

**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

**INDEX**

<b>S. No</b>	<b>Particulars</b>	<b>Page No.</b>
1.	Report on Behalf of Municipal Commissioner, City Municipal Council Doddaballapur (Respondent No. 7)	<b>1-10</b>
2.	<b><u>Annexure R-1</u></b> True Copy of letter dated 13.07.2023 sent by the Respondent No. 7 to the Respondent No. 6	<b>11-12</b>
3.	<b><u>Annexure R-2</u></b> True Copy of letter dated 20.07.2023 sent by the Respondent No. 7 to Director of Municipal Administration	<b>13-14</b>
4.	<b><u>Annexure R-3</u></b> True Copy of minutes of meeting dated 21.07.2023	<b>15-16</b>

**Filed by**



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**Date: 26.07.2023**

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ORIGINAL APPLICATION NO. 104/2022 (SZ)**

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**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 Original Application has been filed *inter alia* alleging entry of untreated sewage into the Nagarkere Majarahosahalli Lakes, situated in Doddaballapur, Bangalore Rural District, Karnataka. Vide order dated 31.03.2023, this Hon'ble Tribunal while allowing I.A. No. 200/2022 filed for amendment, included three more lakes within the scope of this Petition, being Chikkatumkur, Doddatumkur and Veerapura lakes.
2. On 03.07.2023, this Hon'ble Tribunal directed the answering Respondent to file a report regarding the progress in shifting of UGD and with respect to details of newly added lakes.

3. With respect to the shifting of the sewer line, it is submitted that Respondent No. 6 herein (Deputy Commissioner, Bengaluru Rural) had filed a further report indicating the action taken with respect to the work for shifting of UGD network and with respect to the construction of the upcoming STP. The following was stated by the said report in the report dated 11.01.2023:

5. *The present report is being filed in compliance to the above direction of the Hon'ble Tribunal. It is submitted that the work for Shifting of UGD sewer network from Nagarakere lake and the Action Plan regarding the same was approved by the Government of Karnataka vide order dated 16.05.2022, having Oder No. UDD 75 IST 2022, Bangalore, under the Amrutha Nagarothana (Municipality) Scheme, Phase 4.*

6. *The following timelines are submitted with respect to the above:*

<b>S. No</b>	<b>Action</b>	<b>Estimated Time line in days</b>
01	To finalise the Bidder including Tender Process - Technical Sanction and DTS Approval – <b>10 Days</b>	<b>40 Days</b> (20.02.2023)

	- <i>Tender Period and Evaluation of bids and Bid approval of Successful bidder – <b>30 Days</b></i>	
02	<i>Letter of Intent and issuing Work order to successful bidder after Tender Process</i>	<b>10 Days</b>
03	<i>To commence and Complete the work in site</i>	<b>120 Days</b> (30.06.2023)
	<b>TOTAL</b>	<b>170 Days</b>

4. It is submitted that thereafter, this Hon'ble Tribunal vide order dated 17.02.2023 directed Respondent No. 6 to not go ahead with the tender process since the upcoming STP was located in the buffer zone of the lake. Relevant portion of the order dated 17.02.2023 is as follows:

*7. So, the Deputy Commissioner is directed not to give any sanction for the construction of the sewerage lines/STPs in the water body/waterways/water course/buffer zone. Even if they are given earlier, cancel them and try to shift the same to any other place.*

5. It is submitted thereafter that accordingly the tender process was stopped by Respondent No. 6 in compliance with the orders of this Hon'ble Tribunal. It is submitted that on 13.07.2023, the answering Respondent wrote to Respondent No. 6 herein/Deputy Commissioner, Bangalore Rural stating that after examining all possible alternative paths and carrying out survey work to shift UGD lines out of the buffer zone, a new estimate amounting to Rs.4.80 Crores has been

prepared for shifting of UGD Lines and Machine holes at D cross road (from Sri. Ayyappa temple to Rangappa Circle).

