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**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI**

**Application No. 195 of 2021**

**BETWEEN:**

**JAGAN KUMAR. J**

**.....Applicant**

**AND**

**THE CHIEF SECERATARY,**

**MINOR IRRIGATION DEPARTMENT AND OTHERS**

**.....Respondents**

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

1. It is submitted that the Action taken report submitted by the Karnataka State Pollution Control Board/KSPCB are misleading by suppressing material facts and the report is nothing but a clever drafting and far from the truth and the clear circumstances is not brought before this Hon'ble Tribunal.
2. It is submitted that in the action taken report, The **Minor Irrigation Department** submitted that They have already filed the complaint in Avalahalli Police station on 13.05.2020 and FIR has been registered on encroachers, simultaneously they have written letter to Thasildar, Bangalore East Taluk & ADLR requesting to carryout survey and fix up the tank boundary for encroachment removal.
3. It is submitted that in the action taken report, The **Minor Irrigation Department** submitted photographs of C&D waste being removed, Police complaint has been lodged to take action against the dumping of C&D Waste on 26.07.2019, **BBMP** Submitted that they have deputed Marshalls to ensure no C&D

waste is being dumped also the C&D waste which was dumped before has been already cleared, **Kithaganoor Gram Panchyat** submitted that they have displayed caution boards, deputed 2 member of Jalagaras to keep a close watch for not dumping any C&D waste, Avalahalli Gram Panchayath submitted that they have displayed caution boards, deputed 2 member of Jalagaras to keep a close watch for not dumping any C&D waste.

4. It is submitted that huge volumes of garbage are being dumped regularly in to the said lake, construction wasted/debris/C&D Wastes are being regularly dumped in to the lake and filling the lake in a systematic manner. The Photographs taken **on 15.02.2022** showing garbage dumped in to the lake is produced herewith as **ANNEXURE-M** and The Photographs taken **on 15.02.2022** showing construction wasted/debris/C&D Wastes dumped in to the lake is produced herewith as **ANNEXURE-N** for the kind perusal of this Hon'ble Tribunal.
5. It is submitted that after filing this O.A and during the pendency of this application the said lake is being in the process of constant encroachment by private persons in broad day light by and new permanent structures have been formed in its buffer zone without the fear of law and Authorities. The Photographs taken **on 15.02.2022** showing new encroachment of the lake is produced herewith as **ANNEXURE-P**. The Photographs taken **on 15.02.2022** showing new permanent structure in the buffer zone of the lake is produced herewith as **ANNEXURE-Q** for the kind perusal of this Hon'ble Tribunal.



6. It is submitted that the Respondent No.1 is continuing the project in expeditious manner in the waterbody without considering the order of this Hon'ble Tribunal dated 04.01.2022.
7. It is submitted that the Respondents, Committee is giving elusive and slippery reports and shifting the blame from one authority to another authority and thus the object of the very complaint is defeated and hence it is bad in law.
8. It is submitted that the respondents has submitted reports only for the purpose of making untruth look like truth which cannot be believed by this Hon'ble Tribunal.
9. It is submitted that the committee members are the respondents in this O.A and they are lacking to initiate action and cannot expect impartial reports.

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

- a. Appoint Justice N. Santosh Hegde (Retd) or any other enquiring authority to find out the factual position at the ground level and to monitor Yelemallappa Shetty Lake Rejuvenation.
- 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.

