

**BEFORE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.
O.A.No.222 OF 2021 (SZ)**

JAGAN KUMAR J

...Applicant

-Vs-

THE PRINCIPAL SECRETARY &
OTHERS.

...Respondents

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Dated at Chennai on this the 17th day of October, 2023



M.R.GOKUL KRISHNAN

COUNSEL FOR THE 5TH & 6TH RESPONDENT
(KSPCB)

Regional Office : Bangalore - Mahadevapura
Karnataka State Pollution Control Board

"Nisarga Bhavan", 3rd Floor, Thimmalah Road
7th 'D' Main, Shivanagar, Bangalore - 560 079.
Phone : 080-23224002
E-mail : bngmdpura@kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ಬೆಂಗಳೂರು - ಮಹಾದೇವಪುರ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ,
ತಿಮ್ಮಲಾಹ ರಸ್ತೆ, 7ನೇ 'ಡಿ' ಮುಖ್ಯರಸ್ತೆ,
ಶಿವನಗರ, ಬೆಂಗಳೂರು - 560 079.
ದೂ.: 080-23224002



towards a cleaner Karnataka

No. KSPCB/RO-MDP/Vengaiahnakere/KR Puram Lake/2023-24/830

Date:
27 SEP 2023

To
The Member Secretary,
KSPCB, Parisara Bhavan,
Church Street,
Bengaluru-560 001.

Kind Attention: Law Officer (Legal Section)

Sir,

Sub: Follow up action w.r.t Hon'ble National Green Tribunal, Southern Zone, Chennai - Original Application No.222 of 2021 (SZ) & I.A.No.117 of 2022 (SZ) - reg

Ref: 1. Report dated: 06/12/2023 filed by BWSSB before Hon'ble NGT
2. This office letter vide no. 1590 dated 10.02.2023
3. Hon'ble NGT order dated 04.09.2023
4. Inspection of KR Puram Lake by the AEO of this office on 14/09/2023.

With reference to the above subject & references, this is to inform that, pertaining to the above said Hon'ble NGT OA No.222 of 2021 pertaining to Vengayyana Kere/K.R Puram Lake/Tank, earlier, this office had forwarded the inspection report and draft action taken report vide ref (1). In the said inspection report it was recommended the B.O to give directions to BWSSB & BBMP (Lakes) authorities in order to prevent the entry of untreated sewage into the lake and its rejuvenation. However, BO has not issued any directions to the concerned authorities.

Further, it is to be informed that, BWSSB authority has also filed its report before Hon'ble NGT vide ref (1). Copy enclosed. In the said report, the BWSSB has stated that, they have proposed certain works to remedy the situations reported, all of which are to be completed by May 2023. However, there is no improvement has been observed at the time of inspection on 14/09/2023.

Now, Hon'ble NGT has passed an order vide ref (3) wherein it is directed that, as a last opportunity, the matter will be listed on 29.09.2023 for final hearing. In the meanwhile, if the authorities want to file any report, it is open to them to do so after exchanging the same with respective counsels.

Hence, in view of the above, please find herewith enclosed the inspection report and the BO is herewith requested to file the report before Hon'ble NGT.

This is for your kind information and further needful.

Yours faithfully
Sd/-

Environmental Officer
RO-Mahadevapura

Copy to:

1. SEO-Infra Cell, 4th floor, Parisara Bhavan, KSPCB, Bengaluru for kind information & w.r.t memo cited at ref (2).
2. SEO-BNG-EAST, 3rd floor, Nisarga Bhavan, KSPCB, Bengaluru for kind information.
3. Case file.



Environmental Officer
RO-Mahadevapura

Inspection Report of Smt. Veena Kona, Assistant Environmental Officer, KSPCB,
Regional Office – Mahadevapura, Bengaluru.

Name and address of the project	Vengaiahnakere (KR Puram Lake), Sy No.9 of Krishnarajapuram village and Sy No. 46 of Sonnathammanahalli village, K.R.Puram Hobli, Bangalore East Taluk, Old Madras Road, Bengaluru.
Date of Inspection	14/09/2023
Officials Present from other Department	Smt. Bhavana, Junior Engineer, BBMP (Lakes)
Private agency staff present	Sri. Sriranga from M/s Vimos Technocrats Private Limited appointed by the BBMP (Lakes) department for quality and quantity check for Rejuvenation and Development of Vengaiahna Kere (Also confirmed by the AEE of BBMP (Lakes) over phone, not submitted the work order issued to them)
Latitude	: 13.01640 N
Longitude	: 77.69830 E

