

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI

MEMORANDUM OF APPLICATION

ORIGINAL APPLICATION NO. 60 of 2023

(Under S. 14 and S.15 r/w S. 18(1) of the National Green Tribunal Act,
2010)

IN THE MATTER OF

Sri Hari Krishna Paidi Lakshmaiah
Residing at Flat No. 202, Sai Homes,
Inside Pearl Paradise,
Yemalur Kempapura Main Road,
Kempapura Village, Varthur Hobli,
Bellandur Ward, Bangalore – 560037

...APPLICANT

Versus

1. The State of Karnataka
Department of Urban Development
M.S. Building
Bangalore 560001
and 3 others

...RESPONDENTS

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Dated at Bangalore on 02 December 2023



Counsel for the Applicant

**SAHAJA
ADVOCATE
KAR/5384/2022**

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI

ORIGINAL APPLICATION NO. 60 OF 2023



IN THE MATTER OF:

Sri Hari Krishna Paidi Lakshmaiah

...Applicant

Versus

The State of Karnataka & Ors.

...Respondents

RE-JOINDER BY WAY OF AFFIDAVIT OF THE APPLICANT

I, Sri Hari Krishna Paidi Lakshmaiah, aged about 51 years, resident of Flat No. 202, Sai Homes, Inside Pearl Paradise, Yemalur Kempapura Main Road, Kempapura Village, Varthur Hobli, Bellandur Ward, Bangalore – 560037, do hereby solemnly affirm and sincerely state as follows:

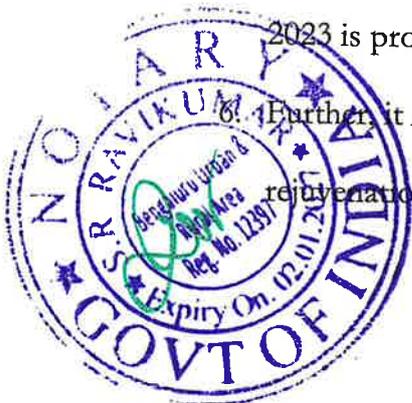
1. I am the Applicant herein and as such I am well acquainted with the facts and circumstances of the case. I am competent to swear to the instant affidavit.
2. The instant Original Application (“OA”) has been instituted by me being aggrieved by the illegal and unauthorized construction of a mud road along the periphery of the Bellandur lake encroaching upon the buffer zone of the lake, leading to a blockage of the inlets and outlets into the lake and a consequent reduction in the tank area. For the sake of brevity, the contents of the OA are not reiterated herein and they may be read as a part of the instant Affidavit.
3. By way of report dated 07 November 2023 (“Report”), the Respondent No. 2, the Bangalore Development Authority (“BDA”) has attempted to explain the construction of the said road is only part of activities towards rejuvenation and rehabilitation of the lake. However, the Report filed by the BDA does not succeed

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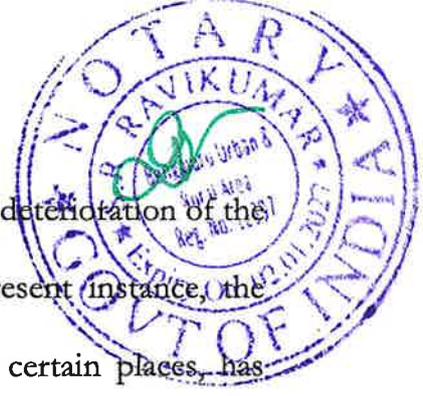
in explaining the legal basis for the construction of the road in contravention to the provisions of the Karnataka Tank Conservation and Development Authority Act, 2014 (“**Tank Act**”) or the necessity for the construction of the road in such a manner so as to hinder the flow of the water in and out of the lake.

4. Apart from producing certain pictures of the lake and the road around the lake, the BDA has failed to produce any form of authorization or sanction for the construction of the road on the buffer zone of the lake. There has also been no material produced to demonstrate the necessity of the road in the process of the rejuvenation and rehabilitation of the lake as claimed by the BDA. In any event, the Act does not envisage or permit any construction which affects the original capacity of the tank, even if any form of authorization were to be granted.
5. The Hon’ble Supreme Court as well as this Hon’ble Tribunal has time and again held that State bodies, including the BDA, have both a legal and constitutional obligation of preserving the lakes. An essential part of this obligation is ensuring that any activities taken allegedly towards the restoration and rejuvenation of the lake has to be done in a scientific manner guided by an expert authority. Mere beautification made around the lakes or peripheral activities do not necessarily amount to rejuvenation of the lakes. The BDA has a duty to demonstrate that the construction of the road is backed by scientific reasoning and contributes towards the rejuvenation of the lake. True copy of article titled “*Bellandur lake rejuvenation: Experts concerned by ‘unscientific’ approach*” published by the Deccan Herald on 04 April 2023 is produced herewith as **Annexure A**.

Further, it is also well recognized that any activity which is purportedly towards the rejuvenation of the lake should be one that genuinely achieves the purpose of



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rejuvenation and cannot be one that results in causing further deterioration of the lake or harm the existing ecosystem of the lake. In the present instance, the construction of the road, which is as wide as 15 metres at certain places, has effectively encroached upon the buffer area of the lake (where there is to be no unauthorized construction under the Act) and has blocked the inlets and outlets of the stormwater drains (Rajakaluves) into the lake. This has led to a twin problem of incessant flooding of the areas around the lake even at times of light rainfall while the actual lake is drying up leading to a reduction in the effective tank capacity. The construction of the road which only further harms the ecosystem of the lake, cannot be permitted in the guise of rejuvenation of the lake.

7. The BDA has attempted to support the construction of the road upon the directions of this Hon'ble Tribunal in O.A. No. 125/2017 (*Court on its own Motion v. State of Karnataka*) and the recommendations of the committee headed by committee headed by HMJ. Santosh Hegde (Retd. Judge, Supreme Court of India) ("Committee"). However, it is seen that neither this Hon'ble Tribunal nor the Committee have recommended the construction of the road in the bufferzone of the lake. In fact, to the contrary and as recognized by the orders of this Hon'ble Tribunal in O.A. No. 125/2017 dated 06.12.2018 and 18.12.2019 and 12.03.2021, the Committee had deemed the construction of a similar road around the Varthur Lake by dumping of C&D debris is illegal and recommended that the road should be removed immediately. This further goes to show the illegal and harmful nature of the road constructed around the Bellandur lake as well. True copies of the orders in O.A. No. 125/2017 dated 06.12.2018, 18.12.2019 and 12.03.2021 along with the report of the Committee are produced herewith as **Annexures B to D** respectively.

D. Hagar



8. For ease of reference the relevant observations in relation to Varthur Lake is reproduced here below:

a. Order dated 06.12.2018:

“16. The report shows that the members of the Committee visited the site on 14 and 15 April, 2018 and found construction of a road within the lake itself by dumping construction and demolition (C&D) waste in the garb of laying a pipeline.”

*“19(19) 19. The approximately over 1.5 km road laid upon the lake bed and within the boundary of Varthur lake by dumping of C & D debris **should be removed forthwith**. The entire project including laying of pipeline as per work order was to be completed within 24 months from June 2016.*

b. Order dated 18.12.2019:

*“12. Incidental directions are setting up monitoring systems, fixing limit for content of Phosphorus in soaps and detergent, converting establishments in catchment area of the lakes to zero discharge, fencing of the lake area, installing CCTV Cameras, posting guards, recovering compensation on ‘Polluter Pays’ principle, desilting and de-weeding of the lake, setting up of water fountains to sustain ecology, **removing illegally constructed road inside the lake**, strengthening monitoring system, making erring officers accountable and enforcing waste management norms.”*

“26. In para 19(19) of our order dated 06.12.2018 reference was made to 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris. The Committee’s observation is that ‘Proposal – C’ for laying/planning pipeline underground at a proper depth is viable and also that it will not fragment and reduce the water short area and would avoid encroachments/diversions etc.”

c. Judgment dated 12.03.2021:

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"10. On significant aspects, the State Authorities have not come up to the expectations. Inter alia it is pointed out: ... (X) Huge amount of C&D waste has been dumped and road made inside the lake itself which has to be undone, as directed earlier."



9. Further, this Hon'ble Tribunal by way of its judgment in O.A. No. 125/2017 has further recognized that the progress of the State authorities including the BDA in restoration and rejuvenation of the lakes is inordinately slow, delayed and inadequate. It is reiterated time and again that any activities undertaken for the betterment of the environment should be done in a time bound manner and on priority. By the very admission of the BDA, the construction of the road is purportedly towards the fulfilment of the orders of this Hon'ble Tribunal in O.A. No. 125/2017. This Hon'ble Tribunal has passed various orders for rejuvenation of the lake since 2018. The tender issued by the BDA for this purpose (produced as Annexure 5 with the OA) was also released on 31 December 2019. The rejuvenation of the lake was initially bound to be completed in 2020. The construction activities have been ongoing for several years without any progress and have resulted in choking the lake and causing further depletion of the water body instead of restoring it. The BDA has failed to complete the rejuvenation process in a time bound manner which has led to severe impacts in and around the lake. True copies of news articles reflecting the continuous postponement of the timeline for completion of the rejuvenation of the lake from 2021 to 2024 are produced herewith as **Annexures E to G**. True copy of an article published on The Indian Express dated 06 October 2023 titled "*Environment minister's assurance on*

D. Harvi

restoration of Bellandur and Varthur lake has fallen flat: activist" reporting on the delay in the rejuvenation of the Bellandur Lake is produced herewith as Annexure H.



10. Contrary to the submission of the BDA, these structures constructed around the lake including the road are not merely temporary structures. They have been in place for several years and have caused significant harm to the lake and the areas around the lake. Hence, the BDA's claim that these structures are only temporary is not justifiable. Even if it were to be assumed that structures are only temporary, such temporary construction should not be constructed in an illegal and unauthorized manner and should not lead to irreparable harm as has been the consequence in Bellandur lake.
11. This Hon'ble Tribunal, by way of order dated 16.05.2023, has recognized that obstruction of the inlets and outlets of the storm water drains into the lake will be harmful and has ordered the BDA to undertake any works only in a manner that does not block the inlets and outlets of the lake. However, to date the BDA has not filed an affidavit of compliance with this order and has in fact, continued to violate the said order. This has led to flooding in the area around the lake even in times of light rain in recent months as well.
12. Hence, I reiterate that, the construction of the road around the lake is (i) not permissible under the provisions of the Act; (ii) wholly unscientific and without a nexus to the rejuvenation of the lake; (iii) is neither temporary nor being carried out in a time bound manner; (iv) is contributing to the blockage of the rainwater drains into the lake and (v) causing irreparable harm to the lake and flooding of the areas around the lake.

D. H. Rao

13. In light of the abovementioned, I state that it is necessary for the BDA to (i) remove the road constructed around the lake at once and restore the lake buffer zone, (ii) provide an explanation as to the scientific nature of the activities undertaken in the Bellandur lake allegedly towards rejuvenation of the lake and place on record the material based on which such decision was arrived at; (iii) furnish details of the expert and expert bodies consulted in devising the rejuvenation plan and whether such plan has been adhered to, (iv) call for reports already prepared regarding the progress in the rejuvenation of the Bellandur lake in compliance with the judgment in OA 125 of 2017; (v) provide an affidavit of compliance with the order of this Hon'ble Tribunal dated 16.05.2023; (vi) propose a strict and expediated timeline for the completion of the rejuvenation of the lake through scientific measures which will not cause further harm to the ecosystem of the lake or the areas around it. I humbly request this Hon'ble Tribunal be pleased to consider the submissions and requests made by me and pass necessary orders, and accordingly allow the OA filed by me for this purpose.

14. In view of the above, this Hon'ble Tribunal may also be pleased to constitute an expert committee to look into the factual aspects of the lake rejuvenation plan and submit a report to this Hon'ble Tribunal its observations and recommendations.

Identified by me

Advocate

Place: Bengaluru

Date: 02.12.2023



SWORN TO BEFORE ME
 S.R. RAVIKUMAR, B. Com LLB
 ADVOCATE & NOTARY
 No. 46/A, 5th 'A' Cross, Subbanna Garden
 Vijayanagar BENGALURU-560 040

DEPONENT

MY NOTARIAL REGISTER	
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Bellandur lake rejuvenation: Experts concerned by 'unscientific' approach

A pipeline laid by the Minor Irrigation Department and BWSSB from KC Valley to Anekal has divided the lake into two, damaging its ecosystem

 **Sneha Ramesh**  **DHNS**

Last Updated 04 April 2023, 03:15 IST

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Experts and activists are concerned about the unscientific approach being taken to rejuvenate Bellandur lake, the largest in Bengaluru.

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A pipeline laid by the Minor Irrigation Department and BWSSB from KC Valley to Anekal has divided the lake into two, damaging its ecosystem.

"I was disappointed to see the pipeline laid inside the lake and covered with mud and plants. The other part of the lake has been left out. It won't fill up even during rains," said Prof T V Ramachandra from the Indian Institute of Science. He monitored the work from the beginning.

Activist Jagadish Reddy said the authorities failed to take remedial action as directed by the National Green Tribunal (NGT).

"It's a good idea to supply treated water to Anekal but it should not come at the cost of destroying a lake's ecosystem," Reddy said.

Sources familiar with the situation suspect that the five-acre left-out area would eventually be grabbed by realtors, even as BDA and BWSSB officials insisted the pipeline will not damage the lake. "We will develop a wetland. It should prevent damage," a BDA engineer working on the project said.

A BWSSB official admitted that the pipeline should ideally have been laid outside of the lake.

"But even the present alignment will not do much harm. Once the lake is full, the pipelines will be submerged," he said.

Prof Ramachandra also pointed out that the BWSSB had failed to stop sewage from entering the lake despite a 2019 deadline.

"Sewage flows through the diversion channel constructed for the purpose and doesn't enter the lake. We will ensure sewage is arrested before the lake is completely rejuvenated," the BWSSB official said. ✕

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While officials cited the pandemic among other reasons for the delay, sources faulted the authorities for lack of planning. "We did not know which area had poisonous silt. It was only in March 2021 that the KSPCB gave a report.

"But officials did not give us the location to dump the excavated soil," a worker said.

Transporting silt to a quarry 20 km away also delayed the process.

Project details

Total area to be excavated: 916 acres

Total silt to be removed: 32.33 lakh cubic metres

Silt excavated since Dec 2020: 16.88 lakh cubic metres

Silt transported since March 2021: 20.32 lakh cubic metres

Total cost of project: Rs 100.3 crore

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(Published 04 April 2023, 02:56 IST)

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Pawn Star Pleads Guilty, Goodbye Pawn Stars :(

2018 SCC OnLine NGT 694

In the National Green Tribunal[±]

(BEFORE ADARSH KUMAR GOEL, CHAIRPERSON AND S.P. WANGDI, MEMBER (JUDICIAL), K. RAMAKRISHNAN, MEMBER (JUDICIAL) AND NAGIN NANDA, MEMBER (EXPERT))

Court on its own Motion ... Applicant(s);

Versus

State of Karnataka ... Respondent(s).

And

D. Kupendra Reddy ... Applicant(s);

Versus

State of Karnataka ... Respondent(s).

Original Application No. 125/2017 (M.A. No. 1337/2018) With Original Application No. 217/2017 (M.A. Nos. 761/2017, 1073/2017, 1098/2017 & 1471/2017)

Decided on December 6, 2018, [Hearing on: 06.12.2018]

Advocates who appeared in this case :

Mr. Sajan Poovayya, Sr. Advocate and Mr. Saransh Jain, Advocate for impleaded applicant - Namma Bengaluru Foundation, Advocate for the Applicant(s)

Mr. Vikram Hegde, Advocate for impleaded Applicant

Mr. Devraj Ashok, Advocate, Advocate for the Respondents(s)

Mr. Rajkumar, Advocate and Ms. Sonia, LA Ms. Nidhi Mehrotra, Advocate

Ms. Guneet Khehar, Mr. Tarunvir Singh Khehar, Mr. P. Ramaprakash and Mr. Sandeep Mishra, Advocates, Advocate for the Applicant(s)

Dr. Abhishek Atrey, Advocate, Advocate for the Respondents(s)

Mr. Rajkumar, Advocate and Ms. Sonia, LA

ORDER

1. The issue for consideration in the two matters, one initiated by the Tribunal on its own motion and the other filed by an individual relates to contamination of water bodies at Bengaluru - Bellandur lake, Agara lake and Varthur lake *inter-alia*, on account of discharge of untreated sewage and other effluents from residential/commercial/industrial buildings in violation of statutory provisions of the Water (Prevention and Control of Pollution) Act, 1974, particularly Section 25 thereof. It is said that the said water bodies have also been subjected to severe pollution on account of inefficient management of solid waste management as well as discharge of untreated sewage waste, apart from industrial effluents. Toxic snowy froth was widely reported in the media having potential health hazard. The Bellandur lake is said to be 130 years old across 9,000 acres of land. The lake was habitat for several species of birds, reptiles and aquatic life which is now severely affected by pollution. It has also affected ground water recharge. Waste dumping has resulted in foul stench around the lake. The major cause for foam formation is considered to be the discharge of untreated sewage through open drains. Requisite de-silting of the lake has not been done from time to time nor have steps been taken to stop the flow of untreated sewage into the water bodies. There is also failure to prevent dumping of municipal solid waste and undertaking other requisite measures on 'Precautionary Principle', basis such as plantation around the Tank of the lake, fencing of the lake, providing screens in major storm drains to prevent carry over waste, construction of adequate STPs and other equipment.

2. The matter was first taken up by this Tribunal in the year 2014 and considered in the light of reports prepared by the Lake Development Authority, Bangalore (LDA) and the Regional Office of the Ministry of Environment, Forest and Climate Change (MoEF&CC) dated 12.06.2013 and 14.08.2013.

3. Vide order dated 07.05.2015 in *Original Application No. 222/2014, The Forward Foundation v. State of Karnataka*¹, the Tribunal dealt with the issue of encroachments around drains called *Rajakaluves* resulting in pollution of the water bodies and affecting the ecologically sensitive area of the above lakes. The Tribunal noted the order of the Karnataka High Court in *Environment Support Group v. State of Karnataka*² appointing a Committee headed by Hon'ble Mr. Justice N.K. Patil to suggest remedial action to remove encroachments. The Central Government issued an advisory on the subject. Certain Project were still allowed to be developed within the prohibited range from the water bodies. The projects included Information Technology Park, residential apartments, malls, hotels and office buildings with or without Environmental Clearance.

4. After consideration of the matter and after noticing encroachment on land by the land-mafia or otherwise and violation of environment norms, the Tribunal constituted a Committee to inspect the projects where encroachment was alleged on wetland and *Rajakaluves* and submit a report about the adverse impact on the environment. The project proponents *Mantri Techzone Private Limited, formerly called Manipal ETA P. Ltd. and Core mind Software and Services Private Limited* were required to pay compensation for damage to the environment. The said issue is said to be pending before the Hon'ble Supreme Court in *Civil Appeal No. 4829 of 2014 and 4832 of 2015*.

5. Expert Members of the National Green Tribunal inspected the site. The report in pursuance of the above order was considered and the matter was then dealt with by judgment dated 04.05.2016 in *Forward Foundation v. State of Karnataka*³. The Tribunal directed that distance specified in the said order be maintained for any construction near the *Rajakaluves*, maintaining buffer/clean zone as no construction zone. STPs be upgraded to ensure that no untreated sewage is discharged in the water bodies. Water requirement in construction and operation phase should be assessed in advance. With regard to the project proponents required to pay compensation for the damage to the environment, further directions were issued for restoration of the damage to the environment and further conditions being incorporated for the Environmental Clearance already granted.

6. The present matter was again taken up afresh for the third time on 22.02.2017 in the light of the media reports projecting environmental disaster, including fire in the lake (perhaps on account of gases in polluted water), emitting highly polluting fumes and creating thick clouds of smoke. The source of fire is also said to be garbage dumps around the lake.

7. On 22.02.2017, learned counsel for the statutory authorities conceded and stated that the fire took place on account of burning of municipal solid waste, including plastics, etc.

8. On 19.04.2017, this Tribunal noticed circular dated 30.03.2017 issued by Bruhat Bangalore Mahanagara Palike (BBMP) to circumvent the orders of this Tribunal while sanctioning illegal construction. The circular was later withdrawn.

9. The Karnataka Pollution Control Board (KPCB) found chemical in the water of the lake of which the source was domestic sewage. The STP was not able to treat and remove Nitrates and Phosphates.

10. The rejuvenation plan was prepared by the State after consultation with the stake holders. It was also stated on behalf of the Lake Development Authority that the lake was in bad condition and stringent measures were required to be taken. Orders for stopping dumping of waste into the lake were not being complied with.

11. The Tribunal noticed that apathy of the State and its instrumentalities was patent. Development of projects was being sanctioned without ensuring preventive, restorative and controlling measures. Accordingly, the industries causing pollution were directed to be closed and direction was issued against dumping of any waste into the lake or in the buffer zone. The Committee headed by the Additional Chief Secretary of Urban Development, State of Karnataka was to undertake cleaning of the lake through a specialized agency. The sewage was required to be transported to a designated site at a distance for scientific disposal. The builders and developers were to be required to pay damages on 'Polluter Pays' principle'.

12. Further directions were issued on 18.05.2017 which included direction for a joint inspection of the STPs and installation of STPs in all complexes in the catchment area.

13. On 22.08.2017, the officers of the State who were summoned to the Tribunal were required to work on day-to-day basis to remedy the situation.

14. On 29.01.2018, the matter was again reviewed in the light of the status report dated 04.09.2017 suggesting short term and long terms measures. It was noted that 99 apartment projects had still not installed STPs. The State was directed to prepare a comprehensive plan for rejuvenation or remediation of all the three lakes in a holistic manner.

15. On 11.04.2018, there was further consideration. It was noted that the water body had shrunk in size on account of dumping of waste and there was failure to set up the requisite STPs. Accordingly, the Tribunal appointed a Committee headed by a Senior Advocate of the Tribunal to assess the factual situation and suggest review of the action plan. Accordingly, report has been submitted on 31.05.2018.

16. We have perused the report and also other record with the assistance of learned counsel for the parties. The report shows that the members of the Committee visited the site on 14th and 15th April, 2018 and found construction of a road within the lake itself by dumping construction and demolition (C&D) waste in the garb of laying a pipeline. The Committee also noted various fire incidents on account of burning of garbage and the extent of discharge of untreated waste water. The lake was found covered with a thick green cover with patches of foul smelling water. There was huge mounds of the de-weeded hydrophytes along with plastic waste etc. There was no facility to do composting at the site. Wet compost had a potential for further damage. Dumping of municipal solid waste particularly the C&D waste was taking place. CCTV cameras were installed at five places with the sign board prohibiting dumping of garbage. Eight home guards were also said to have been deployed apart from 18 marshals. Four watchtowers were being constructed. The conclusion of the Committee is that the authorities have neglected their duties and have done too little too late. Foam was being formed in the lakes due to sustained inflow and agitation of sewage. Large number of illegal immigrants had encroached the buffer zone on the lake. Untreated sewage was being discharged into the lake through storm water drains. Untreated sewage was flowing into the lake through *Rajakaluves* which had also been encroached.

17. The water quality had high level of "Oil and Grease (24.74 mg/l) high BOD, (148 mg/l) COD (315 mg/l) and Sulphide (4.0 mg/l). The Dissolved Oxygen is reported nil for all locations in Bellandur and Varthur lakes and their inlets." The study by the Indian Institute of Science, Bangalore found heavy metals in the lakes, sediments and water. 873 complexes were found to have been identified which required STPs of which 496 had established STPs. 326 projects did not have STPs, out of 326, 271 projects were discharging sewage in the sewers with permission of the BWSSB. The remaining 55 complexes did not have any STP. The direction of the Tribunal to remedy the situation had not been complied with in letter and spirit and

untreated effluents and sewage indiscriminately continued to pollute the lakes.

18. Varthur lake was downstream of Bellandur lake which was the second largest lake of the city with catchment area of 279 sq. km. and 96 cascading interlinked lakes. The Committee observed a horrific site. A wide road had been constructed in the lake bed which was over a kilometer long with an average width of 15 mts. and a depth of 4 mts. by using the debris.

19. Finally, following recommendations have been made:

- "1. The crux of the present environmental disaster is indiscriminate discharge of untreated sewage into the lakes. Admittedly, currently approximately 183 MLD, if not more, of untreated sewage is being discharged into the lake. This is nothing short of a state of environmental emergency. Consequently, it is of utmost importance that the under construction and planned STPs are commissioned on a war footing. The Commission is of the view that there is no proper justification on the part of the authorities not to expedite the completion of the STPs as indicated particularly in respect of the 150 MLD K & C Valley STP. The authorities (BWSSB, BDA and KSPCB) must mobilize all available resources to ensure that the STPs are commissioned as expeditiously as possible preferably by March 2019 or within such time as this Hon'ble Tribunal may deem fit.*
- 2. Less Phosphorous means less weeds in the water body. One of the major source of Phosphate are soaps and detergents. In several countries stringent limits have been specified for Phosphate in soaps and detergents as it leads to eutrophication of water bodies. MoEF &CC in conjunction with other ministries need to prescribe limits for Phosphorus in soaps and detergents by progressively reducing it to 2.2% of permissible phosphorous content. The STPs that are being set up and those which have already been set up must provide for treating/removing Phosphorous and Nitrogen nutrients.*
- 3. As per the reports submitted before the Hon'ble Tribunal, the authorities have already identified all the sewage and effluent entry points into the lake. Therefore it is imperative that the authorities must simultaneously ensure that all the sewage generated in the catchment area is channelized and linked to the Rajakaluves for appropriate treatment by the STPs.*
- 4. No further channelization and concretization of Rajakaluves.*
- 5. All existing and new industries or commercial establishments or apartments/townships or institutions within the catchment area of the lakes must be made Zero Discharge.*
- 6. (a) The authorities must conduct a survey in the buffer zone of the lake to identify the encroachments and appropriate exercise should be undertaken to remove them.*
(b) Complete Fencing of lake area including the buffer zone to prevent any further mushrooming of illegal encroachments. As per the reports submitted by the Authorities before this Hon'ble Tribunal, the fencing work is currently in progress at a fast pace and should be completed by 30.06.2018. The authorities must abide by the said timeline.
- 7. (a) The Commission recommends that CCTVs should be installed at appropriate locations for ensuring that no C&D waste is dumped in the buffer zone area of the lake.*
(b) Security Guards should be deployed at the most vulnerable locations to keep vigilance on illegal dumping of debris and to prevent encroachment activities.
(c) In case anyone is found to be dumping C&D waste or debris into the lake or its

buffer zone, a penalty of Rs. 5 Lakhs be imposed for each offence in terms of the Order passed by this Hon'ble Tribunal on 19.04.2017.

8. No new facility or expansion of existing facility, whether for commercial or non-commercial purpose, to be permitted within the territorial jurisdiction of Municipal Corporations of catchment area of the lake, which generates sewage, until the commissioning of the STPs except public toilets.
9. No new facility or expansion of existing facility within 75 meters (buffer zone) of Rajakaluves/SWDs to be permitted. No fresh permission or sanction ought to be given by the municipal authorities to any project or facility within the buffer zone.
10. Structures, between 30-75 meters of Rajakaluves, which have already been constructed prior to 07.05.2015 (Forward Foundation Judgment) but are uninhabited, not to be occupied without the prior permission of the Hon'ble Tribunal and in any event not until the commissioning of the STPs in order to prevent generation of more sewage.
11. Structures between 30-75meters of Rajakaluves, which are under construction, be restrained from constructing further without the prior permission of the Hon'ble Tribunal and in any event not until the commissioning of the STPs.
12. Permission or sanction or consent or EC for structures between 30-75 meters of Rajakaluves where construction was below 25% of the total built up area as on 07.05.2015 (Forward Foundation Judgment) be withdrawn. The Hon'ble Tribunal may issue appropriate directions and orders keeping in view the interests of the buyers who would eventually suffer financial loss.
13. Strict Compliance of environmental laws for apartments/townships or commercial establishments:

Sl. No	Violation	Environmental Damage
1.	Where STP is required as per the EC/Consent, but the facility has not constructed the STP despite generating sewage.	Rs. 10 Lakhs per month from the date of completion certificate or date of completion
2.	Where actual capacity of STP is less than the capacity as shown in the EC/Consent.	Rs. 20,000/- per day from the date of inspection till final upgradation.
3.	Where the number of flats/units actually constructed is more than the number of flats/units disclosed to KSPCB while obtaining Consent.	Rs. 1 Lakh per unit per month from the date of construction until the grant of fresh requisite consent.
4.	Where STP is not functioning or parameters are not being met or untreated sewage is being bypassed from the STP or being otherwise diverted.	Rs. 5 lakhs per default.

All damages so collected to be deposited in a separate account to be maintained by CPCB and to be exclusively utilized for upgradation, control and management of sewage.

14. The estimated 480 MLD of sewage, which flows into Bellandur Lake eventually via Varthur Lake, finally discharges into South Pinakini River, a tributary of River Cauvery. Hence, it would be advisable that the de-siltation process of Bellandur Lake commences after reasonably treated water has reduced the pollutants, which have proved to be ecologically fatal for the

lake. As per the material on record, admittedly the storage capacity of the lake has decreased by 71.45%. Once the quality of water has improved, it would be ecologically fair that the treated water flowing from Rajkaluves into Bellandur is diverted towards the waste were leading to Varthur Lake. Thereafter the task of de-silting and de-sedimentation ought to be undertaken. The process of de-silting and de-sedimentation would restore the original storage capacity and ecology of the lake.

15. The Commission observed that the current exercise of deweeding is not only slow but also futile as the growth rate of the weeds is much more than the rate at which is being removed due to unhampered inflow of nutrients through the sewage. The Commission is of the view that the exercise of de-silting and de-weeding can be carried out simultaneously since the water content would be substantially reduced due to the diversion of treated water. Post completion of de-silting and de-sedimentation process, the diversion so created for treated water can be removed.

16. Post removal of waste from the Lake and from the Rajakaluves, the State ought to prepare a detailed project report with respect to disposal of the same.

17. The Commission is of the view that after achieving the above, the authorities must install adequate number of water fountains in order to sustain ecology of the lake water.

18. The Commission recommends constitution of a Task Force of experienced senior officers consisting of BDA, KSPCB, Minor Irrigation Department, Lake Development Authority, CPCB and a Professor from IIS for strict and timely implementation of the present recommendations. The Task Force can be headed by an independent individual preferably a former Expert Member of the Hon'ble Tribunal who may, after taking assistance of the other members, submit monthly action taken reports to this Hon'ble Tribunal.

19. The approximately over 1.5 km road laid upon the lake bed and within the boundary of Varthur lake by dumping of C & D debris should be removed forthwith. The entire project including laying of pipeline as per work order was to be completed within 24 months from June 2016.

20. Hon'ble Tribunal may order an independent enquiry to examine the guilt of the officers involved in the dumping of thousands of Cubic meter of C & D debris on the Varthurlake bed for an ostensible object of laying of pipeline.

