

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

Application No. 195 of 2021

BETWEEN:

JAGAN KUMAR. J

.....Applicant

AND

**THE CHIEF SECERATARY TO GOVERNMENT
KARNATAKA AND OTHERS**

.....Respondents

Objections filed by the Applicant for the Independent Report submitted by the Karnataka State Pollution Control Board Dated Nil.

1. It is submitted that the Karnataka State Pollution Control Board/KSPCB admits the entire averments made by the Applicant, further admits the issuance of notice to authorities.
2. It is submitted that the KSPCB having duty to safeguard the water body has failed to take further necessary action against the authorities-, BWSSB, BBMP, Minor Irrigation Department, Village Panchayat Office, which failed to do it's duty after receiving notice from the KSPCB.
3. It is submitted that, the KSPCB has retained itself from taking action against the failing authorities - BBMP, BWSSB, Minor Irrigation Department, Village Panchayat Office..
4. It is submitted that, the KSPCB states that the 5 inlets of the lake, out of them 3 are sewage/sullage, thus KSPCB has failed to do its duty.
5. It submitted that, the KSPCB admits about the encroachments and admits that the authorities concerned to



removal of encroachments have failed to remove the said encroachments.

6. It is submitted that, the KSPCB had been a spectator of all the unlawful activities in Yele Mallappa Shetty Lake, justifies that the KSPCB has no authority or control over the ongoing projects of Minor irrigation in the Waterbody.

7. It is submitted that, the KSPCB has failed to initiate action under section 24(1)(a) of the Water (Prevention & Control of Pollution) Act 1974, including criminal proceedings against all perpetrators after the expiry of issued notice period.

After Filing this O.A, the Minor Irrigation Department continuing the project in expeditious manner in the Waterbody without considering the Application and Contentions made by the Applicant. And also, new buildings have been constructed in the Lake Buffer Zone.

Wherefore, the Applicant humbly Prays that this Hon'ble Tribunal be pleased to,

- a. Direct the KSPCB to initiate action under section 24(1)(a) of the Water (Prevention & Control of Pollution) Act 1974, including criminal proceedings against BWSSB, BBMP, Minor Irrigation Department, Panchayat Office.
- b. Pass an temporary Injunction against the Respondent No.1 from constructing the ongoing Jackwel Pumphouse project in the Waterbody pending disposal of this application and Prays this Hon'ble Tribunal to protect the Lake in the interest of Justice.

BANGALORE

DATE: 02.01.2022



APPLICANT

(JAGAN KUMAR J)

PARTY IN PERSON