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**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 19 March 2024**

**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

**ADDITIONAL AFFIDAVIT ON BEHALF 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.
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 BDA has failed to place on record any



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D. H. ...

material in order to determine the nature of works, progress in works, timelines, sanctions and approvals, etc. This Hon'ble Tribunal on the last date of hearing i.e., 23 January 2024 orally directed the Respondent No. 2 to place on record, by way of an affidavit, details of the tender awarded for rejuvenation of the lake, the scope and nature of rejuvenation works undertaken, the timeline for completion of rejuvenation work and consequent removal of the mud road. The BDA has failed to file its affidavit to this effect, till date.

4. I state that the BDA floated a tender way back in December 2019, about 4 years back, for restoration of the lake (copy of which is produced along with the Original Application as Annexure 5). However, activities purportedly towards the rejuvenation and restoration of the lake have resulted in further deterioration of the lake. The encroachment of the buffer area of the lake and blocking of inlets and outlets of the lake 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.
5. The drying up of the lake on account of the inordinate delay in its rejuvenation and restoration has now contributed to the drying up of borewells in and around the lake region, and thus, contributing to the ongoing *water crisis* in the city. The BDA, for the purposes of desilting of the lake, has blocked the inlets and outlets of the lake that has led to the lake drying up and as a consequence, has severely affected the groundwater table. True copy of the article titled 'Borewells dry as these two Bengaluru lakes were denied water for 4 years' dated 08 March 2024 published by Deccan Herald (covering the contribution of delayed rejuvenation of the Bellandur Lake to the ongoing water crisis in Bangalore) is produced herewith as **Annexure**



*wee*

*D. H. Rao*

1. The concretization of Bangalore city has led to considerable reduction in water surface and even the remaining water bodies in the city such as lakes, are being encroached upon leading to further reduction in the water surface. This has impacted the groundwater table and has now added to the water shortage in the city. True copy of the article titled 'Bengaluru water crisis: a 70% drop in this key stat shows why India's Silicon Valley is parched, as per IISc' dated 14 March 2024 and published by The Economic Times (covering the impact of encroachment of lakes in depletion of groundwater) is produced herewith as **Annexure 2**.

6. While activities claimed to be undertaken for the betterment of the environment should be done in a time-bound manner and on priority, not only has the BDA taken over 4 years for completion of rejuvenation and restoration activities but has also been carrying out such activities in an unscientific manner. The activities around the lake are now being carried out for several years without any progress and have resulted in depletion of water holding capacity of the lake and drying up of the lake. Thus, the activities undertaken by BDA for alleged rejuvenation and restoration of the lake are only causing further depletion of the water body instead of restoring it and is proving to have severe second order effects in and around the lake region and the Bangalore city. The failure of BDA to carry out the rejuvenation and restoration process in a timely manner has, thus, contributed to the *water crisis* in the city.

7. In order to ensure the timely completion of the works and the speedy adjudication of the OA, a letter has also been issued on my behalf to the BDA calling upon them to file the affidavit at the earliest. Despite the same, the BDA has failed to comply with the directions of this Hon'ble Tribunal to file the necessary affidavit, thereby



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J. H. H.

making the large scale environmental impact, drought and water scarcity a fait accompli. A true copy of the letter issued to the BDA is produced herewith as **Annexure 3.**

8. It is humbly submitted that it is therefore imperative that necessary directions be passed and the matter be adjudicated on merits. Hence, it is humbly requested that the OA may be heard on merits by this Hon'ble Tribunal and may be taken up for final disposal.

*Identified by me*

**Advocate**

**DEPONENT**

**Place:** Bengaluru

**Date:** 19 March 2024



SWORN TO BEFORE ME

*19-3-24*

G.B. TURAMARU  
ADVOCATE & NOTARY  
#48/1, Behind Binny Mill  
X Main Road, Ganganagar Extn.  
BENGALURU 560 032

*SINCE  
14/23*

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## **Borewells dry as these two Bengaluru lakes were denied water for 4 years**

Both waterbodies, spread across a total of 1,200 acres, stopped receiving treated sewage and rainwater after since the Bangalore Development Authority took up lake rejuvenation work four years ago.

**Naveen Menezes**

Last Updated 07 March 2024, 21:55 IST

Bengaluru: The delay in rejuvenation of Bengaluru's two major lakes may have contributed to the drying up of borewells in and around Bellandur and Varthur region, experts and residents believe.

Both waterbodies, spread across a total of 1,200 acres, stopped receiving treated sewage and rainwater after since the Bangalore Development Authority (BDA) took up lake rejuvenation work four years ago.

