

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

ORIGINAL APPLICATION NO. 750/2019

IN THE MATTER OF,

Dr. Sanjay Rao & Ors

.....Applicant(s)

Versus

State of Karnataka

.....Respondent(s)

**AFFIDAVIT FILED BY ADDITIONAL CHIEF SECRETARY, URBAN
DEVELOPMENT DEPARTMENT, GOVERNMENT OF KARNATAKA -
RESPONDENT**

I, Rakesh Singh, I.A.S., S/o Sri Bharath Prasad Singh, aged about 56 years working as Additional Chief Secretary, Urban Development Department, Government of Karnataka (herein after refer to as ACS, UDD) do hereby in my official capacity, solemnly affirm and state on oath as follows,

1. I submit that I have been working as Additional Chief Secretary, Urban Development Department since 14-02-2020 and in my official capacity and as verifiable from official records maintained

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ERRORS / CORRECTIONS ETC *NIR*

with Government of Karnataka, I am familiar with the facts of the case and hence I am swearing to this Affidavit.

2. I respectfully submit that based on the directions of this Hon'ble Tribunal, I ensured coordination with various institutions / stake holders and based on the information provided by such institutions / stake holders, I depose the present affidavit.
3. It is submitted that, Hon'ble National Green Tribunal (NGT) in its Order dated 19-06-2020 has passed following directions vide Para 7 & 8;

"In view of the above for the damage caused to the environment, the State of Karnataka and Municipal Council, Bommasandra are held liable to pay interim compensation assessed on adhoc basis at Rs. 15 Lakhs. The State of Karnataka is liable to pay Rs. 10 Lakhs and the Municipal Council, Bommasandra is liable to pay Rs. 5 Lakhs. Final compensation will be determined after hearing the State and the Municipal Council. If necessary, an expert Committee will be appointed. It is open to the State and the Municipal Council to recover the amount from the erring officers. The amount of interim compensation is liable to be deposited with the CPCB within one month and may be spent for restoration of the environment. The State PCB may initiate prosecution as directed by the Hon'ble Supreme Court.

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Further remedial action may be taken expeditiously by the authorities and discharge of any pollutant in the water body be stopped forthwith. A compliance report may be filed by the concerned Additional Chief Secretary, Karnataka after coordinating with the concerned officers within three months 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.

4. It is respectfully submitted that, as per the Hon'ble National Green Tribunal's directions in its Order dated 19-06-2020, State Govt., through Directorate of Municipal Administration has remitted Rs. 10.00 lakhs (UTR No. RBI2002068258874) on 17-07-2020 and TMC Bommasandra has remitted Rs. 5.00 lakhs (UTR No. CORPR22020071500590354) on 15-07-2020 as interim compensation amount to Central Pollution Control Board vide Bank A/c No. 532702010009078, Union Bank of India, I.P. Extension Branch, Bengaluru.
5. It is respectfully submitted that, as per the Hon'ble National Green Tribunal's directions in its Order dated 19-06-2020, an Action Taken Report was submitted to Hon'ble National Green Tribunal through its e-mail ID: judicial-ngt@gov.in, on 15-09-2020. There was certain amount of delay in commencement of remedial actions due to COVID-19 pandemic.

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ERRORS / CORRECTIONS ETC. *NIL*

6. It is respectfully submitted that, 3 meetings were held in this regard, on 19-08-2020, 02-09-2020 and 14-10-2020 under the Chairmanship of Additional Chief Secretary, Urban Development Department for the concerned Officers of Karnataka State Pollution Control Board (KSPCB), Directorate of Municipal Administration (DMA), Karnataka Urban Water Supply & Drainage Board (KUWS&DB), District Urban Development Cell, Bangalore Urban Dist. (DUDC), Town Municipal Council, Bommasandra (TMC), President and members of Bommasandra Industries Association (BIA) to discuss on the further course of action to be taken by the concerned organizations as per the Hon'ble National Green Tribunal's directions. Copies of the Meeting Proceedings are attached to this Affidavit and marked as **Appendix-A1, A2 & A3.**
7. It is respectfully submitted that instructions were issued to Town Municipal Council Bommasandra, a) to take necessary measures to stop discharging sewage into the Lake b) to stop dumping solid wastes in the lake premises c) to install sewage treatment units and d) to manage the municipal solid wastes as per the provisions of Solid Waste Management Rules, 2016.
8. It is respectfully submitted that Bommasandra Industries Association has come forward to take up Lake Rejuvenation Works under Corporate Social Responsibility (CSR) funds and permission is already given by TMC Bommasandra to take up Lake rejuvenation activities which includes clearance of legacy waste



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ERRORS / CORRECTIONS ETC *NIV*

dumped in the Lake premises, installation of sewage treatment units (2 nos. out of total 5 nos.), cleaning of polluted lake water, Lake beautification works etc. It is also requested to Bommasandra Industries Association to identify polluting industries, take measures to stop discharging effluents into lake and to take immediate steps to install ETPs to treat effluents in such industries.

9. It is respectfully submitted that instructions were also issued to Karnataka State Pollution Control Board to conduct joint inspection of polluting industries with TMC officials and to take stringent action against them. Senior Environmental Officer of KSPCB along with the BIA members, TMC Officers, KUWS&DB Officers have conducted a joint inspection on 03-09-2020 and submitted a Report. SEO of KSPCB informed in the 3rd Meeting held on 14-10-2020 that subsequently inspections were carried out by the Regional Environmental Officer, wherein, totally 78 water bound industries were inspected, of which, notices were issued to 23 industries to restrain from discharging either treated or untreated effluents and to use Common Effluent Treatment Plant (CETP) until they set up their own ETPs. Copy of KSPCB joint inspection Report dated 03-09-2020 is attached to this Affidavit and marked as **Appendix-B**.

10. It is respectfully submitted that already action has been initiated to prepare the Detailed Project Report (DPR) for setting up of Sewage Treatment Plants for treating sewage generated in TMC limits. The

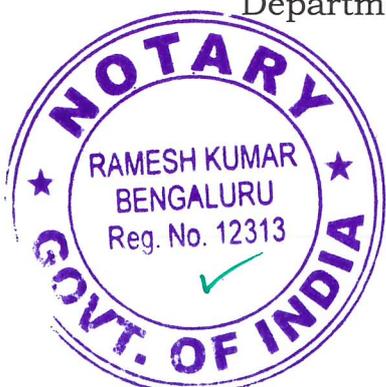


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TMC Bommasandra has remitted Rs. 12.00 lakhs to KUWS&DB towards DPR Preparation. KUWS&DB Officials have informed in the Meeting held on 19-08-2020 that Survey and Conditional Assessment of existing sewer network is completed, design and estimation work is under progress. 2 STPs with capacities of 3 MLD (at an estimated cost of Rs. 622 Lakhs) and 6 MLD (at an estimated cost of Rs. 839 lakhs) with SBR technology are proposed for TMC Bommasandra in the DPR.

11. It is respectfully submitted that, as the establishment of STPs is a long term process and the issue of sewage treatment has to be addressed immediately as per the Hon'ble National Green Tribunal's Orders, decision was taken in the Meeting to install 5 units of each 50 KLD capacity Japan Technology based Container type of packaged STPs to treat sewage.
12. It is respectfully submitted that, initially directions were issued to BIA to install all the 5 units, but later, as BIA requested the Govt. that it cannot afford to bear all the expenditure of Rs. 3.50 crores due to shortage of CSR funds because of COVID-19 pandemic, the decision was taken to get 2 units installed by BIA and remaining 3 units by TMC Bommasandra wherein cost for 1 unit will be borne by TMC and for remaining 2 units grants will be provided by DMA/State Government. In order to expedite the procurement process, it was decided to get 4(g) exemption under Karnataka Transparency in Public Procurement Act (KTPP Act) from Finance Department, Govt. of Karnataka so that 3 STP units can be

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procured by the TMC directly from the Supplier / Manufacture without going through tender process.

