

IN THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, KALAS MAHAL, CHENNAI
OA 119/ 2023 (SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTU based on the news item in The Indian Express Newspaper dt. 24.07.2023 titled "Mass Fish Kill in Bengaluru, fishermen blames civic mess for 3.6 Lakhs loss and pollution"

... .. APPLICANT

VERSUS

Member Secretary, Karnataka State
Pollution Control Board & Ors

...RESPONDENTS

Previous D.o.H: 14.03.2024

Next D.o.H: 08.05.2024

I N D E X

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MUKESH KUMAR

Govt Counsel for Respondent No. 1

Lex Regula LLP

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Place: NEW DELHI

Date: 06.05.2024

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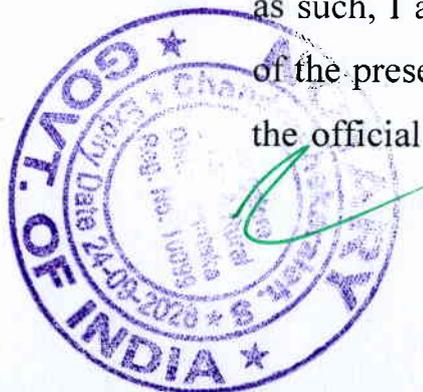
Member Secretary, Karnataka State
Pollution Control Board & Ors

...RESPONDENTS

**AFFIDAVIT ON INSPECTION REPORT
ON BEHALF OF THE RESPONDENT
KSPCB**

I, Ashok kumar S. R. son of Rajashekarappa S. aged about 50 years, currently posted as Regional Officer, Bommanhalli , Karnataka State Pollution Control Board (KSPCB), " Nisarga Bhavan", # 7th D Main Road , Thimmaiaha Road Basveshwaranagara, Shiva nagara Bangalore 560010, Karnataka, do hereby solemnly affirm and declare as under:-

1. That I the deponent am working with Respondent KSPCB, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized



Ashok Kumar S.R

to verify, sign and swear this affidavit on behalf of the Respondent KSPCB.

2. That the instant Affidavit on Inspection Report is being filed in compliance to the directions/ Order dated 24.08.2023 passed by the Hon'ble National Green Tribunal.
3. That on this factual background it is submitted that in response to the directions of this Hon'ble Tribunal, and also as per the message from the office of the Hon'ble Chief Minister, Government of Karnatak on 02.01.2024 regarding a Compliant received from one Sri. Raghavendra Pachapure on sewage flowing into Lower Ambalipura Lake, an inspection was conducted on 04.01.2024 at the Lower Ambalipura Lake and surrounding area by the following officials:
 - 1) Sri.Mrithyunjay B Basankopp-DEO, RO-Bommanahalli (KSPCB)
 - 2) Sri.Krishnakumar P, AEE (BWSSB)
 - 3) Smt.Sapna N.K, AEE (BBMP Lakes)
4. That during inspection following observations were made:
 - (1) BBMP Officials Lake division informed that, there was little sewage entry observed in the storm water drain on 01.01.2024, the same was communicated to BWSSB and the blockage in the UGD line was cleared by them on 02.01.2024 and after that there is no sewage entry into lake.



Ashok Kumar S.R

- (2) BWSSB Officials has informed that, UGD line passing near storm water drain was chocked & due to this sewage over flow occurred from the UGD line & entered into the stormwater drain & also some portion of sewage joined to lake through the storm water drain & they have plugged all the entry points of sewage flowing through storm water drain on 02.01.2024.
 - (3) During the course of inspection it was noticed that they have cleaned the UGD line & the problem is solved & there is no flow/entry of sewage into storm water drain/lake.
 - (4) Further, no dead fishes were found in the lake and lake water is clear as observed (Photogrpahs enclosed).
 - (5) The lake water sample was collected & submitted to KSPB Central Environmental Laboratory for analysis.
5. The stagnated water sample of the lake was collected and handed over to Central Environmental Laboratory for analysis. The previous analysis report of the lake sample collected on 28. 2. 2024. 22.3. 2024, 28.3.2024 & 19.04.2024, is meeting to the class D Quality (Class D -Propagation of wildlife and fisheries.)

6. That it is respectfully submitted that the answering respondent KSPCB will be obliged to provide any additional information if

Ashok Kumar S.R



so required by this Hon'ble Tribunal and hereby submit this affidavit for kind consideration.

7. That, I have read and understood the contents of the this Affidavit. The same has been drafted by my counsel under my instructions and the same are true and correct as per the official records made available to me and same has been understood by me.
8. That the contents of the accompanying Report dated 08.01.2024 is true copy of its original along with its ANNEXURES, which may be read as part and parcel of this affidavit and the same are not repeated herein for the sake of brevity.

Ashok Kumar S.R
DEPONENT

VERIFICATION:

Verified at Bengaluru on this 08 day, May 2024 that the contents of the above Affidavit are true and correct on the basis of my knowledge and official documents and no part of it is false and nothing material has been concealed therefrom.

