

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI

Original Application No. 111 of 2020 (SZ)

IN THE MATTER OF:

Tribunal on its own motion Suo Motu based on
the news Item in Tamil Newspaper Dinamalar Chennai Edition Dt.13.07.2020,
“Frothing of Chemical Foam in the River Thenpennai”

....Applicant

Versus

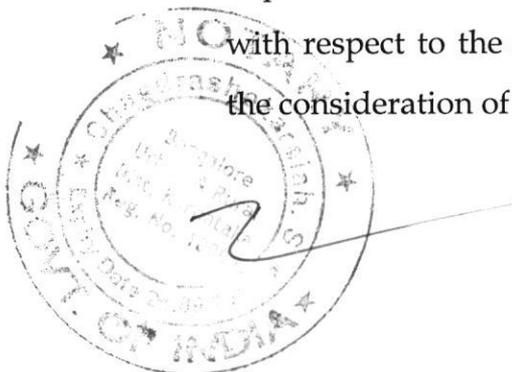
The Principal Secretary to Government, Public Works Department, Chennai &Ors.

.....Respondents

AFFIDAVIT FILED ON BEHALF 6THRESPONDENT

I, M. G Yathish, S/O. Late M.V. Gopal major, working as Senior Environmental Officer having office at Karnataka State Pollution Control Board, Parisara Bhavan # 49 Church Street Bangalore , do hereby solemnly affirm and state as follows:

1. I state that I am the Senior Environmental Officer at Karnataka State Pollution Control Board, and I am well versed with the facts of this case from its records, and I am competent and authorized to swear this affidavit on behalf of the 6th Respondent.
2. I state that, as per the Orders of this Hon'ble Tribunal, and Action Taken Report of the answering Respondent Karnataka Pollution Control Board with respect to the subject matter of this Original Application is filed for the consideration of this Hon'ble Tribunal.



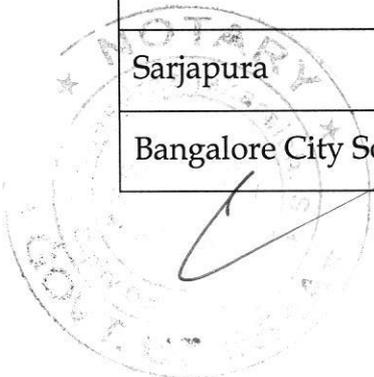
3. I state that the Thennapennai River, in Karnataka, traverses through series of zilla panchayat tanks, and also Minor irrigation tanks namely Nandi Tank, Kuppalli Tank, Chandalapura Tank, Kothanuru Tank, Kalavanahalli Tank, Chikkadigenahalli Tank, Bommanahalli Tank, Kanithahalli Tank, Muthur Tank, Mallur Tank, Amani BhadranaKere Tank in Chikkaballapur District, Hoskote Doddakere Tank, and other streams joining Yelemallapa Chetty Tank, last two in Bengaluru Urban District.
4. I state that following the directions of this Hon'ble Tribunal, this answering Respondent had carried tests to determine the water quality. The water samples were collected from various locations on the river bank. The Water Quality Analysis of lakes in Chillaballapura, Yelahanka, Bangalore City East & West, and Mahadevapura, Sarjapura and South Karnataka has been annexed herewith as **Annexure - I**. The summarisation of the same is as below:

| District | Inference (Tests based upon Accredited Parameters) |
|----------------------|--|
| Chikkaballapura | Class D |
| Yelahanka | Class D |
| Bangalore City West | Class D |
| Bangalore City East | Class D [Lake water near temple - Class E] |
| Mahadevapura | Class D (on average) Near Varthur Lase - Class E |
| Sarjapura | Class E (on average) |
| Bangalore City South | Class D |

Key for interpretation:

Meaning of Classes as per CPCB Classification of Water Quality:

- **Class D** - Propagation of Wild life and Fisheries - pH between 6.5 to 8.5 Dissolved Oxygen 4mg/l or more; Free Ammonia (as N) 1.2 mg/l or less
- **Class E** - Irrigation, Industrial Cooling, Controlled Waste Disposal - pH betwvn 6.0 to 8.5; Electrical Conductivity at 25C micro mhos/cm Max.2250; Sodium absorption Ratio Max. 26; Boron Max. 2mg/l

5. I state that this answering Respondent Board has been monitoring the water quality of DakshinaPinakini River near Murugulur Bridge. The water quality is conforming to Class D/E. The Analysis Report is filed herewith as **Annexure - II.**
6. I state that the answering Respondent Board is conducting regular inspection of the industries located in the catchment areas and any defaulting industries are dealt with as per the procedure laid down in law.
7. I state that the answering Respondent Board had issued Closure Notices to 72 defaulting industries in the year 2018, out of which 29 were revoked after compliance. The details of the same are compiled in a list filed herewith as **Annexure - III.**
8. I state that the answering Respondent Board has initiated legal proceedings against 16 defaulting residential apartment complexes. The details of the same are compiled in a list filed herewith as **Annexure - IV.**
9. As per the direction of the Hon'ble NGT in Original Application in 1038/2018, Board imposed Environmental Compensation on 36 industries. Appeal No.2220-2221/2020 against the said order was preferred. The Hon'ble Supreme Court at first instance stayed order of NGT but subsequently disposed of the Civil Appeal with direction to place the grievances before the Hon'ble National Green Tribunal.
10. I state that the answering Respondent Board had imposed Environmental Compensation on 496 residential apartment complexes totalling upto Rs. 288.80 Crores. The list of industries on which this Respondent Board had imposed Environmental Compensation has been annexed herewith as **Annexure - V.**

A handwritten signature in black ink, written over a horizontal line.

11. I state that this answering Respondent has engaged 12 Marshals with Emergency Respondent Vehicles to identify illegal discharges. 4 Vehicles have been purchased by this Board for this purpose.

It is therefore humbly prayed that this Hon'ble Tribunal may be please record the above-mentioned facts and consider the Action Taken Report of the 6th Respondent along with Annexures, and pass such order (or) any other orders as this Hon'ble Tribunal may deem fit and proper in this case and thus render justice.


DEPONENT

VERIFICATION

I, M. G. Yathish, S/O. Late M.V. Gopal major, working as Senior Environmental Officer having office at Karnataka State Pollution Control Board, Parisara Bhavan # 49 Church Street Bangalore-560001, do hereby verify that the above mentioned contents are true to my personal knowledge and that I have not suppressed any material fact.

Dated at Bangalore on this the 22 day of March, 2022




DEPONENT

SWORN TO BEFORE ME
22/3/2022
CHANDRASHEKARIAH. S
Advocate & Notary
No. 9/7, Kempegowda Nilaya
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