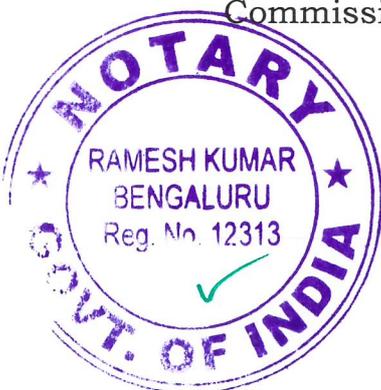
13. It is respectfully submitted that steps are already taken by TMC Bommasandra to arrest the inflow of sewage into the Lake by preventing the outflow of septic tank at the KIADB area, where the Container type of STPs are being installed with Japanese technology supplied by M/s. Wapcos Limited, to avoid civil structures. Further the KSPCB has informed that they have enforced stoppage of discharge of industrial effluents. The inflow into the Lake is storm water due to frequent rains in and around Bengaluru city.
14. It is respectfully submitted that, clearance of legacy waste work has already commenced on 19-10-2020 by BIA. TMC has already stopped dumping of municipal solid wastes in the Lake area. Historic waste which was accumulated in the Lake area will be excavated and sieved to separate organic material from dry waste such as plastic. The organic material which is compost, will be used for growing plantation around the lake bund. Plastic and other dry wastes will be sent to recyclers. BIA has prepared a comprehensive DPR for Lake Rejuvenation activities which includes de-silting of lake, removal of algae, creation of floating wet lands to treat the sewage biologically, strengthening of main bund by stone pitching, fencing of entire lake area to avoid encroachment, unlawful activities and illegal dumping of waste, solar lighting in the lake surrounding and park area, installation of CCTVs, creation



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of walkway and other lake beautification works. The photographs of legacy waste cleaning works taken up by BIA is enclosed to this Affidavit and marked as **Appendix-C**.

15. It is respectfully submitted that, in order to fix the boundary of the Lake, prior to take up Lake Rejuvenation activities, Survey of the Lake area was originally scheduled on 16-10-2020 but started on 21-10-2020 and it is going on. BIA has appointed the Contractor / Service Provider viz., M/s. Associate Builders who has got the experience of rejuvenating 4 lakes, to take up the Kithiganahalli Lake rejuvenating works. BIA has prepared the DPR with an estimated cost of Rs. 6.02 Cr., which includes both Lake cleaning and beautification activities. BIA has been advised to take up the Lake rejuvenating activities in two phases i.e., Lake cleaning in 1st phase (remedial actions as per Hon'ble NGT directions) and its beautification in 2nd stage, as they are yet to mobilize the total funds required for carrying out all the activities.
16. It is respectfully submitted that, TMC Bommasandra has been recently (in the year 2015) upgraded as the Urban Local Body from Village Panchayat and doesn't have a dedicated SWM site to handle the municipal solid waste being generated everyday in TMC limits. TMC Bommasandra, in recent days has almost become an integral part of Bengaluru City and hence due to high rate of urbanization and public protest for establishment of SWM sites, the TMC so far is unable to procure and develop suitable SWM site. The Deputy Commissioner of Bengaluru Urban District has been requested vide



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DO letter dated 24-09-2020 to identify and allocate suitable land for development of SWM site for TMC Bommasandra.

17. It is respectfully submitted that, in TMC Bommasandra, segregation of waste at source and door to door collection of waste is being practiced in all the 23 wards of TMC Bommasandra. The TMC Bommasandra has deployed 9 nos. of Autotippers to collect segregated waste from households. Wet waste is handed over to farmers to use it as compost and dry waste is handed over one of the dry waste recyclers namely M/s SAHAS. TMC Bommasandra has made MoU with the said agency to collect dry wastes from commercial establishments in TMC limits.

18. It is respectfully submitted that, until TMC Bommasandra procures and develops suitable SWM site, the Commissioner, BBMP has been requested vide DO Letter dated 10-09-2020, to accept the wastes (rejects) from all the 7 ULBs of Bengaluru Urban Dist, on tipping fee basis, as all the 7 ULBs (of which 6 are newly upgraded ULBs) doesn't have SWM sites. But, BBMP has expressed its inability to accept any outside waste at present, as out of their total 7 SWM plants, 3 plants have been closed due to public protests / Hon'ble NGT directions and hence, they are facing shortage of plant capacity to treat their own wastes itself. BBMP has informed that, once the closed at least 2 plants (out of total 3 closed Plants) re-start their operations, then only BBMP can accept the outside wastes (max. 100 TPD from 7 ULBs). BBMP has been asked to take necessary steps to re-start said 2 plants at the earliest and to accept the 7 ULBs' waste for further processing.

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19. It is respectfully submitted that following timelines are fixed to complete the Lake Rejuvenation activities as per the Hon'ble NGT's directions;

Sl. No.	Action	Agency Responsible	Time lines
1	Clearance of Legacy Waste	TMC – Issue of comfort letter, provide all necessary help & support to BIA BIA – Execution of work	3 months
2	Installation of 5 Container type of 50 KLD capacity STP Units to treat Sewage generated in 2 wards of TMC	<u>Procurement</u> BIA – 2 Units TMC – 3 Units (funds for 2 units to be provided by DMA/UDD) <u>Installation, Operation & Maintenance</u> M/s Wapcos Limited (Supplier Company)	4 months
3	Purification of polluted lake water	BIA	7 months
4	Prevention of discharge of untreated Industrial Waste into the Lake.	KSPCB /BIA	3 months
5	Rejuvenation / Beautification of Lake	BIA	12 months

20. It is respectfully submitted that a WhatsApp group has been created in this regard for all the stakeholders including officers / members from UDD, DMA, KSPCB, DUDC, BIA, TMC, Service Provider etc., to have day-to-day communication with each other on the progress achieved in Lake Rejuvenation works. It is also decided to have fortnightly progress review



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meeting at ACS, UDD level through VC with all the stake holders to ensure timely implementation of remediation works as directed by Hon'ble National Green Tribunal.

21. It is respectfully submitted that the Urban Development Department with the assistance of DMA, KSPCB, DUDC, TMC & BIA is taking all necessary steps towards Kithiganahalli lake remediation and beautification works and to maintain it well in the future.

WHEREFORE, I respectfully pray that this Hon'ble Tribunal may be pleased to accept the above information in the interest of justice and equity.

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DEPONENT

Rakesh Singh, I.A.S.
Additional Chief Secretary to Govt.
Urban Development Department

VERIFICATION

I, the above named Deponent do hereby verify that all the facts stated in the affidavit are true to my knowledge and that no part thereof is false and nothing material is concealed there from.

Verified at Bangalore ✓ on

29 Oct day of 2020 ✓

Identified by me;

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DEPONENT

Rakesh Singh, I.A.S.
Additional Chief Secretary to Govt.
Urban Development Department

Sworn / Solemnly affirmed and signed before me
on this 29 day of Oct 2020 at Bengaluru
N.R.SI. No. 2082 Corrections : Three

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RAMESH KUMAR
Advocate & Notary, Bengaluru

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Proceedings of the Meeting held on 19-08-2020 @12.00 Noon, at Room No. 422, 4th Floor Vikasa Soudha under the Chairmanship of Additional Chief Secretary (ACS), Urban Development Department (UDD) regarding the remedial action to be taken by Town Municipal Council (TMC) Bommasandra as per the directions of Hon'ble National Green Tribunal's Order dt. 19-06-2020 in the case no. 750 of 2019 in the matter of Dr. Sanjay Rao Vs. State of Karnataka & ors.

Members present in the Meeting is enclosed as **Annexure-I**.

Joint Director Planning, UDD welcomed the Chairman and ACS to Govt. and Secretary to Govt., UDD and other Officers present to the Meeting. He gave a brief introduction and background of the said case and explained the directions issued by Hon'ble National Green Tribunal in the Order dated 19-06-2020 w.r.t. case no. OA 750 of 2019 in the matter of Dr. Sanjay Rao Vs. State of Karnataka & ors. regarding remedial action to be taken by the TMC Bommasandra to clean up Kithiganahalli Lake located behind Narayana Hrudayalaya, Bommasandra and to stop further discharge of sewage and solid wastes into it.