Ashok Kumar S.R
DEPONENT



SWORN TO BEFORE ME

CHANDRASHEKARAIAH. S

Advocate & Notary

97, Kampegowda Illiyas,
 3rd Cross, Muthurayaswamy Extension,
 Sunkadakatte, Bangalore - 560 091.

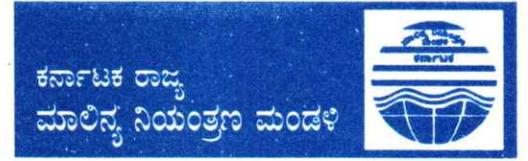
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 1295 Date 6/5/2024

Office of the Regional Officer
Karnataka State Pollution Control Board
Bengaluru - Bommanahalli
2nd Floor, "Nisarga Bhavan",
7th 'D' Main Road, Thimmaiah Road,
Basaveshwaranagara, Shivanagar,
Bengaluru - 560 010.
Phone : (O) 080-23221552

ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು - ಬೊಮ್ಮನಹಳ್ಳಿ
2ನೇ ಮಹಡಿ, "ನಿಸರ್ಗ ಭವನ",
7ನೇ 'ಡಿ' ಮುಖ್ಯ ರಸ್ತೆ, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
ಬಸವೇಶ್ವರನಗರ, ಶಿವನಗರ, ಬೆಂಗಳೂರು-560 010.
ಫೋನ್ : 080-23221552



towards a cleaner Karnataka

No. KSPCB/RO (BOM)/EO/DEO/2023-24/1679.

Date: 08 JAN 2024
DESPATCHED

**INSPECTION NOTES ON COMPLAINT REGARDING ENTRY OF SEWAGE TO
LOWER AMBALIPURA LAKE, VARTHUR HOBLI, BANGALORE.**

Officers Present during Joint Inspection	Sri.Mrithyunjay B Basankopp -DEO, RO-Bommanahalli (KSPCB)
	Sri.Krishnakumar P, AEE (BWSSB)
	Smt.Sapna N.K, AEE (BBMP Lakes)
Date of Inspection	04.01.2024
Inspected Area	Lower Ambalipura Lake, Ambalipura Village, Varthur Hobli, Bangalore.
GPS Co-ordinates	12.917125 N, 77.664994 E
Reference	As per the message from Hon'ble Chief Minister Office on 02.01.2024 regarding Complaint received from Sri. Raghavendra Pacchapura on sewage flowing into Lower Ambalipura Lake.

This office has received message from the Hon'ble Chief Minister Office on 02.01.2024 regarding sewage flowing into Lower Ambalipura Lake complaint from Sri. Raghavendra Pacchapura. In this regard, Lower Ambalipura Lake and surrounding area was jointly by the above Officials on 04.01.2024.

During inspection following observations were made.

- BBMP Officials Lake division informed that, there was little sewage entry observed in the storm water drain on 01.01.2024. The same was communicated to BWSSB and the blockage in the UGD line was cleared on 02.01.2024. After that there is no sewage entry into lake.
- BWSSB Officials has informed that, UGD line passing near storm water drain is been chocked & due to this sewage over flown from the UGD line & entered into the storm water drain & also some portion of sewage is joined to lake through the storm water drain & they have plugged all the entry points of sewage flowing through storm water drain on 02.01.2024.
- During the course of inspection it was noticed that they have cleaned the UGD line & problem is resolved & there is no flow/entry of sewage into storm water drain/lake.
- Further, no dead fishes were found in the lake and lake water is clear as observed (Photographs enclosed).
- The lake water sample was collected & submitted to KSPB Central Environmental Laboratory for analysis.


Environmental Officer
RO-Bommanahalli

Copy of the inspection notes submitted to Office of the Hon'ble Chief Minister, Govt. of Karnataka for information.

Joint inspection on 04.01.2023 of Lower Ambalipura lake by officers of KSPCB, Lake development authority and BWSSB authority.





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Member Secretary, Karnataka State
Pollution Control Board & Ors

...RESPONDENTS

VAKALATNAMA

I, Ashok Kumar. S.R., Environmental Officer, Regional Office, Bommanahalli, Karnataka State Pollution Control Board, Bangalore, do hereby appoint and retain Sh **Mukesh Kumar, Advocate**, Enrolment No. D/1944/2012, to act and appear for me/us in the above Application/ Petition/ Appeal and on my/ our behalf to conduct and prosecute (or defend) or withdraw the same and also proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain, return of documents and to deposit and receive money in my/ our behalf in the above Suit/ Petition/ Appeal and Application for Review, and to represent me/ us and to take all necessary steps on my our behalf in the above matter. I/ We agree to ratify all acts done by the aforesaid Advocate, in pursuance of this authority.

Dated this 6 day of May 2024.

Accepted/ Identified/ Certified



MUKESH KUMAR
ADVOCATE



SIGNATURE