21. Apparently there is absolute non-compliance of Construction and Demolition Waste Management Rules, 2016. The concerned authorities in compliance with the said rules should identify appropriate suitable sites for deposit of C & D debris. All environment clearances granted prior to or after the notification of the C & D Rules 2016 must comply with the same."

(Emphasis added)

20. Since no objection has been filed to the report, the same is accepted. We note that even after reports which was filed more than 6 months back, to which no objection was filed, steps suggested in the report are not shown to have been taken.

21. It is obvious from the resume of the facts and reports noted above that there is a failure of very high magnitude on the part of the State of Karnataka and its authorities, including the BBMP, in protecting the three lakes and also in keeping the Rajakaluves joining the lake clean and free from encroachments.

22. The Water (Prevention and Control of Pollution) Act, 1974 has been enacted to prevent and control water pollution and to maintain wholesomeness of water. The Act provides for standards of water to be laid down, to be maintained and prohibits discharge of pollutants in the water which is made criminal offence apart from

provision for closing such process which results in pollution. The State Governments are authorized to frame rules and to set up and control the Pollution Control Boards. The Pollution Control Boards have statutory powers to carry out inspection and take coercive measures to protect the water. Statutory functions of the Pollution Control Boards include comprehensive plan for prevention, control and abatement of pollution of water bodies. The Pollution Control Board is bound by every direction of the State Government. The local bodies have been entrusted the duties specified in 12th Schedule to the Constitution, read with Article 243 W. The 12th Schedule includes the issues of public health, sanitation, solid waste management, etc. Environment (Protection) Act, 1986 empowers measures for environment protection. Under the said Act, solid waste, plastic waste, e-waste, hazardous waste, bio-medical and other rules have been framed. Air (Protection) Act, 1981 provides for measures to control air pollution. In spite of comprehensive statutory framework, the State of Karnataka as well as the BBMP, even after repeated orders of this Tribunal, have failed to perform their duties.

23. Orders of this Tribunal are statutorily treated to be decree of civil court and can be executed in such manner as may be found necessary, having regard to the nature of the order to be executed. This Tribunal also has jurisdiction to require damages to be paid for the damage to the environment on "Polluter Pays" principle⁴. Public Trust Doctrine is a part of our jurisprudence. The State as a trustee of all natural resources which are by nature meant for public use enjoyment. Public at large is the beneficiary of the sea-shore running waters, air, forest & ecologically fragile lands. The State as a trustee is under a legal duty to protect the natural resources.⁵ The authorities responsible have equal liability to pay compensation for restoring the damage to the environment and to prevent further damage.⁶ The officers charged with the responsibility of public duties are accountable for their failure. It may be worthwhile to recall several earlier executable orders on the subject of water pollution, air pollution, requirement of setting up STPs/ETPs, checking encroachments in catchment of water bodies⁷.

24. Pan-India, environment degradation is severely affecting public health on a large scale⁸. References may be made to orders of the Tribunal on the subject of non-compliance of Solid Waste Management Rules, 2016,⁹ 351 river stretches being polluted,¹⁰ 102 non-attainment cities in terms of ambient air quality¹¹. Remedial measures are required which include awareness creation as well as coercive measures in the interest of public health.

25. There is thus, clear need to require the State and the BBMP to forthwith perform their duties to remedy the situation by preparing the requisite action plan, providing funds. In spite of admitted grave situation, the State/BBMP have not taken any coercive measures against polluters or the concerned officers for their failure. No prosecution is shown to have been launched. No serious steps are shown to have been taken to remedy the situation. Thus, the State and BBMP are also liable to pay compensation for the past failure. We have heard detailed submissions on the subject as well as quantum of the amount to be paid/set apart and the mechanism to be followed.

26. Accordingly, having regard to the facts and circumstances, we find it appropriate and necessary to issue following directions:

- i. Recommendations of the Committee dated 31.05.2018 may be carried out with a view to ensure that no polluted waste water is discharged into the water bodies and no solid waste is dumped therein. The encroachments from catchment areas must be removed. Karnataka SPCB in consultation with the CPCB may set up Real Time Water Quality Monitoring Systems in three lakes at appropriate locations to monitor parameters which are critical like Dissolved Oxygen,

Ammonia and others. The online date may be displayed for information. The activities around the three lakes may also be monitored by using drones and satellite imageries.

- ii. Overall responsibility to carry out these directions will be of the Additional Chief Secretary, Urban Development (UD), Karnataka and the BBMP. An action plan be prepared by the State/BBMP forthwith, within one month from today, indicating the timelines for the actions including the budgetary provisions and same should be placed on the website of State UD and BBMP. Execution of such plan may be completed by 30.06.2019.
- iii. The compliance of the above directions will be overseen by a Committee as follows:
 - A. Justice Santosh Hegde, former Judge, Supreme Court of India - Chairman
 - B. Professor T.V. Ramachandra, Indian Institute of Science, Bangalore-Member
 - C. Nominee of Central Pollution Control Board who should be a senior level officer -Member
 - D. Nominee of the Karnataka Pollution Control Board-Member.
- iv. KSPCB may provide logistics support to the Committee and coordinate as per directions of the Chairman of the Committee.
- v. The Committee will have such powers as are necessary to ensure execution of this order within reasonable time. The State and all concerned Authorities will cooperate and provide all assistance as may be necessary. The Committee may issue necessary instructions to the authorities from time to time for the purpose. The Committee will be at liberty to co-opt any other expert or take assistance from such person or persons as may be deemed necessary.
- vi. The Committee may set up its own website for receiving and disseminating information and suggestions, including inviting volunteers, as may be deemed proper. Achievements may be put on website so that the same can be replicated wherever relevant.
- vii. The Committee may oversee the timelines in the action plan to be prepared by the State UD of Karnataka/BBMP.
- viii. The State of Karnataka will transfer an amount of Rs. 500 crores in an Escrow Account for execution of the action plan within one month from today.
- ix. The State of Karnataka will deposit a sum of Rs. 50 crores by way of interim compensation for restoration of the environment with the CPCB. For delay, an interest @ 12% will be payable.
- x. The BBMP will be required to deposit a sum of Rs. 25 crores in this regard to CPCB separately in the same manner as (ix).
- xi. Out of the amount so deposited, a sum of Rs. 10 crores will be transferred by CPCB to the Karnataka PCB. The SPCB will defray all expenses of the Committee to provide logistics or otherwise.
- xii. The amount can be recovered by the State/BBMP from polluters and the erring officers.
- xiii. The State of Karnataka will furnish a Performance Guarantee to the CPCB to execute the action plan in a time bound manner, subject to the timelines being approved by the above Committee. The Performance Guarantee will undertake to pay amount of Rs. 100 crores for the failure in the execution of the action plan before 30.06.2019.
- xiv. The State of Karnataka must identify and declare the persons responsible for executing the action plan and any failure in their performance should be recorded and considered favourably or otherwise for their career progression.
- xv. Similar exercise as (xiv) may be undertaken to identify officers responsible for

failure in the past. Such exercise may be completed within three months from today.

xvi. Since failure of preventing the pollutants being discharged in water bodies (including lakes) and failure to implement solid and other waste management rules are too frequent and widespread, the CPCB must lay down specific guidelines to deal with the same, throughout India, including the scale of compensation to be recovered from different individuals/authorities, in addition to or as alternative to prosecution. The scale may have slabs, depending on extent of pollution caused, economic viability, etc. Deterrent effect for repeated wrongs may also be provided.

xvii. MoEF&CC may specify limit for phosphorus in soaps and detergents to prevent damage to the environment and public health.

27. The above amount in the present case has been determined having regard to the estimated cost of setting up of STPs, based on the data available, which has been assessed with the assistance of the learned Counsel for the parties.

28. We have nominated Justice Santosh Hegde on information being provided during the hearing that he is agreeable to undertake the above job.

29. Justice Hegde will be entitled to a token honorarium of Rs. 2.5 Lakh per month from the date he assumes the charge. Justice Hegde will be entitled to assistance of persons of his choice for which remuneration will be paid by the SPCB, Karnataka as may be determined by Justice Hegde.

30. The Committee will also be at liberty to furnish interim or final report from time to time to this Tribunal by e-mail at ngt.filing@gmail.com.

31. A copy of this order be forwarded to the State PCB by e-mail. For coordination. The Applications stand disposed of.

32. If any report is received, the same may be put up for consideration.

¹ Principal Bench at New Delhi

¹ 2015 ALL (1) NGT REPORTER (2) (DELHI) 81

² Writ Petition No. 817/2008

³ 2016 NGTR (2) PB 1

⁴ Section 20, NGT Act, 2010

⁵ *M.C. Mehta v. Kamal Nath*, (1997) 1 SCC 388

⁶ *M.C. Mehta v. UOI*, W.P. (C) No. 13029/1985 order dated 24.10.2017

⁷ *All India Lokadhikar Sangathan v. Govt. of NCT of Delhi* E. A No. 11/2017 dtd. 16.10.2018, Venkatesh O.A. No. 711 of 2018 dtd. 22.10.2018, *Subhas Datta v. State of West Bengal* O.A. No. 171/2016 dated 01.10.2018, *Shobha Singh v. State of Punjab* dated 14.11.2018, *Saloni Ailwadi v. Union of India*, O.A. no. 509/2015 dated 16.11.2018.

India ranked no. 1 in pollution related deaths ⁸ <https://www.thehindu.com/sci-tech/energy-and-environment/india-ranked-no-1-in-pollution-related-deaths-report/article19887858.ece>

1.2 million people died from effects of air pollution in 2015

<https://www.livemint.com/Opinion/V2CgeiUq89kI1k2fDwJXML/Swachh-Bharats-waste-management-problem.html>
<https://timesofindia.indiatimes.com/home/environment/pollution/80-of-Indias-surface-water-may-be-polluted-80%-of-India-s-surface-water-is-polluted-report-by-international-body-says/articleshow/47848532.cms>

<https://www.mapsofindia.com/my-india/society/river-pollution-in-india-who-will-bell-the-cat>

⁹ In the matter of non-compliance of MSW Rules, 2016 O.A. No. 606/2018 order dated 20.08.2018

¹⁰ NEWS ITEM PUBLISHED IN 'THE HINDU' AUTHORED BY SHRI. JACOB KOSHY Titled "More river stretches are now

critically polluted: CPCB" O.A. No. 673 of 2018 dated 20.09.2018

¹¹ News Item Published in 'The Times of India' Authored by Shri. Vishwa Mohan Titled "NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around August 15" O.A. No. 681/2018 dated 08.10.2018

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Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 125/2017
(M.A. No. 235/2019 & I.A. No. 717/2019)

Court on its own Motion

Applicant(s)

Versus

State of Karnataka

Respondent(s)

Date of hearing: 11.12.2019

Date of uploading: 18.12.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

ORDER

S. No.	CONTENT	PARA No.
I	The issue: Remedial action for restoration of Bellandur, Agara and Varthur lakes at Bangalore – preventing discharge and dumping of pollutants, removing encroachments from catchment area and other steps for restoration	1-3
II	Constitution of Expert Committee to assess the status of pollution and encroachments	4-5
III	Consideration of the recommendations of the Committee and order of the Tribunal dated 06.12.2018 for remedial action to be overseen by Monitoring Committee headed by Justice Santosh Hegde, former of the Hon'ble Supreme Court	6-10
IV	Consideration of reports of the above Committee dated 27.05.2019 and 20.09.2019 and order of the Tribunal dated 21.10.2019	11
V	Further consideration of the matter and Directions	12-29

I. The issue: Remedial action for restoration of Bellandur, Agara and Varthur lakes at Bangalore – preventing discharge and dumping of pollutants, removing encroachments from catchment area and other steps for restoration:

1. This order is being passed in continuation of order dated 21.10.2019. The issue for consideration relates to contamination of Bellandur, Agara and Varthur lakes at Bengaluru, inter-alia, on account of

discharge of untreated sewage and other effluents from residential/commercial/industrial buildings in violation of statutory provisions of the Water (Prevention and Control of Pollution) Act, 1974, particularly Section 25 thereof. Toxic snowy froth in the said lakes was widely reported in the media having potential health hazard. The Bellandur lake is said to be 130 years old spread across 9,000 acres of land. The lake is habitat for several species of birds, reptiles and aquatic life which is now severely affected by pollution. This has also affected ground water recharge. Waste dumping has resulted in foul stench around the lake. As already noted, major cause for foam formation is considered to be discharge of untreated sewage through open drains. De-silting of the lake has not been done from time to time nor have steps been taken to stop the flow of untreated sewage into the water bodies. There is also failure to prevent dumping of municipal solid waste and undertaking other requisite measures on 'Precautionary Principle', such as plantation around the Tank of the lake, fencing of the lake, providing screens in major storm drains to prevent carry over waste, construction of adequate STPs and other equipment.

2. The matter has been monitored by this Tribunal in the last five years by way of different orders.
3. Vide order dated 07.05.2015 in *Original Application No. 222/2014, The Forward Foundation Vs. State of Karnataka & Ors.*,¹ the Tribunal dealt with the issue of encroachments around drains called Rajakaluves resulting in pollution of the water bodies and affecting the ecologically sensitive area of the above lakes. The Tribunal noted

¹ 2015 ALL (1) NGT REPORTER (2) (DELHI) 81

the order of the Karnataka High Court in *Environment Support Group and Another V. State of Karnataka*² appointing a Committee headed by Hon'ble Mr. Justice N.K. Patil to suggest remedial action to remove encroachments. The Central Government issued an advisory on the subject. Certain projects were still allowed to be developed within the prohibited range from the water bodies. The projects included Information Technology Park, residential apartments, malls, hotels and office buildings with or without Environmental Clearance.

II. Constitution of Expert Committee to assess the status of pollution and encroachments:

4. After consideration of the matter and noticing encroachment on land by the land-mafia or otherwise and violation of environment norms, the Tribunal constituted a Committee to inspect the projects where encroachment was alleged on wetland and Rajakaluves and to submit a report about the adverse impact on the environment. M/s. Mantri Techzone Private Limited, formerly called Manipal ETA P Ltd. and Core mind Software and Services Private Limited were required to pay compensation for damage to the environment. The said issue is said to be pending before the Hon'ble Supreme Court in *Civil Appeal No. 4829 of 2014 and 4832 of 2015*.
5. The report in pursuance of the above order was considered and the matter was then dealt with by judgment dated 04.05.2016 in *Forward Foundation & Ors v. State of Karnataka & Ors*³ The Tribunal directed that distance specified in the said order be maintained for any construction near the Rajakaluves, maintaining buffer/clean zone as no construction zone. STPs be upgraded to ensure that no untreated

² Writ Petition No. 817/2008

³ 2016 NGTR (2) PB 1

sewage is discharged in the water bodies. Water requirement in construction and operation phase should be assessed in advance. With regard to the project proponents being required to pay compensation for the damage to the environment and other matters, further directions were issued for restoration of the damage to the environment and further conditions being incorporated for the Environmental Clearance already granted.

III. Consideration of the recommendations of the Committee and order of the Tribunal dated 06.12.2018 for remedial action to be overseen by Monitoring Committee headed by Justice Santosh Hegde, former of the Hon'ble Supreme Court:

6. Vide order dated 06.12.2018, there was further comprehensive review of the ground situation in the light of earlier orders and report of the Committee appointed by this Tribunal headed by Sh. Raj Panjwani, Sr. Advocate dated 31.05.2018. The said Committee visited the site on 14-15 April, 2018 and noted various fire incidents on account of burning of garbage and the extent of discharge of untreated waste water. The lake was found covered with a thick green cover with patches of foul smelling water. There was huge mounds of the de-weeded hydrophytes along with plastic waste etc. There was no facility to do composting at the site. Wet compost had potential for further damage. Dumping of municipal solid waste particularly the C&D waste was taking place. CCTV cameras were installed at five places with the sign board prohibiting dumping of garbage. Eight home guards were also said to have been deployed apart from 18 marshals. Four watchtowers were being constructed. The conclusion of the Committee was that the authorities had neglected their duties and had done too little too late. Foam was being formed in the lakes due to sustained inflow of sewage. Large number of illegal immigrants

had encroached the buffer zone of the lake. Untreated sewage was being discharged into the lake through storm water drains. Untreated sewage was flowing into the lake through Rajakaluves which had also been encroached.

7. The water quality had high level of “Oil and Grease (24.74 mg/l) high BOD, (148 mg/l) COD (315 mg/l) and Sulphide (4.0 mg/l). The Dissolved Oxygen is reported nil for all locations in Bellandur and Varthur lakes and their inlets.” The study by the Indian Institute of Science, Bangalore found heavy metals in the lakes, sediments and water. 873 complexes were found to have been identified which required STPs of which 496 had established STPs. 326 projects did not have STPs, out of 326, 271 projects were discharging sewage in the sewers with permission of the BWSSB. The remaining 55 complexes did not have any STP. The direction of the Tribunal to remedy the situation had not been complied with in letter and spirit and untreated effluents and sewage indiscriminately continued to pollute the lakes.
8. Varthur Lake was downstream of Bellandur Lake which was the second largest lake of the city with catchment area of 279 sq. km. and 96 cascading interlinked lakes. The Committee observed a horrific site. A wide road had been constructed in the lake bed which was over a kilometer long with an average width of 15 mts. and a depth of 4 mts. by using the debris.
9. Finally, following recommendations were made:
 - “1. *The crux of the present environmental disaster is indiscriminate discharge of untreated sewage into the lakes. Admittedly, currently approximately 183 MLD, if not more, of untreated sewage is being discharged*

into the lake. **This is nothing short of a state of environmental emergency.** Consequently, it is of utmost importance that the under construction and planned STPs are commissioned on a war footing. **The Commission is of the view that there is no proper justification on the part of the authorities not to expedite the completion of the STPs as indicated particularly in respect of the 150 MLD K & C Valley STP.** The authorities (BWSSB, BDA and KSPCB) must mobilize all available resources to ensure that the STPs are commissioned as expeditiously as possible preferably by March 2019 or within such time as this Hon'ble Tribunal may deem fit.

2. **Less Phosphorous means less weeds in the water body. One of the major source of Phosphate are soaps and detergents. In several countries stringent limits have been specified for Phosphate in soaps and detergents as it leads to eutrophication of water bodies. MoEF &CC in conjunction with other ministries need to prescribe limits for Phosphorus in soaps and detergents by progressively reducing it to 2.2% of permissible phosphorous content. The STPs that are being set up and those which have already been set up must provide for treating/removing Phosphorous and Nitrogen nutrients.**
3. **As per the reports submitted before the Hon'ble Tribunal, the authorities have already identified all the sewage and effluent entry points into the lake. Therefore it is imperative that the authorities must simultaneously ensure that all the sewage generated in the catchment area is channelized and linked to the Rajakaluves for appropriate treatment by the STPs.**
4. No further channelization and concretization of Rajakaluves.
5. **All existing and new industries or commercial establishments or apartments / townships or institutions within the catchment area of the lakes must be made Zero Discharge.**
6. (a) The authorities must conduct a survey in the buffer zone of the lake to identify the encroachments and appropriate exercise should be undertaken to remove them.
(b) Complete Fencing of lake area including the buffer zone to prevent any further mushrooming of illegal encroachments. As per the reports submitted by the

Authorities before this Hon'ble Tribunal, the fencing work is currently in progress at a fast pace and should be completed by 30.06.2018. The authorities must abide by the said timeline.

7. (a) The Commission recommends that CCTVs should be installed at appropriate locations for ensuring that no C&D waste is dumped in the buffer zone area of the lake.
 (b) Security Guards should be deployed at the most vulnerable locations to keep vigilance on illegal dumping of debris and to prevent encroachment activities.
 (c) In case anyone is found to be dumping C&D waste or debris into the lake or its buffer zone, a penalty of Rs. 5 Lakhs be imposed for each offence in terms of the Order passed by this Hon'ble Tribunal on 19.04.2017.
8. No new facility or expansion of existing facility, whether for commercial or non-commercial purpose, to be permitted within the territorial jurisdiction of Municipal Corporations of catchment area of the lake, which generates sewage, until the commissioning of the STPs except public toilets.
9. No new facility or expansion of existing facility within 75 meters (buffer zone) of Rajakaluves / SWDs to be permitted. No fresh permission or sanction ought to be given by the municipal authorities to any project or facility within the buffer zone.
- 10. Structures, between 30-75 meters of Rajakaluves, which have already been constructed prior to 07.05.2015 (Forward Foundation Judgment) but are uninhabited, not to be occupied without the prior permission of the Hon'ble Tribunal and in any event not until the commissioning of the STPs in order to prevent generation of more sewage.**
- 11. Structures between 30-75 meters of Rajakaluves, which are under construction, be restrained from constructing further without the prior permission of the Hon'ble Tribunal and in any event not until the commissioning of the STPs.**
12. Permission or sanction or consent or EC for structures between 30-75 meters of Rajakaluves where construction was below 25% of the total built up area as on 07.05.2015 (Forward Foundation Judgment) be withdrawn. The Hon'ble Tribunal may issue appropriate directions and orders keeping in view the interests of the buyers who would eventually suffer financial loss.

13. *Strict Compliance of environmental laws for apartments/ townships or commercial establishments:*

Sl. No	Violation	Environmental Damage
1.	<i>Where STP is required as per the EC/ Consent, but the facility has not constructed the STP despite generating sewage.</i>	<i>Rs. 10 Lakhs per month from the date of completion certificate or date of completion</i>
2.	<i>Where actual capacity of STP is less than the capacity as shown in the EC/ Consent.</i>	<i>Rs. 20,000/- per day from the date of inspection till final upgradation.</i>
3.	<i>Where the number of flats/ units actually constructed is more than the number of flats / units disclosed to KSPCB while obtaining Consent.</i>	<i>Rs. 1 Lakh per unit per month from the date of construction until the grant of fresh requisite consent.</i>
4.	<i>Where STP is not functioning or parameters are not being met or untreated sewage is being bypassed from the STP or being otherwise diverted.</i>	<i>Rs. 5 lakhs per default.</i>

All damages so collected to be deposited in a separate account to be maintained by CPCB and to be exclusively utilized for upgradation, control and management of sewage.

14. *The estimated 480 MLD of sewage, which flows into Bellandur Lake eventually via Varthur Lake, finally discharges into South Pinakini River, a tributary of River Cauvery. **Hence, it would be advisable that the de-siltation process of Bellandur Lake commences after reasonably treated water has reduced the pollutants, which have proved to be ecologically fatal for the lake.** As per the material on record, admittedly the storage capacity of the lake has decreased by 71.45%. Once the quality of water has improved, it would be ecologically fair that the treated water flowing from Rajkaluves into Bellandur is diverted towards the waste were leading to Varthur Lake. Thereafter the task of de-silting and de-sedimentation ought to be undertaken. The process of de-*

silting and de-sedimentation would restore the original storage capacity and ecology of the lake.

15. **The Commission observed that the current exercise of de-weeding is not only slow but also futile as the growth rate of the weeds is much more than the rate at which is being removed due to unhampered inflow of nutrients through the sewage.** *The Commission is of the view that the exercise of de-silting and de-weeding can be carried out simultaneously since the water content would be substantially reduced due to the diversion of treated water. Post completion of de-silting and de-sedimentation process, the diversion so created for treated water can be removed.*
16. *Post removal of waste from the Lake and from the Rajakaluves, the State ought to prepare a detailed project report with respect to disposal of the same.*
17. *The Commission is of the view that after achieving the above, the authorities must install adequate number of water fountains in order to sustain ecology of the lake water.*
18. **The Commission recommends constitution of a Task Force of experienced senior officers consisting of BDA, KSPCB, Minor Irrigation Department, Lake Development Authority, CPCB and a Professor from IIS for strict and timely implementation of the present recommendations.** *The Task Force can be headed by an independent individual preferably a former Expert Member of the Hon'ble Tribunal who may, after taking assistance of the other members, submit monthly action taken reports to this Hon'ble Tribunal.*
19. *The approximately over 1.5 km road laid upon the lake bed and within the boundary of Varthur lake by dumping of C & D debris should be removed forthwith. The entire project including laying of pipeline as per work order was to be completed within 24 months from June 2016.*
20. **Hon'ble Tribunal may order an independent enquiry to examine the guilt of the officers involved in the dumping of thousands of Cubic meter of C & D debris on the Varthurlake bed for an ostensible object of laying of pipeline.**
21. **Apparently there is absolute non-compliance of Construction and Demolition Waste Management Rules, 2016.** *The concerned authorities in compliance with the said rules should identify appropriate suitable sites for deposit of C & D debris. All environment clearances granted prior to or after the notification of the C & D Rules 2016 must comply with the same.”*

(Emphasis added)

Order of the Tribunal dated 06.12.2018

10. This Tribunal vide order dated 06.12.2018 accepted the report and recorded that there was a serious failure on the part of the State of Karnataka and its Authorities in protecting the lakes by keeping it clear and free from encroachments. Accordingly, the Tribunal directed:

“25. There is thus, clear need to require the State and the BBMP to forthwith perform their duties to remedy the situation by preparing the requisite action plan, providing funds. In spite of admitted grave situation, the State/BBMP have not taken any coercive measures against polluters or the concerned officers for their failure. No prosecution is shown to have been launched. No serious steps are shown to have been taken to remedy the situation. Thus, the State and BBMP are also liable to pay compensation for the past failure. We have heard detailed submissions on the subject as well as quantum of the amount to be paid/set apart and the mechanism to be followed.

26. Accordingly, having regard to the facts and circumstances, we find it appropriate and necessary to issue following directions:

- i. Recommendations of the Committee dated 31.05.2018 may be carried out with a view to ensure that no polluted waste water is discharged into the water bodies and no solid waste is dumped therein. The encroachments from catchment areas must be removed. Karnataka SPCB in consultation with the CPCB may set up Real Time Water Quality Monitoring Systems in three lakes at appropriate locations to

monitor parameters which are critical like Dissolved Oxygen, Ammonia and others. The online data may be displayed for information. The activities around the three lakes may also be monitored by using drones and satellite imageries.

ii. Overall responsibility to carry out these directions will be of the Additional Chief Secretary, Urban Development (UD), Karnataka and the BBMP. An action plan be prepared by the State/BBMP forthwith, within one month from today, indicating the timelines for the actions including the budgetary provisions and same should be placed on the website of State UD and BBMP. Execution of such plan may be completed by 30.06.2019.

iii. The compliance of the above directions will be overseen by a Committee as follows:

- A. Justice Santosh Hegde, former Judge, Supreme Court of India – Chairman
- B. Professor T.V. Ramachandra, Indian Institute of Science, Bangalore- Member
- C. Nominee of Central Pollution Control Board who should be a senior level officer- Member
- D. Nominee of the Karnataka Pollution Control Board- Member.

iv. KSPCB may provide logistics support to the Committee and coordinate as per directions of the Chairman of the Committee.

v. The Committee will have such powers as are necessary to ensure execution of this order within reasonable time. The State and all concerned Authorities will cooperate and provide all assistance as may be necessary. The Committee may issue necessary instructions to the authorities from time to time for the purpose. The Committee will be at liberty to co-opt any other

expert or take assistance from such person or persons as may be deemed necessary.

- vi. The Committee may set up its own website for receiving and disseminating information and suggestions, including inviting volunteers, as may be deemed proper. Achievements may be put on website so that the same can be replicated wherever relevant.*
- vii. The Committee may oversee the timelines in the action plan to be prepared by the State UD of Karnataka/ BBMP.*
- viii. The State of Karnataka will transfer an amount of Rs. 500 crores in an Escrow Account for execution of the action plan within one month from today.*
- ix. The State of Karnataka will deposit a sum of Rs. 50 crores by way of interim compensation for restoration of the environment with the CPCB. For delay, an interest @ 12% will be payable.*
- x. The BBMP will be required to deposit a sum of Rs. 25 crores in this regard to CPCB separately in the same manner as (ix).*
- xi. Out of the amount so deposited, a sum of Rs. 10 crores will be transferred by CPCB to the Karnataka PCB. The SPCB will defray all expenses of the Committee to provide logistics or otherwise.*
- xii. The amount can be recovered by the State/BBMP from polluters and the erring officers.*
- xiii. The State of Karnataka will furnish a Performance Guarantee to the CPCB to execute the action plan in a time bound manner, subject to the timelines being approved by the above Committee. The Performance Guarantee will undertake to pay amount of Rs. 100 crores for the failure in the execution of the action plan before 30.06.2019.*
- xiv. The State of Karnataka must identify and declare the persons responsible for executing the action*

plan and any failure in their performance should be recorded and considered favourably or otherwise for their career progression.

xv. Similar exercise as (xiv) may be undertaken to identify officers responsible for failure in the past. Such exercise may be completed within three months from today.

xvi. Since failure of preventing the pollutants being discharged in water bodies (including lakes) and failure to implement solid and other waste management rules are too frequent and widespread, the CPCB must lay down specific guidelines to deal with the same, throughout India, including the scale of compensation to be recovered from different individuals/authorities, in addition to or as alternative to prosecution. The scale may have slabs, depending on extent of pollution caused, economic viability, etc. Deterrent effect for repeated wrongs may also be provided.

xvii. MoEF&CC may specify limit for phosphorus in soaps and detergents to prevent damage to the environment and public health.”

IV. Consideration of reports of the above Committee dated 27.05.2019 and 20.09.2019 and order of the Tribunal dated 21.10.2019:

11. The matter was thereafter taken up for consideration on 21.10.2019 in the light of interim report of the Committee dated 27.05.2019 and final report dated 20.09.2019. Learned Amicus Curiae filed an analysis report showing that the core issues remained substantially unaddressed. The Tribunal observed:-

“13. Be that as it may, from the analysis presented by learned Amicus and perusal of report of the Committee there is patent non-compliance in critical areas by the State and its Authorities. Beyond saying that the work was in progress, there is no specific information of the status of STPs to be constructed with

learned counsel for the State. The Committee has noticed from the submissions made by the State PCB that treated water was being allowed to flow into the UGB network to mix with the sewage and then to flow into the STP to get recycled for the second time without any purpose. Fencing of the lake area to prevent encroachments has not been done. The illegal colony in the lake belt has not been shifted. CCTV cameras and watch towers have not been installed. Marshals and watchmen have not been deployed. There is no information about maintenance of buffer zones at the lakes and Rajkaluves. Compensation already determined has not been recovered on a specious plea that notification was to be issued which is wholly unnecessary to comply with the binding orders of this Tribunal. De-silting and de-weeding has not been done as directed. Road was illegally constructed within the lake by dumping C&D debris which has not been removed. There is no information about setting up of Real Time Water Quality Monitoring Systems. There is no information about action taken against the erring officers. There is also non-compliance with regard to deposit of Rs. 25 Crores by BBMP and furnishing of performance guarantee in the sum of Rs. 100 Crores by the State of Karnataka for which there is no explanation. It is not necessary to set out all the deficiencies in compliance of directions of this Tribunal. Suffice it to say that the State of Karnataka has shown lack of concern on such a sensitive matter in spite of stringent orders of this Tribunal which is not conducive to the rule of law.

