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BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH NEW DELHI

OA. No. 613/2018.

IN THE MATTER OF :-

Anand Vinay .

VERSUS

State of Karnataka.

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Next Date 18/9/2019.

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Through
Darpan KM.
(DARPAN KM)

Date: 16/9/19
New Delhi

ADVOCATE
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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 613 OF 2018

IN THE MATTER OF:

Anand Vinay ...Applicant
VERSUS
State of Karnataka ...Respondents

AFFIDAVIT ON BEHALF OF THE STATE OF KARNATAKA

I Dr. E.V. Ramana Reddy S/o Ramachandra Reddy, aged 56 years, Additional Chief Secretary to Government, Urban Development Department, Vikasa Soudha, Bangalore do hereby solemnly state and affirm that I am familiar with the facts and circumstances of the matter in my official capacity and as reflected in the records maintained with the Government of Karnataka and hence competent to swear the present affidavit.

1. I respectfully submit that this Hon'ble Tribunal vide order dated 03/05/2019 directed that a Senior functionary nominated by the Additional Chief Secretary, Urban Development, Karnataka to be present during the proceedings on 23/07/2019. Inadvertently a Senior officer could not be present on 23/07/2019 to assist this Hon'ble Tribunal . I Respectfully pray this Hon'ble Tribunal to condone the lapse and I submit unconditional apology for the same. I further submit that I bow down before this Hon'ble Tribunal

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[Signature]
13/9/19

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and undertake to very seriously obey all its orders and ensure no such lapses in future.

2. This Hon'ble Tribunal had passed an Order on 10.9.2018 (Original Application No: 613/2018) based on an e-mail complaint submitted to this Hon'ble Tribunal by Sri Anand Vinay alleging that the Gangondanahalli lake adjacent to NICE Express way between Tumkur Road (NH 4) and Magadi main road is polluted by sewage and untreated industrial water and is emanating bad smell, thereby causing the public to face lot of difficulty in passing through this stretch.
3. It is submitted that the Gangondanahalli lake comes under the jurisdiction of the Grama Panchayath limits and is maintained by the Lakshmipura Grama Panchayath.
4. It is respectfully submitted that pursuant to this Hon'ble Tribunal Order's dated: 03/05/2019 and 23/07/2019 for restoration of Gangondanahalli Lake and to formulate the Action Plan, two meetings were held on 08/08/2019 and 29/08/2019 with concerned Stake holders and directions have been given to concerned Government Agencies to submit short term and long term remedial measures with timelines and budgetary provisions.
5. It is further submitted that also a spot visit was conducted by me on 06/09/2019 with all the concerned Stake holders responsible for carrying out the short term and long term remedial measures for restoration of Gangondanahalli lake.
6. After the meetings and spot visit with the concerned Government Agencies a consolidated ACTION PLAN with



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required timelines and budgetary provision is prepared and annexed to this affidavit which is marked as **ANNEXURE-R1**.

7. Pursuant to this Hon'ble Tribunal Order's dated: 03/05/2019 and 23/07/2019, I hereby nominate, Sri B.T. Mohan Krishna, Chief Engineer (Lakes), Bruhat Bangalore Mahanagara Palike, Bengaluru who is the senior functionary of the Department to be present for the hearing before Hon'ble National Green Tribunal for its assistance.

8. The contents of the above affidavit are true and correct, no part of it is false and nothing material has been concealed therefrom.

[Signature]
DEPONENT
13/9/19

VERIFICATION

Verified at Bengaluru on this 13th day of September 2019 that the contents of the above are true and correct to the best of my knowledge and on the information received and delivered which are believed to be true and nothing material has been concealed there from.

[Signature]
DEPONENT
13/9/19

Identified by me
Identified by me

[Signature]
Advocate

D. L. Live Soude

BEFORE ME

SWORN TO BEFORE ME
[Signature]
13/09/2019
VIJAYAMURTHI R. SONDE
Advocate & Notary
2nd Floor, Ganesh Upahar Building,
Near Town Hall,
2, P.M. Krishnappa Road,
BANGALORE - 560 002.



No. of Corrections : *Two only*

ANNEXURE-R1

Before the Hon'ble National Green Tribunal,

Principal Bench, New Delhi

Original Application no: 613 of 2018

Consolidated Action Plan with Timelines in respect
of restoration of Gangondanahalli Lake


13/9/2019.
Additional Chief Secretary to Govt.,
Urban Development Department

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Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
Short term remedial measures						
1	Survey of Lake Boundary and removal of Encroachments	1) Assistant Director of Land Records, Bengaluru North Taluk 2) Tahsildar, Bengaluru North Taluk 3) Chief Executive Officer, Zilla Panchayath, Bengaluru Urban and PDO, Lakshmiपुरa Grama Panchayath	Taluk Surveyor along with concerned Village Accountant, Revenue Inspector, Panchayath Development Officer and Zilla Panchayath Engineer visited the spot and conducted the joint survey of Sy. No: 41 and fixed the Survey boundary after removing encroachment as per survey sketch and took the statement from concerned officers on spot after fixing boundary.	---	---	---
2	Fencing of the Lake	1. Chief Executive Officer, Zilla Panchayath, Bengaluru Urban District, Bengaluru 2. Panchayath Development Officer, Lakshmiपुरa Grama Panchayath 3. Bangalore Water Supply and Sewerage Board	----- For the land allotted to BWSSB near this lake for construction of 10 MLD capacity waste water treatment plant, the fencing will be provided	Estimate preparation is under process and the work will be taken up early by Zilla Panchayath, Bengaluru Urban District.	3 months	---