6. Hence, the proposal with all supporting documents was submitted to change the name of the work from “Upgradation of STP work (including shifting of UGD line from Nagarakere tank bed)” at an estimated amount of Rs.2.78 Crores, to “Shifting the UGD Pipeline and Machine holes at D Cross Road” and to release an additional amount of Rs. 2.02 Crores. True Copy of letter dated 13.07.2023 written by Respondent No. 7 to Respondent No. 6 is annexed herewith as **Annexure R-1**.
7. In turn, Respondent No. 6 herein submitted the above proposal for changing of work and release of additional funds to the Director of Municipal Administration. True Copy of letter dated 20.07.2023 written by Respondent No. 6 to Director, Directorate of Municipal Administration is annexed herewith as **Annexure R-2**.
8. Thereafter, exercise was carried out to identify an alternate site for the upcoming STP. However, no government land is available for the same. In view of the same, a meeting was

held on 21.07.2023 under the Chairmanship of Secretary, Urban Development Department to discuss the same.

9. During the said meeting, Respondent No. 6 herein/Deputy Commissioner, Bangalore rural submitted that the available government land was technically non-feasible for the construction of STP and would cost higher operation and maintenance charges. Considering the same, the Secretary, Urban Development Department directed Respondent no. 6 herein to find suitable private land to set up a new STP. It was accordingly directed to prepare a comprehensive report and DPR including land cost for construction of STP. It was also directed to include the construction of interception and diversion (I&D) works to treat the sewerage of Bashettihalli Town Panchayat in the same DPR, to address the issue of entry of sewage into the lakes at Bashettihalli.
10. The Secretary, UDD directed a joint inspection to be conducted by KSPCB, KUWS&DB, DUDC, Minor Irrigation Department, as well as the answering Respondent to identify suitable land for the STP.

True Copy of minutes of meeting dated 21.07.2023 is annexed herewith as **Annexure R-2**.

11. It is further submitted that vide order dated 03.07.2023, this Hon'ble Tribunal directed the answering Respondent to file a report pertaining to the extent the lakes, reasons for the contamination, action taken, and proposed plan for restoring the lakes. Relevant portion of the said order reads as follows:

3. *The Municipal Commissioner – City Municipal Council, Doddaballapur is directed to furnish particulars about the extent of all the above referred lakes, reasons for the contamination, action taken for plugging the sewage, the proposed plan for restoring the lakes, including the development of the buffer zone, greenbelt, etc. and particularly, the shifting of the UGSS in Nagarakere Lake.*

12. The following information is hence placed on record in compliance with the above direction:

**Re: Extent of the Lakes**

13. **Chikkatumkur Lake** - Chikkatumkur lake is located at Chikkatumkur village, Majarahosahalli grama panchayath, Doddaballapur Taluk at Sy No.28 and has an area of 10 Acres 36 Guntas.

14. **Majarahosahalli Lake** – Majarahosahalli lake is located at Sy No. 35 of Majarahosahalli village and has an area of 71 acres.
15. **Veerapura Lake** – Veerapura lake is located at Sy No. 76 of Veerapura village and has an area of 11 Acres 12 Guntas.
16. **Doddatumkur Lake**- Doddatumkur lake is located at Sy No. 40 of Doddatumkur village, Doddaballapur taluk and has an area of 295 Acres 23 Guntas.

**Re: Reason for Contamination**

17. It is submitted that in Doddaballapur, only 60 % of the area has UGD Network. The domestic sewage from the uncovered 40% are enters Chikkatumkur lake, which is the primary reason for contamination of the same. It is submitted that the Doddaballapur STP is setup in the Majarahosahalli lake area itself and the existing STP is built on Waste Stabilization Pond Technology and the treated water quality of STP is not up to the standards specified by PCB as per test reports.
18. Further, the outflow from Nagarakere lake also ultimately joins Chikkatumkuru lake, and sewage from missing links and unsewered areas from the Nagarakare lake further enters

into Chikkatumkur lake. The existing network of UGD machine holes is laid in inside the lake and damage to the same can also contribute to contamination of the lake.

19. Since there is no STP in Bashettihalli panchayath limits, the sewage generated from Bashettihalli Town panchayath flows into the natural nala and enters Chikkatumkur lake.
20. The catchment area of Chikkatumkur Lake includes an industrial area and the effluents generated in those industries lead to the said lake.
21. The outflow of the Chikkatumkur enters Doddatumkur lake from the overflow weir at southern side of the lake. As a result, the contaminated water ultimately affects Doddatumkur lake.