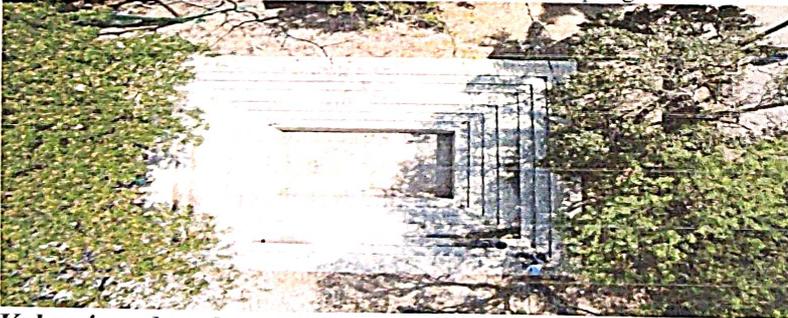
Preamble:

The Vengaiahnakere lake Located at Sy No.9 of Krishnarajapuram village and Sy No. 46 of Sonnathammanahalli village, K.R.Puram Hobli, Bangalore East Taluk, i.e. K R Puram BBMP Ward No.52. Vengaiahnakere Lake is also known as K R Puram Lake.

The catchment area/ upstream residential area for the Vengaiahnakere is T.C.Palya, Anandapura, Ramamurthy nagar, Vijinapura, Dasappa Layout, Shanthishree layout and Kowdenahalli area.

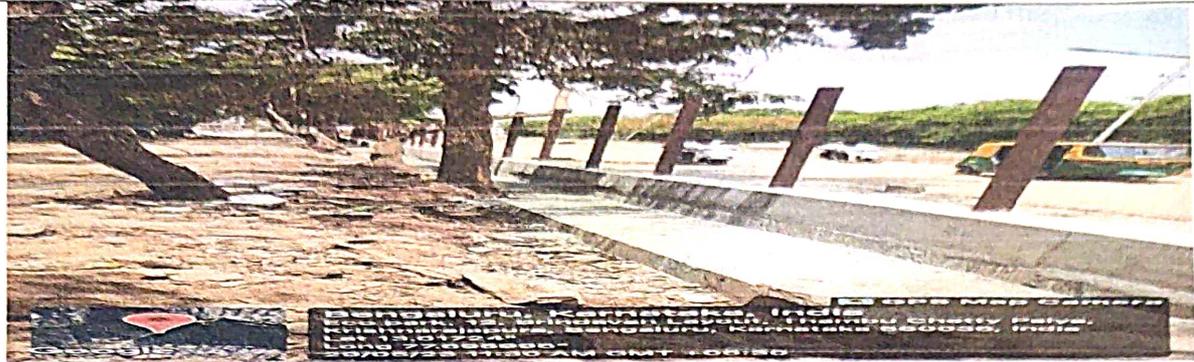
The said lake was inspected in view of Hon'ble NGT OA No.222 of 2021 & I.A. No. 117 of 2022 (SZ) at South Zone Chennai order dated: 04.09.2023 and the next hearing coming on 29.09.2023. Following are the observations were made during inspection:

1. The BBMP authorities are taken up the construction of the Kalyani in the lake bed towards south-east direction of the lake and work is under progress.



Kalyani work under progress taken up by the BBMP authorities.

2. Towards West side of said lake erected iron rod for fencing purpose (Grill not provided), towards South direction providing of fencing work viz., ground excavation was under progress. Not yet started the work with respect to provide of fence towards Northern side and also towards eastern side. At the northern side of the lake the compound wall has been constructed by using stone and concrete blocks by the private person (Photos are enclosed for kind reference).



Iron rod has been provided at West side of the lake by the BBMP (Lake) Department, Grill work is pending.

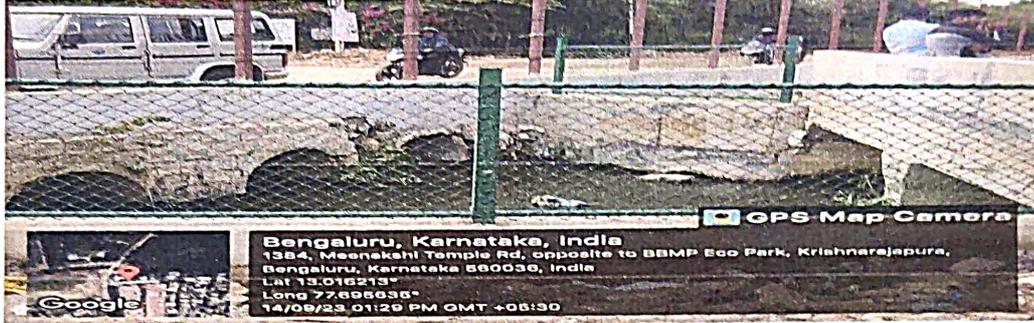


Compound wall erected made by the use of stone and concrete masonry by the private person.