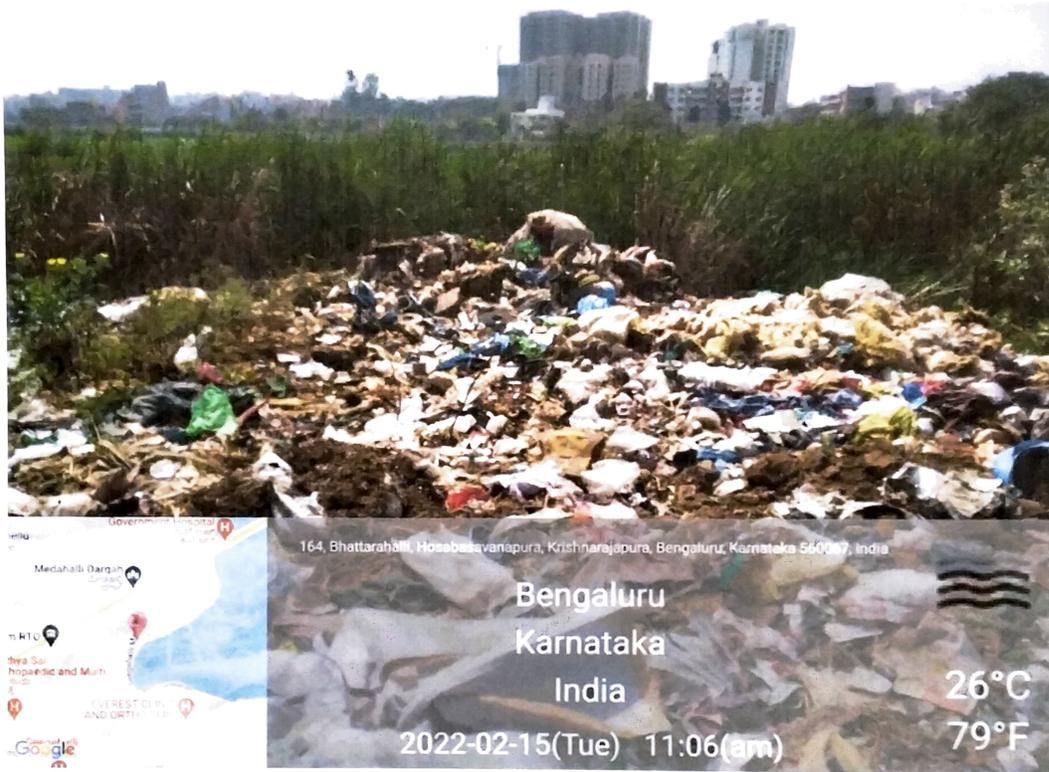
**BANGALORE**

**DATE: 15.02.2022**

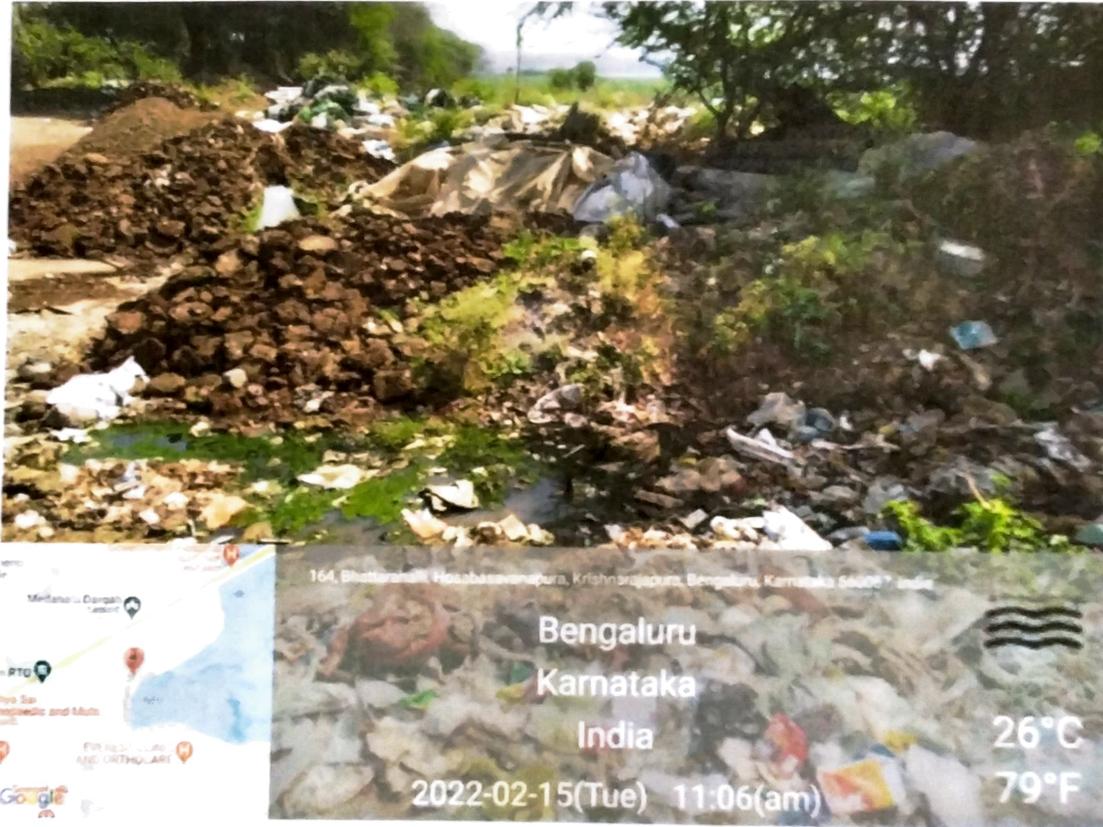