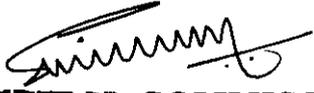
**Re: Action Taken to plug the sewage**

22. The sewerage UGD network and STP in Doddaballapura city was implemented by the Karnataka Urban Infrastructure Development and Finance Corporation (**'KUIDFC'**) under the KMRP scheme in the year 2017.

23. The UGD system of Doddaballapura city however was implemented only in the 60% of the area and the remaining could not be undertaken due to lack of funds.
24. It has been proposed to take up Interception and Diversion works to stop the entry of sewage. As noted above, the said is to be included in the revised DPR for construction of the new STP.
25. It is further submitted that to stop the sewage flowing into Nagarakere and Chikkatumkur lake, a line estimate is prepared at the cost of Rs. 136.5 Crores and has been submitted to the Directorate of Municipal Office to sanction the project.
26. With respect to the shifting of UGD lines from Nagarakere beyond buffer zone in D cross Road, it is prayed that this Hon'ble Tribunal may allow 12 months' time to complete the work.
27. It is humbly submitted that the works will be carried out after obtaining sanction from the competent Authority. Once the issue sewage is resolved, restoration and rejuvenation works

and creation of green belt and buffer zone will be immediately by undertaken by the respective authorities having jurisdiction over the said lakes (Nagarkere Lake – Minor Irrigation Department; Chikkatumkur Lake – Zilla Panchayath, Bangalore Rural).

28. It is hence submitted that action is being taken to curb the entry of sewage and revised plans with enhanced budgets have been submitted and work will be executed immediately upon approval of the same. In view of the same, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the instant Application.

  
**MUNICIPAL COMMISSIONER**  
**CITY MUNICIPAL COUNCIL DODDABALLAPUR**  
**DODDABALLAPUR**  
**BANGALORE RURAL DISTRICT**

**THROUGH**

  
**DARPAN KM**  
**ADVOCATE FOR RESPONDENT NO. 7**

**Date: 26.07.2023**



**Annexure R-1**  
**CITY MUNICIPAL COUNCIL,**  
**DODDABALLAPUR-561203**

11

E-mail:itstaff\_ulb\_doddaballapur@yahoo.com

Website:www.doddaballapurcity.gov.in

**No: CMC/TS/Nagarothana Phase-4/ 2022-23 Dated: 13-07-2023**

**Date: 13-07-2023**

**To,**

Hon'ble District Commissioner  
Bangalore Rural District.  
Devanahalli-562110

**Dear Sir/ Madam,**

**Sub:- Regarding the release of additional grant for the work of  
Shifting the UGD Pipeline and machine hole from  
Nagarakere tank bed at D cross Road.**

- Ref:-** 1. Government Order No. UDD 75 I.S.T 2022, Bangalore,  
Dated: 16-05-2022  
2. Hon'ble NGT, Chennai Branch, Case No. 104/2022 as  
ordered  
3. Municipal Commissioner, CMC, Doddaballapur letter No.

\*\*\*\*\*

With the respect to the above subject and as per the Government order of reference, an Action plan has been sanctioned for the Up gradation of STP at an estimated amount of Rs.278.00 lakhs under the Amurtha Nagarothana(Municipality) Phase-4 scheme

Therefore, after approval from the competent authority, Action has been taken to invite the tender from DUDC,Bangalore rural office for the work of shifting of 1.4 km UGD line and machine holes laid in Nagarakere tank bed to Periphery bund at an estimated amount of 278.00 lakhs under Amurtha Nagarothana (Municipality) Phase-4. In this regard Sri. Girish N.P has filed a complaint application No. 104/2022 before the Hon'ble NGT. As per NGT order dated:17-02-2023 Deputy Commissioner, Bangalore rural was directed not to give any sanction for the construction of sewerage line in the water body/ water ways/ water course/ buffer zone, even if given earlier, cancel them and try to shift the same to any other place.