3. About 90% of the lake area has been grown with water hyceneath (water weeds).
4. The BBMP (Lakes) authorities present during inspection informed that Tender has been finalized and work order has been issued to M/s PJB Engineers Pvt Ltd on 08.12.2022 Rejuvenation of Lake and Rejuvenation work
5. The BBMP authorities have provided underground diversion channel of 900 mm dia to prevent the entry of sullage/storm water into the lake towards South West corner side of the lake and found the flow of sewage in the diversion channel. Not provided outlet for the diversion channel due to pending work of trenchless technology of 900 mm with minimum of 4.5 to 5.5 m cushion from the top through the National Highway – 75 near waste weir. Hence, the sewage in the diversion channel is finally entering into the lake. On enquiry, the BBMP (Lakes) officials have informed that, the permission to take up the said work is pending from National Highway Authority of India. In this regard, the BBMP (Lakes) department has shared the communication letters of BBMP to NH and NH department to private companies which are as follows:-
 - a) BBMP (Lakes) letter to Chief General Manager/Regional Officer, National Highway Authority of India vide dated: 08/02/2023 regarding sought permission to take up the trenchless work.
 - b) National Highway Authority of India letter to BBMP (Lakes) dated: 24/02/2023 regarding submission of the proposal as per the guidelines of Ministry of Road & Transport Highways (MoRTH).
 - c) BBMP (Lakes) letter addressed to NHA dated: 26/06/2023, 30/06/2023 wherein sought permission for laying of trenchless pipe line across National Highway – 75 in Vengaiahna Kere.

- d) National Highway Authority of India letter addressed to M/s LEA Associates South Asia Pvt. Ltd., & M/s Lanco Hoskote Highway Limited in respect of submission of comments/report regarding BBMP (Lakes) works vide dated: 06/07/2023.
- e) M/s LEA Associates South Asia Pvt. Ltd., & M/s Lanco Hoskote Highway Limited comments/report submitted to NHAI dated: 24/07/2023.

Copies of the above said mentioned letters are herewith enclosed for your kind reference.



Inlet cum diversion channel of 900 mm dia

6. Around 7 to 8 individual houses have been constructed by private parties toward Northern side of the Lake and they have constructed Compound wall by using size stone masonry & cement blocks. With respect to this, the BBMP (Lake) official has informed that, the Tahasildar, Bangalore East Taluk, Bangalore has addressed a letter to the Assistant Executive Engineer, BBMP (Lakes) vide dated: 24/07/2023, wherein stated that, as per the direction of Hon'ble NGT, Southern Zone, Chennai OA No. 222/21(SZ) and as per the sketch report of Assistant Director of Land Records office in letters vide dated: 16/11/2021 & 09/12/2022, Bangalore East Taluk, Bangalore and further, informed to be present in person along with subordinate staffs with machineries for the removal of land encroachment of Vengaihanakere on 28/07/2023. Copy of the same letter along with photographs has been received in this office through What'sapp on 20/09/2023 from AEE of BBMP (Lakes) is herewith enclosed for your kind reference. But, the removal of the said lake land encroachment is not yet done. On enquiry over phone, the Assistant Executive Engineer, BBMP (Lakes) has informed that, on 28/07/2023, the land encroachment removal has not happened due to public uproar.
7. The part of untreated sewage discharging from individual houses entering the Lake at North west side through Rajakaluve (near Meenakshi Temple) and Northern side of the lake through storm water drain was observed.
8. The BWSSB authorities are treating the sewage flowing from wards Nos. 25(Horamavu), 26(Ramamurthynagar), 51(Vijinapura) & 52(K.R.Puram) of BBMP area in 2 Nos of 20 MLD STP provided by BWSSB authorities @ upstream side of the Lake is also being letting into the Vengaihanakere lake.
9. As per the analysis report received from the laboratory and it reveals that the water quality is for Class-E (it can be used for Irrigation, Industrial cooling & controlled waste disposal), copy enclosed for kind reference.
10. Even though repeatedly informed to the BWSSB authorities for rectification of all missing links to their UGD and the sewage shall be treated in the 2 Nos of 20 MLD STP (TC Palya) and on verification of this office earlier inspection report, it was reported that, the BWSSB authorities have informed that, the survey work and execution of work will be completed by the end of March-2023 in order to prevent the entry of untreated sewage into the storm water drain and then into Vengaihanakere. But, during inspection, it was observed that, the flow of

observed that, the flow of sewage in the storm water drain, which enters to inlet cum diversion pipe and finally enters into Vengaihnakere. This shows that, still there is no any progress work in this regard has been taken up by the BWSSB authorities.