Environmental Engineer, UDD informed the Chair regarding the directions issued in the Hon'ble NGT's order and the compliance made by Govt. of Karnataka, as below,

- The State Govt. shall remit Rs. 10 lakhs and TMC shall pay Rs. 5 lakhs as an interim compensation amount to CPCB within one month from the Order date and the same has been already complied by the State.
- Additional Chief Secretary (ACS) to Govt., UDD shall submit an action taken report to Hon'ble NGT within 3 months from the date of Order i.e., 18-09-2020 through e-mail.
- Both solid and liquid wastes shall be handled as per their respective Rules & Acts in an environmental friendly manner.
- Next date of hearing is on 04-11-2020.

The Chief Officer, TMC Bommasandra explained the remedial action taken by the TMC towards stopping further discharge of sewage into the Lake and efforts made towards rejuvenating it. He informed that,

- Dumping of garbage by the TMC in and around the Kithiganahalli Lake has been stopped since the past one and half years.
- Door-to-door collection of waste is being carried out in all the wards. The MSW generated in TMC limits, is being segregated and collected in two streams namely, dry and wet waste.
- The wet waste collected is treated in a Govt. Land using bio-culture and the compost generated thus, is given to the farmers. The dry waste is being handled by an NGO, namely, SAHAS, Bengaluru.

- TMC produces about 12 tons of Municipal Solid Waste everyday and there is no suitable land available for processing and scientifically dispose it. Several written requests have been made to the Deputy Commissioner and Tahsildar, but, Tahasildar in turn has given an endorsement that no suitable lands are available for the said purpose.
- As far as discharge of sewage into the Lake is concerned, presently, there is no discharge of sewage into the Lake.
- Most of the UGD lines were laid down and connections given during the period when Bommasandra was a Village Panchayat. But, Sewage Treatment Plant to treat the sewage collected through the UGD network is not established so far.
- Karnataka Urban Water Supply and Sewerage Board (KUWS&DB) is the nodal agency to establish STP and hence, TMC has requested KUWS&DB to establish a STP to treat the sewage generated in the Town. The TMC has remitted Rs. 12.0 lakhs to KUWS&DB towards preparation of Detailed Project Report (DPR) for the same. Survey and conditional assessment of existing sewer network has been completed, design and estimation is under progress.
- It was witnessed by the members of the Joint Inspection Committee, which included KSPCB officials too, during the inspection of the Lake that, at present, only effluents from the industries of Bommasandra Industrial Layout is being discharged into the Lake without any treatment and there is no discharge of sewage from the TMC into the Lake. But, in the report submitted by KSPCB to the Hon'ble NGT, nothing has been mentioned about the discharge of effluents into the Lake by the industries and only discharge of sewage by TMC is mentioned which is factually incorrect.

Secretary to Govt., UDD asked SEO, KSPCB to examine the allegations made by the Chief Officer, TMC Bommasandra about the report submitted by the KSPCB and come out with a factual report by 21st August 2020, as the factual report by the KSPCB will play a vital role in the present case.

The SEO, KSPCB informed that, he will go through the joint inspection report submitted by the KSPCB to the Hon'ble NGT and come back within 2 days. The Chief Officer of TMC Bommasandra handed over the inspection report to the SEO, KSPCB.

The Project Director, DUDC, Bengaluru Urban Dist. informed that Bommasandra TMC as well as other 5 ULBs are facing serious problem in finding suitable land for establishment of both SWM and STP plants. He also informed the Chair that, Govt. lands are not available and private land owners are demanding about Rs. 35.0 crores for 10 acres of land. He also mentioned that setting up of STPs requires huge capital investment and ULBs are not in a position to bear such a huge expenditure.

ACS to Govt., UDD asked the Project Director, DUDC and Chief Officer, TMC Bommasandra to provide details of funds available for taking up immediate remedial actions as per the Hon'ble NGT's directions. The PD of DUDC said that funds are available with Anekal

Planning Authority for taking up lake rejuvenation works and Bommasandra Industries Association have come forward to take up the Kithiganahalli lake rejuvenation work from their own funds.

ACS to Govt., UDD asked the SEO of KSPCB to guide the TMC in implementing the remedial action in preventing the pollution of Lake. He insisted upon KSPCB to come out with simple, cost effective, easily implementable solutions based on the availability of funds. SEO of KSPCB informed the Chair that, this subject will be placed in the forthcoming State Level Technical Advisory Committee meeting scheduled on 26th of August 2020 and as per the directions of the Committee, instructions will be given to TMC regarding scientific treatment and safe disposal of both municipal solid waste and sewage generated.

ACS to Govt., UDD directed the members present to have one more meeting during the last week of August, immediately after the KSBCB State Level Technical Advisory Committee's meeting, to finalise the road map to implement the Hon'ble NGT's directions. He insisted upon setting up of goals which are achievable within the stipulated timelines. He also agreed to Chief Officer, Bommasandra TMC's suggestion to invite the Adhyaksha and Upadhyaksha of TMC along with the President of Bommasandra Industries Association for the next meeting, as their involvement will speed up the implementation of remedial actions such as rejuvenation of Lake, setting up of treatment plants etc.

Sri Darpan, Govt. Advocate for the State at Hon'ble NGT informed the Chair that, there is a lack of coordination between the departments and KSPCB which is resulting in adverse directions issued by the Hon'ble NGT against the State. Hence, he requested all the departments concerned and KSPCB to coordinate and consult each other before submitting any reports / Action Taken Reports (ATRs) to Hon'ble NGT. He also informed that, a copy may also be sent in advance to him for verification of its correctness / appropriateness before submitting it to the Hon'ble NGT.

He also suggested that, by taking appropriate remedial action within the given timelines and bringing it to the notice of Hon'ble NGT, penalties in future can be avoided.

Decisions taken in the Meeting:

- 1) The KSPCB shall look into the joint inspection report of Kithiganahalli Lake and come out with factual report about effluents being released from surrounding industries also within 2 days. If any industries are found to be discharging the effluents, steps shall be taken to stop it on war foot basis.
- 2) Project Director, DUDC and Chief Officer, TMC Bommasandra shall furnish the various funds available to take up the remedial action as per the Hon'ble NGT's directions.
- 3) The KSPCB shall guide the TMC Bommasandra regarding the works to be taken up towards remedial action as per the Hon'ble NGT's directions, after placing the said

subject in the forthcoming State Level Technical Advisory Committee. The KSPCB shall propose achievable goals within the timelines.

- 4) A proposal may be submitted by TMC to the Govt. through DMA for 4(g) exemptions under KTPP Act, if required, for the remedial works / setting up of proposed facilities / carrying out necessary activities which needs tender to be invited.
- 5) As the availability of land for both Solid and liquid waste management is difficult, the TMC shall look for alternative technologies or setting up of decentralised units where requirement of land will be very less. Until the STP Plant is established TMC shall adopt Phyto-remediation method to treat the sewage. However, the Deputy Commissioner / Tahsildar shall take necessary steps to allocate suitable land for both Solid and Liquid waste management.
- 6) The TMC Bommasandra shall submit an interim Action Taken Report to Govt., through DMA on or before 31-08-2020, which is required for submission of the ATR by the Govt. as per the Hon'ble NGT's directions.
- 7) Henceforth, any reports / ATRs submitted by the KSPCB or other concerned departments shall be sent to Govt. prior to final submission with a copy sent to Sri Darpan, Govt. Advocate of Hon'ble NGT for the State for his concurrence.
- 8) Next meeting shall be called during 1st week of September, for which President and Vice President of TMC Bommasandra along with the President of Bommasandra Industries Association may be invited as their involvement will facilitate further course of remedial actions.

The meeting was concluded with a vote of thanks.



(Rakesh Singh, I.A.S.)

Additional Chief Secretary to Govt.
Urban Development Department



Copy To;

- 1) The Managing Director, KUWS&DB, Bengaluru.
- 2) The Director, Directorate of Municipal Administration, VV Towers, Bengaluru.
- 3) The Member Secretary, Karnataka State pollution Control Board, Bengaluru.
- 4) The Project Director, DUUDC, Bengaluru Urban Dist.
- 5) The Chief Officer, TMC, Bommasandra.
- 6) Sri Darpan, Govt. Advocate for Hon'ble NGT, New Delhi.
- 7) PS to Additional Chief Secretary, UDD, Vikasa Soudha, Bengaluru.
- 8) PS to Secretary, UDD, Vikasa Soudha, Bengaluru.
- 9) PA to Joint Secretary, UDD, Vikasa Soudha, Bengaluru.
- 10) PA to Deputy Secretary -2, UDD, Vikasa Soudha, Bengaluru.