Hence, as per the order of the Hon'ble NGT, by examining all possible alternative paths and as directed by Project Director and Executive Engineer from DUDC carried out survey work to shift UGD lines out of buffer zone and a new estimate amounting to Rs.480.0 Lakhs has been prepared for shifting of UGD Lines and Machine holes at D cross road (from Sri. Ayyappa temple to Rangappa Circle.)

Hence, the proposal with all supporting documents is submitted to change the name of the work from The Up gradation of STP work (including shifting of UGD line from Nagarakere tank bed) at an estimated amount of Rs.278.00 lakhs to **“Shifting the UGD Pipeline and Machine holes at D Cross Road”** and to release an additional amount of Rs. 202.00 lakhs.

Thnaking You,

**Your’s faithfully,**

**Sd/-  
Municipal Commissioner  
CMC, Doddaballapur.**



**Government of Karnataka**

**Office of the Deputy Commissioner, DUDC, Bangalore Rural District**

Beerassandra Village, Kundana Hobali, Devanahalli Taluk-562110

Email: [dudc\\_blr@yahoo.co.in](mailto:dudc_blr@yahoo.co.in), [dudc.blrrural@gmail.com](mailto:dudc.blrrural@gmail.com).

**No: DUDC/Bang Rural/Amrutha N-4/ DBpur/STP/CR/1/2022-23**

**Date: 20-07-2023**

**To,**

Hon'ble Director  
Directorate of Municipal Administration  
Bangalore -560001.

**Dear Sir/ Madam,**

**Sub:- Regarding the release of additional grant for the work of Shifting the UGD Pipeline and machine hole from Nagarakere tank bed at D cross Road.**

**Ref:-** 1. Government Order No. UDD 75 I.S.T 2022, Bangalore,  
Dated: 16-05-2022  
2. Hon'ble NGT, Chennai Branch, Case No. 104/2022 as ordered  
3. Municipal Commissioner, CMC, Doddaballapur letter No.  
CMC/TS/Nagarothana Phase-4/ 2022-23 Dated: 13-07-2023

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With the respect to the above subject and as per the Government order of reference, an Action plan has been sanctioned for the Up gradation of STP at an estimated amount of Rs.278.00 lakhs under the Amurtha Nagarothana( Municipality) Phase-4 scheme

Therefore, after approval from the competent authority, Action has been taken to invite the tender from DUDC,Bangalore rural office for the work of shifting of 1.4 km UGD line and machine holes laid in Nagarakere tank bed to Periphery bund at an estimated amount of 278.00 lakhs under Amurtha Nagarothana (Municipality) Phase-4. In this regard Sri. Girish N.P has filed a complaint application No. 104/2022 before the Hon'ble NGT. As per NGT order dated:17-02-2023 it was directed not to give any sanction for the construction of sewerage line in the water body/ water ways/ water course/ buffer zone, even if given earlier, cancel them and try to shift the same to any other place.

Hence, as per the order of the Hon'ble NGT, the Municipal commissioner reported that by examining all possible alternative paths and carried out survey work to shift UGD lines out of buffer zone, a new estimate amounting to Rs.480.0 Lakhs has been prepared for shifting of UGD Lines and Machine holes at D cross road (from Sri. Ayyappa temple to Rangappa Circle.)

As per reference (3) letter from Municipal commissioner, the proposal has been submit to change the name of the work from The Up gradation of STP work (including shifting of UGD line from Nagarakere tank bed) at an estimated amount of Rs.278.00 lakhs to **“Shifting the UGD Pipeline and Machine holes at D Cross Road”** and to release an additional amount of Rs. 202.00 lakhs.