 Additional Chief Secretary to Govt.,
 Urban Development Department
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Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
3	Identify the illegal discharge/dumping of Sewage and C&D waste directly into the Rajakaluve and on lake area and Storm Water Drains	1) Chief Executive Officer, Zilla Panchayath, Bengaluru Urban and PDO, Lakshmiपुरa Grama Panchayath 2) Bangalore Water Supply and Sewerage Board. 3) Bruhath Bengaluru Mahanagara Palike 4) Karnataka State Pollution Control Board	immediately by BWSSB. KSPCB has reported that at 2 places after crossing of NICE road sewage is entering into the lake. KSPCB has identified 16 defaulting industries in the Gangondanahalli lake catchment area for which the closure order has been issued. Lakshmiपुरa Grama Panchayath has already identified place for C&D waste in and around of Gangondanahalli lake instead of discharging waste directly into the rajakaluve. Lakshmiपुरa Grama Panchayath staff services being utilized for lake protection and to avoid throwing of waste in and around Gangondanahalli lake as a precautionary measure.	---	---	---


 Additional Chief Secretary to Govt.,
 Urban Development Department
 13/9/2019

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Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
4	Proper zoning	Bangalore Authority Development	<p>BWSSB has completed the Work of diverting Sewage flowing into the Rajakaluve by pumping the sewage to 20 MLD STP existing at Nagasandra, thereby preventing the sewage entering into the two lakes situated in Gangondanahalli Catchment area</p> <p>The developed Storm water drains are cleaned and maintained under Annual Maintenance contract from BBMP. And also BBMP has taken action to clear C&D waste and also clearance of water way leading to Gangondanahalli lake</p> <p>The BDA has already prescribed the buffer zone in RMP 2015. According to Zonal Regulation of RMP 2015 in case of Water bodies, a 30 meters buffer of "No development" Zone is to</p>	-----	-----	<p>Rs. 25/-lakhs per annum has been provided by BBMP</p> <p>-----</p>

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 Additional Chief Secretary to Govt.,
 Urban Development Department

Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
Long term remedial measures						
5	Providing UGD and Sewage Treatment Plant.	Bangalore Water Supply and Sewerage Board.	BWSSB has taken up the project of providing underground drainage network in 110 villages of BBMP area. These works are under progress. One of the package work of the above project taken up in RR Nagar and Dasarahalli zone involves providing underground drainage facility (laterals only) to the 28 villages out of which 2 villages namely Karihobanahalli and Andrahalli are the catchment area of Gangodnahalli lake.	Work under progress	The project will be completed by end of 2021	Rs.296.38 crore
			BWSSB establishing 10 MLD capacity sewage treatment plant at upstream of Gangondanahalli lake under the package of Cauvery water supply scheme (CWSS) stage-5	Tender preparation progress and Tender to be called.	The STP will be functional in 2023.	Rs.34.00 crores provision made in the CWSS stage-5 project.

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Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
6	To earmark land for handling hazardous waste and others waste.	1) Karnataka Industrial Area Development Board. 2) Karnataka State Pollution Control Board.	which will treat the sewage entering into lake. BWSSB initiated action against the industrial establishments which are discharging the untreated industrial effluent into BWSSB sewers. Presently these industries are slapped with closure orders by KSPCB. BWSSB completed the work of diverting sewage flowing into the Rajakaluve by pumping the sewage into 20 MLD STP existing at Nagasandra by preventing the sewage entering into the lakes situated at Gangondanahalli catchment area. KIADB has already allotted 26,037.44 Sq.meters of land in Peenya Industrial Area to KSPCB for establishment of Common Effluent Treatment Plant.	---	---	---
				---	One year	---

Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
7	Constitution of Monitoring Committee	1) Deputy Commissioner, Bengaluru Urban District. 2) Chief Executive Officer, Zilla Panchayath, Bengaluru (urban). 3) All Stake Holders	<p>As per section 3 of the Karnataka Tank Conservation and Development Act, 2014 there is a District Executive Authority of concerned District with the following members to exercise the regulatory control over all the tanks within its jurisdiction including prevention and removal of encroachment of tanks.</p> <p>A direction has been issued to this committee to review the action plan for the conservation of Gangondanahalli lake by conducting the meetings with concerned Stake holders.</p> <ol style="list-style-type: none"> The Deputy Commissioner- Chairman. The CEO, Zilla Panchayath- Vice Chairman The Superintendent of 	---	---	---

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Sl.No.	Activity	Name of the Agency	Action Taken so far	Action to be taken	Timeline	Budgetary Provision required
			<p>4. Police-Member The Joint Director, Department Agriculture/soil conservation-Member</p> <p>5. The Deputy Director, Horticulture dept.-Member</p> <p>6. The Deputy Forest Conservator, Department of Forest-Member</p> <p>7. Senior Geologist, Mines & Geology Department-Member</p> <p>8. The Deputy Director, Fisheries Dept.-Member</p> <p>9. The Executive Engineer, Minor Irrigation dept.-Convenor.</p>			


Additional Chief Secretary to Govt.,
Urban Development Department
13/9/2019.