

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH NEW DELHI.

IA NO. 392 of 2020.

IN

O.A. No. 125 of 2017.

IN THE MATTER OF :-

COURT ON ITS OWN MOTION . . . . .PETITIONER.

VERSUS.

THE STATE OF KARNATAKA & OTHERS. . . . .RESPONDENTS.

AND

BRUHAT BANGALORE MAHANAGARA PALIKE . . . . .APPLICANT.

Next Date. 15/02/2021

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THROUGH



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Date:- 09/12/2020.

Place New Delhi

**IN THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH  
IA NO 392 /2020  
IN  
ORIGINAL APPLICATION 125/2017**

**IN THE MATTER OF:**

COURT ON ITS OWN MOTION .....APPLICANT

**VERSUS**

STATE OF KARNATAKA .....RESPONDENT

**AND**

BRUHAT BANGALORE MAHANAGARA PALIKE - APPLICANT

**AFFIDAVIT ON BEHALF OF THE  
RESPONDENT - STATE OF KARNATAKA**

I, Sri. T.M.Vijay Bhaskar S/o Late Sri.T.R.Mahadeva Naidu aged 59 years working as the Chief Secretary to Government, Vidhana Soudha, Bengaluru, Karnataka State, do hereby solemnly affirm as follows:

1. That I am the Respondent -1 in the above captioned matter. I am well conversant with the facts of the case. Hence I am competent to swear this affidavit.
2. That I have gone through the contents of the application for directions /permission and the annexures.

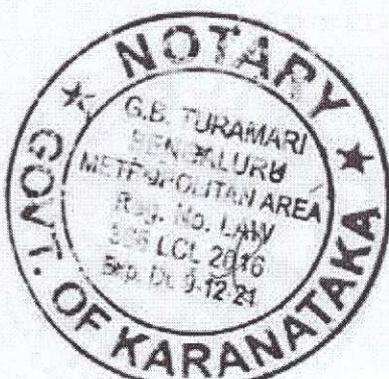
*T.M.Vijay Bhaskar*



*ud*

3. That on the instructions of the Government, BBMP have filed an IA 392/2020 in OA125/2017 seeking urgent directions on behalf of respondent BBMP.
4. The next date of listing as indicated is 15/2/2021. However urgent directions are required in view of the fact that some developmental work has to be carried out in rajukaluves (main water canals) and tested / audited by the experts before the commencement of next rainy season. The proposal was also informally presented to the Monitoring Committee headed by Hon'ble Justice (retired) Mr.Santosh Hedge appointed by this Hon'ble Tribunal and the respondent has been orally informed to approach this Hon'ble Tribunal for directions since the main order regarding rajuklaves was issued by this Hon'ble Tribunal.
5. The interim application contains a detailed project report with respect to the developmental work proposed as a pilot project in one of the main rajukalves. The commencement and conclusion of the same with all safety tests is expected to be concluded before the onset of the next rainy season when the rajukalves are expected to withstand and contain the monsoon waters.
6. Furthermore, the pilot project is concerned with the rajakaluve that drains into the Bellandur and Varthur lakes. As per the NGT order in Bellandur case dated 06.12.2018, the government has been directed to undertake the "rejuvenation or remediation of all the three lakes in a holistic manner". The rajakaluve is part of the Bellandur and Varthur lake ecosystem and hence this pilot project is crucial to the success of the larger plan of lake rejuvenation for the city of Bengaluru.

*M. Jayaraman*



*awyer*

- 7. Another crucial component of the project is to address the problem of unauthorised outfalls releasing untreated sewage and industrial effluents into the rajakaluve. This has been undertaken in compliance with the NGT order dated 21.05.2020, in the case of O.A No 593/2017, "All States/UTs through their concerned departments such as Urban/Rural Development, Irrigation & Public Health, Local Bodies, Environment, etc. may ensure formulation and execution of plans for sewage treatment and utilization of treated sewage effluent with respect to each city, town and village, adhering to the timeline as directed by Hon'ble Supreme Court".
  
- 8. "Having regard to the necessity to ensure utilization of treated waste water to reduce pressure on the ground water resources throughout the country, the Tribunal directed all the States/UTs in India to prepare and furnish their action plans within three months to the Central Pollution Control Board (CPCB) so that CPCB could review the same and issue further directions." The proposed pilot is an inter-department collaborative action plan towards implementing above NGT order.
  
- 9. Furthermore, after the COVID-19 pandemic, there has been a growing consensus within the city governance to prioritize public health. This pilot project aims to create an ecological corridor within the city along with an alternative non-motorized mobility infrastructure and green open public spaces.
  
- 10. The Government of Karnataka has taken a decision at the highest level to submit the project proposal for approval and further directions before the commencement of the project and in the light of the same, the Instant application is filed seeking directions

*M. Jayachandra*



*Handwritten signature*

11. The respondent is also acceding consent for a virtual court hearing on the application.

12. That, the contents of paragraphs of this Affidavit and the annexures are true and correct to my personal knowledge and records as maintained by the office of BBMP and the Government of Karnataka and which I believe to be correct and nothing material has been concealed therefrom.

*Mhyaysharada*  
DEPONENT

**VERIFICATION:**

Verified at Bengaluru on this 07th day of December, 2020 that the contents of para of this application are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

Place: Bengaluru

Date: 09-12-2020

No. of corrections

*ud*  
*o*

*Mhyaysharada*  
DEPONENT

SWORN TO BEFORE ME

*for 9-12-2020*



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