14. In view of the above, we direct that the deficiencies in compliance be rectified forthwith and compliance ensured in terms of order dated 06.12.2018.

15. Having regard to the significance of the issue involved and repeated failures of the State and its Authorities, we direct the Additional Chief Secretary (Urban Development), Karnataka, Commissioner, BBMP, Commissioner, BDA, Chairman, BWSSB and the Member Secretary, State PCB to remain present on the next date with the compliance reports and explanation why coercive action including civil imprisonment be not ordered for the violations of the orders of this Tribunal.”

V. Further consideration of the matter and Directions:

12. The officers mentioned in the last order above are present in person. Ms. Madhvi Divan, learned Additional Solicitor General appearing for the State of Karnataka and the concerned Authorities has furnished status report in a tabular form under 37 headings with reference to the directions in the order dated 06.12.2018 in terms of the recommendations of the Committee appointed by this Tribunal dated

30.01.2018. Main directions relate to preventing untreated or partially treated waste water being discharged, solid waste being dumped into the lake and encroachment from catchment area being removed. Incidental directions are setting up monitoring systems, fixing limit for content of Phosphorus in soaps and detergent, converting establishments in catchment area of the lakes to zero discharge, fencing of the lake area, installing CCTV Cameras, posting guards, recovering compensation on 'Polluter Pays' principle, de-silting and de-weeding of the lake, setting up of water fountains to sustain ecology, removing illegally constructed road inside the lake, strengthening monitoring system, making erring officers accountable and enforcing waste management norms.

13. The status report has a column of "Recommendations of Justice Hegde Committee". We corrected learned ASG by pointing out that what was presented as "Recommendations of Justice Hegde Committee" were not so.

14. We also found that timelines fixed by this Tribunal have been unilaterally extended without any valid justification and no action has been taken against the erring officers on a specious plea that it was difficult to fix responsibility. Such approach is hardly compliant with the Rule of Law. We particularly disapprove the timeline for upgradation of STPs with Biological Nutrient Removal (BNR) at 248 MLD STP at K&C Valley. The same must not go beyond 30.09.2020 but preferably be completed before 30.06.2020 although earlier timeline fixed by this Tribunal was 30.06.2019. No substantial work has been done in the last one year on this aspect.

15. Current situation is that the sewage continues to be discharged into the lake with no plan of even immediate interim preventive measures. Timelines now proposed need to be shortened. We are also surprised at treated sewage being again discharged into the ground sewage network for treatment which needs to be immediately stopped. We are informed that this results in extra expenditure of Rs. 2 Lakhs per day i.e. Rs. 60 Lakhs per month and more than Rs. 7 Crore per year for which there is no justification whatsoever. Persons responsible for such situation need to be made accountable. It is surprising that there has been no proper management of the treated water.

16. We are informed that about 256.7 MLD untreated sewage is entering the lake from five locations which is nothing but a criminal offence which is required to be checked on war footing and violaters of law brought to justice, erring officer being appropriately dealt with under the civil, criminal and service law with a view to uphold the Rule of Law. There is large scale breach of public duties by concerned Authorities dealing with the subject and earlier observations of this Tribunal have fallen on deaf ears and blatantly flouted.

17. The sources of discharge of sewage need to be controlled/regulated and electricity and water supplies to the defaulting establishments need to be immediately stopped for enforcement of law till remedial steps are taken for compliance. Large number of encroachments are still continuing which need to be removed by using force wherever necessary. If any injunction has been granted by any Court which is considered erroneous, higher forum can be moved so that law is upheld. Illegality may not continue on account of default or negligence of the Authorities.

18. For massive violation of law and destruction of environment, it is surprising that the State is unable to fix any responsibility. Such approach may encourage violation of law without any accountability and lead to lawlessness. Action against erring officers which has not yet been taken must be initiated forthwith. Failures of officers still in service should be duly reflected in their ACRs.
19. As regards laying down of standards for Phosphorus, the State PCB itself can lay down such standards instead of waiting for notification by MoEF&CC. We express our dismay at the approach of State PCB granting six months time to 38 apartments, which are generating 1.721 MLD sewage, to set up STPs, which is not permitted under the law. All such defaulting apartments need to be proceeded against in accordance with law.
20. It is pointed out that there is some dispute with the Defence establishment in the area creating obstacle in fencing. The State of Karnataka may either resolve it or put the Defence establishment to notice to put forward their objections before this Tribunal within one month of such notice after which the State of Karnataka will be at liberty to proceed with the fencing and such Defence establishment will stand restrained from interfering unless otherwise directed on objection of the Defence authorities.
21. We also note that the amount of compensation recovered is wholly disproportionate to the cost of restoration. 'Polluter Pays' principle requires that cost of restoration is recovered from the polluter which is not happening. The result is that polluting activities remain more and more profitable. Connivance of public authorities in such

situation is not ruled out and is clearly inferable. Pollution Boards are hardly able to successfully get polluters punished in criminal proceedings nor suitable compensation is recovered so as to retribute the damage to the environment which results in harm to general public. Compensation of Rs. 291.35 Crores said to have been assessed has not been recovered so far by adopting coercive measures such as disconnection of electricity and water supplies. There is no adequate progress in de-silting and de-weeding and the plea taken is that it requires plying of vehicles with too many trips. This situation being creation of negligence and failure, there is no justification to further delay action in this regard before raising the plea that instead of entire de-silting, the same should be partial. The work must be forthwith completed instead of continuing to prolong or deferring the same on frivolous grounds. Action taken report in this regard be filed.

22. Before disposal of mixture of sludge and silt/clay, proper analysis of the same be got done. Based on the result of such analysis, the mode of disposal and protocol be determined in accordance with laid down principles under the relevant Rules.
23. Water quality is found to be violative of laid down standards. Faecal Coliform is said to be 60,000 MPN against the prescribed standard of less than 100 MPN. The State PCB may develop a robust water quality monitoring progame for monitoring of water quality of drains leading to the lakes and also undertake water quality monitoring at atleast 5 locations for each lake. Steps may be taken to explore development of wet land and bio-diversity parks apart from other

remedial action for reducing the pollution load on the recipient water bodies.

24. The authorities were required to set up C&D waste processing facility by 30.06.2019. The stand of the authorities is that work order has been issued on 11.11.2019 and the plant is expected to be operative within eight months. This may be ensured by taking appropriate performance guarantee.
25. Vide order dated 06.12.2018, a direction was for setting up real time water quality system. It is now stated that the system will be commissioned by 31.01.2020.
26. In para 19(19) of our order dated 06.12.2018 reference was made to 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris. The Committee's observation is that 'Proposal - C' for laying/planning pipeline underground at a proper depth is viable and also that it will not fragment and reduce the water short area and would avoid encroachments/diversions etc. The ASG stated that the Technical Appraisal Committee has instead already noted remedial measures by providing additional vents below the existing rising main and to provide thrust/another blocks for the existing rising main. In view of alternative suggestion being made, we refer this matter to the Monitoring Committee headed by Justice Santosh Hegde to evaluate this option threadbare and submit its finding on or before 06.03.2020. The Monitoring Committee headed by Justice Hegde may also review the progress made in terms of all issues raised in Tribunal's order dated 06.12.2018 and submit its report on or before 06.03.2020 by e-mail at judicial-ngt@gov.in. The

Monitoring Committee may also give its findings to the Chief Secretary of Govt. of Karnataka.

27. Considering that the entire exercise requires inter sectional and inter departmental coordination, Chief Secretary, Karnataka may steer the action of different departments and bodies. We extend the tenure of Monitoring Committee till 31.03.2020.

Directions:

28. We may now sum up our directions as follows:
- i. Timelines for execution of projects for setting up of STPs and laying of sewerage network may not be extended beyond 30.09.2020. If the works remains incomplete even till 30.09.2020, compensation will be liable to be paid @ Rs. 10 lakh per STP per month which may be liable to recovered from the erring officers, apart from adverse entries in their service records and other adverse action.
 - ii. Bangaluru Water Supply and Sewerage Board (BWSSB) must ensure that no sewage/effluent is discharged into the lakes and till setting up of STPs, interim remediation must be done forthwith. Any default in this regard will result in requirement to pay compensation of Rs. 5 lakh per month per inlet into the lakes from 01.02.2020.
 - iii. BSWWB may further ensure that treated water is not discharged into the UGB network. Action may be taken against persons responsible for having allowed this to be done earlier resulting into loss of Rs. 2 Lakhs per day i.e. Rs. 60 Lakhs per month and more than Rs. 7 Crore per year without any justification whatsoever.
 - iv. Sources of discharge of sewage be controlled/regulated and electricity and water supplies to the defaulting establishments be stopped for enforcement of law till remedial steps are taken for compliance.
 - v. Encroachments which are still continuing be removed by using force wherever necessary. If any injunction has been granted by any Court which is considered erroneous, higher forum can be moved so that law is upheld.
 - vi. Action against erring officers which has not yet been taken must be initiated forthwith as already directed. Failures of officers still in service should be duly reflected in their ACRs.

- vii. The State PCB itself may lay down standards for phosphorus instead of waiting for notification by MoEF&CC.
 - viii. The State of Karnataka may either resolve the issue of fencing with the Defence establishment or put such establishments to notice to place their objections before this Tribunal within one month of such notice after which the State of Karnataka will be at liberty to proceed with the fencing and such Defence establishment will stand restrained from interfering unless otherwise directed by this Tribunal or any other authority.
 - ix. Compensation already assessed be recovered by adopting coercive measures such as disconnection of electricity and water supplies.
 - x. Steps be taken expeditiously for de-silting, de-weeding. Analysis of sludge and silt may be carried out before its disposal based on the result of such analysis, the mode of disposal and protocol be determined in accordance with laid down principles under the relevant Rules.
 - xi. The State PCB may develop a robust water quality monitoring programme for monitoring of water quality of drains leading to the lakes and also undertake water quality monitoring at atleast 5 locations for each lake.
 - xii. Steps may be taken to explore development of wetlands and biodiversity parks apart from other remedial action for reducing the pollution load on the recipient water bodies.
 - xiii. C&D waste processing facility be commissioned expeditiously and steps be taken to ensure that the timeline proposed is adhered to.
 - xiv. Real time water quality system be commissioned by 31.01.2020 as proposed.
 - xv. The issue of removing 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris be finalized as per directions of Justice Hegde Committee in terms of para 26 above.
29. The Monitoring Committee headed by Justice Hegde may also review the progress made in terms of all the issues considered in the order of this Tribunal dated 06.12.2018 and submit its report on or before 06.03.2020 by e-mail at judicial-ngt@gov.in. The Monitoring Committee may also give its findings to the Chief Secretary of Govt. of Karnataka. Considering that the entire exercise requires inter sectional and inter departmental coordination, Chief Secretary,

Karnataka may steer the action of different departments and bodies.

We extend the tenure of Monitoring Committee till 31.03.2020.

List for further consideration on 24.03.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

December 18, 2019
Original Application No. 125/2017
A



Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 125/2017

(With report dated 15.02.2021)

Court on its own Motion

Applicant

Versus

State of Karnataka

Respondent

Date of hearing: 12.03.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant/

Amicus Curie:

Mr. Raj Panjwani, Senior Advocate with Mr. Saransh Jain,
Advocate

Respondent(s):

Ms. Madhvi Divan, Additional Solicitor General with Mr.
KM Darpan, Advocate for State of Karnataka
Mr. Brijendra Chahar, Senior Advocate with Mr. Kashi
Vishweshwar, Advocate for BBMP
Mr. Raj Kumar, Advocate for CPCB
Mr. Balaji Srinivasan, Advocate for BWSSB

ORDER

1. The issue for consideration is **remedial action for restoration of Bellandur, Agara and Varthur lakes at Bangalore, including preventing discharge and dumping of pollutants, removing encroachments from catchment area and other steps for restoration.**

2. The matter has been dealt with by this Tribunal on several occasions in the last almost four years. The Tribunal earlier constituted a Committee headed by Shri Raj Panjwani, Senior Advocate (now assisting the Tribunal

as Amicus) to visit the site to assess the factual position and to suggest further course of action.

Report dated 31.5.2018 about the status of degradation of lakes and further orders for remedial action – appointment of monitoring Committee headed by Justice Santosh Hegde

3. Accordingly, the Committee gave its report dated 31.05.2018 which was dealt with by this Tribunal, vide order dated 06.12.2018. While accepting the report, the Tribunal directed preparation of an action plan with timelines and budgetary support under the overall supervision of Additional Chief Secretary, Urban Development Department (UDD), Karnataka and the Bruhat Bengaluru Mahanagara Palike (BBMP). Execution of the action plan was to be overseen by the Monitoring Committee headed by Justice Santosh Hegde, former Judge of the Hon'ble Supreme Court.

Order of the Tribunal dated 21.10.2019 and Supreme Court order dated 22.11.2019

4. The matter was thereafter considered by this Tribunal on 21.10.2019 in the light of reports of the Monitoring Committee dated 27.05.2019 and 20.09.2019. **The Tribunal found continuing violation of environmental norms and required the personal presence of the Additional Chief Secretary, Urban Development, Karnataka, Commissioner, BBMP, Commissioner, Bangalore Development Authority (BDA), Chairman, Bangalore Water Supply and Sewerage Board (BWSSB) and the Member Secretary, State PCB with compliance reports and explanation for violation of earlier orders of the Tribunal. The said order was affirmed by the Hon'ble Supreme Court vide order dated 22.11.2019 in Civil Appeal No. 9666-68 of 2019, State of Karnataka v. D. Kupendra Reddy & Ors.**

Further order dated 18.12.2019 considering compliance status

5. The matter was thereafter considered on 18.12.2019 in the personal presence of the officers and in the light of status report furnished under 37 headings, including steps for preventing discharge of solid and liquid waste into the lake, removing encroachments, removing illegal construction inside the lake, de-silting and de-weeding etc. The Tribunal discussed all the relevant aspects in paras 14 to 27 of the order and finally issued following directions:

“28. *We may now sum up our directions as follows:*

- i. **Timelines for execution of projects for setting up of STPs and laying of sewerage network may not be extended beyond 30.09.2020.** *If the works remains incomplete even till 30.09.2020, compensation will be liable to be paid @ Rs. 10 lakh per STP per month which may be liable to recovered from the erring officers, apart from adverse entries in their service records and other adverse action.*
- ii. **Bangaluru Water Supply and Sewerage Board (BWSSB) must ensure that no sewage/effluent is discharged into the lakes** *and till setting up of STPs, interim remediation must be done forthwith. Any default in this regard will result in requirement to pay compensation of Rs. 5 lakh per month per inlet into the lakes from 01.02.2020.*
- iii. **BSWWB may further ensure that treated water is not discharged into the UGB network.** *Action may be taken against persons responsible for having allowed this to be done earlier resulting into loss of Rs. 2 Lakhs per day i.e. Rs. 60 Lakhs per month and more than Rs. 7 Crore per year without any justification whatsoever.*
- iv. *Sources of discharge of sewage be controlled/regulated and electricity and water supplies to the defaulting establishments be stopped for enforcement of law till remedial steps are taken for compliance.*
- v. **Encroachments which are still continuing be removed by using force wherever necessary.** *If any injunction has been granted by any Court which is considered erroneous, higher forum can be moved so that law is upheld.*

- vi. *Action against erring officers which has not yet been taken must be initiated forthwith as already directed. Failures of officers still in service should be duly reflected in their ACRs.*
 - vii. ***The State PCB itself may lay down standards for phosphorus instead of waiting for notification by MoEF&CC.***
 - viii. ***The State of Karnataka may either resolve the issue of fencing with the Defence establishment or put such establishments to notice to place their objections before this Tribunal within one month of such notice after which the State of Karnataka will be at liberty to proceed with the fencing and such Defence establishment will stand restrained from interfering unless otherwise directed by this Tribunal or any other authority.***
 - ix. *Compensation already assessed be recovered by adopting coercive measures such as disconnection of electricity and water supplies.*
 - x. ***Steps be taken expeditiously for de-silting, de-weeding. Analysis of sludge and silt may be carried out before its disposal based on the result of such analysis, the mode of disposal and protocol be determined in accordance with laid down principles under the relevant Rules.***
 - xi. *The State PCB may develop a robust water quality monitoring progame for monitoring of water quality of drains leading to the lakes and also undertake water quality monitoring at atleast 5 locations for each lake.*
 - xii. *Steps may be taken to explore development of wetlands and bio-diversity parks apart from other remedial action for reducing the pollution load on the recipient water bodies.*
 - xiii. ***C&D waste processing facility be commissioned expeditiously and steps be taken to ensure that the timeline proposed is adhered to.***
 - xiv. *Real time water quality system be commissioned by 31.01.2020 as proposed.*
 - xv. ***The issue of removing 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris be finalized as per directions of Justice Hegde Committee in terms of para 26 above.***
29. ***The Monitoring Committee headed by Justice Hegde may also review the progress made in terms of all the issues***

considered in the order of this Tribunal dated 06.12.2018 and submit its report on or before 06.03.2020 by e-mail at judicial-ngt@gov.in. The Monitoring Committee may also give its findings to the Chief Secretary of Govt. of Karnataka. Considering that the entire exercise requires inter sectional and inter departmental coordination, Chief Secretary, Karnataka may steer the action of different departments and bodies. We extend the tenure of Monitoring Committee till 31.03.2020.”

Order dated 13.8.2020 considering further progress

6. The matter was last considered on 13.08.2020 in the light of the report of the Monitoring Committee dated 06.03.2020 and response of the State dated 11.06.2020 and by way of earlier affidavit. The summary of compliance status was filed by the State of Karnataka on 04.08.2020 during the last hearing. The Tribunal considered the compliance status so presented and also the report of the Monitoring Committee and directed that the leftover work may be expeditiously completed, which may be reviewed by the Monitoring Committee and status of compliance as on 31.12.2020 be furnished to this Tribunal by 15.01.2021 with a copy to the Chief Secretary, Karnataka. It was further directed that the Chief Secretary, Karnataka may file consolidated report covering the steps taken by various departments. The concluding part of the above order of the Tribunal is as follows:

“10. The steps taken by the BBMP or other departments can be looked into by the Monitoring Committee. Objections/suggestions of individuals including letter dated 13.02.2020 from A.N. Yellappa Reddy, Chairman, Bangalore Environment Trust need not be considered by the Tribunal as the same can be considered by the Monitoring Committee.

11. In view above, the left-over work may be expeditiously completed which may be reviewed by the Monitoring Committee. The status of compliance as on 31.12.2020 may be compiled by the Monitoring Committee and report furnished to this Tribunal by 15.01.2021 with a copy to the Chief Secretary, State of Karnataka. The Chief Secretary, State of Karnataka may furnish a consolidated report covering the steps taken by all the concerned Departments. The individual Departments need not file separate reports before

this Tribunal once the same are filed before the Monitoring Committee and the Chief Secretary, Karnataka. The Chief Secretary, Karnataka may give its own report by 31.01.2021 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”

Latest reports of the Monitoring Committee as on 31.1.2021 and the Chief Secretary

7. Accordingly, the Monitoring Committee has filed its report on 15.02.2021 giving the progress upto 31.01.2021 in a tabular form as follows:

Contd. at next page

Sl. no	Directions of Hon'ble NGT vide orders dated 06.12.2018, 18.12.2019 and 13.08.2020	Progress up to 31.01.2021 and Committee observations		
1	Relevant para	3		
1.	<p>Para 28(i) Order dated 18.12.2019: <i>Timelines for execution of projects for setting up of STPs and laying of sewerage network may not be extended beyond 30.09.2020. If the works remains incomplete even till 30.09.2020, compensation will be liable to be paid @Rs.10 lakh per STP per month which may be liable to recovered from the erring officers, apart from adverse entries in their service records and other adverse action.</i></p> <p><i>Further, the NGT vide order dated 13.08.2020 has directed that, the works may be expeditiously completed and to be reviewed by the Monitoring Committee.</i></p>	In regard to the construction of STPs and their commission, the details are given as under (BWSSB):		
		Sl. no	Name of the STP / others	Compliance
		i.	Sarakki – 5 MLD STP	Completed and commissioned on 08.11.2019
		ii.	Chikkabeguru - 5 MLD STP	Completed and commissioned on September 2020.
		i.	Hulimavu – 10 MLD STP	Completed and commissioned on 31.03.2020
		ii.	Agram – 35 MLD STP	Completed and commissioned on 31.03.2020
		iii.	Madivala – 4 MLD STP	24.5% work completed
		iv.	K&C Valley – 150 MLD STP	90.01 % works completed as on 31.01.2021. Primary treatment is in progress and likely to be completed by 31.03.2021 and expected to treat 83MLD sewage (with this augmentation, 536 MLD (92%) would be treated as against 583 MLD)
		v.	Construction of 210 MLD capacity ISPS at Koramangala at sports complex	The work is completed and ready for operation. The water will be pumped to 150 MLD STP, once the remaining pipe network is completed, (yet to complete 252 Rmt)
		vi.	Laying of 800 mm UGD from 210 MLD ISPS to 150 MLD STP	Against the 5315-running meter; 5063 running meter is completed. Likely to be completed by 31.03.2021.
		vii.	Waste water wet well – 32.5 MLD Capacity near the premises of 90 MLD Bellanduru Amanikhane STP to augment sewage from the adjoining areas of Bellanduru Amanikhane STP (date fixed for completion 30.09.2020)	The overall progress as on 31.01.2021 is 45.75 % against the planned target of 100.00%. This work will be completed before 31.03.2021. However, the temporary arrangement has been made for pumping sewage to Bellandur Amanikhane STP.

2.	<p>Para No.14 Order Dated 18.12.2019 <i>We also found that timelines fixed by this Tribunal have been unilaterally extended without any valid justification and no action has been taken against the erring officers on a specious plea that it was difficult to fix responsibility. Such approach is hardly compliant with the Rule of Law. We particularly disapprove the timeline for upgradation of STPs with Biological Nutrient Removal (BNR) at 248. MLD STP at K&C Valley. The same must not go beyond 30.09.2020 but preferably be completed before 30.06.2020 although earlier timeline fixed by this Tribunal was 30.06.2019. No substantial work has been done in the last one year on this aspect.</i></p>	<p>The BWSSB submits that, STPs of 90 MLD at Bellandur Amanikere; 60 MLD at K&C Valley; 5 MLD at Sarakki; 5 MLD at Chikkabegur; 10 MLD Hulimavu; 35 MLD at Agram and 150 MLD at K&C Valley (under construction) are complied with Biological Nutrient Removal treatment.</p> <p>The BWSSB further submits that for the 248 MLD STP at K&C Valley, certain modifications in the process of treatment have been made in consultation with the IISc, Bengaluru, for removal of nutrients. On sample analysis it is found that the biological nitrates have been reduced substantially (nitrogen 6.4 mg per ltr and phosphates 0.85 mg per ltr). It is noted that, the treated water from these STPs is being transmitted to the tanks in Kolar Districts for recharge of ground water for irrigation purpose. However, the upgradation of the system has not been completed but is in process.</p>
3.	<p>Para 28(ii) Order dated 18.12.2019: <i>Bengaluru Water Supply and Sewerage Board (BWSSB) must ensure that no sewage/effluent is discharged into the lakes and till completing of STPs, interim remediation must be done forthwith. Any default in this regard will result in requirement to pay compensation of Rs.5 lakh per</i></p>	<p>It is submitted that, the sewage water has been diverted through the peripheral temporary diversion channels and no sewage water enters in these lakes (Agram, Bellanduru and Varthur).</p> <p>Further, the BWSSB has installed aerating systems in these temporary diversion channels at, 1) HAL side and Kempapura inlet, 2) Agaram inlet, 3) Koramangala inlet, 4) Iblur inlet coming under Bellandur Lake, 5) Northern and 6) Sothern side of Varthur lake for inline treatment of sewage.</p> <p>The artificial floating islands have also been installed at certain places. The committee has suggested to augment phytoremediation options at locations, where the water flow is slow or stagnant to enhance the treatment efficacy, which is yet to be implemented.</p>

	<i>month per inlet into the lakes from 01.02.2020.</i>	
4.	<p>Para 28(iii) Order dated 18.12.2019: <i>BSWWB may further ensure that treated water is not discharged into the UGD network. Action may be taken against persons responsible for having allowed this to be done earlier resulting into loss of Rs.2 Lakhs per day i.e.Rs.60 Lakhs per month and more than Rs.7 Crore per year without any justification whatsoever. BY BWSSB</i></p>	<p>There are about 496 buildings having STPs as per the KSPCB records. The BWSSB submits that, wherever there was connectivity with the UGD for flowing of treated water; all have been disconnected (109 buildings). For the remaining areas there is no access to networking of UGD.</p> <p>The BWSSB submits that, treated water was allowed as per the conditions stipulated in the order issued by KSPCB. In view of these facts and circumstances, it is requested by BWSSB not to initiate action against their officials.</p>
5.	<p>Para No.16 Order Dated 18.12.2019 <i>We are informed that about 256.7 MLD untreated sewage is entering the lake from five locations which is nothing but a criminal offence which is required to be checked on war footing and violators of law brought to justice, erring officer being appropriately dealt with under the civil, criminal and service law with a view to uphold the Rule of Law. There is large scale breach of public duties by concerned Authorities dealing with the subject and earlier observations of this Tribunal have fallen on deaf ears and blatantly flouted.</i></p>	<p>The BWSSB submits that to check the flow of sewage water into the lakes, following works have been completed.</p> <ol style="list-style-type: none"> 1. HAL SWD (Challaghatta Valley) – Totally 23 works are to be taken up for augmenting this flow, out of which 23 works are completed as on 23.12.2020. 2. Koramangala and Agram Valley -Totally 48 works are to be taken up for augmenting this flow out of which 48 works are completed on 23.12.2020. 3. Iblur Catchment area- Completed and Commissioned on 23.12.2020. 4. Kempapura Catchment area- BWSSB has taken up work of laying 300 mm RCC NP3 sewer line for a length of 1000 RMT to convey the sewage generated in the area of Bellanduru Amanekhane STP. The work is completed and commissioned in the month of May 2020. <p>The BWSSB submits that, the combined treatment capacity in the catchment of these lakes will be around 664.50 MLD against the presently measured flow of 553 MLD. Presently, about 453.50 MLD of sewage is being treated. Additional treatment of 83 MLD would be augmented by commissioning of new STP (end of March 2021). Therefore, there will be treatment of 536.50 MLD (92 %) as against the measure flow of 583 MLD.</p> <p>The Committee observes that the BWSSB has to take steps to treat the remaining 8 to 10 % of sewage to stop completely the flowing of sewage into the lakes after rejuvenation. It is submitted here that, as per the earlier recommendations of the Committee, the water level in these lakes will be maintained by supplying treated water from the STPs daily to compensate evaporation and seepage losses. Only the surplus treated water should be allowed to flow to Kolar, Chikkaballapur, Anekal etc.</p>

6.	<p>Para 28(iv) Order dated 18.12.2019: <i>Sources of discharge of Sewage be controlled/ regulated and electricity and water supplies to the defaulting establishments be stopped for enforcement of law till remedial steps are taken for compliance.</i></p>	<p>The KSPCB has identified 91 units in total that are required to be installation of STP. The details of progress are given as under:-</p> <table border="1" data-bbox="868 256 2384 451"> <tr> <td>No. of units Installed STP</td> <td>42</td> </tr> <tr> <td>No. of units connected to BWSSB</td> <td>06</td> </tr> <tr> <td>No. of units with STP under construction</td> <td>07</td> </tr> <tr> <td>No. of units issued with Closure orders for either not having STPs or not connected to UGD and letting the raw sewage into the storm water drain</td> <td>10</td> </tr> <tr> <td>Action yet to be taken</td> <td>26</td> </tr> </table>	No. of units Installed STP	42	No. of units connected to BWSSB	06	No. of units with STP under construction	07	No. of units issued with Closure orders for either not having STPs or not connected to UGD and letting the raw sewage into the storm water drain	10	Action yet to be taken	26		
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7.	<p>Para 28(v) Order dated 18.12.2019: <i>Encroachments which are still continuing be removed by using force wherever necessary. If any injunction has been erroneous, higher forum can be moved so that law is upheld.</i></p>	<p>An area of 5.20 Acres in Sy.No.319 was granted to a person from the village of Amani Bellanduru kane during 1976-77 and a new survey number 477 have been formed. This survey number was the part of Varthur lake. The matter is under process for cancelation of grant and pending before the concerned Assistant Commissioner. The other encroachments are stated as removed.</p> <p>Illegal constructions in Ballandur lake (named as Ambedkar Nagar slum) are yet to be evicted</p>												
8.	<p>Para 28(vi) Order dated 18.12.2019: <i>Action against erring officers which has not yet been taken must be initiated forthwith as already directed. Failures of officers still in service should be duly reflected in their ACRs.</i></p>	<p>The Additional Chief Secretary, Urban development Department, has submitted the following details in regard to action initiated in the subject matter. The same is produced here for further needful.</p> <p>1) Bengaluru Development Authority :</p> <table border="1" data-bbox="868 943 2384 1325"> <thead> <tr> <th>Sl. No</th> <th>Name of erring officer/ official</th> <th>Designation and Period</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Rizwan Baig</td> <td>Executive Engineer From 2010 to 2011 & 2015 to 2016</td> </tr> <tr> <td>2.</td> <td>S.Mallikarjuna Swamy</td> <td>Executive Engineer from 2010 to 2011 & 2015 to 2016</td> </tr> <tr> <td>3.</td> <td>Ravi Narayana Reddy</td> <td>Executive Engineer from 2010 to 2011 & 2015 to 2016</td> </tr> </tbody> </table>	Sl. No	Name of erring officer/ official	Designation and Period	1.	Rizwan Baig	Executive Engineer From 2010 to 2011 & 2015 to 2016	2.	S.Mallikarjuna Swamy	Executive Engineer from 2010 to 2011 & 2015 to 2016	3.	Ravi Narayana Reddy	Executive Engineer from 2010 to 2011 & 2015 to 2016
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Notices were served to erring officials on 19.02.2020 seeking their replies within 15 days. Replies were received from all the above mentioned officials. On scrutiny of the explanations given by them, the Additional Chief Secretary (ACS), submits that the replies are found acceptable.

2) BBMP : Period from 20.09.2008 to 03.05.2011

Sl. No	Name of erring officer/ official	Designation and Period	Present Dept
1.	J.C.Prakash Murthy	Assistant Engineer (1.10.2008 to 30.11.2009)	PWD
2.	H.P.Mohan Kumar	Assistant Executive Engineer (2.03.2009 to 3.1.2011)	PWD
3.	H.Chandrappa	Assistant Engineer, K.R.Puram Sub- Division, (2.12.2009 to 11.1.2012)	PWD
4.	J.C.Prakash Murthy	Assistant Executive Engineer, (after promotion) (2.12.2009 to 7.7.2010)	PWD

The State Government vide No.UDD/91/MNJ/2017, Dated.11.12.2020 directed BBMP to take necessary action on the erring officials as per the directions of the Hon'ble NGT and to submit a compliance report by 20.12.2020. The draft charges memo has been submitted to the concerned Administrative Department i.e., PWD for further necessary action.