Officers Present in the Meeting.

- 1) Sri Rakesh Singh, I.A.S., Additional Chief Secretary to Govt., Urban Development Department, Govt. of Karnataka.
- 2) Dr. J. Ravishankar, I.A.S., Secretary to Govt., Urban Development Department, Govt. of Karnataka.
- 3) Sri K.S. Shankar, Joint Director (P) & Ex-Officio Deputy Secretary, Urban Development Department, Bengaluru.
- 4) Sri Somesh M.C., Executive Engineer, Directorate of Municipal Administration, Bengaluru.
- 5) Sri A. Uday Kumar, CEO, Karnataka State Pollution Control Board, Bengaluru.
- 6) Sri Syed Kwaja , SEO, Karnataka State Pollution Control Board, Bengaluru.
- 7) Sri Rudramuni B.K., Project Director, District Urban Development Cell, Bengaluru Urban Dist.
- 8) Sri Ramesh C., Chief Officer, Town Municipal Council Bommasandra, Bengaluru Urban Dist.
- 9) Sri K.M. Darpan, Govt. Advocate, National Green Tribunal, New Delhi
- 10) Sri G.N. Nagesh Kumar, Environmental Engineer, PMU, Urban Development Department.
- 11) Smt. Snehalatha S.V., Environmental Engineer, Directorate of Municipal Administration, Bengaluru.
- 12) Sri B.N. Srinath, PPP & IS Expert, Directorate of Municipal Administration, Bengaluru.
- 13) Smt. Shanthala S., Environmental Engineer, Town Municipal Council Bommasandra.

This is the Annexure RI Stated in the
Affidavit of Rakesh Singh

Advocate & Notary (Govt. of India)
Reg. No. 12313, Bengaluru.

Proceedings of the 2nd Meeting held on 02-09-2020 @12.00 Noon, at Room No. 422, 4th Floor Vikasa Soudha under the Chairmanship of Additional Chief Secretary, Urban Development Department (UDD) regarding remedial action to be taken by Town Municipal Council (TMC) Bommasandra as per the directions of Hon'ble National Green Tribunal's Order dated 19-06-2020 in the O.A. No. 750 of 2019 in the matter of Dr. Sanjay Rao Vs. State of Karnataka & ors.

List of Members present in the Meeting is enclosed as Annexure-I.

Joint Director Planning welcomed the Additional Chief Secretary (ACS) to Govt., UDD, Secretary to Govt., UDD, Director, Directorate of Municipal Administration and other Officers present to the Meeting. He briefed about decisions taken /directions issued in the previous meeting and also action taken on those decisions/directions.

Sl. No.	Decisions taken in the Previous Meeting	Action Taken / Compliance
1	The KSPCB shall look into the joint inspection report of Kithiganahalli Lake and come out with factual report about effluents being released from surrounding industries also within 2 days. If any industries are found to be discharging the effluents, steps shall be taken to stop it on war foot basis.	<ul style="list-style-type: none"> • KSPCB Officials informed that they have issued notices to 4 such polluting industries. • TMC Bommasandra has also issued to notices to more than 100 industries.
2	Project Director, DUDC and Chief Officer, TMC Bommasandra shall furnish the various funds available to take up the remedial action as per the Hon'ble NGT's directions.	<ul style="list-style-type: none"> • Chief Officer, TMC Bommasandra informed that, Rs. 49 lakhs of funds are available under Municipal funds for Lake Rejuvenation activities. • He also informed that, Bommasandra Industrial Association have come forward to take up the Lake Rejuvenation Work under their CSR funds.
3	The KSPCB shall guide the TMC Bommasandra regarding the works to be taken up towards remedial action as per the Hon'ble NGT's directions, after placing the said subject in the forthcoming State Level Technical Advisory Committee. The KSPCB shall propose achievable goals within the timelines.	<ul style="list-style-type: none"> • SEO, KSPCB informed that, there is a Japan technology based Sewage Treatment Units (STUs) available which requires very less space and can treat upto 50 KLD of sewage and the same can be adopted by the TMC for treating the sewage generated in ward no. 2 & 9. • Cost of each unit (50 KLD capacity) is around Rs. 39 lakhs and a GoI undertaking company by name WAPCOS Ltd. are the manufacturers / supplier of these STUs.
4	A proposal may be submitted by TMC to the Govt. through DMA for 4(g) exemptions under KTPP Act, if required,	<ul style="list-style-type: none"> • Chief Officer, TMC Bommasandra informed that, as the time available for establishing these units is very less and

Sl. No.	Decisions taken in the Previous Meeting	Action Taken / Compliance
	for the remedial works / setting up of proposed facilities / carrying out necessary activities which needs tender to be invited.	we need to submit compliance report to Hon'ble NGT before next date of hearing, said units may be procured and installed by the Bommasandra Industrial Association under their CSR funds.
5	As the availability of land for both Solid and liquid waste management is difficult, the TMC shall look for alternative technologies or setting up of decentralised units where requirement of land will be very less. Until the STP Plant is established TMC shall adopt Phyto-remediation method to treat the sewage. However, the Deputy Commissioner / Tahsildar shall take necessary steps to allocate suitable land for both Solid and Liquid waste management.	<ul style="list-style-type: none"> • Project Director, DUDC informed that, there are no Govt. lands available in the entire Anekal Taluk and a private land with an area of 9 acres 37 guntas is available, but price of the land is around Rs. 36 crores. • Director, DMA informed that, the cost of private land is too high and can't be affordable in existing financial crunch and as all other ULBs of District are facing same problem, we may request BBMP Commissioner to accept waste generated from these 7 ULBs for further treatment and disposal on tipping fee basis, which will solve the long standing problem.
6	The TMC Bommasandra shall submit an interim Action Taken Report to Govt., through DMA on or before 31-08-2020, which is required for submission of the ATR by the Govt. as per the Hon'ble NGT's directions.	<ul style="list-style-type: none"> • Chief Officer, TMC Bommasandra informed that, an Action Taken Report dated 18-08-2020 has already submitted to the Govt. in the previous meeting and based on further developments as per the 2nd Meeting's decision, a fresh report will be submitted by TMC within a week's time.
7	Henceforth, any reports / ATRs submitted by the KSPCB or other concerned departments shall be sent to Govt. prior to final submission with a copy sent to Sri Darpan, Govt. Advocate of Hon'ble NGT for the State for his concurrence.	<ul style="list-style-type: none"> • The matter is discussed and conveyed to all the concerned departments, including KSPCB.
8	Next meeting shall be called during 1 st week of September, for which President and Vice President of TMC Bommasandra along with the President of Bommasandra Industries Association may be invited as their involvement will facilitate further course of remedial actions.	<ul style="list-style-type: none"> • As per the decision taken in the 1st Meeting held on 19-08-2020, Adhyaksha and Upadhyaksha of TMC and President BIA have been invited for this 2nd Meeting being held on 02-09-2020.