**APPLICANT**

**(JAGAN KUMAR J)**

**PARTY IN PERSON**



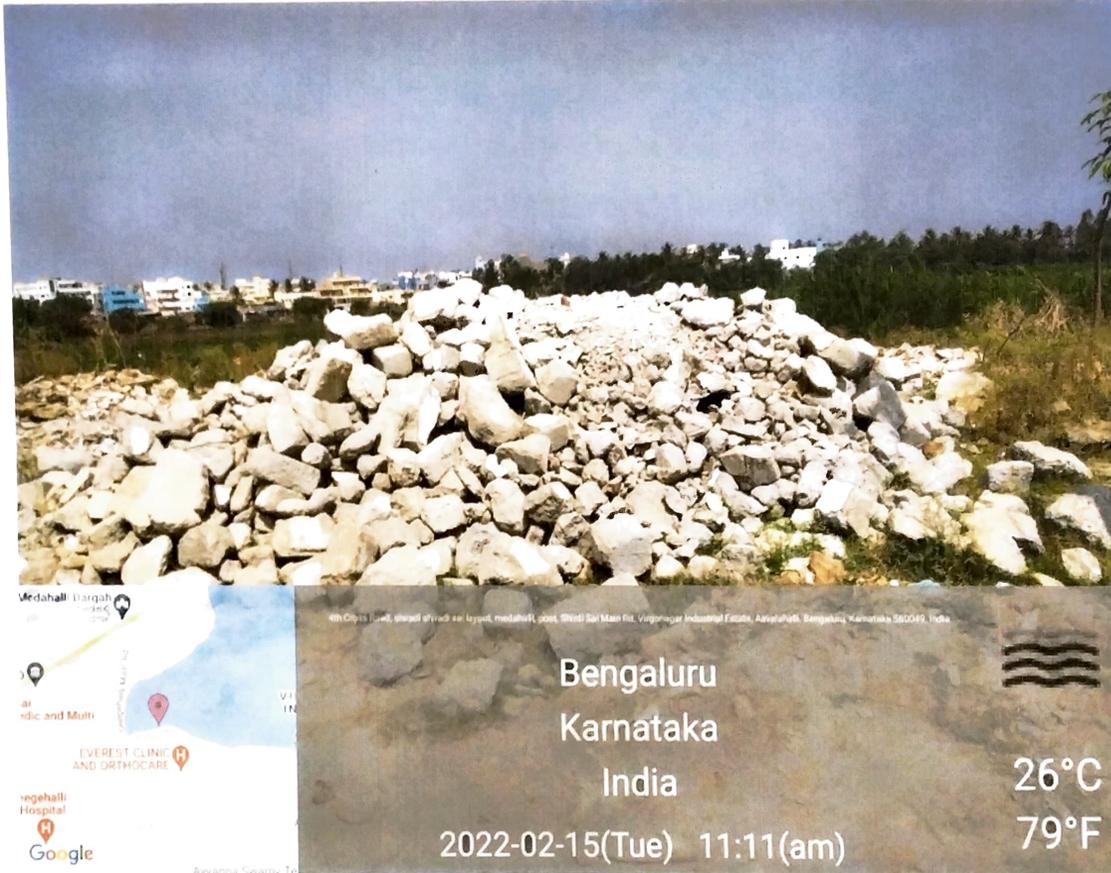
**Photograph image showing huge garbage dumped in lake**