3) BWSSB

Sl. No.	Name	Designation
1.	S.M. Basavaraju	Chief Engineer (14.11.2006 to 08.04.2013) & 10.05.2013 to 29.03.2014)
2.	S.M. Ramakrishna	Chief Engineer (29.03.2014 to 11.06.2013) & as Chief Engineer WWM (I/c) & (11.06.2014 to 31.07.2014) as Chief Engineer WWM
3.	S.R. Roopa Kumar	Additional Chief Engineer (31.01.2007 to 05.06.2008)
4.	S.P. Rudra Murthy	Additional Chief Engineer (05.06.2008 to 13.06.2012)
5.	V. Mahesh	Additional Chief Engineer (27.03.2013 to 10.07.2015)
6.	K.R. Manjunath	Additional Chief Engineer (10.07.2015 to 28.10.2016)
7.	B.M. Purushotham	Executive Engineer (29.10.2007 to 23.05.2008)
8.	C. Abdul Nazir	Executive Engineer (23.05.2008 to 04.01.2012)
9.	B.N. Sidda Gangaiah	Executive Engineer (04.01.2012 to 31.08.2012) & from 31.08.2012 to 15.11.2012
10.	C.C. Putta Mallappa	Executive Engineer (15.11.2012 to 26.08.2013)
11.	B.S.C. Soma Shekar	Executive Engineer (26.08.2013 to 07.06.2014)

		<p>The ACS submits that officers who have worked in the specified period have been identified and show cause notices have been issued to them. The replies obtained from these officers have been reviewed and found to be not acceptable. Hence, the formal approval of the Government has been sought vide letter dated.26.05.2020 for initiating disciplinary proceedings on all the concerned retired officers of BWSSB. In this regard, the State Government in letter dated.27.10.2020 has accorded approval to conduct department enquires on all the concerned retired officers of the Board. As per rule 214 (2)(B)(i) and (ii) of KCSR, action has been initiated to conduct Departmental enquiry and for this purpose show-cause notices have been issued to all the retired officers on 18.12.2020 giving 15 days' time to submit their replies. All the retired officers have sought many details and additional time for furnishing their replies. After getting their replies, further action will be initiated.</p>
9.	<p>Para 28(vii) Order dated 18.12.2019: <i>The State PCB itself may lay down standards for phosphorus instead of waiting for notification.</i></p>	<p>The KSPCB submits that the Bureau of Indian Standards has issued notification for limiting the Phosphorus content in household laundry detergents powders, household laundry detergents bars and synthetic detergents of washing woollen and silk fabrics.</p> <p>Further they submit that some follow up action has been taken as listed below:-</p> <ol style="list-style-type: none"> 1. A public notice is issued by KSPCB in this regard in the print media. 2. Letters are addressed to all the State PCB's to directly implement the order. 3. Letters are addressed to all the soap/detergent manufacturers in the state of Karnataka for the restriction of Phosphorus content. 4. Letter is addressed to MOEF for making a final notification.
10.	<p>Para 28(viii) Order dated 18.12.2019: <i>The State of Karnataka may either resolve the issue of fencing with the Defence establishment or put such establishments to notice to place their objections before this Tribunal within one month of such notice after which the State of Karnataka will be at liberty to proceed with the fencing and such Defence establishment will stand restrained from interfering unless otherwise</i></p>	<p>The issue of raising of fencing towards the Defence area have been resolved. The Commissioner, BDA, submits that an estimate is prepared and sent for 4(G) exemption to the Government for the construction of fence. Further, in regard to desilting a portion of the lake, there is a dispute pending with the Defence.</p>

	<i>directed by this Tribunal or any other authority.</i>							
11.	<p>Para 28(ix) Order dated 18.12.2019: <i>Compensation already assessed to be recovered by adopting coercive measures such as disconnection of electricity and water supplies.</i></p>	<p>In regard to this para, the KSPCB submits as under:-</p> <table border="1"> <tr> <td>Total No. of units issued with notice for EC and Amount.</td> <td>376 units (Rs.19.85 Crores)</td> </tr> <tr> <td>No. of units paid EC and Amount</td> <td>40 units (Rs.2.10 Crores)</td> </tr> <tr> <td>Action yet to be taken for recovery</td> <td>336 units</td> </tr> </table> <p>M/s. Durga rainbow flat owner's welfare association has filed an impleading application before the Hon'ble NGT on 30.08.2020.</p>	Total No. of units issued with notice for EC and Amount.	376 units (Rs.19.85 Crores)	No. of units paid EC and Amount	40 units (Rs.2.10 Crores)	Action yet to be taken for recovery	336 units
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12.	<p>Para 28(x) Order dated 18.12.2019: <i>Steps be taken expeditiously for de-silting, de-weeding. Analysis of sludge and silt may be carried out before its disposal based on the result of such analysis, the mode of disposal and protocol be determined in accordance with laid down principles under the relevant Rules.</i></p>	<p>KSPCB has collected series of samples of Silt/sludge at different depth with grid manner on 25th, 26th & 27th of December 2020. Besides sample collected on 16/09/2020, 18/09/2020, 12/11/2020, 19.12.2020 & 5.1.2021</p> <p>The CPCB has given a report for Varthur lake based on TCLP and STLC analyses of silt samples. As per the protocol based on TCLP and STLC analyses, the soil is non-hazardous and accordingly the permission is accorded to BDA by KSPCB to dispose silt from the locations showed in the grid map based on local demand. As regards to Bellandur Lake, the analysis of sediment samples for leachability tests is under progress.</p> <p>Desilting of Varthur lake: work order issued on 23.11.2020 to the Agency M/s Star Infra Tech Pvt Ltd. It is submitted that, more soil / silt / sludge samples were collected from the lake bed areas and was analysed. The sediment analysis results based on the screening levels on soil quantity para meters prescribed for agriculture use have been examined by the CPCB and a report is given. Based on the recommendations of CPCB, the KSPCB issued a letter for disposal of the silt for agriculture and other uses. The work of de-silting has commenced by M/s Star Infra Tech Pvt Ltd as per the direction of KSPCB/BDA. Further, the BDA claims that approximately in an area of 100 Acres, silt is removed and stocked in the lake area. This work of removal of silt (100 Acres) is carried out under the 4 (G) exemption.</p> <p>Desilting of Bellandur lake: work order issued on 23.11.2020 to M/s RMN Infrastructure Pvt Ltd. Lake bed pre level survey is done, removal of seepage water and others in the Bellandur lake is completed. BDA claims that under 4(G) exemption, an area of 158 Acres (Bellandur lake) silt is removed and stocked at some places inside the lake. The BDA further submits that the stocked silt will be disposed as per the protocol.</p>						

13.	<p>Para 28(xi) Order dated 18.12.2019: <i>The State PCB may develop a robust water quality monitoring program for monitoring of water quality of drains leading to the lakes and also undertake water quality monitoring at atleast 5 locations for each lake.</i></p>	<p>The KSPCB has a well-equipped laboratory to analyse the samples in house. Samples are being analysed for pH, BOD, COD, TSS, Ammoniacal Nitrogen, Iron and Manganese, Total Nitrogen, Cyanide, Hexavalent Chromium, Cadmium, Copper, Lead, Nickel, Zinc and Total Chromium at KSPCB's sophisticated Central Laboratory. KSPCB has been advised to undertake water quality monitoring at regular intervals in these lakes and drains (connecting these lakes) and upload (on monthly basis) the water quality information at KSPCB website.</p>
14.	<p>Para 28(xii) Order dated 18.12.2019: <i>Steps may be taken to explore development of wetlands and biodiversity parks apart from other remedial action for reducing the pollution load on the recipient water bodies.</i></p>	<p>Provision is made in the estimate for construction of wetland Bellandur and Varthur lakes. Once the identified wetland area within the lake is de-silted, wetland will be developed.</p> <p>Letter has been received from the ADLR (East) dated.06.11.2020 stating that Government land is not available along the periphery of the lake boundary in buffer zone.</p>
15.	<p>Para 28(xiv) Order dated 18.12.2019: <i>Real time water quality system be commissioned by 31.01.2020 as proposed.</i></p>	<p>The Board has already installed the Real Time Water Quality Monitoring systems at three locations and continuously monitoring. The results are uploaded on the website.</p>
16.	<p>Para 28(xv) Order dated 18.12.2019: <i>The issue of removing 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris be finalized as per directions of Justice Hegde Committee in terms of para 26 above.</i></p>	<p>The Hon'ble NGT vide order dated 13.08.2020 has held that enquiry should be conducted about the illegality in laying the pipeline by the Minor Irrigation Department. Accordingly, Minor Irrigation department has taken steps as stated in para 21 in this report.</p>
17.	<p>Para 19(16) of order Order dated 06.12.2018: <i>Post removal of waste from the Lake and from the Rajakaluves, the State ought to prepare a</i></p>	<p>As regard to removal of waste from the lake area, the desilting work is in progress and once it is completed the left-out waste shall have to be removed. Meanwhile, the BBMP has to prepare a detail project report for the disposal for the same.</p> <p>In regard to removal of waste from the Rajakaluves, the BBMP submits that against approximately 218.0 kms of Rajakaluves (SWD), about 105.149 kms are being maintained. The maintenance includes removal of silt, floating</p>

<i>detailed project report with respect to disposal of the same.</i>	tresses, vegetation and other organics and transported to the Anjanapura abandoned stone quarries. A list of drains of 105.149 kms has been provided here as under:				
	Sl. No	Drain No	Drain Name	Length in M	
	1	MD 342A	Boganahalli	Panattur Kere	300
	2	MD 425	Ramgondanahalli Adarsha Houses	MD 428 @ Chainage 0.00m	100
	3	MD 428	Varthur Kere	MD 431 @ Chainage 0.00m	200
	4	MD 413	Pattanduru Agrahara	Nalluralli Kere	250
	5	MD 414	Saibaba Hospital	Nalluralli Kere	450
	6	MD 415	Pioneer Software	Nalluralli Kere	400
	7	MD 416	Nalluralli	Nalluralli Kere	450
	8	MD 349	End Point of MD 322 & MD 334 Near ADA Compound Wall	Varthur Kere	400
	9	MD 365A	End Point of MD 363 & MD 364	MD 369 @ chainage 0.00	400
	10	MD 322	RHB Colony	Garudacharyapalya Kere	150
	11	MD 322A	Garudacharyapalya Kere	Mahadevpura Kere	400
	12	MD 322C	ITPL Road	Ramakka Layout	100
	13	MD 325	Outter Ring Road	Doddanenkundi Kere	300
	14	MD 325A	Vinayaka Nagara 8th Cross	MD 325 @ Chainage 0.00	500
	15	MD 363	Chinnappanahalli Layout	MD 365 @ Chainage 0.00	500
	16	MD 369	End Point of MD 365 & MD 368	Varthur Kere	500
	17	MD 371	Tules CADCAM Technology	Kundalahalli Kere	500
	18	MD 372	BEML Layout	Kundalahalli to Siddapura	300
	19	MD 374	Tuberahalli BEML Layout	MD 375 @ Chainage 0.00m	230
	20	MD 375	End Point of MD 374 & MD 373	Siddapura Kere	450
	21	MD 292B	Vijaya Lakshmi Colony via Sai Baba Ashram	Dakshina Pinakini River	350
22	MD 292	Patalamma Layout	Dakshina Pinakini River via Sidhartha Layout	500	

23	MD 292A	Kashi Vishwanatha Temple	Outer Channel of YMC Kere near Railway Culvert	1050
24	MD 294	Alembic Glass	MD 388 @ Chainage 0.00m near Channasandra Circle	1150
25	MD 296	Channasandra Circle	Dakshina Pinakini River on Chikka Thirupathi Road	1300
26	MD 388A	Plantation near Gunjar	MD 388 @ Chainage 0.00m	150
27	MD 387	End point of MD 385	MD 382 @ Chainage 1840.00m	300
28	MD 451A	Gandhipura	MD 451 @ Chainage 560.00m	360
29	MD 451	Gandhipura	MD 453 @ Chainage 0.00m @ Immadihalli	300
30	MD 453	End Point of MD 451	MD 454 @Chainage 0.00	360
31	BH 628	Kaikondanahalli Kere	SowlTank	800
32	BH 627	Kasavanalli Kere	Kaikondanahalli Kere	300
33	BH 629	Arluur Kere	Kaikondanahalli Kere	500
34	BH 629	Arluur Kere	Kaikondanahalli Kere	200
35	BH627A	Bellandur	Ecospace	500
36	BH-599	Iblur Lake	Bellandur Lake	769
37	C 200	Doordarshan, Jayamahal Extn,	Ulsoor Tank	4150
38	C-100	From Palace Grounds, Vasanthnagar	Wind Tunnel Road	9650
39	C-101	Sudhamnagar	Inside HAL Airport	1875
40	C-102	Sweepers colony, Kadirenapalya	Shastrinagar Joining C-100	1600
41	C-103	Krishnamurthynagar	Kadirenapalya	1600
42	C-104	Kadirenapalya	Kadirenapalya tank	2500
43	C-105	Hanumannagar	Kodihally, Near Domlur Flyover	3000
44	C-106	New Thippasandra	ISRO Complex	650
45	C-107	Kaggadasapura Lake	Kaggadasapura Main Road / Doodanekkundi tank	900

46	C-108	Airport South East Corner	NAL	600
47	C-109	Adj. To Airport Compound	Bellandur Lake	675
48	N4 Drain	Nagammanagar	3rd Cross Domlur	1580
49	-	Domlur AK colony	Natasha Apartment	920
50	C-201	Ganapathy Temple, near Ulsoor Tank	MEG near Ulsoor Tank	250
51	C-202	Richards Town	Gymkhana Club	1170
52	C-203	Sagayapuram	Cleve town	750
53	C-204	Orion Mall, Marutisevanagar	Ulsoor Tank	2000
54	-	Upper Byrasandra lake - Baghmane Tech Park	Lower Byrasandra Lake - Baghmane techpark	560
55	-	Lower Byrasandra Lake - Baghmane techpark	Kaggadasapura Lake	930
56	-	KrishnaiahnaPalya	Kaggadasapura Lake	2600
57	-	Kasturinagar Park	Outer Ring Road	1000
58	-	Kasurinagar Railway track	Outer Ring Road	600
59	K-100	K.R.Market	Bellandur Lake	10200
60	K-200	Sanatorium	Bellandur Lake	7600
61	K-103	Church Street	via Austin town & Vivek nagar joining to K-100	3400
62	K-104	Jayangara 1st Block	Via Lakkasandra joining to K-100	1700
63	K-107	Lang ford town	Jalakanteshwara pura	770
64	K-108	Venkatareddy Layout	Willson Garden	1925
65	K-109	Kanteerava Stadium	via R.R. Mohan Ray & joining to K-100	2000
66	K-110	Hosur road	Sudhamanagara	625
67	K-111	South End road near Jayangara 2nd Block	Lalbh Tank	950
68	K-112	Parvathi Pura	Kumbargundi	725
69	K-114	Lang ford road	via St Michael's Church & Joining to K-100	1100
70	K-201	Vanaganahalli	Agara Lake	1350
71	K-202	Ellukunte	venkatapura	950
72	K-203	Crompton Greeves Road	Ring Road	1200
73	K-204	Madivala Tank	Hosur Road	705

		<table border="1"> <tbody> <tr> <td>74</td> <td>K-205</td> <td>Mudduram Nagar</td> <td>Bismillah Nagar</td> <td>525</td> </tr> <tr> <td>75</td> <td>K-206-</td> <td>Tayappanahalli</td> <td>Bovi Colony</td> <td>1245</td> </tr> <tr> <td>76</td> <td>K-207</td> <td>Bairsandra Ext</td> <td>Bannerugatta road</td> <td>1225</td> </tr> <tr> <td>77</td> <td>K-208</td> <td>Tilaknagar</td> <td>Krishnappa Garden</td> <td>425</td> </tr> <tr> <td>78</td> <td>K-209</td> <td>J P Nagara 6th Phase</td> <td>Madiwala Tank</td> <td>9500</td> </tr> <tr> <td>79</td> <td>K-210</td> <td>J P Nagara 6th Phase</td> <td>Joining K-200</td> <td>1700</td> </tr> <tr> <td colspan="4" style="text-align: center;">Total Length</td> <td>105149 meters</td> </tr> </tbody> </table> <p>It is stated here that the above details are submitted for the first time now hence Committee could not cross verify at the field level.</p> <p>Further, the State Government is developing Rajakaluve K-100 for the length of 11.4 kms from Chikkalalbagh to Bellanduru lake. No Objection Certification was given in compliance with IA No.392/2020 in OA No.125/2017 subject to the conditions. Copy of the said letter dated 24.12.2020 was also submitted to the Hon'ble NGT by the Committee. The outcome of the development of this Rajakaluve should be placed before the Hon'ble NGT by the State Government.</p> <p>BBMP is yet to submit the detailed report on the status of the drains (with details of encroachments) and buffer zones.</p>	74	K-205	Mudduram Nagar	Bismillah Nagar	525	75	K-206-	Tayappanahalli	Bovi Colony	1245	76	K-207	Bairsandra Ext	Bannerugatta road	1225	77	K-208	Tilaknagar	Krishnappa Garden	425	78	K-209	J P Nagara 6th Phase	Madiwala Tank	9500	79	K-210	J P Nagara 6th Phase	Joining K-200	1700	Total Length				105149 meters
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18.	<p>Para 6 of order Order dated 13.08.2020: Details of amount to be recovered from the units operating without STPs and the stage of proceedings pending before the State PCB</p>	<p>KSPCB has identified 91 units for recovery of Rs .271.50 Crores . The stages of proceedings are as under:-</p> <table border="1"> <tbody> <tr> <td>No. of units Installed STP</td> <td>42</td> </tr> <tr> <td>No. of units connected to BWSSB</td> <td>06</td> </tr> <tr> <td>No. of units with STP under construction</td> <td>07</td> </tr> <tr> <td>No. of units issued with Closure orders</td> <td>10</td> </tr> <tr> <td>Action yet to be taken</td> <td>26</td> </tr> </tbody> </table> <p>No recovery is made from the defaulting units.</p>	No. of units Installed STP	42	No. of units connected to BWSSB	06	No. of units with STP under construction	07	No. of units issued with Closure orders	10	Action yet to be taken	26																									
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19.	<p>Para 6 of order Order dated 13.08.2020: Vacation of interim order passed by the High Court (present status)</p>	<p>A WP No. 50953/2019 regarding unauthorised occupation of the Bellanduru lake land (Ambedkar Colony) is pending before the Hon'ble High Court.</p>																																			
20.	<p>Para 6 of order Order dated 13.08.2020: The BDA has wrongly understood that biodiversity parks are to be set up within the lake boundary. Such parks are</p>	<p>The BDA submits that no Bio-Diversity parks are developed within the periphery of the lake after Hon'ble NGT observations. The BDA submits that Government land is not available along the periphery of the lake boundary in buffer zone.</p> <p>BDA submit that Contour Survey is being done for both the lakes to demarcate the area between maximum flood levels and the lake periphery. So, identified/demarcated area which is beyond the maximum water level where water does</p>																																			

	<p><i>to be set up along the periphery of the lake boundary. (Possibility of such Biodiversity parks).</i></p>	<p>not reach to lake periphery, such area may be developed as Bio-diversity parks without compromising total water holding capacity of lake and only on approval from competent Authority.</p> <p>Alternative land for disposal of silt or/and formation of Bio-diversity park in being explored near Defence land abutting to the Bellandur lake and also other open land available with Defence establishment within Bangalore city. Negotiation with Defence authorities are in progress. If it materialises, further action will be taken by following the protocol of disposal as per Rules.</p>																												
21.	<p>Para 6 of order Order dated 13.08.2020: <i>Enquiry should be conducted about the illegality in laying the pipeline by the Minor Irrigation Department (Present status).</i></p>	<p>The Additional Chief Secretary, Urban development Department, has submitted the following details in regard to action initiated against the officials in the subject matter.</p> <table border="1" data-bbox="1032 475 2198 894"> <thead> <tr> <th>SL No</th> <th>Name of the Erring Official</th> <th>Designation</th> <th>Period</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Devaraj B</td> <td>Chief Engineer</td> <td>23-09-2015 to 31-08-2017</td> </tr> <tr> <td>2.</td> <td>M Ravindrappa</td> <td>Superintending Engineer</td> <td>26-06-2014 to 18-11-2019</td> </tr> <tr> <td>3.</td> <td>S N Krishnappa</td> <td>Executive Engineer</td> <td>11-06-2015 to 27-08-2018</td> </tr> <tr> <td>4.</td> <td>Venkatesh</td> <td>Assistant Executive Engineer</td> <td>27-03-2017 to 04-11-2018</td> </tr> <tr> <td>5.</td> <td>Lakshmu</td> <td>Assistant Executive Engineer</td> <td>18-07-2016 to 26-03-2017</td> </tr> <tr> <td>6.</td> <td>Ashok H Bhagi</td> <td>Assistant Engineer</td> <td>07-12-2016 to 22-07-2019</td> </tr> </tbody> </table> <p>Officers who have worked in the specified period have been identified and show cause notices were issued to them vide dtd. 04.03.2020, giving 15 days' time to submit their replies. The replies submitted by them have been reviewed and found unacceptable. Further at Sl. No 04 Shri Venkatesh, Assistant Executive Engineer expired on 04/11/2018.</p> <p>The Additional Chief Secretary submits that a proposal will be sent to DPAR for obtaining formal approval for initiating disciplinary proceedings against the concerned retired officers and after getting approval from DPAR to conduct department enquiry action will be initiated as per rule 214 (2)(B)(i) and (ii) of KCSR.</p>	SL No	Name of the Erring Official	Designation	Period	1.	Devaraj B	Chief Engineer	23-09-2015 to 31-08-2017	2.	M Ravindrappa	Superintending Engineer	26-06-2014 to 18-11-2019	3.	S N Krishnappa	Executive Engineer	11-06-2015 to 27-08-2018	4.	Venkatesh	Assistant Executive Engineer	27-03-2017 to 04-11-2018	5.	Lakshmu	Assistant Executive Engineer	18-07-2016 to 26-03-2017	6.	Ashok H Bhagi	Assistant Engineer	07-12-2016 to 22-07-2019
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22.	<p>Para 6 of order Order dated 13.08.2020: Construction of retaining wall should not result in reduction of width of the water bodies/Rajakaluves.</p>	<p>The BBMP submits that the Construction of retaining walls to storm water drains is temporarily suspended in the Bellandur and Varthur catchment areas. To ascertain the actual width of these drains, the help of Cadastral maps is being taken in collaboration of Revenue Department and the Karnataka State Satellite Remotes Sensing Centre. They submit that the exercise will be completed by the end of March 2021. Once these exercises are completed the encroachments shall be identified at field and should be removed. The works of construction of retaining walls should be recommenced accordingly. The excess area outside the retaining walls, tree park should be developed. The BBMP is expected to consider entire lengths of SWDs in the catchment areas.</p>																												
23.	<p>Para 6 of order Order dated 13.08.2020: Details of action taken by the BBMP against illegal structures (rajakaluves and 30 meter buffer zone around the lakes)</p>	<p>The BBMP submits a detail of the encroachment removed in Mahadevapura Zone of the catchment of these lakes which were identified in the past. The details are as under:-</p>																												
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		<p>Further, BBMP submits that, following Writ Petitions in the matter of encroachment are filed and pending before the Hon'ble High Court.</p>																												
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		<p>The details of encroachments of other zones for the catchment of Varthur, Bellanduru and Agram have not been submitted by the BBMP.</p>																												
		<p>The BBMP further submits that 30 meter buffer zone have been demarcated all along the outer boundary of Bellanduru lake with the help of Additional Director of Land Records. In the 30 meter buffer zone of Bellanduru lake, 22 unauthorised structures have been identified. The process up to demolition order, has been completed. Against the demolition order 13 persons have appealed before the Karnataka Administrative Tribunal; one Writ Petition has been</p>																												

		<p>filed in the High Court; 4 persons have gone to the City Civil Court. Action has to be initiated against the remaining 4 persons.</p> <p>It is further submitted that along the periphery of the Bellanduru lake 177 mild steel tubular poles and 160 LED lights have been installed and commissioned. 23 poles and 40 LED lights are yet to be installed. As regard to CCTV cameras, 51 numbers have been installed and functioning and 11 numbers are yet to be installed.</p> <p>Further, 30-meter buffer zone has been demarcated along the outer boundary of Varthur lake with the help of Additional Director of Land Records. In this buffer zone, 12 unauthorised structures have been identified. The process up to demolition orders has been completed. Against the demolition order, one person has appealed before the Karnataka Administrative Tribunal; one structure has been demolished and remaining 10 structures are yet to be demolished.</p> <p>It is further submitted that along the periphery of the Varthur lake, 184 poles and 143 LED lights have been installed and commissioned. 16 poles and 57 LED lights are yet to be completed. As regard to CCTV cameras, 24 numbers have been installed and functioning and 26 numbers are yet to be installed.</p>
24.	<p>Para 6 of order Order dated 13.08.2020: <i>BBMP should survey and notify the rajakaluves for purposes of buffer zones of 50, 25 and 15 meters</i></p>	<p>The Storm water drains are classified into the Primary, Secondary and Tertiary SWDs with the buffer zones of 50, 25 and 15 meters respectively on certain technical parameters.</p> <p>The details of length in each category have not been submitted by the BBMP. The Committee has convened several meetings in this regard but no satisfactory desired results are achieved.</p> <p>To ascertain the actual width of these drains and encroachments, the help of Cadastral maps is being taken in collaboration of Revenue Department and the Karnataka State Satellite Remotes Sensing Centre. They submit that the exercise will be completed by the end of March 2021. Once this exercise is completed, the further action of demarcating of encroachments at field should be done and to be removed. The BBMP is expected to consider entire lengths of SWDs in the catchment areas.</p>

25.	<p>Para 8 of order Order dated 13.08.2020: <i>We have given due consideration to the rival opinions. We are of the view that some more sampling may be got carried out with regard to de-silted debris/sludge at appropriate representative locations for comprehensive database and thereafter disposal protocol may be finalized in consultation with the CPCB. This will avoid unnecessary delay and cost (action taken in this regard by KSPCB for sample analysis).</i></p>	<p>More silt sampling in both lakes have been carried out jointly (by CPCB and KSPCB) and analysed for essential parameters including heavy metals. The standard protocol for assessing the hazardous (if any) is being followed through TCLP (Toxicity characteristic leaching procedure) and STLC (Soluble Threshold Limit Concentration) investigations of soil samples in Varthur and Bellandur Lakes.</p> <p>Based on this, CPCB has given a report for Varthur lake. As per the protocol based on TCLP and STLC analyses, the soil is non-hazardous and hence permission is accorded to BDA by KSPCB to dispose silt, based on the local demand</p> <p>As regards to Bellandur Lake, the analysis of sediment samples for leachability tests is under progress and is expected to be completed early. Based on the test results CPCB, will submit a report suggesting silt disposal mechanism.</p>
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This report is submitted to the Hon'ble National Green Tribunal for appropriate order.”

8. The State of Karnataka has filed its affidavit dated 09.03.2021 with a compliance report in tabular form which is reproduced below:

Contd. at next page

Sl. no	<i>Directions of Hon'ble NGT vide orders dated 06.12.2018, 18.12.2019 and 13.08.2020</i>	Observations of Monitoring Committee on progress up to 31.01.2021		Remarks/explanations on behalf of State of Karnataka												
1	<i>Relevant para</i>	3														
26.	<p>Para 28(i) Order dated 18.12.2019: <i>Timelines for execution of projects for setting up of STPs and laying of sewerage network may not be extended beyond 30.09.2020. If the works remains incomplete even till 30.09.2020, compensation will be liable to be paid @ Rs.10 lakh per STP per month which may be liable to be recovered from the erring officers, apart from adverse entries in their service records and other adverse action.</i></p> <p><i>Further, the NGT vide order dated 13.08.2020 has directed that, the works may be expeditiously completed and to be reviewed by the Monitoring Committee.</i></p>	<p>In regard to the construction of STPs and their commission, the details are given as under (BWSSB):</p> <table border="1" data-bbox="720 581 2099 1421"> <thead> <tr> <th data-bbox="720 581 790 646">Sl. no</th> <th data-bbox="790 581 1306 646">Name of the STP / others</th> <th data-bbox="1306 581 2099 646">Compliance</th> </tr> </thead> <tbody> <tr> <td data-bbox="720 646 790 906">iii.</td> <td data-bbox="790 646 1306 906">Sarakki – 5 MLD STP</td> <td data-bbox="1306 646 2099 906">Completed and commissioned on 08.11.2019.</td> </tr> <tr> <td data-bbox="720 906 790 1190">iv.</td> <td data-bbox="790 906 1306 1190">Chikkabeguru - 5 MLD STP</td> <td data-bbox="1306 906 2099 1190">Completed and commissioned on September 2020.</td> </tr> <tr> <td data-bbox="720 1190 790 1421">viii.</td> <td data-bbox="790 1190 1306 1421">Hulimavu – 10 MLD STP</td> <td data-bbox="1306 1190 2099 1421">Completed and commissioned on 31.03.2020</td> </tr> </tbody> </table>		Sl. no	Name of the STP / others	Compliance	iii.	Sarakki – 5 MLD STP	Completed and commissioned on 08.11.2019.	iv.	Chikkabeguru - 5 MLD STP	Completed and commissioned on September 2020.	viii.	Hulimavu – 10 MLD STP	Completed and commissioned on 31.03.2020	<p>i. Sarakki – 5 MLD STP Presently, the treated water is let into Sarakki Lake. Photographs enclosed in Annexure-R-1 (Vide Pg No. 48 to 51)</p> <hr/> <p>ii. Chikkabeguru – 5 MLD STP Presently, the treated water is let into Chikka Begur Lake. Photographs enclosed in Annexure- R-2 (Vide Pg No. 52 to 55)</p> <hr/> <p>i. Hulimavu – 10 MLD STP Presently the treated water is let into Hulimavu Lake.</p>
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				<p>Photographs enclosed in Annexure- R-3 (Vide Pg No. 56 to 60)</p> <hr/> <p>ii.Agaram STP</p> <p>Presently the treated water is let into Agaram Lake.</p> <p>Photographs enclosed in Annexure –R-4 Vide Pg No. 61 to 66)</p> <hr/> <p>v. Madiwala STP</p> <ul style="list-style-type: none"> Initially, Construction of this STP was taken up by the Karnataka Lake Conservation and Development Authority with funds from KSPCB. Due to poor progress, this work was handed over to BWSSB. BWSSB has taken up the up-gradation of this STP and the overall progress as on 22.02.2021 is 33.00 % against the planned target of 100.00%. Due to Covid-19 pandemic there is delay, however, the work will be completed by December 2021.
		ix.	Agram – 35 MLD STP	Completed and commissioned on 31.03.2020
		x.	Madiwala – 4 MLD STP	24.5% work completed

					<ul style="list-style-type: none"> As an interim measure, to avoid sewage entry into the Madivala lake, the sewage which was earlier augmented to this STP is now diverted to Agarm ISPS by linking this network to ISPS through 900mm dia sewer link line, Photographs enclosed in Annexure R-5 (Vide Pg No. 67-70) <hr/> <p><i>iv) In spite of effects of Covid19, pandemic effects, the overall progress as on 22.02.2021 is 91% against the planned target of 100.00%.</i></p> <ul style="list-style-type: none"> Due to Covid 19 pandemic conditions like, Migration of Labour, Shutdown of industries of specialised equipment's manufacturing units, non-availability of construction materials like cement, steel, aggregates, etc., the shortfall is mainly in civil works and installation of plant and machineries. At present, the facilities for augmenting the sewage have been completed and intake of sewage has been taken on 31.12.2020 and primary treatment is in progress.
		xi.	K&C Valley – 150 MLD STP	90.01 % works completed as on 31.01.2021. Primary treatment is in progress and likely to be completed by 31.03.2021 and expected to treat 83MLD sewage (with this augmentation, 536 MLD (92%) would be treated as against 583 MLD)	

				<ul style="list-style-type: none"> Action is in progress to commission the balance line of treatment in a phased manner by 31-03-2021. <p>Photographs enclosed in Annexure -R-6 (Vide Pg No. 71 to 83)</p> <hr/> <p>v) The ISPS is ready for operation. The sewage will be pumped after completion of the 150 MLD STP and. Laying of pipe network, which are in progress. Photographs enclosed in Annexure R-7 (Vide Pg No. 84 to 85)</p> <hr/> <p>vi) As the location of the work lies at the end of the valley the SWD carries huge quantity of storm water. Hence, laying of pipelines in the storm water drains (SWD) is very difficult and time consuming At present, 5295 RMT of pipeline work is completed against 5315 RMT (excluding TT & Bend length).</p> <ul style="list-style-type: none"> Due to COVID-19 pandemic, the firm lost time to tackle the work in SWD from 23.03.2020 to May 2020.
		xii.	Construction of 210 MLD capacity ISPS at Koramangala at sports complex	The work is completed and ready for operation. The water will be pumped to 150 MLD STP,once the remaining pipe network is completed, (yet to complete 252 Rmt)
		xiii.	Laying of 1800 mm UGD from 210 MLD ISPS to 150 MLD STP	Against the 5315-running meter; 5063 running meter is completed. Likely to be completed by 31.03.2021.