Secretary to Govt., UDD asked TMC officials and other members present in the Meeting about remedial action taken by TMC Bommasandra towards rejuvenation of Lake,

- Upadhyaksha of TMC Bommasandra informed that, only small quantity of sewage from only ward no. 2 & 9 is entering the Lake, whereas, major pollution of lake is caused due to effluents discharged from surrounding industries.
- President, Bommasandra Industries Association (BIA) denied and said that, there may be only few violating Industries, but major pollution is caused due to sewage entry and Leachate oozed out from legacy waste dumped around the Lake by earlier Gram Panchayat and present TMC as well.
- The SEO, KSPCB said that, notices have been served by the Board for 4-5 such polluting industries, however Sewage / Septage from households (2 wards) which are connected to open drains is entering into Lake.
- Secretary to Govt., UDD asked KUWS&DB officials about status of DPR for establishment of STPs, for which EE, KUWS&DB informed that, field survey and assessment are completed, designing and estimation are under progress. He said 2 STPs with capacities 3 MLD (at an estimated cost of Rs. 622 Lakhs) and 6 MLDs (at an estimated cost of Rs. 839 lakhs) with SBR technology are proposed to treat sewage generated in the TMC Bommasandra limits. Total cost of DPR including UGD network along with 2 STPs is estimated to be Rs. 110.25 crores.
- ACS to Govt., UDD enquired KUWS&DB and KSPCB officials about time required for establishment of sewage treatment plant and opined that, since establishment of STPs take slightly longer time, wanted to know possibilities of immediate interim measures that are available to treat Sewage, for which SEO, KSPCB replied that a Japanese technology based Container type of Sewage Treatment Units with a capacity of 50 KLD with SBR/MBBR technology are available at a cost of Rs. 38.50 lakhs / unit.
- CEO, KSPCB also informed that, sewage generation from ward no. 2 & 9 is about 250 KLD and hence 5 such units are required to treat the sewage. Said Units requires very less space and can be fitted in a car parking space and hence suitable for Bommasandra town.
- Secretary to Govt., UDD asked about Unit's credibility and sustainability for which SEO, KSPCB replied that, the Company has already installed about 10 lakh units worldwide and also several units in many Parks of Delhi. He also informed that, they have tender exemption from Govt. of India and we may directly purchase the said equipment from them without tender. ACS to Govt., UDD asked the KSPCB officers to find out whether the Company has tender exemption under KTPP Act.
- ACS to Govt., UDD asked KUWS&DB, KSPCB, Directorate of Municipal Administration, TMC officials & elected representatives, Chairman BIA to have a joint inspection of the Lake and its surrounding area, sewage generating wards from where it is said to be entering the Lake and carry out identification of places for installation of proposed Container type of Sewage Treatment Units, status of legacy waste dumped around Lake, effluent flow from industries into Lake, sewage flow into the Lake etc. within a day and submit a Report to UDD.

- Secretary to Govt., UDD asked President, BIA about when the lake rejuvenation work will be taken up by the Association, for which President, BIA replied that, A Lake Rejuvenation Committee has been formed by the BIA and around 70-80 lakhs of CSR funds has been reserved for Lake Rejuvenation and further maintenance activities. Because of Corona Pandemic lot of industries are closed down and many labourers have gone back to their villages, hence little more time (one month) is required to take up Lake Rejuvenation works.
- President, BIA also mentioned that, earlier Gram Panchayat and TMC have dumped the waste in and around the Lake and hence, shall contribute some funds towards lake rejuvenation, for which Adhyaksha and Upadhyaksha of TMC replied that, because of Corona Pandemic, TMC is also facing financial crunch as there is a drastic reduction in TMC's revenue collections.
- Adyaksha and Upadyaksha of TMC said that, the TMC doesn't have a land for SWM and despite of several letters written to Tahsildar and Deputy Commissioner of Bengaluru Urban Dist., so far Govt. has not allocated any land and hence, TMC has to face allegations of illegal dumping of garbage on road sides, in open area and surroundings of lake.
- Director, DMA mentioned that, in the current situation, TMC Bommasandra and other ULBs of Bengaluru Urban Dist., are facing same land problem and hence, only solution left out for these 6 ULBs is to transport their wastes to BBMP waste treatment plants on tipping fee basis.
- ACS to Govt., UDD told that, a D.O. letter has to be written to BBMP Commissioner to accept the wastes from all the said 6 ULBs of Bengaluru Urban dist for further scientific treatment and disposal on tipping fee basis.

Following decisions were taken in the Meeting;

- ❖ A Team comprising of KUWS&DB, KSPCB, DMA, TMC, BIA shall conduct a joint inspection of, in and around areas of Kittiganahalli Lake tomorrow i.e., 03-09-2020 and give feedback on sewage entry from TMC wards into lake, entry of effluents from industries, status of legacy waste dumped in and around Lake, identification of places for installing Container type of proposed Sewage Treatment Units.
- ❖ KSPCB shall initiate punitive action against the polluting industries which are discharging untreated effluents into Lake and shall submit an Action Taken Report to ACS to Govt., UDD well in advance before next date of hearing.
- ❖ BIA shall start Lake rejuvenation activities which includes shifting / bio remediation of legacy waste, removal of silt, garbage from the lake, bio-remediation of polluted water, maintenance of lake etc., within 15-20 days i.e., within 2nd or 3rd week of September.
- ❖ The BIA under CSR, shall procure and install 5 Nos. of Container type of Sewage Treatment Units at the locations identified by the inspection team, from their own CSR funds.
- ❖ A D.O. letter to be written by ACS to Govt., UDD to the Commissioner, BBMP to accept wastes (MSW) from all 7 ULBs of Bengaluru Urban Dist. on tipping fee per ton of incoming waste basis for further scientific treatment and disposal.

- ❖ TMC shall take all necessary measures to reduce, reuse and recycle (3R principle) of MSW generated everyday in its limits, shall strictly follow segregation of waste into at least 3 streams, i.e., wet, dry and domestic hazardous wastes, shall develop more decentralised waste treatment facilities on its own or through NGOs on sustainable basis to reduce the burden on centralised waste processing facilities.
- ❖ TMC shall take all necessary measures to stop discharge of sewage into any water bodies, dumping of MSW and C&D wastes on road sides, open areas etc. They should develop suitable monitoring and controlling mechanisms to stop such illegal dumping and discharge of wastes.
- ❖ DUDC/TMC Bommasandra shall submit an ATR within 10-09-2020 through DMA to the Govt. with all necessary photographs and relevant documents.

(File No. UDD 201 CSS 2020, C.No. 296590)



(Rakesh Singh, I.A.S.)

Additional Chief Secretary to Govt.
Urban Development Department

Copy To;

- 1) The Managing Director, KUWS&DB, Bengaluru.
- 2) The Director, Directorate of Municipal Administration, VV Towers, Bengaluru.
- 3) The Member Secretary, Karnataka State pollution Control Board, Bengaluru.
- 4) The Project Director, DUDC, Bengaluru Urban Dist.
- 5) The Chief Officer, TMC, Bommasandra.
- 6) Sri Darpan, Govt. Advocate for Hon'ble NGT, New Delhi.
- 7) PS to Additional Chief Secretary to Govt., UDD, Vikasa Soudha, Bengaluru.
- 8) PS to Secretary to Govt., UDD, Vikasa Soudha, Bengaluru.
- 9) PA to Joint Director (planning) and Ex-Officio Deputy Secretary, UDD, Vikasa Soudha, Bengaluru.
- 10) PA to Joint Secretary to Govt., UDD, Vikasa Soudha, Bengaluru.
- 11) PA to Deputy Secretary to Govt. -2, UDD, Vikasa Soudha, Bengaluru.
- 12) Office Copy.

Officers Present In the Meeting.

- 1) Sri Rakesh Singh, I.A.S., Additional Chief Secretary to Govt., Urban Development Department, Govt. of Karnataka.
- 2) Dr. J. Ravishankar, I.A.S., Secretary to Govt., Urban Development Department, Govt. of Karnataka.
- 3) Smt. B.B. Cauvery I.A.S., Director, Directorate of Municipal Administration, Bengaluru.
- 4) Sri K.S. Shankar, Joint Director (P) & Ex-Officio Deputy Secretary, Urban Development Department, Bengaluru.
- 5) Sri G.M. Nagaraju, Dy. Chief Engineer, KUWS&DB, Bengaluru.
- 6) Sri T.N. Muddurajanna, Executive Engineer, KUWS&DB, Bengaluru.
- 7) Sri Somesh M.C., Executive Engineer, Directorate of Municipal Administration, Bengaluru.
- 8) Sri A. Uday Kumar, CEO, Karnataka State Pollution Control Board, Bengaluru.
- 9) Sri Syed Kwaja, SEO, Karnataka State Pollution Control Board, Bengaluru.
- 10) Sri C.R. Manjunath, REO, Sharjapura Regional Office, KSPCB, Bengaluru.
- 11) Sri G.S. Manjunath, DEO, Sharjapura Regional Office, KSPCB, Bengaluru.
- 12) Sri Rudramuni B.K., Project Director, District Urban Development Cell, Bengaluru Urban Dist.
- 13) Sri Ramesh C., Chief Officer, Town Municipal Council Bommasandra, Bengaluru Urban Dist.
- 14) Sri Vasanth Kumar, President, TMC Bommasandra, Bengaluru Urban Dist.
- 15) Sri Srinivas, Vice President, TMC Bommasandra, Bengaluru Urban Dist.
- 16) Sri Pradeep, Nominee Councillor, TMC Bommasandra, Bengaluru Urban Dist.
- 17) Sri A. Prasad, President, Bommasandra Industries Association, Bommasandra, Bengaluru Urban Dist.
- 18) Sri K.M. Darpan, Govt. Advocate, National Green Tribunal, New Delhi
- 19) Sri G.N. Nagesh Kumar, Environmental Engineer, PMU, Urban Development Department.
- 20) Smt. Snehalatha S.V., Environmental Engineer, Directorate of Municipal Administration, Bengaluru.
- 21) Sri B.N. Srinath, PPP & IS Expert, Directorate of Municipal Administration, Bengaluru.
- 22) Smt. Shanthala S., Environmental Engineer, Town Municipal Council, Bommasandra.
- 23) Sri Manjunath C.M., Sr. Health Inspector, Town Municipal Council, Bommasandra.

