

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, AT CHENNAI**

**ORIGINAL APPLICATION NO. 66/2022**

**IN THE MATTER OF:**

N Rajagopala Reddy

...Applicant

Versus

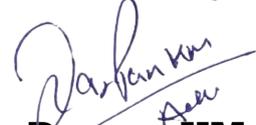
Deputy Commissioner  
Chikkaballapur and Ors

...Respondents

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**Filed by:**



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**Date: 28.07.2023**

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**IN THE MATTER OF:**

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**REPORT ON BEHALF OF THE MINOR IRRIGATION  
DEPARTMENT, CHIKKABALLAPUR DISTRICT**

**MOST RESPECTFULLY SHOWETH:**

1. That the instant application is filed *inter alia* seeking demolition of a bridge constructed over Channel Moogana Halla No. 33/2A of Gotakanapura village and Survey No. 7/5 of Puttapurlahalli village, Gowribidnaur Taluk, Chikkaballapur District, Karnataka.
2. Vide order dated 05.07.2023, this Hon'ble Tribunal restricted the scope of the application to the question of alleged obstruction in free flow of water by the bridge in question. The following was ordered by this Hon'ble Tribunal in this regard:

*"2. The only concern of the applicant is that the road portion that has been constructed on behalf of Respondents No.7 & 8 has obstructed the free flow of*

*water from the nalah to the mainstream. If any provision is made for the free flow of water from the nalah to the mainstream, that could save the lands of the applicant during the rainy season. Otherwise, it is claimed that Respondents Nos.7 & 8 had obtained appropriate approvals and permissions from the authority for the construction of the bridge and the road.*

*3. We are of the opinion that this could be resolved if Respondents No.7 & 8 agreed for making the opening for the free flow of the water.”*

3. It is submitted that on 14.07.2023, officials from the answering Respondents conducted a spot inspection of the bridge in question and the findings are as follows:
4. That there is an old pipe culvert bridge situated around 15 meters towards the downstream of the newly constructed bridge. The said old bridge is a pipe culvert bridge and was constructed a few years ago.
5. On account of general wear and tear and also due to heavy rainfalls, about 40% of the old bridge was damaged and was not suitable for the use of the public. Only during heavy rainfall, the pipes of this old culvert bridge get blocked with rain water that flows in the Mooganahalla leading to the blockage of water flow and hence, it can lead to waterlogging

at times on the upstream of Mooganahalla, hence the water can flow outwards, to the sides of the pipe culvert bridge.

6. It was observed during the spot inspection that the new bridge constructed by Respondent 7 is on the upstream of the old pipe culvert bridge, and has 3 large vents which allow easy flow of water.
7. Waterlogging, if any, is only caused during heavy rainfall, by the pipes of the old bridge getting blocked because of the damaged pipe culvert, and the same may get accumulated on the upstream of the newly constructed bridge.
8. It is submitted that the answering Department keeps undertaking clearance work of the blocked from time to time, whenever the need arises.

True Copy of photographs of the Old Bridge captured during the spot inspection dated 14.07.2023 is annexed herewith as **Annexure R-1.**

True Copy of the photographs of the New Bridge captured during the spot inspection dated 14.07.2023 is annexed herewith as **Annexure R-2.**

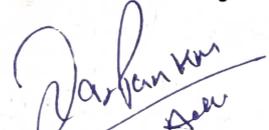
9. In light of the above submissions, it is submitted that this Hon'ble Tribunal may be pleased to dismiss the Application, and any directions passed by the Hon'ble Tribunal will be complied with by the answering Department.



Executive Engineer,  
MI & GWD Division,  
Minor Irrigation Department,  
Chikkaballapur.

**Date: 28.07.2023**

**Filed By**

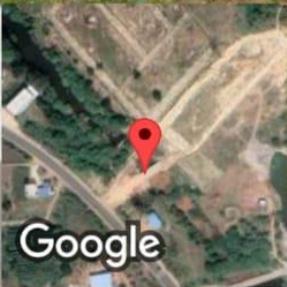


**Darpan KM  
Standing Counsel  
State of Karnataka**





 **GPS Map Camera**



Gauribidanur, Karnataka, India  
JG9F+P32, Gauribidanur, Karnataka 561208, India  
Lat 13.61913°  
Long 77.524397°  
14/07/23 01:23 PM GMT +05:30







Minor Irrigation Chikkaballapu  
Bridge Near Putparla Halli  
14.07.2023 13:22  
13.61904, 77.52447 ( $\pm 15$ m)  
Altitude: 631m  
JG9F+P32, Gauribidanur, Karnataka 561208



 **GPS Map Camera**



Gauribidanur, Karnataka, India  
JG9F+P32, Gauribidanur, Karnataka 561208, India  
Lat 13.61913°  
Long 77.524397°  
14/07/23 01:24 PM GMT +05:30



Minor Irrigation Chikkaballapú  
Bridge Near Putparla Halli  
14.07.2023 13:19  
13.61888, 77.52432 (+12m)  
Altitude: 610m  
JG9F+P32, Gauribidanur, Karnataka 561208