					<ul style="list-style-type: none"> • Further, the work was delayed due to the monsoon which set in from June 2020 and lasted up to 10th of December 2020. • The work will be commissioned on or before 31st March 2021. <p>Photographs enclosed in Annexure- R-8 (Vide Pg No. 86 to 92)</p> <hr/> <p>vii) The overall progress as on 22.02.2021 is 55% against the planned target of 100.00%.</p> <ul style="list-style-type: none"> • Due to Covid 19 pandemic conditions like, Migration of Labour, non-availability of construction materials like cement, steel, aggregates, etc., there is Delay. • Also, the strata met with is in Wet well is hard rock, excavation. In hard rock wedging and chiselling is time consuming. • However, temporary arrangement has been made for pumping sewage to BellandurAmanikhane STP. • This work will be completed before 31.03.2021.
		xiv.	Waste water wet well – 32.5 MLD Capacity near the premises of 90 MLD BellanduruAmanikhane STP to augment sewage from the adjoining areas of BellanduruAmanikhane STP (date fixed for completion 30.09.2020)	The overall progress as on 31.01.2021 is 45.75 % against the planned target of 100.00%. This work will be completed before 31.03.2021. However, the temporary arrangement has been made for pumping sewage to BellandurAmanikhane STP.	

			Photographs enclosed in Annexure-R-9 (Vide Pg No. 93 to 97)
27.	<p>Para No.14 Order Dated 18.12.2019</p> <p><i>We also found that timelines fixed by this Tribunal have been unilaterally extended without any valid justification and no action has been taken against the erring officers on a specious plea that it was difficult to fix responsibility. Such approach is hardly compliant with the Rule of Law. We particularly disapprove the timeline for upgradation of STPs with Biological Nutrient Removal (BNR) at 248.MLD STP at K&C Valley. The same must not go beyond 30.09.2020 but preferably be completed before 30.06.2020 although earlier timeline fixed by this Tribunal was 30.06.2019. No substantial work has been done in the last one year on this aspect.</i></p>	<p>The BWSSB submits that, STPs of 90 MLD at Bellandur Amanikere; 60 MLD at K&C Valley; 5 MLD at Sarakki; 5 MLD at Chikkabegur; 10 MLD Hulimavu; 35 MLD at Agramand 150 MLD at K&C Valley (under construction) are complied with Biological Nutrient Removal treatment.</p> <p>The BWSSB further submits that for the 248 MLD STP at K&C Valley, certain modifications in the process of treatment have been made in consultation with the IISc, Bengaluru, for removal of nutrients. On sample analysis it is found that the biological nitrates have been reduced substantially (nitrogen 6.4 mg per ltr and phosphates 0.85 mg per ltr). It is noted that, the treated water from these STPs is being transmitted to the tanks in Kolar District for recharge of ground water for irrigation purpose. However, the upgradation of the system has not been completed but is in process.</p>	<ul style="list-style-type: none"> • No response was received for the tenders floated due to COVID conditions. • To comply, based on inputs from the IISc, Bengaluru and the consultants viz M/s CH2M Hill India Pvt. Ltd., modifications in the processes have been made to ensure removal of nutrients in the two STP's i.e. 30 MLD STP & 218 MLD STP. • Samples were collected jointly by CPCB, KSPCB and I.I.Sc. The results furnished by them are annexed. • The treated effluents from all the three above STPs and one more 90 MLD STP at Bellandur Amanikere are eventually conveyed to the Minor Irrigation Jack Well situated near Bellandur Amanikere, from where the effluent is finally discharged into Lakshmi Sagar Lake of Kolar District. • As per the test reports, the Total Nitrogen is 6.4 mg/ltr and the Total Phosphates is 0.85 mg/ltr, which is within the ranges as suggested by Hon'ble NGT Monitoring Committee.

			<ul style="list-style-type: none"> • The professors of IISc (who are entrusted with the studies of Environmental Impact due to augmentation of treated water from K&C Valley STP's into Kolar District Lakes have shared the results of the samples collected to at Lakshmi Sagar Lake • As reported by them, the Biological Nutrients in the ultimate discharge point of Lakshmi Sagar Lake are well within the stipulations.
28.	<p>Para 28(ii) Order dated 18.12.2019: <i>Bengaluru Water Supply and Sewerage Board (BWSSB) must ensure that no sewage/effluent is discharged into the lakes and till completing of STPs, interim remediation must be done forthwith. Any default in this regard will result in requirement to pay compensation of Rs.5 lakh per month per inlet into the lakes from 01.02.2020.</i></p>	<p>It is submitted that, the sewage water has been diverted through the peripheral temporary diversion channels and no sewage water enters in these lakes (Agram, Bellanduru and Varthur).</p> <p>Further, the BWSSB has installed aerating systems in these temporary diversion channels at, 1) HAL side and Kempapura inlet, 2) Agaram inlet, 3) Koramangala inlet, 4) Iblur inlet coming under Bellandur Lake, 5) Northern and 6) Southern side of Varthur lake for inline treatment of sewage.</p> <p>The artificial floating islands have also been installed at certain places. The committee has suggested to augment phytoremediation options at locations, where the water flow is slow or stagnant to enhance the treatment efficacy, which is yet to be implemented.</p>	<p>BWSSB:</p> <p>The aerating systems in the 6 locations were installed before 31.01.2020.</p> <p>Subsequently, in order to enhance the interim remediation artificial floating islands have also been installed.</p> <p>Photographs and Test Reports enclosed in Annexure R-10 (Vide Pg No. 98 to 103)</p>
29.	<p>Para 28(iii) Order dated 18.12.2019:</p>		<p>In view of the facts and circumstances explained to the</p>

	<p><i>BSWWB may further ensure that treated water is not discharged into the UGD network. Action may be taken against persons responsible for having allowed this to be done earlier resulting into loss of Rs.2 Lakhs per day i.e.Rs.60 Lakhs per month and more than Rs.7 Crore per year without any justification whatsoever. BY BWSSB</i></p>	<p>There are about 496 buildings having STPs as per the KSPCB records. The BWSSB submits that, wherever there was connectivity with the UGD for flowing of treated water; all have been disconnected (109 buildings). For the remaining areas there is no access tonetworking of UGD.</p> <p>The BWSSB submits that, treated water was allowed as per the conditions stipulated in the order issued by KSPCB. In view of these facts and circumstances, it is requested by BWSSB not to initiate action against their officials.</p>	<p>Monitoring Committee, it is requested not to initiate action against the officials.</p>
30.	<p>Para No.16 Order Dated 18.12.2019 <i>We are informed that about 256.7 MLD untreated sewage is enteringthe lake from five locations which is nothing but a criminal offencewhich is required to be checked on war footing and violators of lawbrought to justice, erring officer being appropriately dealt with underthe civil, criminal and service law with a view to uphold the Rule ofLaw. There is large scale breach of public duties by concernedAuthorities dealing with the subject</i></p>	<p>The BWSSB submits that to check the flow of sewage water into the lakes, following works have been completed.</p> <ol style="list-style-type: none"> 5. HAL SWD (Challaghatta Valley) – Totally 23 works are to be taken up for augmenting this flow, out of which 23 works are completed as on 23.12.2020. 6. Koramangala and AgramValley-Totally 48 works are to be taken up for augmenting this flow out of which 48 works are completed on 23.12.2020. 7. Iblur Catchment area- Completed and Commissioned on 23.12.2020. 8. Kempapura Catchment area- BWSSB has taken up work of laying 300 mm RCC NP3 sewer line for a length of 1000 RMT to convey the sewage generated in the area ofBellanduruAmanekhane STP. The work is completed and commissioned in the month of May 2020. <p>The BWSSB submits that, the combined treatment capacity in the catchment of these lakes will be around 664.50 MLD against the presently measured flow of 553 MLD.Presently, about 453.50 MLD of sewage is being treated. Additionaltreatment of 83 MLD would beaugmented by commissioning of new STP (end of March 2021). Therefore, there will be treatment of 536.50 MLD (92 %) as against the measure flow of 583 MLD.</p> <p>The Committee observes that the BWSSB has to take steps to treat the remaining 8 to 10 % of sewage to stop completely the flowing of sewage into the lakes after rejuvenation. It is submitted here that, as per the earlier recommendations of the Committee, the water level in these lakes will be maintained by supplying treated water from the STPsdaily to compensate evaporation and seepage losses. Only the surplus treated water should be allowed to flow to Kolar, Chikkaballapur, Anekal etc.</p>	<p>The flow in the SWDs was measured in the month of April-2019 and the details of flow are as below:</p> <p>HAL-48.60 MLD</p> <p>Agaram & Koramangala (Y-Junction)-179.50 MLD Total-228.10 MLD</p> <p>The flow details of STPs at K&C Valley, Bellandur on the day of measurement were:</p> <p>218 MLD-170 MLD 60 MLD-22 MLD 30 MLD-26MLD 90 MLD-30 MLD Total-248 MLD</p>

	<p><i>and earlier observations of this Tribunal have fallen on deaf ears and blatantly flouted.</i></p>		<p>After carrying out major interlinking/new pipeline works on the upstream side, the flow was measured in the 1st week of March-2020. The details are as follows:</p> <p>HAL-31.4 MLD</p> <p>Agaram&Koramangala</p> <p>(Y-Junction)-114.26 MLD Total-145.66 MLD</p> <p>The flow details of STPs at K&C Valley, Bellandur on the day of measurement were:</p> <p>218 MLD-180 MLD 60 MLD-51 MLD 30 MLD-30 MLD 90 MLD-70 MLD Total-331 MLD</p> <p>At present, the flow details of STP at K&C valley measurement were:</p> <p>218 MLD-194 MLD 60 MLD-60MLD 30 MLD- 30MLD 90 MLD -90 MLD 50 MLD-45MLD 2MLD-1.50MLD 1.50MLD-1.50MLD 4MLD-2MLD 5MLD-4.50MLD 10MLD-5MLD 5MLD-2MLD 35MLD-18MLD Total=453.50 MLD.</p>
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			<ul style="list-style-type: none"> • As can be seen from the above the flow in the SWD has been reduced to an extent of 159 MLD and is being augmented to STPs • The combined treatment capacity of the above plants will be 664.50 MLD against the measured flow of 583 MLD. Presently, 453.50 MLD of sewage is being treated and 83 MLD will be augmented to new STP which is under construction and will be completed by Last week of March 2021. • The total treated sewage will be 536.50 MLD (92%) by the last week of March 2021 as against the measured flow of 583 MLD (The detail report is enclosed as Annexure- R-11). (Vide Pg No. 104 to 110) 										
31.	<p>Para 28(iv) Order dated 18.12.2019: Sources of discharge of Sewage be controlled/regulated and electricity and water supplies to the defaulting establishments be stopped for enforcement of law till remedial steps are taken for compliance.</p>	<p>The KSPCB has identified 91 units in total that are required to be installation of STP. The details of progress are given as under: -</p> <table border="1"> <tr> <td>No. of units Installed STP</td> <td>42</td> </tr> <tr> <td>No. of units connected to BWSSB</td> <td>06</td> </tr> <tr> <td>No. of units with STP under construction</td> <td>07</td> </tr> <tr> <td>No. of units issued with Closure orders for either not having STPs or not connected to UGD and letting the raw sewage into the storm water drain</td> <td>10</td> </tr> <tr> <td>Action yet to be taken</td> <td>26</td> </tr> </table>	No. of units Installed STP	42	No. of units connected to BWSSB	06	No. of units with STP under construction	07	No. of units issued with Closure orders for either not having STPs or not connected to UGD and letting the raw sewage into the storm water drain	10	Action yet to be taken	26	<p>As on 20.03.2020, there were 61 units which had not installed STP, out of which 25 units have installed STP; and the remaining 36 units have not installed STP units. Closure orders have been issued to 10 units which have not installed STP units and closure orders for the remaining units are under consideration.</p>
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32.	<p>Para 28(v)</p>												

	<p>Order dated 18.12.2019: Encroachments which are still continuing be removed by using force wherever necessary. If any injunction has been erroneous, higher forum can be moved so that law is upheld.</p>	<p>An area of 5.20 Acres in Sy.No.319 was granted to a person from the village of Amani Bellandurukane during 1976-77 and a new survey number 477 have been formed. This survey number was the part of Varthur lake. The matter is under process for cancellation of grant and pending before the concerned Assistant Commissioner. The other encroachments are stated as removed.</p> <p>Illegal constructions in Ballandur lake (named as Ambedkar Nagar slum) are yet to be evicted</p>	<p>Out of 228 dwellers in Ambedkar Slum, 128 have shifted to Marathahalli.</p> <p>These 128 sheds have been demolished on 16.11.2019. The remaining occupants have filed PIL in the Hon'ble High Court of Karnataka, Bengaluru on 20.11.2019 vide Writ Petition No.50953/2019 (CM-RES) and obtained stay order on 20.11.2019.</p> <p>The Hon'ble High Court of Karnataka, Bengaluru through interim orders has given relief to the petitioners till next date of hearing on 13.01.2021. Next Date of hearing is on 08/03/2021 (Copy enclosed). Further action will be taken as per the Order of Hon'ble High Court of Karnataka.</p>												
33.	<p>Para 28(vi) Order dated 18.12.2019: Action against erring officers which has not yet been taken must be initiated forthwith as already directed. Failures of officers still in service should be duly reflected in their ACRs.</p>	<p>The Additional Chief Secretary, Urban development Department, has submitted the following details in regard to action initiated in the subject matter. The same is produced here for further needful.</p> <p>4) <u>Bengaluru Development Authority:</u></p> <table border="1" data-bbox="715 1036 2104 1382"> <thead> <tr> <th>Sl. No</th> <th>Name of erring officer/ official</th> <th>Designation and Period</th> </tr> </thead> <tbody> <tr> <td>4.</td> <td>Rizwan Baig</td> <td>Executive Engineer From 2010 to 2011 & 2015 to 2016</td> </tr> <tr> <td>5.</td> <td>S.Mallikarjuna Swamy</td> <td>Executive Engineer from 2010 to 2011 & 2015 to 2016</td> </tr> <tr> <td>6.</td> <td>Ravi Narayana Reddy</td> <td>Executive Engineer from 2010 to 2011 & 2015 to 2016</td> </tr> </tbody> </table>	Sl. No	Name of erring officer/ official	Designation and Period	4.	Rizwan Baig	Executive Engineer From 2010 to 2011 & 2015 to 2016	5.	S.Mallikarjuna Swamy	Executive Engineer from 2010 to 2011 & 2015 to 2016	6.	Ravi Narayana Reddy	Executive Engineer from 2010 to 2011 & 2015 to 2016	
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6.	Ravi Narayana Reddy	Executive Engineer from 2010 to 2011 & 2015 to 2016													

Notices were served to erring officials on 19.02.2020 seeking their replies within 15 days. Replies were received from all the above mentioned officials. On scrutiny of the explanations given by them, the Additional Chief Secretary (ACS), submits that the replies are found acceptable.

5) **BBMP**: Period from 20.09.2008 to 03.05.2011

Sl. No	Name of erring officer/ official	Designation and Period	Present Dept
5.	J.C.PrakashMurthy	Assistant Engineer(1.10.2008 to30.11.2009)	PWD
6.	H.P.MohanKumar	Assistant ExecutiveEngineer (2.03.2009 to3.1.2011)	PWD
7.	H.Chandrappa	Assistant Engineer,K.R.Puram Sub- Division,(2.12.2009 to 11.1.2012)	PWD
8.	J.C.PrakashMurthy	Assistant ExecutiveEngineer, (after promotion)(2.12.2009 to 7.7.2010)	PWD

The State Government vide No.UDD/91/MNJ/2017, Dated.11.12.2020 directed BBMP to take necessary action on the erring officials as per the directions of the Hon'ble NGT and to submit a compliance report by 20.12.2020. The draft charges memo has been submitted to the concerned Administrative Department i.e., PWD for further necessary action.

6) **BWSSB**

Sl. No.	Name	Designation
12.	S.M. Basavaraju	Chief Engineer (14.11.2006 to 08.04.2013) & 10.05.2013 to 29.03.2014)
13.	S.M. Ramakrishna	Chief Engineer (29.03.2014 to 31.07.2017) as Chief Engineer WWM
14.	S.R. Roopa Kumar	Additional Chief Engineer (31.010.2007 to 05.06.2008)
15.	S.P. Rudra Murthy	Additional Chief Engineer (05.06.2008 to 13.06.2012)
16.	V. Mahesh	Additional Chief Engineer (27.03.2013 to 10.07.2015)
17.	K.R. Manjunath	Additional Chief Engineer (10.07.2015 to 28.10.2016)
18.	B.M. Purushotham	Executive Engineer (29.10.2007 to 23.05.2008)
19.	C. Abdul Nazir	Executive Engineer (23.05.2008 to 04.01.2012)
20.	B.N. SiddaGangaiah	Executive Engineer (04.01.2012 to 31.08.2012) & from 31.08.2012 to 15.11.2012
21.	C.C. PuttaMallappa	Executive Engineer (15.11.2012 to 26.08.2013)
22.	B.S.C. Soma Shekar	Executive Engineer (26.08.2013 to 07.06.2014)

Some of the retired officers of BWSSB have approached the Hon'ble High Court. In response to this, the Hon'ble High Court has issued an interim order of stay.

		The ACS submits that officers who have worked in the specified period have been identified and show cause notices have been issued to them. The replies obtained from these officers have been reviewed and found to be not acceptable. Hence, the formal approval of the Government has been sought vide letter dated.26.05.2020 for initiating disciplinary proceedings on all the concerned retired officers of BWSSB. In this regard, the State Government in letter dated.27.10.2020 has accorded approval to conduct department enquires on all the concerned retired officers of the Board. As per rule 214 (2)(B)(i) and (ii) of KCSR, action has been initiated to conduct Departmental enquiry and for this purpose show-cause notices have been issued to all the retired officers on 18.12.2020 giving 15 days' time to submit their replies. All the retired officers have sought many details and additional time for furnishing their replies. After getting their replies, further action will be initiated.	
34.	Para 28(vii) Order dated 18.12.2019: <i>The State PCB itself may lay down standards for phosphorus instead of waiting for notification.</i>	The KSPCB submits that the Bureau of Indian Standards has issued notification for limiting the Phosphorus content in household laundry detergents powders, household laundry detergents bars and synthetic detergents of washing woollen and silk fabrics. Further they submit that some follow up action has been taken as listed below:- 5. A public notice is issued by KSPCB in this regard in the print media. 6. Letters are addressed to all the State PCB's to directly implement the order. 7. Letters are addressed to all the soap/detergent manufacturers in the state of Karnataka for the restriction of Phosphorus content. 8. Letter is addressed to MOEF for making a final notification.	<ul style="list-style-type: none"> • BIS has released revised standards on the Phosphorus content in soaps/detergents during August, 2020. • Follow up action has been taken by the Board as also noted by the Monitoring Committee. Public notice/letters attached as Annexures-R-12. (Vide Pg No. 111 to 114)
35.	Para 28(viii) Order dated 18.12.2019: <i>The State of Karnataka may either resolve the issue of fencing with the Defence establishment or put such establishments to notice to place their objections before this Tribunal within one month of such notice after which the State of Karnataka will be at liberty to proceed with the fencing and such Defence establishment will stand restrained from</i>	The issue of raising of fencing towards the Defence area have been resolved. The Commissioner, BDA, submits that an estimate is prepared and sent for 4(G) exemption to the Government for the construction of fence. Further, in regard to de-silting a portion of the lake, there is a dispute pending with the Defence.	<p>The Finance Department approved the proposal of BDA for undertaking the left over fencing work under 4(G) exemption and issued orders vide FD 57 EXP -12/2021 dated 05.02.2021.</p> <p>Commissioner, BDA has written a letter No BDA/Com/EM/T-296/2020-21, Dated 08.02.2021 to Lt. Gen, Commandant & Colonel Commandant ASC, ASC Centre & College, Bangalore and also had a meeting with him.</p> <p>During the meeting, the Commissioner requested for permission to make use of the defence area for desilting in the defence portion of lake and also</p>

	<i>interfering unless otherwise directed by this Tribunal or any other authority.</i>		sought approval for depositing the desilted muck in the low-lying areas of the defence land. Lt. Genhas agreed in principle to allow only non-hazardous silt to be deposited in the defence land where it will be beneficial in development of army training areas & reclaiming of low-lying land. On receipt of a formal permission from the defence authority, the work of chain link fencing and de-silting in the defence area will be taken up and completed.						
36.	Para 28(ix) Order dated 18.12.2019: <i>Compensation already assessed to be recovered by adopting coercive measures such as disconnection of electricity and water supplies.</i>	In regard to this para, the KSPCB submits as under:- <table border="1" data-bbox="720 743 2099 841"> <tr> <td>Total No. of units issued with notice for EC and Amount.</td> <td>376 units (Rs.19.85 Crores)</td> </tr> <tr> <td>No. of units paid EC and Amount</td> <td>40 units (Rs.2.10 Crores)</td> </tr> <tr> <td>Action yet to be taken for recovery</td> <td>336 units</td> </tr> </table> M/s. Durga rainbow flat owner's welfare association has filed an impleading application before the Hon'ble NGT on 30.08.2020.	Total No. of units issued with notice for EC and Amount.	376 units (Rs.19.85 Crores)	No. of units paid EC and Amount	40 units (Rs.2.10 Crores)	Action yet to be taken for recovery	336 units	Where recovery is due, action is being taken to request the Deputy Commissioners concerned to recover the amounts from the concerned as arrears of land revenue. ANNEXURE-R-13 (Vide Pg No. 115 to129)
Total No. of units issued with notice for EC and Amount.	376 units (Rs.19.85 Crores)								
No. of units paid EC and Amount	40 units (Rs.2.10 Crores)								
Action yet to be taken for recovery	336 units								
37.	Para 28(x) Order dated 18.12.2019: <i>Steps be taken expeditiously for de-silting, de-weeding. Analysis of sludge and silt may be carried out before its disposal based on the result of such analysis, the mode of disposal and protocol be determined in accordance with laid</i>	KSPCB has collected series of samples of Silt/sludge at different depth with grid manner on 25 th , 26 th & 27 th of December 2020. Besides sample collected on 16/09/2020, 18/09/2020, 12/11/2020, 19.12.2020 & 5.1.2021 The CPCB has given a report for Varthur lake based on TCLP and STLC analyses of silt samples. As per the protocol based on TCLP and STLC analyses, the soil is non-hazardous and accordingly the permission is accorded to BDA by KSPCB to dispose silt from the locations showed in the grid map based on local demand. As regards to Bellandur Lake, the analysis of sediment samples for leachability tests is under progress.	KSPCB has collected series of samples of silt/sludge at different depths on 25 th , 26 th & 27 th of December 2020. Besides sample collection done on 16/09/2020, 18/09/2020 & 12/11/2020 (Annexure-14). (Vide Pg. No. 130-145) The CPCB has given a report stating that other than the areas where the heavy metals are found to be managed as per the Hazardous Waste						

	<p><i>down principles under the relevant Rules.</i></p>	<p>De-silting of Varthur lake: work order issued on 23.11.2020 to the Agency M/s Star Infra Tech Pvt Ltd. It is submitted that, more soil / silt / sludge samples were collected from the lake bed areas and was analysed. The sediment analysis results based on the screening levels on soil quantity parameters prescribed for agriculture use have been examined by the CPCB and a report is given. Based on the recommendations of CPCB, the KSPCB issued a letter for disposal of the silt for agriculture and other uses. The work of de-silting has commenced by M/s Star Infra Tech Pvt Ltd as per the direction of KSPCB/BDA. Further, the BDA claims that approximately in an area of 100 Acres, silt is removed and stocked in the lake area. This work of removal of silt (100 Acres) is carried out under the 4 (G) exemption.</p>	<p>Management rules and the balance silt can be used over the agricultural land.</p> <p>Varthur Lake: On a pilot basis, silt was removed under 4 (G) exemption over an area of 100 acres and stacked in the lake area.</p> <p>Work order was issued on 23.11.2020 to M/s Star Infratech Pvt. Ltd.</p> <p>Silt has been removed over an area of 128 acres for an average depth of 1 metre. The total quantity of silt removed and stacked till 22.02.2021 is approximately 8.75 lakhs cubic metre.</p> <p>The KSPCB has sent a letter dated 12.02.2021 which is received on 22.02.2021 informing the steps for disposal of the silt in Varthur lake (copy of the letter is enclosed herewith at page no.7). Action is being taken to stack the useful silt on the lake boundary for interested farmers to collect the required quantity till a certain time.</p>
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38.	Para 28(xi) Order dated 18.12.2019:	The KSPCB has a well-equipped laboratory to analyse the samples in house. Samples are being analysed for pH, BOD, COD, TSS, Ammoniacal Nitrogen, Iron and Manganese, Total Nitrogen, Cyanide, Hexavalent Chromium, Cadmium, Copper, Lead, Nickel, Zinc and Total Chromium at KSPCB's sophisticated Central Laboratory. KSPCB has been advised to undertake water quality	The KSPCB has a well-equipped laboratory to analyze the samples in house. Samples are being

	<i>The State PCB may develop a robust water quality monitoring program for monitoring of water quality of drains leading to the lakes and also undertake water quality monitoring at atleast 5 locations for each lake.</i>	monitoring at regular intervals in these lakes and drains (connecting these lakes) and upload (on monthly basis) the water quality information at KSPCB website.	analyzed for pH, BOD, COD, TSS, Ammoniacal Nitrogen, Iron and Manganese, Total Nitrogen, Cyanide, Hexavalent Chromium, Cadmium, Copper, Lead, Nickel, Zinc and Total Chromium at KSPCB's sophisticated Central Laboratory, out of which 6 are heavy metals. (Annexure-R-7). (Vide Pg No. 158 to 188)
39.	Para 28(xii) Order dated 18.12.2019: <i>Steps may be taken to explore development of wetlands and biodiversity parks apart from other remedial action for reducing the pollution load on the recipient water bodies.</i>	Provision is made in the estimate for construction of wetland Bellandur and Varthur lakes. Once the identified wetland area within the lake is de-silted, wetland will be developed. Letter has been received from the ADLR (East) dated.06.11.2020 stating that Government land is not available along the periphery of the lake boundary in buffer zone.	Identified wetland will be developed after desilting.
40.	Para 28(xiv) Order dated 18.12.2019: <i>Real time water quality system be commissioned by 31.01.2020 as proposed.</i>	The Board has already installed the Real Time Water Quality Monitoring systems at three locations and continuously monitoring. The results are uploaded on the website.	The Board has already installed the Real Time Water Quality Monitoring systems at 3 locations and continuously monitoring. The results are uploaded on the website. (Annexure—R-18). (Vide Pg. No. 189-191)
41.	Para 28(xv) Order dated 18.12.2019: <i>The issue of removing 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris be finalized</i>	The Hon'ble NGT vide order dated 13.08.2020 has held that enquiry should be conducted about the illegality in laying the pipeline by the Minor Irrigation Department. Accordingly, Minor Irrigation department has taken steps as stated in para 21 in this report.	<ul style="list-style-type: none"> Show cause notices were issued to them vide dated. 04.03.2020, giving 15 days' time to submit their replies. The replies submitted by them have been reviewed and found unacceptable. A proposal will be sent to DPAR for obtaining formal approval for

