

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION NO. 104/2022 (SZ)**

IN THE MATTER OF:

Girish NP

...APPLICANT

Versus

State of Karnataka and others

...RESPONDENTS

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Filed by



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Date: 11.01.2023

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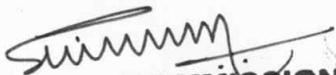
State of Karnataka and Others

...RESPONDENTS

FURTHER REPORT ON BEHALF OF THE MUNICIPAL COMMISSIONER, CITY MUNICIPAL COUNCIL, DODDABALLAPUR, BANGALORE RURAL DISTRICT, KARNATAKA (RESPONDENT NO. 7)

MOST RESPECTFULLY SHOWETH:

1. That the present matter pertains to the alleged pollution and encroachment in Nagarakere lake and Cikkatumakuru Lake (MajaraHosalli Lake), both situated in Bangalore Rural District.
2. That the answering Respondent had filed a Report dated 30.11.2022 which provided that under the Chief Minister Amrutha Nagarthana (Municipality Phase-4), shifting of UGD network laid inside the Nagarakere lake and Upgradation of Sewage Treatment Plant at a cost of Rs. 2.78 Crores has been Approved Vide Order No. UDD75IST2022 Bangalore 16.05.2022.


**MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
DODDABALLAPUR.**

3. Regarding the said work, it was observed by this Hon'ble Tribunal that:

"9. The said action plan was issued in the month of May 2022. However, there is no progress till today for which also the 7th respondent has to file the additional report."

4. The present report is being submitted to apprise this Hon'ble Tribunal of the further progress with respect to the above work order.
5. It is humbly submitted that the said Action Plan was approved in by the end of May 2022. Shortly thereafter, monsoon season had kicked in. It is submitted that Bangalore witnessed unprecedented heavy rains and even consequential flooding in the year 2022, which fact is very well documented.
6. Because of the said reason, physical survey and designs related to the work in question could not commence within the stipulated time.
7. It is submitted that the Nagarakere lake comes under control of the Department of Minor Irrigation. A letter


MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
DODDABALLAPUR.

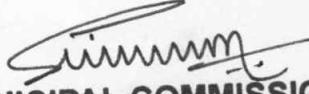
was addressed to the Assistant Executive Engineer, Minor Irrigation Department, to issue the consent to execute the said work.

8. In turn, a letter was addressed from the Assistant Executive Engineer, Minor Irrigation as well as the Executive Engineer, Minor Irrigation Department to the Lake Development Authority to issue consent to execute the above work in Nagarakere lake, as the Lake Development Authority, Karnataka is the competitive authority to issue the consent to execute any activities related to lakes.
9. It is submitted that in the meanwhile, the answering Respondent had already prepared the survey drawings, all designs and estimates and had submitted the same to get Technical Sanction and Administrative approvals from the concerned authorities.
10. Vide letter dated 02.01.2023, the CEO, Lake Development Authority, Karnataka has already issued the consent to execute the said work. True copy along with translated copy of the letter dated 02.01.2023


MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
DODDABALLAPUR.

issued by CEO, Lake Development Authority, Karnataka is annexed herewith as **Annexure R-1**.

11. It is hence humbly submitted that there is no deliberate delay in commencement of the said work by the answering Respondent, and the timelines prescribed for the completion of the same will be strictly adhered to, barring any unforeseen events.


MUNICIPAL COMMISSIONER
RESPONDENT NO 7
CITY MUNICIPAL COUNCIL
MUNICIPAL COMMISSIONER
DODDABALLAPUR

THROUGH


Darpan KM
Adv.

DARPAN KM
ADVOCATE FOR RESPONENT NO. 6

MUNICIPAL COMMISSIONER
CITY MUNICIPAL COUNCIL
DODDABALLAPUR



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AFFIDAVIT

I, Shivashankar K.G., S/o Gangarajaiah, aged about 41 Years, working as Municipal Commissioner, City Municipal Council, Doddaballapur, Bangalore Rural District, Karnataka having office at Thimanakunte, Near KSRTC Bus Stop, Doddaballapur, Bangalore Rural 561 203, Karnataka do hereby solemnly affirm and state as under:

1. That I the Respondent No. 7 in the above mentioned Original Application and being fully conversant with the facts and circumstances of the case, I am competent to swear this affidavit.
2. That I have gone through the accompanying Report, drafted on my instructions. I say that the contents thereof are true and correct to the best of my knowledge and belief. Annexures are true copies of their respective originals.