As part of the rejuvenation, the BDA has diverted the water inflow for desilting the lakes but incomplete work has severely affected the groundwater table.

When these lakes were filled with water, many residents living in the vicinity said they could at least depend on private tankers even when their borewells dried up. Some residents said their tubewells worked around the year until the BDA started desilting lakes, which should have been completed in a year.

"A major part of the groundwater crisis in Bengaluru is the draining of Bellandur and Varthur lakes for desilting," Vishwanath Srikantaiah, a water conservation expert, said. "Bellandur Lake alone, spread across 330 hectares, can recharge 66 million litres per day. That is equivalent to 5,500 tankers (12,000 litres). Varthur could recharge 36 million litres per day. A total of 102 million litres per day recharge missed out has caused the groundwater collapse," he said.

As an emergency measure, he said, the BDA should fill these lakes with tertiary treated wastewater. "These two lakes, biggest in Bengaluru, have an influence zone to fill aquifers not less than 10 km," he said.

He gave an example of Doddabommasandra Lake in the north of the city. "BEL has set up a 10 MLD secondary wastewater treatment plant. The BBMP pays the electricity bill of Rs 10 lakhs a month. About 300 million litres becomes available to fill lakes and recharge aquifers," he said.

Amaresh, president of Green Glen Layout Resident Welfare Association, said borewells of residents living close to Iblur Lake were getting water but the ones near Bellandur Lake had dried up.

"After Iblur Lake was rejuvenated, it has water to fill the aquifers but the work in Bellandur Lake has been going on for years," he said.

### 'Need one more year'

Even though the water crisis is severe the BDA is in no hurry to complete the work. An engineer in charge of the rejuvenation project said it would take another year to completely fully Bellandur Lake. "Until then we will not be able to allow water into the lake" he said adding Varthur Lake is in the advanced stage of completion and hoped to allow the flow of water by December-end. Former MLA Arvind Limbavali blamed the BDA for destroying a project conceptualised by the National Green Tribunal (NGT) committee. "Had these lakes been full the borewells would not have gone dry to this extent. Of the 110 villages added to the city limits 31 fall in my constituency and all of them are facing severe water shortage" he said. "I am struggling to supply water even through tankers as the suppliers themselves are seeing their borewells going dry." Shobha Bhat a resident of the Jnana Bharathi ward blamed the unscientific rejuvenation of the lake for the water problem. "The BBMP focused on the beautification of waterbodies in the RR Nagar constituency. As the water holding capacity of these lakes has narrowed down many borewells in our area have gone dry" she said.

# Bengaluru water crisis: A 70% drop in this key stat shows why India's Silicon Valley is parched, as per IISc

ET Online Last Updated: Mar 14, 2024, 02:06:00 PM IST

## Synopsis

Bengaluru faces severe water scarcity amid its worst drought in 30-40 years, with an IISc study attributing it to a 70% decline in the city's water spread area. Urbanization, marked by a 1055% increase in built-up areas, is blamed for depleting groundwater. Encroachments on lakes and poor sewage treatment exacerbate the crisis.



As Bengaluru grapples with **acute water shortage**, experiencing the worst drought in the last 30-40 years, an **IISc study** has pinned the blame on the 70 per cent drop in the water spread area in the city.

It is well known that the city has seen a 1055 per cent bump in built-up areas, i.e., concrete structure and paved surfaces, in the last few decades. In addition, it has seen a staggering drop in the water spread area which has now been termed as the root cause of the depleting groundwater table across the city.

A study by the IISc's Centre for Ecological Sciences says that water spread area has fallen from 2,324 hectares in 1973 to just about 696 hectares in 2023, a 70 per cent drop.

"The extent of water surface in Bengaluru during 1973 was 2,324 hectares. Over the last 50 years, due to reckless concretization, the water surface has shrunk considerably. Of the remaining water bodies, 98% of lakes are encroached upon and 90% of them are fed with untreated sewage or industrial effluents. Naturally, this has impacted the recharge of the groundwater table as well," TOI quoted IISc's Prof TV Ramachandra as saying.

In its study, the Indian Institute of Science (IISc) scientists mapped the transformation and evolution of Bengaluru over the last 50 years. Ramachandra said that the reduction in water surface area has also affected the groundwater recharge across Bengaluru.

The study has shown that the city lost its green cover owing to higher quantity of air pollutants and rising temperature levels.