	<p><i>as per directions of Justice Hegde Committee in terms of para 26 above.</i></p>		<p>initiating disciplinary proceeding against the concerned retired officer and after approval from DPAR to conduct Departmental Enquiry, action will be initiated as per rule 214(2)(B)(i) and KCSR.</p> <ul style="list-style-type: none"> Disciplinary Proceedings has been initiated against the serving official by issuing a Show Cause Notice along with article of charges under rule 12(1)(A) of KCS (CCA)rules dated 05.02.2021 to erring officials who are responsible for the execution of the work. Further, ShriVenkatesh, Assistant Executive Engineer at Sl. No 04 expired on 04/11/2018. 																																																				
42.	<p>Para 19(16) of order dated 06.12.2018: <i>Post removal of waste from the Lake and from the Rajakaluves, the State ought to prepare a detailed project report with respect to disposal of the same.</i></p>	<p>As regard to removal of waste from the lake area, the desilting work is in progress and once it is completed the left-out waste shall have to be removed. Meanwhile, the BBMP has to prepare a detail project report for the disposal for the same.</p> <p>In regard to removal of waste from the Rajakaluves, the BBMP submits that against approximately 218.0 kms of Rajakaluves(SWD),about 105.149kmsare being maintained. The maintenance includes removal of silt, floating tresses, vegetation and other organics and transported to the Anjanapura abandoned stone quarries. A list of drains of 105.149kmshas been provided here as under:</p> <table border="1" data-bbox="715 1019 2099 1395"> <thead> <tr> <th>Sl.No</th> <th>Drain No</th> <th colspan="2">Drain Name</th> <th>Length in M</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>MD 342A</td> <td>Boganahalli</td> <td>PanatturKere</td> <td>300</td> </tr> <tr> <td>2</td> <td>MD 425</td> <td>Ramgondanahalli</td> <td>Adarsha Houses</td> <td>MD 428 @ Chainage 0.00m</td> <td>100</td> </tr> <tr> <td>3</td> <td>MD 428</td> <td>VarthurKere</td> <td></td> <td>MD 431 @ Chainage 0.00m</td> <td>200</td> </tr> <tr> <td>4</td> <td>MD 413</td> <td>Pattanduru</td> <td>Agrahara</td> <td>NalluralliKere</td> <td>250</td> </tr> <tr> <td>5</td> <td>MD 414</td> <td>Saibaba Hospital</td> <td></td> <td>NalluralliKere</td> <td>450</td> </tr> <tr> <td>6</td> <td>MD 415</td> <td>Pioneer Software</td> <td></td> <td>NalluralliKere</td> <td>400</td> </tr> <tr> <td>7</td> <td>MD 416</td> <td>Nalluralli</td> <td></td> <td>NalluralliKere</td> <td>450</td> </tr> <tr> <td>8</td> <td>MD 349</td> <td>End Point of MD 322 & MD 334 Near ADA Compound Wall</td> <td></td> <td>VarthurKere</td> <td>400</td> </tr> </tbody> </table>	Sl.No	Drain No	Drain Name		Length in M	1	MD 342A	Boganahalli	PanatturKere	300	2	MD 425	Ramgondanahalli	Adarsha Houses	MD 428 @ Chainage 0.00m	100	3	MD 428	VarthurKere		MD 431 @ Chainage 0.00m	200	4	MD 413	Pattanduru	Agrahara	NalluralliKere	250	5	MD 414	Saibaba Hospital		NalluralliKere	450	6	MD 415	Pioneer Software		NalluralliKere	400	7	MD 416	Nalluralli		NalluralliKere	450	8	MD 349	End Point of MD 322 & MD 334 Near ADA Compound Wall		VarthurKere	400	<ul style="list-style-type: none"> The details of remaining length of drains with encroachments are being surveyed. The help of Karnataka State Remote Sensing Centre has been taken in identifying the details of SWD widths as per revenue maps. The work is in progress.
Sl.No	Drain No	Drain Name		Length in M																																																			
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		9	MD 365A	End Point of MD 363 & MD 364	MD 369 @ chainage 0.00	400
		10	MD 322	RHB Colony	GarudacharyapalyaKere	150
		11	MD 322A	GarudacharyapalyaKere	MahadevpuraKere	400
		12	MD 322C	ITPL Road	Ramakka Layout	100
		13	MD 325	Outer Ring Road	DoddanenkundiKere	300
		14	MD 325A	VinayakaNagara 8th Cross	MD 325 @ Chainage 0.00	500
		15	MD 363	Chinnappanahalli Layout	MD 365 @ Chainage 0.00	500
		16	MD 369	End Point of MD 365 & MD 368	VarthurKere	500
		17	MD 371	Tules CADCAM Technology	KundalahalliKere	500
		18	MD 372	BEML Layout	Kundalahalli to Siddapura	300
		19	MD 374	Tuberahalli BEML Layout	MD 375 @ Chainage 0.00m	230
		20	MD 375	End Point of MD 374 & MD 373	SiddapuraKere	450
		21	MD 292B	Vijaya Lakshmi Colony via Sai Baba Ashram	DakshinaPinakini River	350
		22	MD 292	Patalamma Layout	DakshinaPinakini River via Sidhartha Layout	500
		23	MD 292A	Kashi Vishwanatha Temple	Outer Channel of YMC Kere near Railway Culvert	1050
		24	MD 294	Alembic Glass	MD 388 @ Chainage 0.00m near Channasandra Circle	1150
		25	MD 296	Channasandra Circle	DakshinaPinakini River on ChikkaThirupathi Road	1300
		26	MD 388A	Plantation near Gunjar	MD 388 @ Chainage 0.00m	150
		27	MD 387	End point of MD 385	MD 382 @ Chainage 1840.00m	300
		28	MD 451A	Gandhipura	MD 451 @ Chainage 560.00m	360
		29	MD 451	Gandhipura	MD 453 @ Chainage 0.00m @ Immadihalli	300

		30	MD 453	End Point of MD 451	MD 454 @Chainage 0.00	360
		31	BH 628	KaikondanahalliKere	SowITank	800
		32	BH 627	KasavanalliKere	KaikondanahalliKere	300
		33	BH 629	ArluurKere	KaikondanahalliKere	500
		34	BH 629	ArluurKere	KaikondanahalliKere	200
		35	BH627A	Bellandur	Ecospace	500
		36	BH-599	Iblur Lake	Bellandur Lake	769
		37	C 200	Doordarshan, JayamahalExtn,	Ulsoor Tank	4150
		38	C-100	From Palace Grounds, Vasanthnagar	Wind Tunnel Road	9650
		39	C-101	Sudhamnagar	Inside HAL Airport	1875
		40	C-102	Sweepers colony, Kadirenapalya	Shastrinagar Joining C-100	1600
		41	C-103	Krishnamurthynagar	Kadirenapalya	1600
		42	C-104	Kadirenapalya	Kadirenapalya tank	2500
		43	C-105	Hanumannagar	Kodihally, Near DomlurFlyover	3000
		44	C-106	New Thippasandra	ISRO Complex	650
		45	C-107	Kaggadasapura Lake	Kaggadasapura Main Road / Doodanekkundi tank	900
		46	C-108	Airport South East Corner	NAL	600
		47	C-109	Adj. To Airport Compound	Bellandur Lake	675
		48	N4 Drain	Nagammanagar	3rd Cross Domlur	1580
		49	-	Domlur AK colony	Natasha Apartment	920
		50	C-201	Ganapathy Temple, near Ulsoor Tank	MEG near Ulsoor Tank	250
		51	C-202	Richards Town	Gymkhana Club	1170
		52	C-203	Sagayapuram	Cleve town	750
		53	C-204	Orion Mall, Marutisevanagar	Ulsoor Tank	2000
		54	-	Upper Byrasandra lake - Baghmane Tech Park	Lower Byrasandra Lake - Baghmanetechpark	560
		55	-	Lower Byrasandra Lake - Baghmanetechpark	Kaggadasapura Lake	930
		56	-	KrishnaiahnaPalya	Kaggadasapura Lake	2600
		57	-	Kasturinagar Park	Outer Ring Road	1000
		58	-	Kasurinagar Railway track	Outer Ring Road	600
		59	K-100	K.R.Market	Bellandur Lake	10200
		60	K-200	Sanatorium	Bellandur Lake	7600

		61	K-103	Church Street	via Austin town & Viveknagar joining to K-100	3400		
		62	K-104	Jayangara 1st Block	Via Lakkasandra joining to K-100	1700		
		63	K-107	Lang ford town	Jalakanteshwarapura	770		
		64	K-108	Venkatareddy Layout	Willson Garden	1925		
		65	K-109	Kanteerava Stadium	via R.R. Mohan Ray & joining to K-100	2000		
		66	K-110	Hosur road	Sudhamanagara	625		
		67	K-111	South End road near Jayangara 2nd Block	Lalbh Tank	950		
		68	K-112	Parvathi Pura	Kumbargundi	725		
		69	K-114	Lang ford road	via St Michael's Church & Joining to K-100	1100		
		70	K-201	Vanaganahalli	Agara Lake	1350		
		71	K-202	Ellukunte	venkatapura	950		
		72	K-203	Crompton Greeves Road	Ring Road	1200		
		73	K-204	Madivala Tank	Hosur Road	705		
		74	K-205	Mudduram Nagar	Bismillah Nagar	525		
		75	K-206-	Tayappanahalli	Bovi Colony	1245		
		76	K-207	Bairsandra Ext	Bannerugatta road	1225		
		77	K-208	Tilaknagar	Krishnappa Garden	425		
		78	K-209	J P Nagara 6th Phase	Madiwala Tank	9500		
		79	K-210	J P Nagara 6th Phase	Joining K-200	1700		
		TotalLength					105149 meters	
		<p>It is stated here that the above details are submitted for the first time now hence Committee could not cross verify at the field level.</p> <p>Further, the State Government is developing RajakaluveK-100 for the length of 11.4 kms from Chikkalalbagh to Bellanduru lake. No Objection Certification was given in compliance with IA No.392/2020 in OA No.125/2017 subject to the conditions. Copy of the said letter dated 24.12.2020 was also submitted to the Hon'ble NGT by the Committee. The outcome of the development of this Rajakaluve should be placed before the Hon'ble NGT by the State Government.</p> <p>BBMP is yet to submit the detailed report on the status of the drains (with details of encroachments) and buffer zones</p>						
43.	Para 6 of order Orderdated 13.08.2020:	KSPCB has identified 91 units for recovery of Rs.271.50 Crores . The stages of proceedings are as under:-						<ul style="list-style-type: none"> • KSPCB has identified 91 Units for violation of non-installation of

	<i>Details of amount to be recovered from the units operating without STPs and the stage of proceedings pending before the State PCB</i>	<table border="1"> <tr> <td>No. of units Installed STP</td> <td>42</td> </tr> <tr> <td>No. of units connected to BWSSB</td> <td>06</td> </tr> <tr> <td>No. of units with STP under construction</td> <td>07</td> </tr> <tr> <td>No. of units issued with Closure orders</td> <td>10</td> </tr> <tr> <td>Action yet to be taken</td> <td>26</td> </tr> </table> <p>No recovery is made from the defaulting units.</p>	No. of units Installed STP	42	No. of units connected to BWSSB	06	No. of units with STP under construction	07	No. of units issued with Closure orders	10	Action yet to be taken	26		<p>STP and assessed Environmental Compensation of Rs 271.50 Crores.</p> <ul style="list-style-type: none"> Out of 91 Units, 42 Units have installed STP, 6 units have connected to BWSSB / UGD and 16 units STP are under construction. Accordingly 55 units are at different stages of compliance and 27 Units have not complied. Closure Orders have been issued for these 27.
No. of units Installed STP	42													
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44.	<p>Para 6 of order Order dated 13.08.2020: <i>Vacation of interim order passed by the High Court (present status)</i></p>	<p>A WP No. 50953/2019 regarding unauthorised occupation of the Bellanduru lake land (Ambedkar Colony) is pending before the Hon'ble High Court.</p>		<ul style="list-style-type: none"> The Hon'ble High court extended the stay order till the next date of hearing on 13.01.2021. Next Date of hearing is on 08/03/2021 Further action will be taken after vacation of the stay order. 										
45.	<p>Para 6 of order Order dated 13.08.2020: <i>The BDA has wrongly understood that biodiversity parks are to be set up within the lake boundary. Such parks are to be set up along the periphery of the lake boundary. (Possibility of such Biodiversity parks).</i></p>	<p>The BDA submits that no Bio-Diversity parks are developed within the periphery of the lake after Hon'ble NGT observations. The BDA submits that Government land is not available along the periphery of the lake boundary in buffer zone.</p> <p>BDA submit that Contour Survey is being done for both the lakes to demarcate the area between maximum flood levels and the lake periphery. So, identified/demarcated area which is beyond the maximum water level where water does not reach to lake periphery, such area may be developed as Bio-diversity parks without compromising total water holding capacity of lake and only on approval from competent Authority.</p> <p>Alternative land for disposal of silt or/and formation of Bio-diversity park in being explored near Defence land abutting to the Bellandur lake and also other open land available with Defence establishment within Bangalore city. Negotiation with Defence authorities are in progress. If it materialises, further action will be taken by following the protocol of disposal as per Rules.</p>		<ul style="list-style-type: none"> Setting up of Bio-diversity park in both the lakes within the area available between boundary of lake and Full Tank Level (FTL) is being explored. Proposal submitted to Karnataka Tank Conservation Development Authority (KTCDA) for their opinion which will be submitted to Hon'ble NGT for consideration. The Full Tank Level will be maintained through the arrangement of sluice gates at Bellandur and Varthur lake. 										

46.	<p>Para 6 of order Order dated 13.08.2020: Enquiry should be conducted about the illegality in laying the pipeline by the Minor Irrigation Department (Present status).</p>	<p>The Additional Chief Secretary, Urban development Department, has submitted the following details in regard to action initiated against the officials in the subject matter.</p> <table border="1" data-bbox="862 329 1956 764"> <thead> <tr> <th>SL No</th> <th>Name of the Erring Official</th> <th>Designation</th> <th>Period</th> </tr> </thead> <tbody> <tr> <td>7.</td> <td>Devaraj B</td> <td>Chief Engineer</td> <td>23-09-2015 to 31-08-2017</td> </tr> <tr> <td>8.</td> <td>M Ravindrappa</td> <td>Superintending Engineer</td> <td>26-06-2014 to 18-11-2019</td> </tr> <tr> <td>9.</td> <td>S N Krishnappa</td> <td>Executive Engineer</td> <td>11-06-2015 to 27-08-2018</td> </tr> <tr> <td>10.</td> <td>Venkatesh</td> <td>Assistant Executive Engineer</td> <td>27-03-2017 to 04-11-2018</td> </tr> <tr> <td>11.</td> <td>Lakshmu</td> <td>Assistant Executive Engineer</td> <td>18-07-2016 to 26-03-2017</td> </tr> <tr> <td>12.</td> <td>Ashok H Bhagi</td> <td>Assistant Engineer</td> <td>07-12-2016 to 22-07-2019</td> </tr> </tbody> </table> <p>Officers who have worked in the specified period have been identified and show cause notices were issued to them vide dtd. 04.03.2020, giving 15 days' time to submit their replies. The replies submitted by them have been reviewed and found unacceptable. Further at Sl. No 04 Shri Venkatesh, Assistant Executive Engineer expired on 04/11/2018.</p> <p>The Additional Chief Secretary submits that a proposal will be sent to DPAR for obtaining formal approval for initiating disciplinary proceedings against the concerned retired officers and after getting approval from DPAR to conduct department enquiry action will be initiated as per rule 214 (2)(B)(i) and (ii) of KCSR.</p>	SL No	Name of the Erring Official	Designation	Period	7.	Devaraj B	Chief Engineer	23-09-2015 to 31-08-2017	8.	M Ravindrappa	Superintending Engineer	26-06-2014 to 18-11-2019	9.	S N Krishnappa	Executive Engineer	11-06-2015 to 27-08-2018	10.	Venkatesh	Assistant Executive Engineer	27-03-2017 to 04-11-2018	11.	Lakshmu	Assistant Executive Engineer	18-07-2016 to 26-03-2017	12.	Ashok H Bhagi	Assistant Engineer	07-12-2016 to 22-07-2019	
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47.	<p>Para 6 of order Orderdated 13.08.2020: Construction of retaining wall should not result in reduction of width of the water bodies/Rajakaluves.</p>	<p>The BBMP submits that the Construction of retaining wallsto storm water drains is temporarily suspended in the Bellandur and Varthur catchment areas. To ascertain the actual width of these drains, thehelp of Cadastral maps is being taken in collaboration of Revenue Department and the Karnataka State Satellite Remotes Sensing Centre. They submit that the exercise will be completed by the end of March 2021. Once these exercises are completed the encroachments shall be identified at field and should be removed.The works of construction of retaining walls should be recommenced accordingly. The excess area outside the retaining walls, tree park should be developed. The BBMP is expected to consider entire lengths of SWDs in the catchment areas.</p>	<ul style="list-style-type: none"> As per the instructions of the monitoring committee, the entire length of SWDs in the Catchment area is taken up for survey. 																												
48.	<p>Para 6 of order Orderdated 13.08.2020: Details of action taken by the BBMP against</p>	<p>The BBMP submits a detail of the encroachment removed in Mahadevapura Zone of the catchment of these lakes which were identified in the past.The details are as under:-</p>	<p>It is submitted that the regard to in regard to the encroachments pertaining to Bellandur lake, Out of 22 encroachments, 18 cases are</p>																												

<p><i>illegal structures (rajakaluves and 30 meter buffer zone around the lakes)</i></p>	Sl. No	Zone	Total encroachments Identified in each Zone	Details of the encroachments removed by doing survey in the year 2016-17	Details of the encroachments removed /resolved by doing survey in the year 2018-19 on-wards	Balance Encroachments to be removed as on 24.12.2020
	1	Mahadevapura	1101	98	864	139
	1a	Mahadevapura-New	45	0	0	45
		TOTAL	1146	98	864	184

Further, BBMP submits that, following Writ Petitions in the matter of encroachment are filed and pending before the Hon'ble High Court.

Sl.no	Writ Petition Number	Number of cases
5.	W.P No.27287/2019	3 cases
6.	W.P No.26150/2019 & 26835-26842/19	1 Case
7.	W.P No.29873/19 & 29874-876/19	3 Cases
8.	W.P No.30399-30414/2019	45 Cases
Total		52 Cases

The details of encroachments of other zones for the catchment of Varthur, Bellanduru and Agram have not been submitted by the BBMP.

The BBMP further submits that 30 meter buffer zone have been demarcated all along the outer boundary of Bellandurulake with the help of Additional Director of Land Records. In the 30 meter buffer zone of Bellanduru lake, 22 unauthorised structures have been identified. The process up to demolition order, has been completed. Against the demolition order 13 persons have appealed before the Karnataka Administrative Tribunal; one Writ Petition has been filed in the High Court; 4 persons have gone to the City Civil Court. Action has to be initiated against the remaining 4 persons.

It is further submitted that along the periphery of the Bellanduru lake 177 mild steel tubular poles and 160 LED lights have been installed and commissioned. 23 poles and 40 LED lights are yet to be installed. As regard to CCTV cameras, 51 numbers have been installed and functioning and 11 numbers are yet to be installed.

Further, 30-meter buffer zone has been demarcated along the outer boundary of Varthur lake with the help of Additional Director of Land Records. In this buffer zone, 12 unauthorised structures have been identified. The process up to demolition orders has been completed. Against the demolition order, one person has appealed before the Karnataka Administrative Tribunal; one structure has been demolished and remaining 10 structures are yet to be demolished.

pending in KAT and Hon'ble High court and City Civil Court. The remaining four encroachments will be removed by 15.03.2021.

It is further submitted that along the periphery of the Bellanduru lake. The remaining 23 poles and 40 LED lights and 11 CC TV Camera installation works will be completed before 15.04.2021.

Regarding encroachments pertaining to Varthur lake, out of 12 encroachments, 1 case is pending in KAT and 1 demolition is completed. The remaining 10 encroachments will be removed within 15.03.2021.

Along the periphery of the Varthur lake, the remaining 16 poles and 57 LED lights and 26 CCTV camera installation works will be completed before 15.04.2021.

		It is further submitted that along the periphery of the Varthur lake, 184 poles and 143 LED lights have been installed and commissioned. 16 poles and 57 LED lights are yet to be completed. As regard to CCTV cameras, 24 numbers have been installed and functioning and 26 numbers are yet to be installed.	
49.	<p>Para 6 of order Order dated 13.08.2020:</p> <p><i>BBMP should survey and notify the rajakaluves for purposes of buffer zones of 50, 25 and 15 meters</i></p>	<p>The Storm water drains are classified into the Primary, Secondary and Tertiary SWDs with the buffer zones of 50, 25 and 15 meters respectively on certain technical parameters.</p> <p>The details of length in each category have not been submitted by the BBMP. The Committee has convened several meetings in this regard but no satisfactory desired results are achieved.</p> <p>To ascertain the actual width of these drains and encroachments, the help of Cadastral maps is being taken in collaboration of Revenue Department and the Karnataka State Satellite Remotes Sensing Centre. They submit that the exercise will be completed by the end of March 2021. Once this exercise is completed, the further action of demarcating of encroachments at field should be done and to be removed. The BBMP is expected to consider entire lengths of SWDs in the catchment areas.</p>	As per the instructions of the Monitoring Committee, the entire length of SWDs in the Catchment area is undertaken for survey.
50.	<p>Para 8 of order Order dated 13.08.2020:</p> <p><i>We have given due consideration to the rival opinions. We are of the view that some more sampling may be got carried out with regard to de-silted debris/sludge at appropriate representative locations for comprehensive database and thereafter disposal protocol may be finalized in consultation with the CPCB. This will avoid unnecessary delay and cost (action taken in this regard by KSPCB for sample analysis)</i></p>	<p>More silt sampling in both lakes have been carried out jointly (by CPCB and KSPCB) and analysed for essential parameters including heavy metals. The standard protocol for assessing the hazardous (if any) is being followed through TCLP (Toxicity characteristic leaching procedure) and STLC (Soluble Threshold Limit Concentration) investigations of soil samples in Varthur and Bellandur Lakes.</p> <p>Based on this, CPCB has given a report for Varthur lake. As per the protocol based on TCLP and STLC analyses, the soil is non-hazardous and hence permission is accorded to BDA by KSPCB to dispose silt, based on the local demand</p> <p>As regards to Bellandur Lake, the analysis of sediment samples for leachability tests is under progress and is expected to be completed early. Based on the test results CPCB, will submit a report suggesting silt disposal mechanism.</p>	Comments from the CPCB with regard to disposal Protocol is awaited.

”

Consideration of status report, objections of the Amicus and further directions

9. We have heard learned Amicus Curie Shri Raj Panjwani, Senior Advocate and Ms. Madhvi Divan, learned ASG appearing for the State of Karnataka.

10. **Shri Raj Panjwani submitted that progress in the matter has been very slow and at a snail pace. The problem is continuing for the last about four years. The Tribunal has been monitoring the matter for the last more than two years with the assistance of Monitoring Committee, headed by a former Supreme Court judge. On significant aspects, the State Authorities have not come up to the expectations.**

Inter alia it is pointed out:

- (I) Against item nos. 8 and 16, there is practically no progress in taking action against erring officers
- (II) Against item no. 6, action taken against industrial units for discharging the industrial waste without treatment by not installing requisite STPs is inadequate. Out of 61 defaulting units, action has been taken only against 10, while compliance is only by 25. Action is yet to be taken against 26.
- (III) Against item No. 18, the progress shown is inadequate. Though compensation of Rs. 271.50 crores has been assessed against the defaulting units, no recovery has been made even though non-compliance is continuing. The State PCB ought to take coercive measure of disconnecting electricity supply, if the assessed compensation is not paid without valid reason, to enforce the "Polluter Pays' principle.
- (IV) Against item No. 11, there is similar position with regard to recovery of compensation. Instead of disconnecting

electricity/water supply, the State is merely referring to the matter to the Deputy Commissioner, with no progress.

- (V) Against Item No. 17, on the subject of removal of the waste and encroachments, there is no action taken with reference to 79 drains mentioned therein. It is further mentioned that the State Government is developing Rajakaluve K-100 for the length of 11.4 kms from Chikkalalbagh to Bellanduru lake. I.A. No. 392/2020 filed by the State before this Tribunal was disposed of on 15.12.2020 with the observation that the issue should be first looked into by the Monitoring Committee. The Monitoring Committee has left the issue to be gone into by this Tribunal, in absence of entire information being available with the Committee. **Learned Amicus Curiae submitted that in the garb of development of the Rajakaluve in question the width and capacity of the drains should not be reduced.**
- (VI) Under Item No. 12, on the subject of desilting, progress shown is that a part of the silt has been removed and stacked. **Learned Amicus submitted that the silt can be used in the abandoned mines consistent with the SOP with underneath lining or can also be used on the embankment of flyovers as per CPCB guidelines on the subject. Safeguards be taken to prevent silt re-entering the lake till it is removed.**
- (VII) Under Item No. 10, on the issue of desilting of the lake falling in the defence area, the progress is that **non-hazardous silt can be deposited on the defence land for development of army training areas and reclaiming of low-lying land.**

Learned Amicus submitted that **reclaiming of low-lying land will alter the character of the wetland, against established environmental norms. The low-lying land in question is wetland and needs to be maintained as such.**

- (VIII) Progress against item No. 20 with reference to setting up of bio-diversity park is not satisfactory. It is pointed out that the BDA has again taken a wrong stand for **demarcating area between maximum flood level and the lake periphery instead of doing so along the periphery of the lake boundary i.e. ensuring that area of lake is not used in the process.** The proposal of the BDA appears to be to develop the bio-diversity park within the boundary of the lake and the full tank level which will adversely affect the lake.
- (IX) The progress against Item No. 23 with reference to removing the illegal encroachments in the catchment areas of the lakes is not satisfactory. It is mentioned that the BBMP has still not given details of the encroachments. It is only submitted that certain cases are pending before the Karnataka Administrative Tribunal (KAT), the High Court and the City Civil Court.
- (X) Huge amount of C&D waste has been dumped and road made inside the lake itself which has to be undone, as directed earlier.
- (XI) Compensation amount determined by the Tribunal needs to be credited to a separate account and utilised for restoration and if necessary, recovered from the polluters/erring officers

11. Learned ASG, without joining issue with the above submissions of learned Amicus, which are otherwise well founded, submitted that substantial progress has taken place and the same is continuing. Further steps are being taken and even after filing of progress report, closure orders have been passed against 26 industrial units. Boundaries are being constructed. There are constraints in the form of interim orders by various Courts. **She has assured that further steps will be taken expeditiously and points made by learned Amicus will be addressed in the course of further working.**

Analysis and further Directions

12. We have given due consideration to the issue. We do find some progress but we agree with learned Amicus that the progress is very slow and inadequate. The remaining work needs to be executed on war footing by remedying the deficiencies pointed out above by learned Amicus. We also permit learned Amicus to file a supplementary note directly to the Chief Secretary or to this Tribunal. If filed with the Tribunal, the same may be forwarded to the Chief Secretary, Karnataka for being addressed in positive spirit, in the light of observations already made and assurance of learned ASG.

13. Remedial steps to be taken so far for restoration of pristine ecology of the lakes in question have been discussed in earlier orders dated 6.12.2018, 21.10.2019, 18.12.2019 and 13.8.2020 and comments on some of the issues have been made hereinabove. Justice Hegde Committee has monitored the execution of the action plan on the subject for the last more than two years. **We place on record our gratitude to Justice Hegde for the outstanding contribution in the matter.**

14. However, **monitoring by a Tribunal or Tribunal appointed Committee cannot be for indefinite period and ownership of execution of action plan for restoration of pristine ecology of the lakes/wetlands must be finally owned and taken over by the State authorities, headed by the Chief Secretary.** Governance deficit has to be made up by further action in mission mode. The road-map has already been laid down by the orders of this Tribunal. We may note that apart from the present matter, **issues of solid and liquid waste disposal generally and of polluted river stretches, water bodies, lakes and wetlands have been dealt with by this Tribunal in the light of Hon'ble Supreme Court decisions.**¹ Copies of such orders have been duly sent to the Chief Secretary, Karnataka and Chief Secretary also appeared in person twice before this Tribunal for interaction on these issues in OA 606/2018. There are 17 polluted river stretches in Karnataka including Tungabhadra which has been identified by the State to be model of compliance. Detailed guidelines have been laid down on all aspects of restoration of lakes and water bodies and several issues are overlapping with restoration of polluted river stretches. Specific directions cover the present matter on subjects of preventing discharge of sewage and effluents and solid waste, removing encroachments from catchment areas, desilting and dewatering, maintaining lake free from any constructions inside and all other matters covered by different headings of the progress report quoted

¹ (2000) 2 SCC 679 Almitra Patel, Tribunal orders in OA 606/2018, last order 2.7.2020: Solid Waste (2017) 5 SCC 326 Paryavaran Suraksha, Tribunal last order dated 22.2.2021 in OA 593/2017: Liquid waste, including 351 polluted river stretches (OA 673/2018), coastal pollution (OA829/19), re-use of treated water (OA148/2016). (2017) 5 SCC 805, Tribunal order dated 27.8.2020, [OA 351/2019](#), Raja Muzaffar Bhat v J & K: Wetlands and lakes: *M.K. Balakrishnan and Ors. v. UOI*, Tribunal order dated 18.11.2020 Lt Col Sarvadaman OA 325/2015, Water bodies, (1997) 1 SCC MC Mehta v. Kamal Nath, (2001) 6 SCC 496 Hinch Lal Tiwari vs. Kamala, (2006) 3 SCC 549 Intellectual Forum vs. State of AP

above. In the present context, we may specifically note need to remedy foaming and fire incidents, attributed to detergents containing Phosphates, sewage entering the lake needs to be diverted and treated sewage utilised for non-potable use. The lake is to be maintained with required oxygen levels for survival of aquatic life.

15. Protection of lakes and water bodies and preventing pollution is part of 'public trust' doctrine obligating the State authorities to take stern measures for enforcing the basic constitutional right of citizens to clean environment. Without this being done in a meaningful manner, there can be no sustainable development. There is need for stringent enforcement by way of adverse measures, including recovery of compensation for continuing violation and adverse entries in the record of defaulting officers. Accountability for those who are entrusted the responsibility to comply with these directions must be fixed on the principle of good governance, to enforce rule of law to protect rights of citizens.

16. In spite of the fact that Water (Prevention and Control of Pollution) Act, 1974 was enacted 47 years back, to give effect to the decision in Stockholm Conference in the year 1972, the water pollution remains rampant. Though a serious criminal offence under the law of the land, the authorities have failed to take stringent action against the violators. In a way the State-authorities, who are constitutionally under obligation to ensure treatment of sewage before the same is discharged into the water bodies, have to take the blame. The adverse effect of water pollution on health and environment is well known. **Water bodies, including lakes and wetlands, have great role in sustaining aquatic life, attract migratory and other birds, add to the natural aesthetics, help**

harvesting rain water, maintain micro climate, recharge ground water and perform other ecological services.

The Hon'ble Supreme Court in its judgment in *Paryavaran Suraksha vs. Union of India & Ors.*, (2017) 5 SCC 326 discussed the need to remedy water pollution and fixed a firm deadline of 31.03.2018 by which all necessary CETPs/STPs/ETPs should be in place failing which coercive action, including prosecution of State authorities was mandated. It also indicated sources of funding. The said direction continues to be violated. This situation can hardly be held to be conducive to the environmental rule of law. The sewage treatment is less than 50% (the sewage generation from the urban population of the country is reported to be about 70000 MLD and treatment capacity about 27000 MLD)² which is a matter of serious concern. The Tribunal has issued repeated directions on the subject. Till it is remedied, the goal of sustainable development is far cry. Similarly, directions have been given for protection of water bodies and wetlands, referred to earlier in para 14, supra.