This is the Annexure...^{A2} Stated in the
Affidavit of...^{Rakesh Singh}



Advocate & Notary (Govt. of India)
Reg. No. 12313, Bengaluru.

Proceedings of the 3rd Meeting held on 14-10-2020 @ 3.00 pm, at Room No. 422, 4th Floor Vikasa Soudha under the Chairmanship of Additional Chief Secretary, Urban Development Department (UDD) regarding the remedial action to be taken for polluted Kittiganahalli Lake by Town Municipal Council (TMC) Bommasandra as per the directions of Hon'ble National Green Tribunal's Order dated 19-06-2020 in the O.A. No. 750 of 2019 in the matter of Dr. Sanjay Rao Vs. State of Karnataka & Ors.

List of Members present in the Meeting is enclosed as **Annexure-I**.

Environmental Engineer, UDD (PMC) welcomed the Additional Chief Secretary (ACS) to Govt., UDD, Director, Directorate of Municipal Administration (DMA), Managing Director, Karnataka Urban Water Supply and Drainage Board (KUWS&DB) and other Officers / representatives present, to the Meeting.

He briefed about the Hon'ble National Green Tribunal's (NGT) directions issued in the Order dated 19-06-2020 and decisions taken in the previous 2 meetings in this regard.

Director, DMA explained that, according to the Hon'ble NGT's directions, actions are being initiated towards both liquid and solid waste management to stop further pollution of lake and its area.

SEO of KSPCB told that, under liquid waste there are 2 issues to be addressed viz., sewage discharged from households and effluents discharged from industries. Under solid waste also, there are 2 components namely, legacy waste management and day-to-day waste management.

President, Bommasandra Industries Association (BIA), informed that the Association is ready to take up Lake Rejuvenation activities including clearance of legacy waste dumped in and around the Kithiganahalli Lake, a DPR for the same is already prepared, funds are already mobilised, but due to Covid-19 pandemic couldn't take up the work so far. He informed that, the Association is all set to commence the work from Monday i.e., on 19-10-2020 and they need permission / comfort letter from TMC Bommasandra / Govt.

ACS, UDD expressed that, it's already 4 months elapsed since the date of Hon'ble NGT Order and despite the instructions given to take up the Lake rejuvenation work on war foot basis, but on the ground nothing has happened really.

Director, DMA explained that, a Meeting (VC) was conducted at Directorate Office on 13-10-2020 with TMC Bommasandra officials, BIA President, Project Director, DUDC, Bengaluru (U) Dist., representatives of STP Supplier Company viz., M/s Wapcos Limited to discuss the

issues pertaining to remedial actions / rejuvenation activities of Lake. She said that, as the installation of 5 units of container type of STP units involves huge capital investment to the extent of 3.5 crores and BIA has informed that, they cannot afford to install all the 5 units from their CSR funds, it was resolved that 2 units will be installed by BIA, remaining 3 units by TMC Bommasandra, out of which cost of 1 unit will be borne by TMC and cost of other 2 units has to be borne by DMA/UDD.

ACS, UDD asked President, BIA to take necessary steps to immediately install 2 units of BIA and subsequently to install the remaining 3 units, for which Director, DMA said that, all the 5 units have to be installed simultaneously and the same cannot be split into 2 different stages as cost will shoot up. Director, DMA informed ACS, UDD that exemption from KTPP Act under 4(g) clause needs to be obtained for procurement of remaining 3 units and ACS, UDD asked DMA to submit the proposal at the earliest.

ACS, UDD enquired with President, BIA about the cost involved in lake rejuvenation works as per DPR and about the components considered in the DPR. President BIA replied that the DPR cost is around Rs. 6.00 crores and it has both short term and long term activities.

ACS, UDD asked the President, BIA that, the DPR has to be made into 2 parts or phases, the 1st part or phase shall include the works which are essential and immediately attended in view of the Hon'ble NGT's order and remaining activities or works which can be taken up later shall be included in 2nd part or phase. He also asked BIA President about the details of agency selected for lake rejuvenation work, for which President BIA informed that one Service Provider by name Sri Shamsuddin has been selected and has experience of 2-3 lake rejuvenation works.

ACS, UDD wanted to know in detail about the works considered in the DPR along with their costs and insisted to have detailed discussions with the Service Provider / Contractor tomorrow itself i.e., on 15-10-2020.

The Chief Officer, TMC Bommasandra / president BIA informed that, survey of Lake is also scheduled on Friday i.e., 16-10-2020 to fix up the lake boundaries before rejuvenation works are taken up.

ACS, UDD asked CE (SWM) of BBMP about the status of proposal regarding acceptance of MSW (around 110 – 125 TPD) generated in 7 ULBs of Bengaluru Urban Dist. by SWM plants belonging to BBMP, as per the decision taken in the previous meeting. CE (SWM) of BBMP explained that, out of 7 BBMP SWM plants, 3 plants are closed due to public protest and hence BBMP is facing shortage in processing capacity to treat day-to-day MSW generated in BBMP limits itself and hence it's not possible in the present situation to accept any outside waste. CE (SWM) of BBMP told that, it may be considered if the closed plants start functioning. ACS, UDD asked CE of BBMP to resolve this issue expeditiously.

ACS, UDD asked SEO of KSPCB about the action initiated against the polluting industries, for which SEO, KSPCB replied that the Regional Office team have conducted the inspections of water bound 78 industries, out of which 23 industries were issued show cause notices and directions to restrain from the discharge of either treated or untreated effluents to the Lake and to use the CETP facilities until they set up their own ETPs. He also further informed that 2 Industries are being issued Notice of Proposed directions for issue of closure orders under Sec. 33 (A) of the Water Act.

Decisions taken in the Meeting:

➤ BIA should commence the remediation works without fail on or before 19-10-2020

Sl. No.	Action	Activities	Agency Responsible	Time lines
1	Clearance of Legacy Waste	<ul style="list-style-type: none"> • Quantification of waste • Cost Estimation • Identification of Service provider • Issue of comfort letter / Work Order • Commencement of Work • Excavation of waste dump, sieving of waste to segregate plastic and other dry/inert waste from compostable waste 	<p>TMC – Issue of comfort letter</p> <p>BIA – remaining issues</p>	3 months
2	Installation of 5 Container type of 50 KLD capacity STP Units to treat Sewage generated in 2 wards of TMC	<ul style="list-style-type: none"> • Identification of places for installation of 5 units • Submission of proposal to FD through UDD for 4(g) exemption under KTPP Act to procure said 3 units by TMC Bommasandra. • Issue of work Order • Funds Mobilisation for procurement of 3 units • Installation and commissioning of all 5 units 	<p><u>Procurement</u> BIA – 2 Units TMC – 3 Units (funds for 2 units to be provided by DMA/UDD)</p> <p><u>Operation & Maintenance</u> M/s Wapcos Limited</p>	4 months
3	Purification of polluted lake water	<ul style="list-style-type: none"> • Identification / Selection of Service Provider • Issue of work order • Commencement of work • Execution of work & its completion 	BIA	7 months