11. On verification of this office record, it was noticed that, as per this office notice vide no. 1182, dated: 02/12/2022, earlier, the BWSSB had submitted action taken report in letter vide no. 378, dated: 05/12/2022 with respect to prevention of entry of untreated sewage to vengaihnakere, the same report which was submitted to Hon'ble NGT. However, the entry of untreated sewage into said lake was noticed, this shows that, the BWSSB still not completed their work as per their action taken report.
12. Further, it is to be informed that, BWSSB authority has also filed its report dated: 06/12/2022 before Hon'ble NGT. Copy enclosed. In the said report, the BWSSB has stated that, they have proposed certain works to remedy the situations reported, all of which are to be completed by May 2023 for the prevention of sewage entry into Storm Water Drain. But, as per the observation during inspection, it was felt that, the said department has not completed their work within above said time period.
13. Further, on enquiry over phone, Smt. Likhitha – AE of BWSSB has informed that, the initial stage of DPR for the proposal of installation of 10 MLD new STP at Basavanapura, KK Puram (which was one of the action taken report of BWSSB as per the recommendation of KSPCB i.e., to establish STPs on the upstream of lakes to treat the sewage before it joints the lake) is under progress.

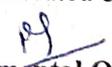
Recommendations:

In view of the above said facts and observations, since the sewage is still flowing in the storm water drain and finally entering in to the said lake. The BBMP (Lakes) authorities are not yet commissioned/started rejuvenation work of the said lake even though the work order has been issued to M/s PJB Engineers Pvt Ltd on 08.12.2022 and not fenced the entire lake completely. And the removal of encroachment of said lake land as per the Hon'ble NGT order is still pending.

Hence, in view of the above said facts, the directions can be given to the BWSSB, BBMP (Lakes) authorities and Tahasildar, Bangalore East Taluk, Bangalore from the Board Office and to submit the action taken report and status of report of already submitted action taken report directly to the Hon'ble NGT (SZ) Chennai Bench in order to prevent the entry of untreated sewage into the Lakes and Rejuvenation of said Lake.

↓
Assistant Environmental Officer,

RO-Recommendations: in view of the above said facts, the directions can be given to the BWSSB, BBMP (Lakes) authorities and Tahasildar, Bangalore East Taluk, Bangalore from the Board Office and to submit the action taken report and status of report of already submitted action taken report directly to the Hon'ble NGT (SZ) Chennai Bench in order to prevent the entry of untreated sewage into the Lakes and Rejuvenation of said Lake.


**Environmental Officer,
RO-Mahadevapura.**



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

“ಪರಿಸರ ಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
“Parisara Bhavan”, 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

// BY RPAD//

No: KSPCB/ NGT OA. 222/2021 (SZ)/Vengaiyhna Kere/2023-24/ 3752

Date: 06 OCT 2023

To,

The Chief Engineer,
Bruhath Bangalore Mahanagara Palike (Lakes
Division)
2nd Floor, Annex-3 Building, BBMP Head Office,
NR Square, Bengaluru - 560 002.

Tahsildar
K.R.Puram
Bangalore East Taluk
Bangalore Urban District

Sir,

Sub: Action taken to prevent entry of sewage into Vengayyana Kere, K.R. Puram located at Sannathammanahalli Village, K R Puram Hobli, Bengaluru East Taluk, Bangalore Urban District pertaining to Hon'ble NGT OA No. 222 of 2021 (SZ), I.A. No.117 of 2022 (SZ) – reg

- Ref:** 1. Hon'ble NGT OA No. 222 of 2021 (SZ) order dated: 27/10/2021.
2. Joint Committee report submitted by RO (Mahadevapura) vide letter no. 898 dated 04/12/2021
3. RO-Mahadevapura action taken report vide no. 1590, dated: 10/02/2023 along with RO-Mahadevapura inspection dated: 07/02/2023 report.
4. Hon'ble NGT OA No. 222 of 2021 (SZ) & I.A. No.117 of 2022 (SZ) order dated: 03/05/2023 & 04/09/2023.
5. RO-Mahadevapura report vide no. 830, dated: 21/09/2023.