Hence, the proposal with all supporting documents is submitted for perusal and further appropriate action

**Your’s faithfully,**

**Sd/-**

**District Commissioner  
Bangalore Rural District.**

## Annexure R-3

**Proceedings of the Meeting Dated: 21<sup>st</sup> July 2023 with regard to Hon'ble NGT O.A No: 104/2022 orders held under the Chairmanship of Secretary, Urban Development Department to discuss the issues related to the pollution of Nagarakere and ChikkaTumkuru Lakes.**

1. Dr. Ajay Nagabhushan, IAS, Secretary UDD
2. Manjushree, IAS, Director, Directorate Municipal Administration.
3. Dr N.Shivashankar, IAS, Deputy Commissioner, Bangaluru Rural District.
4. Smt Anuradha, IAS, CEO, Bangaluru Rural District.
5. Smt. R. Shalini, PD, DUDC, Bangalore Rural
6. Sri Ashad Sharif, JD(UWM) DMA, Bangalore
7. Sri. Shivalinge Gowda, EE, DUC, Bangalore Rural
8. Sri. Sunil, EE, KIADB, Bangalore
9. Sri. Yashawanth Raju, EE, KSSIDC, Bangalore
10. Sri.M. Anil kumar, Senior EO, KSPCB, Bangalore
11. Sri. S.Rajashekar, EO, KSPCB, Bangalore rural
12. Dr. Asha Bharath, JD, Planning, KIADB, Bangalore
13. Smt. Vanitha mani, US(Tech-4), WRD, Vikasa soudha
14. Sri. Shivashnakar, Municipal Commissioner, CMC DBpur
15. Sri. Narashimamurthy, CO, Bhashettihalli, TP

Joint Director (UWM) DMA, welcomed Secretary, Urban Development, DMA, DC Bangalore Rural and CEO Bangalore Rural and all other officers present in the meeting.

Project Director, DUDC, Bangalore Rural briefed about issues pertaining to NGT OA 104/2022.

The meeting was convened to discuss the critical issues pertaining to the Pollution of Nagarakere, Chikkatumakuru and Majarahosalli Lakes of Bangalore Rural District. As per NGT order dated: 01.12.2022 it was directed to shift the UGD lines and the machine holes laid in Nagarakere Tank bed. In this regard action was initiated by the district administration to shift the laid UGD line and machine holes with in the lake to periphery bund area. Further, as per NGT order dated: 17.02.2023 the tender process to shift the UGD line and Machine holes was stopped. Thereafter, a new estimate amounting to Rs. 480.00 lakhs was prepared to shift the UGD lines and machine holes out of the buffer zone area.

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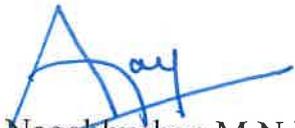
In this regard Deputy Commissioner Bangalore rural submitted to the chair that proposal of Rs 480.00 lakhs is submitted to DMA. It was submitted that a sum of Rs.278.00 lakhs under Amrutha Nagarothana (Municipality) Phase-4 is available which was earlier earmarked for the above said work and requested to allocate the difference amount of Rs. 202.00 lakhs. Secretary ,UDD directed DMA to initiate further action in this regard immediately.

As per NGT Order dated: 17-02-2023 The Deputy Commissioner was also directed to cancel and try to shift the STP/Sewage lines in the water body/ water ways / water course /buffer zone even if sanctions were given earlier. Deputy Commissioner Bangalore rural submitted to the chair, that the existing STP was constructed in Mazarahosahalli tank bed area, therefore as per NGT directions, the existing STP needs to be shifted outside the lake/buffer area.

The Deputy Commissioner, Bangalore rural submitted that the available Government land has no gradient and is technically non-feasible and would also cost higher O&M. Considering the facts presented Secretary, UDD directed Deputy Commissioner Bangalore rural to find suitable private land to set up a new STP. It was directed to prepare a comprehensive report and DPR including land cost for construction of STP. It was also directed to include the construction of interception and diversion (I&D) works to treat the sewerage of Bhashettihalli, TP in the same DPR which would address Bhashettihalli sewage issue.

Secretary, UDD directed to conduct a joint inspection by KSPCB, KUWS&DB, DUDC, Minor Irrigation, Commissioner, CMC Doddaballapur, CO Bhashettihalli to identify suitable land for STP. It was also directed to prepare and submit the DPR at the earliest to MD, KUWS&DB Bangalore .

The meeting was concluded with vote of thanks.

  
(Dr Ajay Nagabhushan M N,  
Secretary to Government  
Urban Development Department  
Government of Karnataka