing threat in many ways and causing environment and health hazards.

Whereas, the foams and ignition phenomena observed in the Bellandur Amani Lake and Varthur Lake in Bengaluru in the recent past are the manifestations of severity of the problem.

Whereas, the inspection and monitoring by the Central Pollution Control Board and the Karnataka State Pollution Control Board reveals that the following are the chief causes for deterioration of water quality in the said lakes.

1. Increasing discharge of untreated wastewater containing abnormal quantity of organic matter, phosphorus, oil & grease, chemicals from detergents & cleaners etc. over a long period and its settlement as sediment.
2. Oil and grease from industrial activity, sewage and garbage have accumulated in sewer lines and in some parts of Lake. Due to heavy rains, the oil & grease accumulated in the sewer lines and storm water drains, etc. have been flushed to the surface of the lake.

Whereas, the State Government in exercise of powers conferred under 18 (1) (b) of the Water (Prevention and Control of Pollution) Act 1974 have issued direction to the Karnataka State Pollution Control Board vide the Notification No. FEE 22 EPC 2009 (P-1), dated: 04.08.2010 to exempt the residential and commercial construction of less than 20,000 Square meter built up area from the consent mechanism within the sewerage areas wherein permission from Bangalore Water Supply and Sewerage Board (BWS&SB)/ BBMP/ Municipalities / Corporations is obtained to discharge sewage in sewer lines and charges paid to these authorities.

Whereas, the Central Pollution Control Board Vide No.A-19014/41/2006-MON/1242, dated: 22.05.2015 have under section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act 1974 directed the Karnataka State Pollution Control Board to ensure that all apartments with more than 50 units shall treat sewage in their own STPs and reuse the treated sewage within its premises.

Whereas, the Karnataka State Pollution Control Board has a mandate to comply with the directions issued by the Central Pollution Control Board under Section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974.

Whereas, the Karnataka State Pollution Control Board vide letter No.PCB/CNP/10/GEN/15/277, dated: 13.10.2015 have submitted the proposal to the Government for issue of direction under Section 5 of the Environment (Protection) Act, 1986 to the concerned

Planning Authority i.e Bangalore Development Authority (BDA) and Bruhath Bengaluru Mahanagara Palike (BBMP) to insist for installation of STPs in Residential Apartments with 50 units and above, irrespective of existence of sewer line and for treatment of sewage to urban reuse standards and to reuse the same within their premises.

Whereas, it is opined that establishment of sewage treatment plants in Group Housing Projects, Commercial Establishments and such other Institutions help in prevention of pollution of water bodies apart from reducing the fresh water demand in such establishments as Bangalore is facing shortage of fresh water supply by BWS&SB.

Wherefore, in order to ensure treatment of sewage generated in the Group Housing Projects, Commercial Establishments and such other Institutions and to ensure reuse of treated water for non-potable purposes apart from ensuring prevention of pollution of lakes and other water bodies, the State Government hereby issue direction under section 5 of the Environment (Protection) Act, 1986 in exercise of the powers delegated to the State Government vide Notification No.S.O.152 (E), dated: 10.02.1988 to the Authorities listed in the Table-1 below as mentioned against each of such authorities.

Table - 1

Sl. No.	Designation of the Authority issued with the direction under section 5 of Environment (Protection) Act, 1986	Direction under section 5 of Environment (Protection) Act, 1986
1	2	3
1.	The Commissioner, Bruhath Bengaluru Mahanagara Palike (BBMP), N.R.Square, Bengaluru-560002.	Shall approve plan for construction of buildings and development of layout in respect of activities listed in Table-2 of this notification only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity.
2.	The Commissioner, Bangalore Development Authority (BDA), T.Chowdalah Road, Kumara Park West, Bengaluru - 560020.	
3.	The Commissioner, the Bangalore Metropolitan Region Development Authority (BMRDA), No.1, Ali Askar Road, Bengaluru-560052.	
4.	The Commissioner of all the City Corporations in the State	
5.	The Chairman, Bangalore Water Supply and Sewerage Board (BWSSB), Cauvery Bhavan, Bengaluru - 560009	Shall provide water connection to the activities covered under this direction in Table-2 only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity.
6.	Director of Municipal Administration, V.V.Main Tower, Dr. B.R.Ambedkar Veedhi, Bengaluru-560001.	Shall ensure that the urban local bodies in the State coming under the jurisdiction of DMA approve plan for construction of buildings and development of layout in respect of activities listed in Table-2 of this notification only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity.
7.	The Managing Director, Karnataka Urban Water Supply and Sewerage Board, No.6, JalaBhavan 1 st Stage, 1 st Phase, BTM Layout, Bannerghatta Road, Bengaluru - 560029	Shall provide water connection to the activities covered under this direction in Table -2, only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity.

Sl. No.	Designation of the Authority issued with the direction under section 5 of Environment (Protection) Act, 1986	Direction under section 5 of Environment (Protection) Act, 1986 22/0
1	2	3
8.	The Director, Town Planning, M.S Building, Bengaluru.	Shall approve plan for construction of buildings and development of layout in respect of activities listed in Table -2 of this notification only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity.
9.	CEO & Executive Member, Karnataka Industrial Areas Development Board (KIADB), No. 49, East Wing, Khanija Bhavan, Race Course Road, Bangalore - 560001.	Shall approve plan for construction of buildings and development of layout in respect of activities listed in Table-2 of this notification either for their own use or for the occupiers only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity.
10.	The Managing Director, BESCO, CESCO, GESCO, MESCOM and HESCO.	Shall provide permanent power connection to the activities covered under this direction at Table-2, only after production of copy of Consent for Establishment (CFE) issued under the Water (Prevention and Control of Pollution) Act, 1974 by the Karnataka State Pollution Control Board for establishment of sewage treatment plant of appropriate capacity. However, this direction shall not be made applicable for temporary connection provided for construction phase.
11.	The Member Secretary, Karnataka State Pollution Control Board, No. 49, Parisasra Bhavana, Church Street, Bengaluru.	Shall include the activities covered under this direction under the consent mechanism in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Rules made thereunder and shall ensure that such activities listed in Table-2 also are established along with sewage treatment plant of appropriate capacity and mechanism for reuse of treated water is put in place as directed by CPCE. Such activities shall be issued with CFE / CFO following the due procedure of law, after ensuring permissibility of such activity.

The direction issued under this Notification in column 3 of the above Table-1 shall be made applicable for the activities listed in the Table-2 below:

Table - 2

Sl. No.	Activities that need to install Sewerage Treatment Plants,(STP) compulsorily and ensure reuse of treated water
i)	All the residential Group Housing Projects / Apartments with 20 Units and above or having a total built up area of 2,000 square meter including basement shall install STP.
ii)	Commercial constructions Projects (Commercials Complexes, office, IT related activities etc.) with total built up area of 2,000 Squire meter and above shall install STP.
iii)	Educational Institutions with or without Hostel facility having total built up area of 5,000 Squire meter and above shall install STP.
iv)	Townships and Area Development Projects with an area of 10 acres and above shall install STP.

This direction will come to effect from the date of its publication in the Government Gazette. The direction issued to the Karnataka State Pollution Control Board vide Government Notification No. FEE 22 EPC 2009 (P-1), dated: 04.08.2010 stands withdrawn.

By Order & in the Name of the Governor of Karnataka

ANDANAYYA MATHAD
Under Secretary to Government
(Ecology & Environment)
Forest, Ecology & Environment Dept.,