4	Prevention of discharge of untreated Industrial Waste into the Lake.	<ul style="list-style-type: none"> • Identification of polluting industries • Issue notices to immediately stop discharge of effluents into lake • Installation of ETPs by polluting industries in a time bound manner • Closure of erring industries 	KSPCB	3 months
5	Rejuvenation / Beautification of Lake	<ul style="list-style-type: none"> • de-silting of lake • Bund formation • Pavers & Kerbs • Aeration system • Sanitary & Plumbing work • Utility infrastructure • Security Gate & Arch Work • Sapling & Plantation • Electric work, civil work, CCTV • Channel inlet & outlet • BOD improvements, enzyme / microbe introduction etc. 	BIA	12 months

- DC Office / TMC Bommasandra shall issue comfort letter to BIA to commence the Lake rejuvenation work on 19-10-2020 on or before 17-10-2020.
- Survey of the Lake shall be carried out on 16-10-2020 and Project Director, DUDC shall oversee it.
- Director, DMA shall submit proposal for 4(g) exemption under KTPP Act for procurement of 3 nos. of 50 KLD Container type of STPs.
- BIA shall immediately submit revised DPR for 1st phase of activities which are most important and urgent in view of Hon'ble NGT's Order.
- KSPCB shall monitor and guide TMC / BIA in carrying out Lake rejuvenation and remediation activities
- A WhatsApp group comprising of all stakeholders viz., Service Provider / Contractor, BIA members, TMC officers, KSPCB officers, DMA officers, UDD concerned officers shall be created in order to have first hand information about day-to-day progress achieved in Lake rejuvenation / remediation works.
- Fortnightly online Progress review will be done at ACS, UDD level.
- BBMP shall take all necessary steps to restart the 2 closed SWM plants and start accepting the wet waste / rejects from 7 ULBs of Bengaluru Urban Dist. for further treatment and disposal.

- KSPCB shall monitor and enforce stringent action against polluting industries which are discharging effluents to Lake.

Meeting concluded with Vote of thanks to everyone.

M. Singh
16/17

(Rakesh Singh, I.A.S.)

Additional Chief Secretary to Govt.
Urban Development Department

R

Copy To;

- 1) The Managing Director, KUWS&DB, Bengaluru.
- 2) The Director, Directorate of Municipal Administration, VV Towers, Bengaluru.
- 3) The Member Secretary, Karnataka State pollution Control Board, Bengaluru.
- 4) The Project Director, DUDC, Bengaluru Urban Dist.
- 5) The Chief Officer, TMC, Bommasandra.
- 6) Sri Darpan, Govt. Advocate for Hon'ble NGT, New Delhi.
- 7) PS to Additional Chief Secretary, UDD, Vikasa Soudha, Bengaluru.
- 8) PS to Secretary, UDD, Vikasa Soudha, Bengaluru.
- 9) PA to Joint Secretary, UDD, Vikasa Soudha, Bengaluru.
- 10) PA to Deputy Secretary -2, UDD, Vikasa Soudha, Bengaluru.

Annexure-I

Officers Present in the Meeting.

- 1) Sri Rakesh Singh, I.A.S., Additional Chief Secretary to Govt., Urban Development Department, Govt. of Karnataka.
- 2) Smt. Cauvery B.B., Director, Directorate of Municipal Administration, Bengaluru.
- 3) Sri JHM Kumar, Managing Director, KUWS&DB, Bengaluru.
- 4) Sri Prashant Kumar S.B., Deputy Secretary-2, UDD, Bengaluru.
- 5) Sri Venkathesh Murthy, Chief Engineer (Plants), BBMP, Bengaluru.
- 6) Sri P. Vishwanath, Chief Engineer (SWM), BBMP, Bengaluru.
- 7) Sri Muddurajanna, Executive Engineer, KUWS&DB, Bengaluru.
- 8) Sri A. Uday Kumar, CEO, KSPCB, Bengaluru.
- 9) Sri Syed Khaja, SEO, KSPCB, Bengaluru.
- 10) Sri Manjunath C.R., REO, Sharjapura Regional Office, KSPCB, Bengaluru.
- 11) Sri Manjunath G.S., DEO, KSPCB, Bengaluru.
- 12) Sri Rudramuni R.K., Project Director, DUDC, Bengaluru Urban Dist.
- 13) Sri N. Manjunath, Chief Officer, TMC Bommasandra.
- 14) Sri Vasanth Kumar, President, TMC Bommasandra.
- 15) Sri G.N. Nagesh Kumar, Environmental Engineer, UDD, Bengaluru
- 16) Smt. Snehalatha S.V., Environmental Engineer, DMA, Bengaluru.
- 17) Smt. Shanthala S., Environmental Engineer (I/c), TMC Bommasandra.
- 18) Sri B.N. Srinath, PPP & IS Expert, Directorate of Municipal Administration, Bengaluru.
- 19) Sri A Prasad, President, Bommasandra Industries Association, Bommasandra.
- 20) Sri Srinivas. V, Vice President, TMC, Bommasandra.
- 21) Sri Masood, Representatives of M/s WAPCOS limited, Bengaluru.
- 22) Sri Akshay S, Representatives of M/s WAPCOS limited, Bengaluru.

This is the Annexure A3 Stated in the
Affidavit of Rakesh Singh


Advocate & Notary (Govt. of India)
Reg. No. 12313, Bengaluru.

☎ / Fax : 080-25586321

ಈಮೇಲ್ / Email : ho@kspcb.gov.in

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☎ 080-25581383, 25589112
080-25589113, 25589114

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

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

NO. KSPCB/IR/SE)-INFRA/NGT-750 of 2019/2020-21 dated 3.9.2020.

INSPECTION REPORT OF SRI.SYED KHAJA MOHIDDIN, Senior Environmental Officer, KSPCB.

Location Inspected: Kittagana Halli Lake, Bommasandra

Date: 3-9-2020

Officers / Executives Present

1.	Shri. Rudra Swamy	Project Director, DUDC, Bangalore Urban
2.	Shri. Prasad	President, Bommasandra Industries Association
3.	Ms. Nagarathna KS	Asst Executive Engineer, KUWSSDB, Bangalore
4.	Ms. D S Gayathri	Asst Executive Engineer, KUWSSDB, Bangalore
5.	Shri. T N Muddarajanna	EE, KUWSSDB, Bangalore
6.	Shri V. Srinivas	Vice President TMC
7.	Shri Vasantha Kumar	
8.	Shri. Babanna	Ward No 16
9.	Shri. Narayanswamy	Ex President
10.	Shri.K S Pradeep	Nominee Councilor
11.	Shri.Ramesh	Chief Officer, TMC, Bommasandra
12.	Shri.G S Manjunath	DEO, KSPCB

Preamble: The joint inspection was carried out as per the discussions held during the meeting held on 2.9.2020 on the NGT OA No. 750 of 2019 (Sanjay Rao Vs State of Karnataka) Matter under the Chairmanship of the Additional Chief Secretary, Urban Development Department. This is about dumping of garbage and inflow of sewage into the Kittaganahalli Lake.

Back Ground Information:

Kittaganahalli Lake is located in the Bommasandra CMC area covering 28 Acres and 34 Guntas. Major part of the lake is filled with the legacy garbage waste which is being dumped over several years. There is one storm water drain leading to the lake.

Catchment Area: The catchment area of the lake is Ward NO. 2 and Ward No. 9 of the TMC, Bommanahalli.

Activities in the area and quantification of water consumption and generation of sewage

No	Activity	No	Consumption of Water in Lt	Sewage Generated Lt
1	KIADB Quarters	64	43,200	34,560
2	Residences with Khata	250	1,68,750	1,35,000
3	Residences without Khata	100	67,500	54,000
4	Guest Houses constructed by KIADB and leased out to Naraya Hrudayalaya	200	54,000	43,200
			3,33,450 Lt	2,66,760 Lt
	Industries	530	–	–

Mode of Treatment of Sewage: The sewage generated from the above mentioned areas is being let into the Septic Tank provided by the KIADB behind their quarters through UGD system. But the water is overflowing and stagnated around the Septic tank. This water is bound to get into the Kittaganahalli tank.