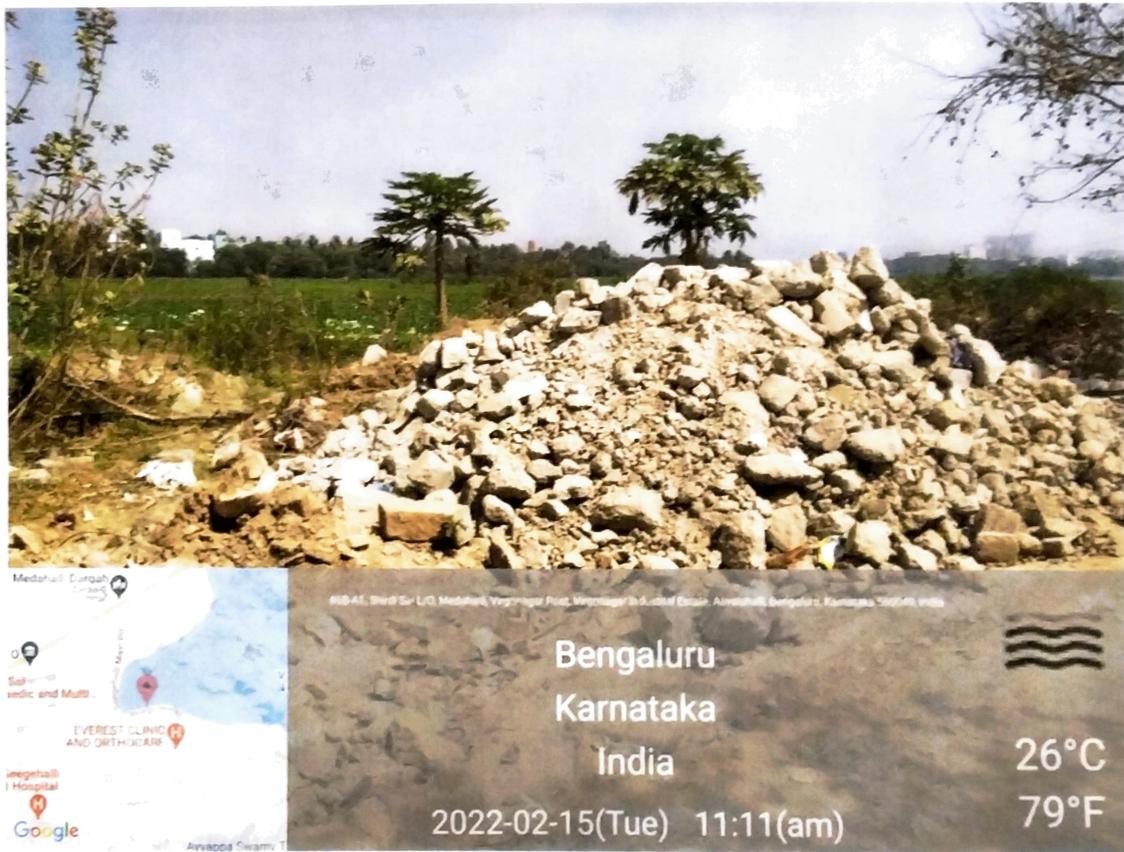
**Photograph image showing huge garbage dumped in lake**



**Photograph image showing huge garbage dumped in lake and in buffer zone**



**Photograph image showing building construction waste/debris/C&D Waste dumped in lake and its buffer zone**



**Photograph image showing building construction waste/debris/C&D Waste dumped in lake and its buffer zone**



**Photograph image showing building construction waste/debris/C&D Waste dumped in lake and its buffer zone**



**Photograph image showing ongoing encroachment activities in the Lake**



**Photograph image showing ongoing encroachment activities in the Lake**



**Photograph image showing new permanent structure in the lake buffer zone.**