VERIFICATION:

I, the above named deponent do hereby verify that the contents of my affidavit are true and correct to the best of my knowledge and belief, no part of which is false and nothing material has been concealed therefrom.

DEPONENT
 MUNICIPAL COMMISSIONER
 CITY MUNICIPAL COUNCIL
 DODDABALLAPUR.

Verified at

on this _____ day of _____, 2023

"SWORN TO BEFORE ME"

S. DHANALAKSHMI, B.Com., U.P.
 ADVOCATE & NOTARY PUBLIC
 GOVT. OF INDIA

Reg. No. 10076

"Indrani Nivasam", No. 122,

M.N. Road, Doddaballapur - 561 203

MUNICIPAL COMMISSIONER
 CITY MUNICIPAL COUNCIL
 DODDABALLAPUR.

NO. OF CORRECTIONS Nil



ಕರ್ನಾಟಕ ಕೆರೆ ಸಂರಕ್ಷಣೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ
ಕರ್ನಾಟಕ ಸರ್ಕಾರ.

ಸಂಖ್ಯೆ : ಕ.ಕೆ.ಸಂ.ಅ.ಪ್ರಾ/ಬೆಂ/ತಾಂತ್ರಿಕ/71/2022-23/1313

ದಿನಾಂಕ : 19-12-2022

02.01.2023

ಗೆ,

ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರು,

ಸಣ್ಣ ನೀರಾವರಿ ಮತ್ತು ಅಂತರ್ಜಲ ಅಭಿವೃದ್ಧಿ ಇಲಾಖೆ ವಿಭಾಗ,
ಜಯನಗರ ವಾಣಿಜ್ಯ ಸಂಕೀರ್ಣ, ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ : ದೊಡ್ಡಬಳ್ಳಾಪುರ ನಗರದ ನಾಗರ ಕೆರೆಯ ಅಂಗಳದಲ್ಲಿ ಹಾದು ಹೋಗಿರುವ ಒಳಚರಂಡಿ ಜಾಲದ ಪೈಪ್‌ಲೈನ್ ಮತ್ತು ಮಿಷಿನ್‌ಹೋಲ್‌ಗಳನ್ನು ಕೆರೆಯ ಪಕ್ಕದ ಜಾಗಕ್ಕೆ ಸ್ಥಳಾಂತರಿಸಲು ಅನುಮತಿ ನೀಡುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ : ತಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ : ಕಾಸಬೆಂ/ತಾಂಶ/ಸ.ಇಂ-1/ನಾಗರ ಕೆರೆ/2023/2123, ದಿನಾಂಕ : 30.11.2022

* * * * *

ಬೆಂಗಳೂರು ಗ್ರಾಮಾಂತರ ಜಿಲ್ಲೆ, ದೊಡ್ಡಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕಿನ ದೊಡ್ಡಬಳ್ಳಾಪುರ ನಗರದ ನಾಗರ ಕೆರೆಯ ಅಂಗಳದಲ್ಲಿ ನಿರ್ಮಿಸಲಾಗಿ ಒಳಚರಂಡಿ ಜಾಲದ ಪೈಪ್ ಲೈನ್ ಮತ್ತು ಮ್ಯಾನ್ ಹೋಲ್‌ಗಳನ್ನು ಕೆರೆಯ ಅಂಗಳದ ಅಂಚಿನಲ್ಲಿ ನಿರ್ಮಿಸಿರುವ Periphery Bund ನ ಪಕ್ಕದಲ್ಲಿ ಸ್ಥಳಾಂತರಿಸಿ ನಿರ್ಮಿಸಲು ಅನುಮೋದನೆ ನೀಡುವಂತೆ ಉಲ್ಲೇಖಿತ ಪತ್ರದನ್ವಯ ಕೋರಲಾಗಿದೆ.

ಈ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಕೆರೆಯ ಅಂಗಳದಲ್ಲಿನ ಒಳಚರಂಡಿ ಪೈಪ್ ಲೈನ್ ಮತ್ತು ಮ್ಯಾನ್ ಹೋಲ್‌ಗಳ ಜಾಲವನ್ನು ನಿಷ್ಕ್ರಿಯಗೊಳಿಸಿ ಅದನ್ನು ನಕ್ಷೆಯಲ್ಲಿ ನಮೂದಿಸಿರುವಂತೆ ಕೆರೆಯ ಅಂಚಿನಲ್ಲಿ ನಿರ್ಮಿಸಿರುವ Periphery Bund ನ ಕೆಳಭಾಗದಲ್ಲಿ ನಿರ್ಮಿಸಲು ಕೆಳಕಂಡ ಷರತ್ತುಗಳೊಂದಿಗೆ ಅನುಮೋದನೆ ನೀಡಲಾಗಿದೆ.