The built-up area of the 'concrete jungle' in 1973 was around 8 per cent, which rose to 93.3 per cent in 2023.

"Remote sensing data for Bengaluru reveals only 1.5 million trees support Bengaluru's population of 9.5 million, indicating one tree for every seven persons in the city. However, this is insufficient even to sequester respiratory carbon which is 540-900g per person per day," the professor said.

Describing the direness of the situation, Karnataka's Deputy Chief Minister DK Shivakumar said such a drought has not been seen in the last 30-40 years. "Though there was drought earlier we had never declared such a large number of taluks as drought-affected," Shivakumar told reporters recently.

In an attempt to fix the water shortage problem, the **Bangalore Water Supply and Sewerage Board** (BWSSB) took various measures, like banning use of potable water for non-essential purposes like cleaning vehicles, construction of buildings and roads, for entertainment purposes or decorations like fountains. In addition, it also will be acting against those who drill unauthorised borewells within the city limits.

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**KEYSTONE  
PARTNERS**  
ADVOCATES & SOLICITORS

BY HAND

Ref No: BLR/4828/292/2024

18 March 2024

To,  
**The Bangalore Development Authority**  
Kumara Park West T Chowdaiah Road,  
Bengaluru - 560020  
Represented by its Commissioner  
Attn: To the concerned standing counsel/counsel for the addressee

Respected Ma'am/Sir,

**Sub: (O.A.) No. 60/2023 – Harikrishna Paidi Lakshmaiah v. State of Karnataka & Ors.**

Under instructions from our client, Mr. Hari Krishna Paidi Lakshmaiah ("our Client"), we address you as follows:

1. Our Client has filed an Original Application being O.A. No. 60/2023 – Shri Hari Krishna Paidi Lakshmaiah v the State of Karnataka and Ors. ("OA") before the Hon'ble National Green Tribunal, Chennai ("Tribunal") impugning the construction of a mud road around the Bellandur Lake. All the addressees in this letter have been arrayed as Respondents in the OA.
2. As you are aware, at the hearing of the captioned matter on 23 January 2024, the Hon'ble Tribunal had directed you, the Bangalore Development Authority ("BDA"), to file an affidavit containing the necessary details surrounding the tender issued for rejuvenation of the Bellandur lake, the nature of the works undertaken, the scientific necessity for the said works and the timeline for competition of these works.
3. Subsequently, the OA was listed before the Hon'ble Tribunal on 23 February 2024. On the said date, the OA stood adjourned by the Hon'ble Tribunal. We mentioned the OA at the beginning of the court session on 23 February 2024 in light of the existing urgency in the

Page 1 of 2

# KEYSTONE PARTNERS

ADVOCATES & SOLICITORS

matter. However, we were informed by the Hon'ble Tribunal that the matter could not be taken up since you have not filed your affidavit.

4. Without placing your affidavit on record, it is difficult to ascertain the nature of the works undertaken at the Bellandur lake or the purpose of the mud road built in and around the lake. Further, your affidavit is also necessary to assess the timeline required for the completion of the works and the restoration of the lake to its original capacity.
5. As you are aware, the areas around the Bellandur lake are either facing heavy floods even during light rainfalls or facing drying up of the lake during the summer, primarily because of the clogging of the inlets and outlets into the lake by the construction of the mud road. By order dated 16 May 2023, the Hon'ble Tribunal had, in fact, directed you to ensure the construction activities do not block the inlets or outlets of the lake. However, you have not filed an affidavit to this effect till date.
6. The OA is next listed on 21 March 2024. In light of the extreme difficulties faced by the residents around the Bellandur Lake and the dire situation of the lake itself, it is necessary that you file the affidavit, as directed by the Hon'ble Tribunal, at the earliest.
7. Accordingly, our Client calls upon you to file the affidavit with necessary details before the next date of hearing (21 March 2024), after serving a copy of the same on us in advance.

Kindly acknowledge receipt of this letter.

Yours Sincerely,  
For **Keystone Partners**



**Aditya Chatterjee**  
Advocate for the Applicant

Page 2 of 2

**Sahaja Burde**

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**From:** Sahaja Burde  
**Sent:** 19 March 2024 13:39  
**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:** Service | Additional Affidavit on behalf of the Application in O.A. 60/2023 before the National Green Tribunal, Chennai (SZ)  
**Attachments:** Additional Affidavit.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 additional affidavit of the Applicant being filed by us in the captioned matter today. Kindly treat this email as advance service and acknowledge receipt.

Regards,  
Sahaja

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**SAHAJA BURDE**  
**Associate**

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