The environmental law principles, which this Tribunal is mandated to apply under sections 20 and 15 of the NGT Act, 2010, are – ‘sustainable development’, ‘precautionary’ and ‘polluter pays’. These principles, accepted in Stockholm conference, have been held to be part of right to life under article 21 of the Constitution in *Vellore Citizens' Welfare Forum v. Union of India*, (1996) 5 SCC 647. In *Hanuman Laxman*, (2019) 15 SCC 401, (paras 142-156), significance of environmental rule of law has been highlighted to achieve sustainable development goals for prosperity, health and well-being. This requires filling of gap between law and enforcement. In *T.N. Godavarman Thirumulpad v. Union of India*, (2002) 10 SCC 606,

² As per report of the CPCB dated 30.09.2020 quoted in the order of this Tribunal dated 05.02.2021 in OA 95/2018, *Aryavart Foundation v. M/s Vapi Green Enviro Ltd. & Ors.*

at page 621, it was observed that the State has to forge in its policy to maintain ecological balance and hygienic environment. Article 21 protects right to life as a fundamental right. Enjoyment of life and its attainment including the right to life with human dignity encompasses within its ambit, the protection and preservation of environment, ecological balance free from pollution of air and water and providing sanitation, without which life cannot be enjoyed. Any contra acts or actions would cause environmental damage. Therefore, hygienic environment is an integral facet of right to healthy life and it would be impossible to live with human dignity without a humane and healthy environment. Environmental protection has now become a matter of grave concern for human existence. Promoting environmental protection implies maintenance of the environment as a whole comprising the man-made and the natural environment. Therefore, there is constitutional imperative on the Central Government, State Governments and bodies like municipalities, not only to ensure and safeguard proper environment but also an imperative duty to take adequate measures to promote, protect and improve the man-made environment and natural environment.

17. Accordingly, there is need for further continuous action and effective monitoring at the highest level in the Government. Consistent with earlier orders on the subject, such monitoring needs to be taken over by the Chief Secretary, Karnataka who may take over the record from the Monitoring Committee and take stock of all the left-over issues, with the assistance of other identified authorities and experts (which may include Indian Institute of Science, Bangaluru). He may inter alia interact with the State Lake Conservation and Development Authority and Forest, Ecology and Environment Departments. First meeting may be held latest by March 31, 2021. Thereafter, review meetings may be held atleast once in a month to

monitor further progress and completion of targets, already fixed or which may be further fixed. It will be open to all persons interested in restoration and maintenance of the lakes in question to give their suggestions and offer assistance which may be duly considered by the Chief Secretary, Karnataka on its merits. All pending projects for setting up of STPs, fencing of lake, removal of encroachments, etc. may be executed expeditiously. Particular attention may be given to preventing formation of foam and fire incidents. Directions in earlier orders and current order be duly carried out and overseen by the Chief Secretary, as already mentioned, atleast once a month. In pursuance of order of this Tribunal dated 18.11.2020 in OA 325/2015, Lt. Col. Sarvadaman Singh Oberoi v. Union of India & Ors., the steps for protection of water bodies have been directed to be taken and quarterly reports sent by the Chief Secretaries of States to the Secretary Ministry of Jal Shakti. Similarly, a quarterly report is to be given by the Chief Secretaries in respect of steps taken for protection of lakes and wetlands to the National Wetlands Authority, as earlier directed in OA 351/2019, Raja Muzaffar Bhat, supra, vide order dated 27.8.2020 and also placed on the website of the State Wetland Authority, for information of all the stake holders. The lakes in question are undoubtedly of great significance for the Bengaluru city and are glory and pride of the city. We do hope the administration will appreciate the need for stringent action and efforts for maintaining the said Lakes.

18. Before parting, we place on record our deep appreciation for the invaluable services rendered by learned Amicus.

The application is disposed of accordingly.

A copy of this order be forwarded to the Secretary, MoEF&CC as Chairperson of National Wetland Authority and to Secretary, MoJS, GoI, CPCB and the Chief Secretary, Karnataka by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

March 12, 2021
Original Application No. 125/2017
DV

Date: 15.02.2021

Monitoring Committee

(Appointed by NGT vide order dated 06.12.2018, 18.12.2019 and 04/13.08.2020 in O.A.No.125/2017)

Karnataka State Pollution Control Board,
"Parisara Bhavan", 2nd Floor,
#49, Church Street, Bengaluru-560 001.
E-mail: mcngt61@gmail.com

To,

The Registrar,
National Green Tribunal,
Faridkot House, Copernicus Marg,
Near India Gate, New Delhi,
Delhi -110 001.
judicial-ngt@gov.in

Sir,

Sub: Synopsis of the Report of the Committee to the National Green Tribunal in compliance of orders dated 06.12.2018, 18.12.2019, and 13.08.2020 issued in regard to the Bellandur, Varthur and Agaram Lakes.

Pursuant to the directions issued by the Hon'ble National Green Tribunal (NGT) in its order dated 13.08.2020 read with order dated 06.12.2018 and 18.12.2019 the Committee headed by the undersigned had met several times (10 meetings and 7 field visits after the 13.08.2020 NGT order) and in these meetings and visits, the progress of works/activities of the implementation of the directions of the National Green Tribunal has been reviewed. The Hon'ble National Green Tribunal, in its order dated 13.08.2020 has held that :-

In view above, the left-over work may be expeditiously completed, which may be reviewed by the Monitoring Committee. The status of compliance as on 31.12.2020 may be compiled by the Monitoring Committee and report furnished to this Tribunal by 15.01.2021 with a copy to the Chief Secretary, State of Karnataka. The Chief Secretary, State of Karnataka may furnish a consolidated report covering the steps taken by all the concerned Departments. The individual Departments need not file separate reports before this Tribunal once the same are filed before the Monitoring Committee and the Chief Secretary, Karnataka. The Chief Secretary, Karnataka, may give its own report by 31.01.2021 by E-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

It may kindly be noted that, due to unavoidable circumstances I have requested for extension of time vide letter dated 02/06.01.2021 to submit the report by 15.02.2021. As directed in the order dated 13.08.2020 this compliance report is submitted mainly on the observations of the Amicus and the issues that survived after the order dated 13.08.2020.

It is submitted that in regard to the works / activities which were fully complied with and submitted in the report dated 06.03.2020 as per the order dated 18.12.2019, have not been specifically traversed in this report. The emphasis has been laid on the “sum up” directions issued in the order dated 13.08.2020. It may kindly be noted that during this period of Covid-19 there were lockdowns and migration of labourers etc.

It is submitted that a report was submitted on 06.03.2020 in compliance with the order of the Hon’ble NGT dated 18.12.2019. Taking that report on record and the summary compliances report of the State Government as on 04.08.2020, the Hon’ble National Green Tribunal heard the matter on 04.08.2020 and uploaded the order on 13.08.2020.

It is submitted that the names of the officials who are responsible for carrying out the ongoing works are the same as submitted in the report dated 20.09.2020.

In this report, details are given as per the orders dated 06.12.2018, 18.12.2019 and 13.08.2020

Sl. no	<i>Directions of Hon'ble NGT vide orders dated 06.12.2018, 18.12.2019 and 13.08.2020</i>	Progress up to 31.01.2021 and Committee observations		
1	Relevant para	3		
1.	<p>Para 28(i) Order dated 18.12.2019: <i>Timelines for execution of projects for setting up of STPs and laying of sewerage network may not be extended beyond 30.09.2020. If the works remains incomplete even till 30.09.2020, compensation will be liable to be paid @ Rs.10 lakh per STP per month which may be liable to recovered from the erring officers, apart from adverse entries in their service records and other adverse action.</i></p> <p><i>Further, the NGT vide order dated 13.08.2020 has directed that, the works may be expeditiously completed and to be reviewed by the Monitoring</i></p>	In regard to the construction of STPs and their commission, the details are given as under(BWSSB):		
		Sl. no	Name of the STP / others	Compliance
		i.	Sarakki – 5 MLD STP	Completed and commissioned on 08.11.2019
		ii.	Chikkabeguru - 5 MLD STP	Completed and commissioned on September 2020.
		i.	Hulimavu – 10 MLD STP	Completed and commissioned on 31.03.2020
		ii.	Agram – 35 MLD STP	Completed and commissioned on 31.03.2020
		iii.	Madivala – 4 MLD STP	24.5% work completed
		iv.	K&C Valley – 150 MLD STP	90.01 % works completed as on 31.01.2021. Primary treatment is in progress and likely to be completed by 31.03.2021 and expected to treat 83MLD sewage (with this augmentation, 536 MLD (92%) would be treated as against 583 MLD)
		v.	Construction of 210 MLD capacity ISPS at Koramangala at sports complex	The work is completed and ready for operation. The water will be pumped to 150 MLD STP ,once the remaining pipe network is completed, (yet to complete 252 Rmt)
		vi.	Laying of 800 mm UGD from 210 MLD ISPS to 150 MLD STP	Against the 5315-running meter; 5063 running meter is completed. Likely to be completed by 31.03.2021.
		vii.	Waste water wet well – 32.5 MLD Capacity near the premises of 90 MLD Bellanduru Amanikhane STP to augment sewage from the adjoining areas of Bellanduru	The overall progress as on 31.01.2021 is 45.75 % against the planned target of 100.00%. This work will be completed before 31.03.2021. However, the temporary arrangement has been made for pumping sewage to Bellandur Amanikhane STP.

	<i>Committee.</i>	Amanikhane STP (date fixed for completion 30.09.2020)	
2.	<p>Para No.14 Order Dated 18.12.2019 <i>We also found that timelines fixed by this Tribunal have been unilaterally extended without any valid justification and no action has been taken against the erring officers on a specious plea that it was difficult to fix responsibility. Such approach is hardly compliant with the Rule of Law. We particularly disapprove the timeline for upgradation of STPs with Biological Nutrient Removal (BNR) at 248. MLD STP at K&C Valley. The same must not go beyond 30.09.2020 but preferably be completed before 30.06.2020 although earlier timeline fixed by this Tribunal was 30.06.2019. No substantial work has been done in the last one year on this aspect.</i></p>	<p>The BWSSB submits that, STPs of 90 MLD at Bellandur Amanikere; 60 MLD at K&C Valley; 5 MLD at Sarakki; 5 MLD at Chikkabegur; 10 MLD Hulimavu; 35 MLD at Agram and 150 MLD at K&C Valley (under construction) are complied with Biological Nutrient Removal treatment.</p> <p>The BWSSB further submits that for the 248 MLD STP at K&C Valley, certain modifications in the process of treatment have been made in consultation with the IISc, Bengaluru, for removal of nutrients. On sample analysis it is found that the biological nitrates have been reduced substantially (nitrogen 6.4 mg per ltr and phosphates 0.85 mg per ltr). It is noted that, the treated water from these STPs is being transmitted to the tanks in Kolar Districts for recharge of ground water for irrigation purpose. However, the upgradation of the system has not been completed but is in process.</p>	

3.	<p>Para 28(ii) Order dated 18.12.2019: <i>Bengaluru Water Supply and Sewerage Board (BWSSB) must ensure that no sewage/effluent is discharged into the lakes and till completing of STPs, interim remediation must be done forthwith. Any default in this regard will result in requirement to pay compensation of Rs.5 lakh per month per inlet into the lakes from 01.02.2020.</i></p>	<p>It is submitted that, the sewage water has been diverted through the peripheral temporary diversion channels and no sewage water enters in these lakes (Agram, Bellanduru and Varthur).</p> <p>Further, the BWSSB has installed aerating systems in these temporary diversion channels at, 1) HAL side and Kempapura inlet, 2) Agaram inlet, 3) Koramangala inlet, 4) Iblur inlet coming under Bellandur Lake, 5) Northern and 6) Sothern side of Varthur lake for inline treatment of sewage.</p> <p>The artificial floating islands have also been installed at certain places. The committee has suggested to augment phytoremediation options at locations, where the water flow is slow or stagnant to enhance the treatment efficacy, which is yet to be implemented.</p>
4.	<p>Para 28(iii) Order dated 18.12.2019: <i>BSWWB may further ensure that treated water is not discharged into the UGD network. Action may be taken against persons responsible for having allowed this to be done earlier resulting into loss of Rs.2 Lakhs per day i.e.Rs.60 Lakhs per month and more than Rs.7 Crore per year without any justification whatsoever.</i> BY BWSSB</p>	<p>There are about 496 buildings having STPs as per the KSPCB records. The BWSSB submits that, wherever there was connectivity with the UGD for flowing of treated water; all have been disconnected (109 buildings). For the remaining areas there is no access to networking of UGD.</p> <p>The BWSSB submits that, treated water was allowed as per the conditions stipulated in the order issued by KSPCB. In view of these facts and circumstances, it is requested by BWSSB not to initiate action against their officials.</p>

5.	<p>Para No.16 Order Dated 18.12.2019 <i>We are informed that about 256.7 MLD untreated sewage is entering the lake from five locations which is nothing but a criminal offence which is required to be checked on war footing and violators of law brought to justice, erring officer being appropriately dealt with under the civil, criminal and service law with a view to uphold the Rule of Law. There is large scale breach of public duties by concerned Authorities dealing with the subject and earlier observations of this Tribunal have fallen on deaf ears and blatantly flouted.</i></p>	<p>The BWSSB submits that to check the flow of sewage water into the lakes, following works have been completed.</p> <ol style="list-style-type: none"> 1. HAL SWD (Challaghatta Valley) – Totally 23 works are to be taken up for augmenting this flow, out of which 23 works are completed as on 23.12.2020. 2. Koramangala and Agram Valley -Totally 48 works are to be taken up for augmenting this flow out of which 48 works are completed on 23.12.2020. 3. Iblur Catchment area- Completed and Commissioned on 23.12.2020. 4. Kempapura Catchment area- BWSSB has taken up work of laying 300 mm RCC NP3 sewer line for a length of 1000 RMT to convey the sewage generated in the area of Bellanduru Amanekhane STP. The work is completed and commissioned in the month of May 2020. <p>The BWSSB submits that, the combined treatment capacity in the catchment of these lakes will be around 664.50 MLD against the presently measured flow of 553 MLD. Presently, about 453.50 MLD of sewage is being treated. Additional treatment of 83 MLD would be augmented by commissioning of new STP (end of March 2021). Therefore, there will be treatment of 536.50 MLD (92 %) as against the measure flow of 583 MLD.</p> <p>The Committee observes that the BWSSB has to take steps to treat the remaining 8 to 10 % of sewage to stop completely the flowing of sewage into the lakes after rejuvenation. It is submitted here that, as per the earlier recommendations of the Committee, the water level in these lakes will be maintained by supplying treated water from the STPs daily to compensate evaporation and seepage losses. Only the surplus treated water should be allowed to flow to Kolar, Chikkaballapur, Anekal etc.</p>
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6.	<p>Para 28(iv) Order dated 18.12.2019: <i>Sources of discharge of Sewage be controlled/ regulated and electricity and water supplies to the defaulting establishments be stopped for enforcement of law till remedial steps are taken for compliance.</i></p>	<p>The KSPCB has identified 91 units in total that are required to be installation of STP. The details of progress are given as under:-</p> <table border="1" data-bbox="730 252 2112 448"> <tr> <td>No. of units Installed STP</td> <td>42</td> </tr> <tr> <td>No. of units connected to BWSSB</td> <td>06</td> </tr> <tr> <td>No. of units with STP under construction</td> <td>07</td> </tr> <tr> <td>No. of units issued with Closure orders for either not having STPs or not connected to UGD and letting the raw sewage into the storm water drain</td> <td>10</td> </tr> <tr> <td>Action yet to be taken</td> <td>26</td> </tr> </table>	No. of units Installed STP	42	No. of units connected to BWSSB	06	No. of units with STP under construction	07	No. of units issued with Closure orders for either not having STPs or not connected to UGD and letting the raw sewage into the storm water drain	10	Action yet to be taken	26		
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7.	<p>Para 28(v) Order dated 18.12.2019: <i>Encroachments which are still continuing be removed by using force wherever necessary. If any injunction has been erroneous, higher forum can be moved so that law is upheld.</i></p>	<p>An area of 5.20 Acres in Sy.No.319 was granted to a person from the village of Amani Bellanduru kane during 1976-77 and a new survey number 477 have been formed. This survey number was the part of Varthur lake. The matter is under process for cancelation of grant and pending before the concerned Assistant Commissioner. The other encroachments are stated as removed. Illegal constructions in Ballandur lake (named as Ambedkar Nagar slum) are yet to be evicted</p>												
8.	<p>Para 28(vi) Order dated 18.12.2019: <i>Action against erring officers which has not yet been taken must be initiated forthwith as already directed. Failures of officers still in service should be duly reflected in their ACRs.</i></p>	<p>The Additional Chief Secretary, Urban development Department, has submitted the following details in regard to action initiated in the subject matter. The same is produced here for further needful.</p> <p>1) <u>Bengaluru Development Authority</u> :</p> <table border="1" data-bbox="730 1066 2112 1412"> <thead> <tr> <th>Sl. No</th> <th>Name of erring officer/ official</th> <th>Designation and Period</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Rizwan Baig</td> <td>Executive Engineer From 2010 to 2011 & 2015 to 2016</td> </tr> <tr> <td>2.</td> <td>S.Mallikarjuna Swamy</td> <td>Executive Engineer from 2010 to 2011 & 2015 to 2016</td> </tr> <tr> <td>3.</td> <td>Ravi Narayana</td> <td>Executive Engineer</td> </tr> </tbody> </table>	Sl. No	Name of erring officer/ official	Designation and Period	1.	Rizwan Baig	Executive Engineer From 2010 to 2011 & 2015 to 2016	2.	S.Mallikarjuna Swamy	Executive Engineer from 2010 to 2011 & 2015 to 2016	3.	Ravi Narayana	Executive Engineer
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<p>Notices were served to erring officials on 19.02.2020 seeking their replies within 15 days. Replies were received from all the above mentioned officials. On scrutiny of the explanations given by them, the Additional Chief Secretary (ACS), submits that the replies are found acceptable.</p> <p>2) <u>BBMP</u> : Period from 20.09.2008 to 03.05.2011</p> <table border="1"> <thead> <tr> <th>Sl. No</th> <th>Name of erring officer/ official</th> <th>Designation and Period</th> <th>Present Dept</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>J.C.Prakash Murthy</td> <td>Assistant Engineer (1.10.2008 to 30.11.2009)</td> <td>PWD</td> </tr> <tr> <td>2.</td> <td>H.P.Mohan Kumar</td> <td>Assistant Executive Engineer (2.03.2009 to 3.1.2011)</td> <td>PWD</td> </tr> <tr> <td>3.</td> <td>H.Chandrappa</td> <td>Assistant Engineer, K.R.Puram Sub- Division, (2.12.2009 to 11.1.2012)</td> <td>PWD</td> </tr> <tr> <td>4.</td> <td>J.C.Prakash Murthy</td> <td>Assistant Executive Engineer, (after promotion) (2.12.2009 to 7.7.2010)</td> <td>PWD</td> </tr> </tbody> </table> <p>The State Government vide No.UDD/91/MNJ/2017, Dated.11.12.2020 directed BBMP to take necessary action on the erring officials as per the directions of the Hon'ble NGT and to submit a compliance report by 20.12.2020. The draft charges memo has been submitted to the concerned Administrative Department i.e., PWD for further necessary action.</p> <p>3) <u>BWSSB</u></p> <table border="1"> <thead> <tr> <th>Sl. No.</th> <th>Name</th> <th>Designation</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>S.M. Basavaraju</td> <td>Chief Engineer (14.11.2006 to 08.04.2013) & 10.05.2013 to 29.03.2014)</td> </tr> <tr> <td>2.</td> <td>S.M. Ramakrishna</td> <td>Chief Engineer (29.03.2014 to 11.06.2013) & as Chief Engineer WWM (I/c) & (11.06.2014 to 31.07.2014) as Chief Engineer WWM</td> </tr> <tr> <td>3.</td> <td>S.R. Roopa Kumar</td> <td>Additional Chief Engineer (31.010.2007 to 05.06.2008)</td> </tr> </tbody> </table>			Sl. No	Name of erring officer/ official	Designation and Period	Present Dept	1.	J.C.Prakash Murthy	Assistant Engineer (1.10.2008 to 30.11.2009)	PWD	2.	H.P.Mohan Kumar	Assistant Executive Engineer (2.03.2009 to 3.1.2011)	PWD	3.	H.Chandrappa	Assistant Engineer, K.R.Puram Sub- Division, (2.12.2009 to 11.1.2012)	PWD	4.	J.C.Prakash Murthy	Assistant Executive Engineer, (after promotion) (2.12.2009 to 7.7.2010)	PWD	Sl. No.	Name	Designation	1.	S.M. Basavaraju	Chief Engineer (14.11.2006 to 08.04.2013) & 10.05.2013 to 29.03.2014)	2.	S.M. Ramakrishna	Chief Engineer (29.03.2014 to 11.06.2013) & as Chief Engineer WWM (I/c) & (11.06.2014 to 31.07.2014) as Chief Engineer WWM	3.	S.R. Roopa Kumar	Additional Chief Engineer (31.010.2007 to 05.06.2008)
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5.	V. Mahesh	Additional Chief Engineer (27.03.2013 to 10.07.2015)
6.	K.R. Manjunath	Additional Chief Engineer (10.07.2015 to 28.10.2016)
7.	B.M. Purushotham	Executive Engineer (29.10.2007 to 23.05.2008)
8.	C. Abdul Nazir	Executive Engineer (23.05.2008 to 04.01.2012)
9.	B.N. Sidda Gangaiah	Executive Engineer (04.01.2012 to 31.08.2012) & from 31.08.2012 to 15.11.2012
10.	C.C. Putta Mallappa	Executive Engineer (15.11.2012 to 26.08.2013)
11.	B.S.C. Soma Shekar	Executive Engineer (26.08.2013 to 07.06.2014)

The ACS submits that officers who have worked in the specified period have been identified and show cause notices have been issued to them. The replies obtained from these officers have been reviewed and found to be not acceptable. Hence, the formal approval of the Government has been sought vide letter dated.26.05.2020 for initiating disciplinary proceedings on all the concerned retired officers of BWSSB. In this regard, the State Government in letter dated.27.10.2020 has accorded approval to conduct department enquires on all the concerned retired officers of the Board. As per rule 214 (2)(B)(i) and (ii) of KCSR, action has been initiated to conduct Departmental enquiry and for this purpose show-cause notices have been issued to all the retired officers on 18.12.2020 giving 15 days' time to submit their replies. All the retired officers have sought many details and additional time for furnishing their replies. After getting their replies, further action will be initiated.

9.	<p>Para 28(vii) Order dated 18.12.2019: <i>The State PCB itself may lay down standards for phosphorus instead of waiting for notification.</i></p>	<p>The KSPCB submits that the Bureau of Indian Standards has issued notification for limiting the Phosphorus content in household laundry detergents powders, household laundry detergents bars and synthetic detergents of washing woollen and silk fabrics.</p> <p>Further they submit that some follow up action has been taken as listed below:-</p> <ol style="list-style-type: none"> 1. A public notice is issued by KSPCB in this regard in the print media. 2. Letters are addressed to all the State PCB's to directly implement the order. 3. Letters are addressed to all the soap/detergent manufacturers in the state of Karnataka for the restriction of Phosphorus content. 4. Letter is addressed to MOEF for making a final notification.
10.	<p>Para 28(viii) Order dated 18.12.2019: <i>The State of Karnataka may either resolve the issue of fencing with the Defence establishment or put such establishments to notice to place their objections before this Tribunal within one month of such notice after which the State of Karnataka will be at liberty to proceed with the fencing and such Defence establishment will stand restrained from interfering unless otherwise directed by this Tribunal or any other authority.</i></p>	<p>The issue of raising of fencing towards the Defence area have been resolved. The Commissioner, BDA, submits that an estimate is prepared and sent for 4(G) exemption to the Government for the construction of fence. Further, in regard to desilting a portion of the lake, there is a dispute pending with the Defence.</p>

<p>11. Para 28(ix) Order dated 18.12.2019: <i>Compensation already assessed to be recovered by adopting coercive measures such as disconnection of electricity and water supplies.</i></p>	<p>In regard to this para, the KSPCB submits as under:-</p> <table border="1" data-bbox="725 188 2119 293"> <tr> <td>Total No. of units issued with notice for EC and Amount.</td> <td>376 units (Rs.19.85 Crores)</td> </tr> <tr> <td>No. of units paid EC and Amount</td> <td>40 units (Rs.2.10 Crores)</td> </tr> <tr> <td>Action yet to be taken for recovery</td> <td>336 units</td> </tr> </table> <p>M/s. Durga rainbow flat owner's welfare association has filed an impleading application before the Hon'ble NGT on 30.08.2020.</p>	Total No. of units issued with notice for EC and Amount.	376 units (Rs.19.85 Crores)	No. of units paid EC and Amount	40 units (Rs.2.10 Crores)	Action yet to be taken for recovery	336 units
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<p>12. Para 28(x) Order dated 18.12.2019: <i>Steps be taken expeditiously for de-silting, de-weeding. Analysis of sludge and silt may be carried out before its disposal based on the result of such analysis, the mode of disposal and protocol be determined in accordance with laid down principles under the relevant Rules.</i></p>	<p>KSPCB has collected series of samples of Silt/sludge at different depth with grid manner on 25th, 26th & 27th of December 2020. Besides sample collected on 16/09/2020, 18/09/2020, 12/11/2020, 19.12.2020 & 5.1.2021</p> <p>The CPCB has given a report for Varthur lake based on TCLP and STLC analyses of silt samples. As per the protocol based on TCLP and STLC analyses, the soil is non-hazardous and accordingly the permission is accorded to BDA by KSPCB to dispose silt from the locations showed in the grid map based on local demand. As regards to Bellandur Lake, the analysis of sediment samples for leachability tests is under progress.</p> <p>Desilting of Varthur lake: work order issued on 23.11.2020 to the Agency M/s Star Infra Tech Pvt Ltd. It is submitted that, more soil / silt / sludge samples were collected from the lake bed areas and was analysed. The sediment analysis results based on the screening levels on soil quantity para meters prescribed for agriculture use have been examined by the CPCB and a report is given. Based on the recommendations of CPCB, the KSPCB issued a letter for disposal of the silt for agriculture and other uses. The work of de-silting has commenced by M/s Star Infra Tech Pvt Ltd as per the direction of KSPCB/BDA. Further, the BDA claims that approximately in an area of 100 Acres, silt is removed and stocked in the lake area. This work of removal of silt (100 Acres) is carried out under the 4 (G) exemption.</p> <p>Desilting of Bellandur lake: work order issued on 23.11.2020 to M/s RMN Infrastructure Pvt Ltd. Lake bed pre level survey is done, removal of seepage water and others in the Bellandur lake is completed. BDA claims that under 4(G) exemption, an area of 158 Acres (Bellandur lake) silt is removed and stocked at some places inside the lake. The BDA further submits that the stocked silt will be disposed as per the protocol.</p>						

13.	<p>Para 28(xi) Order dated 18.12.2019: <i>The State PCB may develop a robust water quality monitoring program for monitoring of water quality of drains leading to the lakes and also undertake water quality monitoring at atleast 5 locations for each lake.</i></p>	<p>The KSPCB has a well-equipped laboratory to analyse the samples in house. Samples are being analysed for pH, BOD, COD, TSS, Ammoniacal Nitrogen, Iron and Manganese, Total Nitrogen, Cyanide, Hexavalent Chromium, Cadmium, Copper, Lead, Nickel, Zinc and Total Chromium at KSPCB's sophisticated Central Laboratory. KSPCB has been advised to undertake water quality monitoring at regular intervals in these lakes and drains (connecting these lakes) and upload (on monthly basis) the water quality information at KSPCB website.</p>
14.	<p>Para 28(xii) Order dated 18.12.2019: <i>Steps may be taken to explore development of wetlands and biodiversity parks apart from other remedial action for reducing the pollution load on the recipient water bodies.</i></p>	<p>Provision is made in the estimate for construction of wetland Bellandur and Varthur lakes. Once the identified wetland area within the lake is de-silted, wetland will be developed. Letter has been received from the ADLR (East) dated.06.11.2020 stating that Government land is not available along the periphery of the lake boundary in buffer zone.</p>
15.	<p>Para 28(xiv) Order dated 18.12.2019: <i>Real time water quality system be commissioned by 31.01.2020 as proposed.</i></p>	<p>The Board has already installed the Real Time Water Quality Monitoring systems at three locations and continuously monitoring. The results are uploaded on the website.</p>

16.	<p>Para 28(xv) Order dated 18.12.2019: <i>The issue of removing 1.5 km road laid upon the lake bed, within the boundary of Varthur lake, by dumping of C&D debris be finalized as per directions of Justice Hegde Committee in terms of para 26 above.</i></p>	<p>The Hon'ble NGT vide order dated 13.08.2020 has held that enquiry should be conducted about the illegality in laying the pipeline by the Minor Irrigation Department. Accordingly, Minor Irrigation department has taken steps as stated in para 21 in this report.</p>																																																					
17.	<p>Para 19(16) of order Order dated 06.12.2018: <i>Post removal of waste from the Lake and from the Rajakaluves, the State ought to prepare a detailed project report with respect to disposal of the same.</i></p>	<p>As regard to removal of waste from the lake area, the desilting work is in progress and once it is completed the left-out waste shall have to be removed. Meanwhile, the BBMP has to prepare a detail project report for the disposal for the same.</p> <p>In regard to removal of waste from the Rajakaluves, the BBMP submits that against approximately 218.0 kms of Rajakaluves (SWD), about 105.149 kms are being maintained. The maintenance includes removal of silt, floating tresses, vegetation and other organics and transported to the Anjanapura abandoned stone quarries. A list of drains of 105.149 kms has been provided here as under:</p> <table border="1" data-bbox="725 847 2128 1382"> <thead> <tr> <th>Sl. No</th> <th>Drain No</th> <th colspan="2">Drain Name</th> <th>Length in M</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>MD 342A</td> <td>Boganahalli</td> <td>Panattur Kere</td> <td>300</td> </tr> <tr> <td>2</td> <td>MD 425</td> <td>Ramgondanahalli Adarsha Houses</td> <td>MD 428 @ Chainage 0.00m</td> <td>100</td> </tr> <tr> <td>3</td> <td>MD 428</td> <td>Varthur Kere</td> <td>MD 431 @ Chainage 0.00m</td> <td>200</td> </tr> <tr> <td>4</td> <td>MD 413</td> <td>Pattanduru Agrahara</td> <td>Nalluralli Kere</td> <td>250</td> </tr> <tr> <td>5</td> <td>MD 414</td> <td>Saibaba Hospital</td> <td>Nalluralli Kere</td> <td>450</td> </tr> <tr> <td>6</td> <td>MD 415</td> <td>Pioneer Software</td> <td>Nalluralli Kere</td> <td>400</td> </tr> <tr> <td>7</td> <td>MD 416</td> <td>Nalluralli</td> <td>Nalluralli Kere</td> <td>450</td> </tr> <tr> <td>8</td> <td>MD 349</td> <td>End Point of MD 322 & MD 334 Near ADA Compound Wall</td> <td>Varthur Kere</td> <td>400</td> </tr> <tr> <td>9</td> <td>MD 365A</td> <td>End Point of MD 363 & MD 364</td> <td>MD 369 @ chainage 0.00</td> <td>400</td> </tr> </tbody> </table>				Sl. No	Drain No	Drain Name		Length in M	1	MD 342A	Boganahalli	Panattur Kere	300	2	MD 425	Ramgondanahalli Adarsha Houses	MD 428 @ Chainage 0.00m	100	3	MD 428	Varthur Kere	MD 431 @ Chainage 0.00m	200	4	MD 413	Pattanduru Agrahara	Nalluralli Kere	250	5	MD 414	Saibaba Hospital	Nalluralli Kere	450	6	MD 415	Pioneer Software	Nalluralli Kere	400	7	MD 416	Nalluralli	Nalluralli Kere	450	8	MD 349	End Point of MD 322 & MD 334 Near ADA Compound Wall	Varthur Kere	400	9	MD 365A	End Point of MD 363 & MD 364	MD 369 @ chainage 0.00	400
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10	MD 322	RHB Colony	Garudacharyapalya Kere	150
11	MD 322A	Garudacharyapalya Kere	Mahadevpura Kere	400
12	MD 322C	ITPL Road	Ramakka Layout	100
13	MD 325	Outter Ring Road	Doddanenkundi Kere	300
14	MD 325A	Vinayaka Nagara 8th Cross	MD 325 @ Chainage 0.00	500
15	MD 363	Chinnappanahalli Layout	MD 365 @ Chainage 0.00	500
16	MD 369	End Point of MD 365 & MD 368	Varthur Kere	500
17	MD 371	Tules CADCAM Technology	Kundalahalli Kere	500
18	MD 372	BEML Layout	Kundalahalli to Siddapura	300
19	MD 374	Tuberahalli BEML Layout	MD 375 @ Chainage 0.00m	230
20	MD 375	End Point of MD 374 & MD 373	Siddapura Kere	450
21	MD 292B	Vijaya Lakshmi Colony via Sai Baba Ashram	Dakshina Pinakini River	350
22	MD 292	Patalamma Layout	Dakshina Pinakini River via Sidhartha Layout	500
23	MD 292A	Kashi Vishwanatha Temple	Outer Channel of YMC Kere near Railway Culvert	1050
24	MD 294	Alembic Glass	MD 388 @ Chainage 0.00m near Channasandra Circle	1150
25	MD 296	Channasandra Circle	Dakshina Pinakini River on Chikka Thirupathi Road	1300