- 1) ಕೆರೆಯ ಭೌತಿಕ ರಚನೆಗಳಿಗೆ ಯಾವುದೇ ರೀತಿಯ ಹಾನಿಯಾಗದಂತೆ ನಿರ್ಮಿಸುವುದು.
- 2) ಕೆರೆಯ ನೀರು ಸಂಗ್ರಹಣಾ ಸಾಮರ್ಥ್ಯಕ್ಕೆ ಹಾನಿಯಾಗದಂತೆ ನಿರ್ಮಿಸುವುದು.
- 3) ಕೆರೆಯ ಆಗಮನ ಮತ್ತು ನಿರ್ಗಮನ ಫಧಗಳಲ್ಲಿ ನೀರಿನ ಹರಿವಿಗೆ ಅಡಚಣೆಯಾಗದಂತೆ ನಿರ್ಮಿಸಲು ಕ್ರಮವಹಿಸುವುದು.
- 4) ಕರ್ನಾಟಕ ಕೆರೆ ಸಂರಕ್ಷಣೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರದ ಅಧಿನಿಯಮ-2014 ಮತ್ತು ತದನಂತರದ ತಿದ್ದುಪಡಿಗಳನ್ನು ಪಾಲಿಸತಕ್ಕದ್ದು.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಾಹಣಾಧಿಕಾರಿಗಳು,

ಕರ್ನಾಟಕ ಕೆರೆ ಸಂರಕ್ಷಣೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ.

ಪ್ರತಿಯನ್ನು :

1. ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿಗಳು, ಸಣ್ಣ ನೀರಾವರಿ ಮತ್ತು ಅಂತರ್ಜಲ ಅಭಿವೃದ್ಧಿ ಇಲಾಖೆ, ವಿಕಾಸಸೌಧ, ಬೆಂಗಳೂರು ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.
2. ಪೌರಯುಕ್ತರು, ನಗರಸಭೆ, ನಗರಸಭಾ ಕಾರ್ಯಾಲಯ, ದೊಡ್ಡಬಳ್ಳಾಪುರ-561203 ರವರಿಗೆ ಮೇಲಿನಂತೆ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಕಳುಹಿಸಿದೆ.

ನಲ ಮಹಡಿ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಬೀಜ ನಿಗಮ ನಿಯಮಿತ ಕಟ್ಟಡ, ಬಳ್ಳಾರಿ ರಸ್ತೆ, ಹೆಬ್ಬಾಳ, ಬೆಂಗಳೂರು- 560024.

ದೂರವಾಣಿ : 080-23513711/12, 080-22034173 ಈ-ಮೇಲ್ : ktcda2018@gmail.com.



Karnataka Lake Conservation and Development Authority
Government of Karnataka

Ref No: K.K.No.A.Pra/Ben/Technical/71/2022-23/1313

Date: 02-01-2023

To,

The Executive Engineer,
Division office
Minor Irrigation and ground water development Department
Jayanagar Commercial Complex,
Bangalore

Dear Sir,

Subject: Permitting to shift the existing sewage network pipeline and machine holes in Nagarakere Lake of Doddaballapur city to adjacent area to the lake- reg.

Ref : Your office Letter No: Kasabem/TS/M.I-1/Nagarakere/2023/2013 Dated: 30.11.2022

With Reference to the above Subject, The Executive engineer, Minor Irrigation department has been requested for approval to shift the existing sewage network pipeline and machine holes in Nagarakere Lake to periphery bund adjacent area to the lake.

In view of above, The Existing sewage network machine holes in Nagarakere to be disconnected and new sewage has been approved to be constructed at the downstream of Periphery bund on the edge of the lake as indicated on the map with following conditions

1. Construction to be made without any damage to the physical structures of the lake
2. Construction to be made without damaging the water storage capacity of the lake
3. While construction action to be taken to avoid any obstruction to the inflow and outflow of water paths of the lakes
4. Karnataka lake Conservation and development Authority Act-2014 and Subsequent amendments shall be followed

Yours faithfully,

Sd/-

Chief Executive Officers

Karnataka Lake Conservation and Development Authority

Copy:

1. To The secretary to Government, Department of Minor irrigation and ground water development Department, Bangalore for kind information.
2. Forwarded to Municipal Commissioner, City municipal Council, Doddaballapur-561203 for appropriate action as above.