With reference to the above subject and in order to verify the status of compliance to NGT order in respect of O.A no. 222 of 2021 (SZ) dated 04/09/2023, RO (Mahadevapura) had inspected the Vengayyanakere on 14/09/2023 and observed the following:

1. The part of untreated sewage discharging from individual houses entering the Lake at North west side through Rajakaluve (near Meenakshi Temple) and Northern side of the lake through storm water drain was observed.
2. BBMP (Lakes) authorities are not yet commissioned/started rejuvenation work of the said lake even though the work order has been issued to PJB Engineers Pvt Ltd., and also not fenced the entire lake completely. Further, encroachment of the said lake land is still pending as per the Hon'ble NGT Order.
3. As per the analysis reports of the lake water quality reveals that it belongs to CLASS E (can be used for Irrigation, Industrial cooling & controlled waste disposal).

The above observations indicate that, the BBMP is yet to take action to comply with NGT orders and remedial measures indicated in the Joint Committee report vide ref (2).

In view of the above, you are hereby directed to take action as per the above to prevent pollution of lake water.

The receipt of this notice may please be acknowledged.

Yours faithfully,


Member Secretary

- Copy to: 1. SEO, Bng-East Office, 3rd Floor, Nisarga Bhavan, Bangalore, for information.
2. RO-Mahadevapura, 3rd Floor, Nisarga Bhavan, Bangalore, for information.
3. Case file.


Senior Environmental Officer
Infra and Lake Development Section



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

"ಪರಿಸರ ಭವನ", 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
"Parisara Bhavan", 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

// BY RPAD//

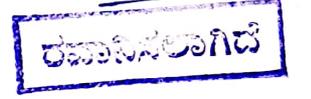
No: KSPCB/ NGT OA. 222/2021 (SZ)/Vengaiahna Kere/2023-24/ 3751

Date:

06 OCT 2023

To,

The Chief Engineer,
Wastewater Management Division,
BWSSB, 6th Floor, Cauvery Bhawan,
K G Road, Bengaluru - 560 009



Sir,

Sub: Action taken to prevent entry of sewage into Vengayyana Kere, K.R. Puram located at Sannathammanahalli Village, K R Puram Hobli, Bengaluru East Taluk, Bangalore Urban District pertaining to Hon'ble NGT OA No. 222 of 2021 (SZ), I.A. No.117 of 2022 (SZ) – reg.

- Ref:** 1. Hon'ble NGT OA No. 222 of 2021 (SZ) order dated: 27/10/2021.
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1. The part of untreated sewage discharging from individual houses entering the Lake at North west side through Rajakaluve (near Meenakshi Temple) and Northern side of the lake through storm water drain was observed.
2. Even though repeatedly informed to the BWSSB authorities for rectification of all missing links to their UGD and the sewage shall be treated in the 2 Nos of 20 MLD STP (TC Palya) and on verification of this office earlier inspection report, it was reported that,

the BWSSB authorities have informed that, the survey work and execution of work will be completed by the end of March-2023 in order to prevent the entry of untreated sewage into the storm water drain and then into Vengaiahnakere. But, during inspection, it was observed that, the flow of sewage in the storm water drain, which enters to inlet cum diversion pipe and finally enters into Vengaiahnakere. This shows that, still there is no any progress work in this regard has been taken up by the BWSSB authorities.

3. As per the analysis reports of the lake water quality reveals that it belongs to CLASS E (can be used for Irrigation, Industrial cooling & controlled waste disposal).

The above observation indicates that, the BWSSB is yet to take necessary action to prevent entry of sewage to lake. Hence you are hereby directed to take necessary remedial measures to prevent the entry of sewage to the lake and submit action taken report within 15 days.

The receipt of this notice may please be acknowledged.

Yours faithfully,


Member Secretary,

Copy to:

1. SEO, Bng-East Office, 3rd Floor, Nisarga Bhavan, Bangalore, for information.
2. RO-Mahadevapura, 3rd Floor, Nisarga Bhavan, Bangalore, for information.
- ✓ 3. Case file.


Senior Environmental Officer,
Infra and Lake Development Section

**BEFORE NATIONAL
GREEN TRIBUNAL
SOUTHERN ZONE,
CHENNAI.**

O.A.No.222 OF 2021

Jagan Kumar

...Applicant

-Vs-

Principle Secretary

...Respondents

**INSPECTION REPORT FILED ON
BEHALF THE 5TH & 6TH
RESPONDENT**

M.R.GOKUL KRISHNAN

Karnataka State Pollution Control
Board

**COUNSEL FOR 5th& 6th
RESPONDENT**