26	MD 388A	Plantation near Gunjar	MD 388 @ Chainage 0.00m	150
27	MD 387	End point of MD 385	MD 382 @ Chainage 1840.00m	300
28	MD 451A	Gandhipura	MD 451 @ Chainage 560.00m	360
29	MD 451	Gandhipura	MD 453 @ Chainage 0.00m @ Immadihalli	300
30	MD 453	End Point of MD 451	MD 454 @Chainage 0.00	360
31	BH 628	Kaikondanahalli Kere	Sowl Tank	800
32	BH 627	Kasavanalli Kere	Kaikondanahalli Kere	300
33	BH 629	Arluur Kere	Kaikondanahalli Kere	500
34	BH 629	Arluur Kere	Kaikondanahalli Kere	200
35	BH627A	Bellandur	Ecospace	500
36	BH-599	Iblur Lake	Bellandur Lake	769
37	C 200	Doordarshan, Jayamahal Extn,	Ulsoor Tank	4150
38	C-100	From Palace Grounds, Vasanthnagar	Wind Tunnel Road	9650
39	C-101	Sudhamnagar	Inside HAL Airport	1875
40	C-102	Sweepers colony, Kadirenapalya	Shastrinagar Joining C-100	1600
41	C-103	Krishnamurthynagar	Kadirenapalya	1600
42	C-104	Kadirenapalya	Kadirenapalya tank	2500
43	C-105	Hanumannagar	Kodihally, Near Domlur Flyover	3000
44	C-106	New Thippasandra	ISRO Complex	650

		45	C-107	Kaggadasapura Lake	Kaggadasapura Main Road / Doodanekkundi tank	900
		46	C-108	Airport South East Corner	NAL	600
		47	C-109	Adj. To Airport Compound	Bellandur Lake	675
		48	N4 Drain	Nagammanagar	3rd Cross Domlur	1580
		49	-	Domlur AK colony	Natasha Apartment	920
		50	C-201	Ganapathy Temple, near Ulsoor Tank	MEG near Ulsoor Tank	250
		51	C-202	Richards Town	Gymkhana Club	1170
		52	C-203	Sagayapuram	Cleve town	750
		53	C-204	Orion Mall, Marutisevanagar	Ulsoor Tank	2000
		54	-	Upper Byrasandra lake - Baghmane Tech Park	Lower Byrasandra Lake - Baghmane techpark	560
		55	-	Lower Byrasandra Lake - Baghmane techpark	Kaggadasapura Lake	930
		56	-	KrishnaiahnaPalya	Kaggadasapura Lake	2600
		57	-	Kasturinagar Park	Outer Ring Road	1000
		58	-	Kasurinagar Railway track	Outer Ring Road	600
		59	K-100	K.R.Market	Bellandur Lake	10200
		60	K-200	Sanatorium	Bellandur Lake	7600
		61	K-103	Church Street	via Austin town & Vivek nagar joining to K-100	3400
		62	K-104	Jayangara 1st Block	Via Lakkasandra joining to K-100	1700
		63	K-107	Lang ford town	Jalakanteshwara pura	770
		64	K-108	Venkatareddy Layout	Willson Garden	1925

65	K-109	Kanteerava Stadium	via R.R. Mohan Ray & joining to K-100	2000
66	K-110	Hosur road	Sudhamanagara	625
67	K-111	South End road near Jayangara 2nd Block	Lalbh Tank	950
68	K-112	Parvathi Pura	Kumbargundi	725
69	K-114	Lang ford road	via St Michael's Church & Joining to K-100	1100
70	K-201	Vanaganahalli	Agara Lake	1350
71	K-202	Ellukunte	venkatapura	950
72	K-203	Crompton Greeves Road	Ring Road	1200
73	K-204	Madivala Tank	Hosur Road	705
74	K-205	Mudduram Nagar	Bismillah Nagar	525
75	K-206-	Tayappanahalli	Bovi Colony	1245
76	K-207	Bairsandra Ext	Bannerugatta road	1225
77	K-208	Tilaknagar	Krishnappa Garden	425
78	K-209	J P Nagara 6th Phase	Madiwala Tank	9500
79	K-210	J P Nagara 6th Phase	Joining K-200	1700
Total Length				105149 meters

It is stated here that the above details are submitted for the first time now hence Committee could not cross verify at the field level.

Further, the State Government is developing Rajakaluve K-100 for the length of 11.4 kms from Chikkalalbagh to Bellanduru lake. No Objection Certification was given in compliance with IA No.392/2020 in OA No.125/2017 subject to the conditions. Copy of the said letter dated 24.12.2020 was also submitted to the Hon'ble NGT by the Committee. The outcome of the development of this Rajakaluve should be placed before the Hon'ble NGT by the State Government.

BBMP is yet to submit the detailed report on the status of the drains (with details of encroachments) and buffer zones.

18.	<p>Para 6 of order Order dated 13.08.2020: <i>Details of amount to be recovered from the units operating without STPs and the stage of proceedings pending before the State PCB</i></p>	<p>KSPCB has identified 91 units for recovery of Rs .271.50 Crores . The stages of proceedings are as under:-</p> <table border="1" data-bbox="712 236 2089 416"> <tr> <td>No. of units Installed STP</td> <td>42</td> </tr> <tr> <td>No. of units connected to BWSSB</td> <td>06</td> </tr> <tr> <td>No. of units with STP under construction</td> <td>07</td> </tr> <tr> <td>No. of units issued with Closure orders</td> <td>10</td> </tr> <tr> <td>Action yet to be taken</td> <td>26</td> </tr> </table> <p>No recovery is made from the defaulting units.</p>	No. of units Installed STP	42	No. of units connected to BWSSB	06	No. of units with STP under construction	07	No. of units issued with Closure orders	10	Action yet to be taken	26
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19.	<p>Para 6 of order Order dated 13.08.2020: <i>Vacation of interim order passed by the High Court (present status)</i></p>	<p>A WP No. 50953/2019 regarding unauthorised occupation of the Bellanduru lake land (Ambedkar Colony) is pending before the Hon'ble High Court.</p>										
20.	<p>Para 6 of order Order dated 13.08.2020: <i>The BDA has wrongly understood that biodiversity parks are to be set up within the lake boundary. Such parks are to be set up along the periphery of the lake boundary. (Possibility of such Biodiversity parks).</i></p>	<p>The BDA submits that no Bio-Diversity parks are developed within the periphery of the lake after Hon'ble NGT observations. The BDA submits that Government land is not available along the periphery of the lake boundary in buffer zone.</p> <p>BDA submit that Contour Survey is being done for both the lakes to demarcate the area between maximum flood levels and the lake periphery. So, identified/demarcated area which is beyond the maximum water level where water does not reach to lake periphery, such area may be developed as Bio-diversity parks without compromising total water holding capacity of lake and only on approval from competent Authority.</p> <p>Alternative land for disposal of silt or/and formation of Bio-diversity park in being explored near Defence land abutting to the Bellandur lake and also other open land available with Defence establishment within Bangalore city. Negotiation with Defence authorities are in progress. If it materialises, further action will be taken by following the protocol of disposal as per Rules.</p>										

<p>21. Para 6 of order Order dated 13.08.2020: <i>Enquiry should be conducted about the illegality in laying the pipeline by the Minor Irrigation Department (Present status).</i></p>	<p>The Additional Chief Secretary, Urban development Department, has submitted the following details in regard to action initiated against the officials in the subject matter.</p> <table border="1" data-bbox="792 264 1980 671"> <thead> <tr> <th>SL No</th> <th>Name of the Erring Official</th> <th>Designation</th> <th>Period</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Devaraj B</td> <td>Chief Engineer</td> <td>23-09-2015 to 31-08-2017</td> </tr> <tr> <td>2.</td> <td>M Ravindrappa</td> <td>Superintending Engineer</td> <td>26-06-2014 to 18-11-2019</td> </tr> <tr> <td>3.</td> <td>S N Krishnappa</td> <td>Executive Engineer</td> <td>11-06-2015 to 27-08-2018</td> </tr> <tr> <td>4.</td> <td>Venkatesh</td> <td>Assistant Executive Engineer</td> <td>27-03-2017 to 04-11-2018</td> </tr> <tr> <td>5.</td> <td>Lakshmu</td> <td>Assistant Executive Engineer</td> <td>18-07-2016 to 26-03-2017</td> </tr> <tr> <td>6.</td> <td>Ashok H Bhagi</td> <td>Assistant Engineer</td> <td>07-12-2016 to 22-07-2019</td> </tr> </tbody> </table> <p>Officers who have worked in the specified period have been identified and show cause notices were issued to them vide dtd. 04.03.2020, giving 15 days' time to submit their replies. The replies submitted by them have been reviewed and found unacceptable. Further at Sl. No 04 Shri Venkatesh, Assistant Executive Engineer expired on 04/11/2018.</p> <p>The Additional Chief Secretary submits that a proposal will be sent to DPAR for obtaining formal approval for initiating disciplinary proceedings against the concerned retired officers and after getting approval from DPAR to conduct department enquiry action will be initiated as per rule 214 (2)(B)(i) and (ii) of KCSR.</p>	SL No	Name of the Erring Official	Designation	Period	1.	Devaraj B	Chief Engineer	23-09-2015 to 31-08-2017	2.	M Ravindrappa	Superintending Engineer	26-06-2014 to 18-11-2019	3.	S N Krishnappa	Executive Engineer	11-06-2015 to 27-08-2018	4.	Venkatesh	Assistant Executive Engineer	27-03-2017 to 04-11-2018	5.	Lakshmu	Assistant Executive Engineer	18-07-2016 to 26-03-2017	6.	Ashok H Bhagi	Assistant Engineer	07-12-2016 to 22-07-2019
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22.	<p>Para 6 of order Order dated 13.08.2020: <i>Construction of retaining wall should not result in reduction of width of the water bodies/Rajakaluves.</i></p>	<p>The BBMP submits that the Construction of retaining walls to storm water drains is temporarily suspended in the Bellandur and Varthur catchment areas. To ascertain the actual width of these drains, the help of Cadastral maps is being taken in collaboration of Revenue Department and the Karnataka State Satellite Remotes Sensing Centre. They submit that the exercise will be completed by the end of March 2021. Once these exercises are completed the encroachments shall be identified at field and should be removed. The works of construction of retaining walls should be recommenced accordingly. The excess area outside the retaining walls, tree park should be developed. The BBMP is expected to consider entire lengths of SWDs in the catchment areas.</p>																																										
23.	<p>Para 6 of order Order dated 13.08.2020: <i>Details of action taken by the BBMP against illegal structures (rajakaluves and 30 meter buffer zone around the lakes)</i></p>	<p>The BBMP submits a detail of the encroachment removed in Mahadevapura Zone of the catchment of these lakes which were identified in the past. The details are as under:-</p> <table border="1" data-bbox="707 584 2107 903"> <thead> <tr> <th>Sl. No</th> <th>Zone</th> <th>Total encroachments Identified in each Zone</th> <th>Details of the encroachments removed by doing survey in the year 2016-17</th> <th>Details of the encroachments removed /resolved by doing survey in the year 2018-19 on-wards</th> <th>Balance Encroachments to be removed as on 24.12.2020</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Mahadevapura</td> <td>1101</td> <td>98</td> <td>864</td> <td>139</td> </tr> <tr> <td>1a</td> <td>Mahadevapura-New</td> <td>45</td> <td>0</td> <td>0</td> <td>45</td> </tr> <tr> <td></td> <td>TOTAL</td> <td>1146</td> <td>98</td> <td>864</td> <td>184</td> </tr> </tbody> </table> <p>Further, BBMP submits that, following Writ Petitions in the matter of encroachment are filed and pending before the Hon'ble High Court.</p> <table border="1" data-bbox="707 1007 2107 1254"> <thead> <tr> <th>Sl.no</th> <th>Writ Petition Number</th> <th>Number of cases</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>W.P No.27287/2019</td> <td>3 cases</td> </tr> <tr> <td>2.</td> <td>W.P No.26150/2019 & 26835-26842/19</td> <td>1 Case</td> </tr> <tr> <td>3.</td> <td>W.P No.29873/19 & 29874-876/19</td> <td>3 Cases</td> </tr> <tr> <td>4.</td> <td>W.P No.30399-30414/2019</td> <td>45 Cases</td> </tr> <tr> <td></td> <td>Total</td> <td>52 Cases</td> </tr> </tbody> </table> <p>The details of encroachments of other zones for the catchment of Varthur, Bellanduru and Agram have not been submitted by the BBMP.</p>	Sl. No	Zone	Total encroachments Identified in each Zone	Details of the encroachments removed by doing survey in the year 2016-17	Details of the encroachments removed /resolved by doing survey in the year 2018-19 on-wards	Balance Encroachments to be removed as on 24.12.2020	1	Mahadevapura	1101	98	864	139	1a	Mahadevapura-New	45	0	0	45		TOTAL	1146	98	864	184	Sl.no	Writ Petition Number	Number of cases	1.	W.P No.27287/2019	3 cases	2.	W.P No.26150/2019 & 26835-26842/19	1 Case	3.	W.P No.29873/19 & 29874-876/19	3 Cases	4.	W.P No.30399-30414/2019	45 Cases		Total	52 Cases
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		<p>The BBMP further submits that 30 meter buffer zone have been demarcated all along the outer boundary of Bellanduru lake with the help of Additional Director of Land Records. In the 30 meter buffer zone of Bellanduru lake, 22 unauthorised structures have been identified. The process up to demolition order, has been completed. Against the demolition order 13 persons have appealed before the Karnataka Administrative Tribunal; one Writ Petition has been filed in the High Court; 4 persons have gone to the City Civil Court. Action has to be initiated against the remaining 4 persons.</p> <p>It is further submitted that along the periphery of the Bellanduru lake 177 mild steel tubular poles and 160 LED lights have been installed and commissioned. 23 poles and 40 LED lights are yet to be installed. As regard to CCTV cameras, 51 numbers have been installed and functioning and 11 numbers are yet to be installed.</p> <p>Further, 30-meter buffer zone has been demarcated along the outer boundary of Varthur lake with the help of Additional Director of Land Records. In this buffer zone, 12 unauthorised structures have been identified. The process up to demolition orders has been completed. Against the demolition order, one person has appealed before the Karnataka Administrative Tribunal; one structure has been demolished and remaining 10 structures are yet to be demolished.</p> <p>It is further submitted that along the periphery of the Varthur lake, 184 poles and 143 LED lights have been installed and commissioned. 16 poles and 57 LED lights are yet to be completed. As regard to CCTV cameras, 24 numbers have been installed and functioning and 26 numbers are yet to be installed.</p>
24.	<p>Para 6 of order Order dated 13.08.2020: <i>BBMP should survey and notify the rajakaluves for purposes of buffer zones of 50, 25 and 15 meters</i></p>	<p>The Storm water drains are classified into the Primary, Secondary and Tertiary SWDs with the buffer zones of 50, 25 and 15 meters respectively on certain technical parameters.</p> <p>The details of length in each category have not been submitted by the BBMP. The Committee has convened several meetings in this regard but no satisfactory desired results are achieved.</p> <p>To ascertain the actual width of these drains and encroachments, the help of Cadastral maps is being taken in collaboration of Revenue Department and the Karnataka State Satellite Remotes Sensing Centre. They submit that the exercise will be completed by the end of March 2021. Once this exercise is completed, the further action of demarcating of encroachments at field should be done and to be removed. The BBMP is expected to consider entire lengths of SWDs in the catchment areas.</p>

<p>25. Para 8 of order Order dated 13.08.2020: <i>We have given due consideration to the rival opinions. We are of the view that some more sampling may be got carried out with regard to de-silted debris/sludge at appropriate representative locations for comprehensive database and thereafter disposal protocol may be finalized in consultation with the CPCB. This will avoid unnecessary delay and cost (action taken in this regard by KSPCB for sample analysis).</i></p>	<p>More silt sampling in both lakes have been carried out jointly (by CPCB and KSPCB) and analysed for essential parameters including heavy metals. The standard protocol for assessing the hazardous (if any) is being followed through TCLP (Toxicity characteristic leaching procedure) and STLC (Soluble Threshold Limit Concentration) investigations of soil samples in Varthur and Bellandur Lakes.</p> <p>Based on this, CPCB has given a report for Varthur lake. As per the protocol based on TCLP and STLC analyses, the soil is non-hazardous and hence permission is accorded to BDA by KSPCB to dispose silt, based on the local demand</p> <p>As regards to Bellandur Lake, the analysis of sediment samples for leachability tests is under progress and is expected to be completed early. Based on the test results CPCB, will submit a report suggesting silt disposal mechanism.</p>
--	--

This report is submitted to the Hon'ble National Green Tribunal for appropriate order.



(N.Santhosh Hegde)

Hon'ble Judge of Supreme Court of India (Retd)
 & Chairman, Monitoring Committee.

Place: Bengaluru

Date: 15-02-2021

Printed from
THE TIMES OF INDIA

Bellandur Lake will be desilted, deweeded by May 2021: BDA

TNN | Jan 30, 2019, 06.45 AM IST



BENGALURU: Bellandur Lake, which hits global headlines every time it spews foam or fire, will be cleaned, desilted and deweeded by May 2021, Bangalore Development Authority (BDA), custodian of the water body, has said in its action-taken plan drafted on the National Green Tribunal (NGT) directive.

This is the first time that BDA is committing itself to a timeline to cleanse the lake. Though the authorities had consistently maintained that the lake can be desilted only after 2020, once all sewage treatment plants are up and running, they hadn't committed to any particular date.

Officials from BDA had earlier quoted amounts between Rs 800 and Rs 1,000 crore for the rejuvenation of Bellandur Lake, but the agency now says around Rs 665 crore will be required to revive Bellandur and Varthur

lakes, with over 80% of this budget going towards desilting of the former.

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So far, Rs 42.3 crore has been spent on fencing the two water bodies, installing sprinklers, deweeding Bellandur Lake and executing flood-control work at both. Of the Rs 665 crore, Rs 550 crore will be utilised for desilting and deweeding Bellandur Lake, "over one full dry season, from November 2020 to April 2021 on completion of STPs by Bangalore Water Supply and

Sewerage Board on or before July 2020”.

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In addition, BDA will require Rs 38.4 crore to compost the weeds and remove construction debris from the lake. The authority claimed it has already prepared a detailed project report for the same and written to the BBMP commissioner asking him to “identify and hand over suitable land” where a composting facility can be set up. Another Rs 36 crore will be needed to install aerators and fountains, once the one-time cleaning of the lake is completed by May 2021.

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When it comes to Varthur Lake, the BDA seems to have thrown up its hands, providing no estimate for desilting of the 490-acre

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water body, apart from CSR funds of Rs 24.9 crore offered by a private company, Mineral Enterprises Limited, to desilt a portion of the lake. While BDA officials claim the company will take over the whole gamut of beautification, deweeding and desilting, the firm says they are only concerned with desilting the shallow end.

Apart from the CSR funds, BDA says the remaining Rs 640 crore will come from the 'state government's budget fund'. "We are preparing an action plan for restoration of Bellandur and other lakes with an expenditure of Rs 3,000 crore, and will send it to the Union ministry of water resources, which has a water body restoration scheme. If the plan is successful, we can use these funds for the cleaning process," said Mahendra Jain, additional chief secretary, urban development department.

SUMMING IT UP

*Amount spent so far: Rs 42.3 crore

*Required for desilting Bellandur Lake: Rs 550 crore

*Installation of aerators: Rs 38.4 crore

*Disposal of weeds and construction and demolition waste: Rs 36 crore

*Reconstruction of waste weirs & construction of sluice gates: Rs 16.2 crore

*Total amount required for completion of work (including CSR funds of Rs 24.9 crore): Rs 665.6 crore

Will submit report to NGT panel today

Following the NGT order on December 6, all civic agencies concerned were asked to draft action plans for the lakes. On Wednesday, we will submit this report to the NGT- constituted panel led by Justice Santosh Hegde for consideration. All action plans will be discussed, following which, alterations in the budget, activities or timelines may be made

Rakesh Singh, BDA commissioner

ACTION TAKEN SO FAR

*Fencing of Bellandur Lake boundary wall

*Sluice gates set up at Varthur Lake; work on at Yamalur Kodi

*Reconstruction of waste weir at Bellandur Kodi

*Wire net installed at both lakes to prevent dispersal of froth

*34,260 metric tonnes of macrophytes removed from Bellandur Lake

*106 water sprinklers installed at Bellandur Lake

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Desilting Bellandur, Varthur lakes could take one more year

Though the project was expected to be completed by August 2022, contractors said they would need at least another year to complete excavating the huge amounts of silt

 **Sneha Ramesh**  **DHNS**

Last Updated 30 July 2022, 04:09 IST

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Credit: DH Photo



Varthur Lake.

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The project to desilt Bellandur and Varthur lakes has been running into a series of hurdles starting from delays in finding sites to dumping excavated silt and incessant rain.

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Though the project was expected to be completed by August 2022, contractors said they would need at least another year to complete excavating the huge amounts of silt.

“The project started in January 2021 with an 18-month deadline. However, till March, we did not know where to excavate since the Karnataka State Pollution Control Board (KSPCB) had not given us a map of areas with hazardous silt, delaying the process,” said a contractor who did not want to be named.

That apart, engineers working on the ground said identification and approval of site to dump the excavated silt was also delayed.

BDA officials attributed the delay to incessant rains and the Covid-induced lockdowns. "Due to rains, work on the site has been stalled for nearly a month now. It was the same situation last year," said a BDA engineer monitoring the project's progress.

Contractors also faced labour shortage during the pandemic. As the second wave raged, there were no drivers to transport the silt, the BDA engineer added.

Sources also said authorities are yet to clear a slum dwelling on a small portion of the lake land.

With the deadline fast approaching, only 41% of the work at Bellandur Lake and 73.61% of the work at Varthur Lake has been completed. Also, as per data, not even half of the excavated silt has been transported out of the lake.

The BDA is executing the project at Rs 100.3 crore, which is being monitored by the chief secretary following directions from the National Green Tribunal (NGT).

Progress at Bellandur Lake

Total silt expected: 32.3 lakh cubic metres (cu m)

Silt excavated so far: 13.26 lakh cu m

Silt transported out of site: 5.62 lakh cu m

Progress: 41%

Progress at Varthur Lake

Total silt expected: 15.1 lakh cubic metres (cu m)

Silt excavated so far: 11.11 lakh cu m

Silt transported out of site: 8.44 lakh cu m

Progress: 73.61%

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December 2024: New minister's new deadline for restoration of Bellandur Lake

There was a lapse on the department's side in recovering the fine from over 400 industries in the catchment area of the lake, said the minister

May 31, 2023 10:22 pm | Updated 10:22 pm IST - Bengaluru

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The restoration work of Bellandur lake, one of the city's largest, will be finished by December 2024, announced newly appointed Forest, Ecology and Environment Minister Eshwar Khandre on Wednesday after visiting the lake. He said that work is happening in full swing on the 14 Sewage Treatment Plants (STP), which are needed to keep the sewage water from flowing into the lake.

"The restoration work of the lake was delayed due to some practical problems, mainly the inflow of sewage water. Around 550 Minimum Liquid Discharge (MLD) sewage water comes into that lake, according to experts. The STPs are expected to solve these issues. The work is going on on the upgrade of five old STPs and the set up of nine new ones. The officials have assured that the work will be completed by December 2024," said Mr.



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He also said that while 50 per cent of the desilting work is now complete, there is no place to dump the silt as there is severe opposition from the local residents near quarries. "There were lakhs of tonnes of silt in the lake, and while half of the silt which was removed from the lake has been shifted, the rest remains there. I have instructed the officials to make arrangements for the disposal soon," the minister said.

Lapse in recovering fine

He pointed out that there was a lapse on the department's side in recovering the fine from over 400 industries in the catchment area of the lake. "The industries there have not built STPs and taking up *suo moto* case, the National Green Tribunal (NGT) has penalised them up to ₹198 crores. However, only ₹5 crore has been collected from the department so far. The reason for this would be found out and strict action will be taken against those who have failed to recover the fines," Mr. Khandre said.

He also said that the rejuvenation of lakes is one of the prime focuses of the new government, "We have instructed the officials that all the lakes in Bengaluru which have polluted water should be examined, cleaned, desilted and rejuvenated. The lakes should be restored to their previous states where there used to be clean water."

Strict action if STP not implemented

Mr. Khandre, who also held a progress review meeting at Karnataka State Pollution Control Board (KSPCB) on Wednesday, said that cases had been registered against 78 local bodies over non-implementation of STPs. When asked about the confusion about the implementation of STPs in apartment complexes, he said, "In some old apartments, there is no provision for building STPs. However, in the future, if the new apartment complexes do not have STPs, then they would not be issued No Objection Certificates (NOC)."

Referring to the incident in Raichur district where a person died after ingesting polluted



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taken to track and cut down on pollution especially in areas like e-waste recycling, used oil recycling, and disposal of hazardous waste.

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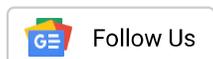
News / Cities / Bangalore / Environment minister's assurance on restoration of Bellandur and Varthur lake has fallen flat: activist

Environment minister's assurance on restoration of Bellandur and Varthur lake has fallen flat: activist

Activists are planning to seek the National Green Tribunal's intervention in speeding up the work.

Written by [Aksheev Thakur](#)

Bengaluru | October 6, 2023 19:12 IST





The NGT in March 2021 dissolved an independent monitoring committee formed to oversee rejuvenation work at both the lakes. (Express Photo)

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The **restoration of Bengaluru's Varthur** and **Bellandur** lakes has taken a backseat, even after Environment Minister Eshwar Khandre announced that both lakes would be **restored by 2024**. Khandre and Bengaluru Development Minister D K Shivakumar visited the Varthur lake in June.

Read Also | **Varthur, Bellandur lakes continue to froth as BWSSB fails to treat sewage**

Activists are planning to approach the National Green Tribunal seeking its intervention in speeding up the work. Jagadish Reddy, member of a citizens' collective called Varthur Rising, said, "The Varthur and Bellandur lakes rejuvenation efforts are now put on back burners. It has been over a year without any progress in the overall project. Major efforts with respect to de-silting, fixing water quality issues, removal of encroachment from lakes, construction of wetland, storm-water drain encroachment removal are yet to be made."



The Standing Committee for Rural Development Panchayat Raj and local bodies inspected lakes including Varthur and Bellandur, waterway projects and sewage treatment plants in the city on Thursday. (Express Photo)

While CCTV cameras were installed near the Varthur lake in 2019, Reddy said there was no surveillance in place now. “While BBMP marshals have been deployed at both lakes, they have not been provided with monitoring equipment. There is pitch dark near the areas abutting the lake,” he added.

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The NGT in March 2021 dissolved an independent monitoring committee formed to oversee rejuvenation work at both the lakes. The tribunal asked the chief secretary to form a committee. However, Reddy said that no such committee had been formed though it was imperative that a citizen monitoring committee was framed for transparency.

“While 60 per cent of rejuvenation work has been completed at Bellandur lake, over 95 per cent of the work at Varthur lake has been completed. However, now the work is not to be seen. Though the contractors are being paid to carry out maintenance but on the ground we cannot see any work being done,” he said.



The Standing Committee for Rural Development Panchayat Raj and local bodies inspected lakes including Varthur and Bellandur, waterway projects and sewage treatment plants in the city on Thursday. The committee will submit its recommendations to the government soon.

Sahaja Burde

From: Sahaja Burde
Sent: 02 December 2023 16:06
To: 'bda@ka.gov.in'; 'advgenefiling@gmail.com'; 'comm@bbmp.gov.in'; 'ceolda2002@gmail.com'; 'darpan.advocate@gmail.com'
Cc: Aditya Chatterjee; Dharshini Sugumaran
Subject: RE: Service | Rejoinder in OA No. 60/2023 before the National Green Tribunal, Chennai (SZ)
Attachments: Rejoinder.pdf

Importance: High

Dear Sir/Ma'am,

I represent the Applicant in the captioned Original Application No. 60/2023, filed before the National Green Tribunal, Chennai (SZ).

Please see attached a copy of the rejoinder being filed by us in the captioned matter today. Kindly treat this email as advance service and acknowledge receipt.

Regards,
Sahaja

SAHAJA BURDE
Associate

M: + 91 9632034585
E: sahaja.burde@keystone.law
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Sent: Thursday, May 25, 2023 6:53 PM
To: 'bda@ka.gov.in'; 'advgenefiling@gmail.com'; 'comm@bbmp.gov.in'; 'ceolda2002@gmail.com'
Cc: Aditya Chatterjee <aditya.chatterjee@keystone.law>; Sahaja Burde <sahaja.burde@keystone.law>
Subject: Service | Additional Documents in OA No. 60/2023 before the National Green Tribunal, Chennai (SZ)

Dear Sir/Ma'am,

I represent the Applicant in the captioned Original Application No. 60/2023, filed before the National Green Tribunal, Chennai (SZ).

Please see attached a copy of the additional documents being filed by us in the captioned matter today. The documents have been served to the Respondents by way of hand delivery as well. Kindly treat this email as advance service and acknowledge receipt.

Best Regards,
Dharshini Sugumaran