Flow from the Industries: By physical observation and color of water, it is of the opinion that there is inflow of effluents from the industries into the storm water drain, of about 30,000 Lt/Day. Though no specific industry was found discharging directly.

Outcome of the discussions held post the joint inspection:

Proposed Management of sewage: A Sewage Treatment Plant of 275 KLD to be built over and / or next to the septic tank. The sewage is flowing to this point through underground drainage system and by gravity and enough space is available for the establishment of STP

Technology: The TMC has submitted the proposal to the KSPCB received from M/S Wapcos about Japanese packaged treatment plant designed to meet the KSPCB standards of less than 10mg/lit of BOD, based on the SBR technology. The advantages of this system is low maintenance cost of only 20 units of power for each module of 50 KLD. This does not need maintenance and regular monitoring. One shift of maintenance and supervision is enough. However all the members wanted to have a technical presentation of the Technology in the next few days.

Installation: It was informed that the packaged STP can be installed within few weeks time.

Disposal of the final treated sewage. The final treated sewage shall comply to the standards prescribed by the KSPCB and can be used for all the tertiary purposes and for the gardening purposes. If there is excess treated sewage, KSPCB permits for the discharge into the lake with the introduction of sensors linked to the PCB dashboard. Alternatively industries can also use this treated water for their process (Other than Pharma and food based industries).

Budget and Funding: It was informed that five packaged units of 50 KLD can handle up to 300 KLD and may cost around Rs. 37.5 Lakhs per Unit of 50 KLD. The total may be around Rs. 1.875 Crores. The President of the Association who is also the Councillor Sri Prasad informed that the industries Association would bear the cost from its CSR funds. It's a good and welcoming gesture from the industries.

Control of discharge of effluents from the industries. The team of KSPCB would conduct surprise checks in the next few weeks to identify the industries discharging effluents and action will be initiated as per the provisions of the act.

CETP for the Bommasandra Industrial Area : KIADB will be asked to set up a common effluent treatment plant for the industries on priority. There is already a direction from the Hon'ble Supreme Court in WP No. 375/2012 to set up the Common Waste Management facilities. KSPCB has already convened a meeting with KIADB on 11th September, 2020 to discuss this issue.

Initiation of action against TMC. The KSPCB has already given authorisation to the Regional Officer to file a criminal case for letting the sewage to get into the tank. However as per their commitment before the Additional Chief Secretary to set up STP within 3 months and also as they have submitted a proposal to KSPCB for the installation of packaged STP immediately, The KSPCB may reconsider about the initiation of legal action.

Removal of legacy Waste. It is advisable to request the BBMP to collect all the waste on one time basis and manage in their existing landfills.

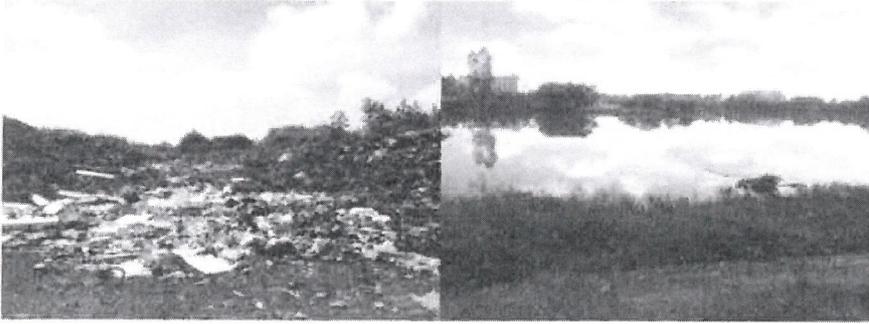
Management of waste on regular basis. The CEO informed that organic waste is being taken away by the farmers and in organic waste by NGO "Sahas". However they are facing challenges for the disposal of inerts. It is advisable to request BBMP to permit disposal of inerts in their existence facility for the next six months and within which TMC shall identify their own land for the garbage management.

All the members who were present jointly agreed for these proposals.

CONCLUSIONS AND ACTION TO BE TAKEN:

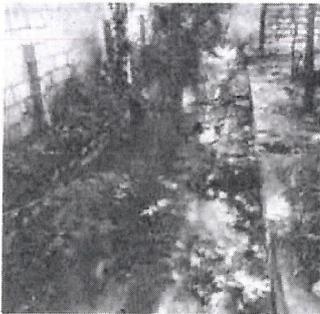
No	Points concluded	Action by	Time Lines	
			Activity	By Date
1	Setting up of STP	TMC.	Technical Presentation	7.9.2020
			Submission of detailed technical proposal along with prescribed form to PCB for approval	9.9.2020
			Placing the Order for STP	19.9.2020
			Completion of Installation	15.11.2020
2	Submission of requisition to Industries Association for Finance releasing	TMC	9.9.2020	
3	Association formal Letter to fund the STP	Sri. Prasad	16.9.2020	
4	Release of funds	Sri. Prasad	25.9.2020	
5	Consent for setting up of STP with guidelines	PCB	16.9.2020	
6	Visits to prevent discharge by industries	RO, PCB	Before 25.9.2020	
7	Agreement with BBMP for legacy waste clearance	TMC	Before 19.9.2020	

Photographs :



Legacy waste on the lake bed

View of Lake



Drain Leading to Lake



KIADB Septic Tank and water stagnation.



Assemble at the TMC Bommasandra Office post Inspection on 3.9.2020


Syed Khaja Mohiddin
SEO- Infra, KSPCB.

Copy to:

- 1) The Additional Chief Secretary,
The Urban Development Department (UDD)
Vikasa Soudha, Ambedkar Veedhi,
Bangalore - 560 001. *acc. uddoffice@tmc.kan*
- 2) The Project Director,
District Urban Development Cell, DC Office,
KG Road, Bangalore Urban District,
Bangalore-560 001
E-mail: dudc_burban@yahoo.com
Ph.no.-974188370
- 3) The Executive Engineer,
KUWS & DB,
#5 & 6, Jalabhavan,
1st Stage, 1st Phase, BTM Layout,
Bannerghatta Road,
Bangalore-560 029,

4) The Chief Officer,
TMC, Bommasandra,
Bangalore-560 099
E-mail: itstaff_ulb_bommasandra@yahoo.
Ph.no-9686577404

5) Mr. Prasad- The President,
Bommasandra Industrial Association,
No.60 D, 1st phase,
Near Karnataka Bank,
Bommasandra,
Bangalore- 560 099.
E-mail: biasso.bia@gmail.com

6) The Director of Municipal Administration,
Ambedkar Road, 9th & 10th Floor,
Vishveshwariah Tower, Sampangi Rama Nagar,
Bengaluru, Karnataka 560001
Ph.no.-9900579959

This is the Annexure B Stated in the
Affidavit of Rajesh Singh


Advocate & Notary (Govt. of India)
Reg. No. 12313, Bengaluru.

Appendix-C

Photographs of Bommasandra Kithiganahalli Lake Rejuvenation Works



BIA ಬೊಮ್ಮನಂದ್ರ ಇಂಡಸ್ಟ್ರೀಸ್ ಅಸೋಸಿಯೇಷನ್
BOMMASANDRA INDUSTRIES ASSOCIATION

ಬೊಮ್ಮನಂದ್ರ ಕೈಗಾರಿಕಾ ಸಂಘದ ವತಿಯಿಂದ ಹಾಗೂ ಬೊಮ್ಮನಂದ್ರ ಪುರಸಭೆ ಸಹಾಯದಿಂದ,
ಬೊಮ್ಮನಂದ್ರ (ಕಿತ್ತಿಗಾನಹಳ್ಳಿ) ಕೆರೆಯ ಪುನರುಜ್ಜೀವನ ಕಾಮಗಾರಿಯ ಉದ್ಘಾಟನಾ ಸಮಾರಂಭ

Inauguration of Bommasandra (Kithiganahalli) Lake Rejuvenation project work by Bommasandra Industries Association with the help of Bommasandra Town Municipal Council.

Venue: Bommasandra Lake
Date : 19.10.2020

Project work Start Date : 19.10.2020
Project work Finishing(Tentative) Date : 31.05.2021

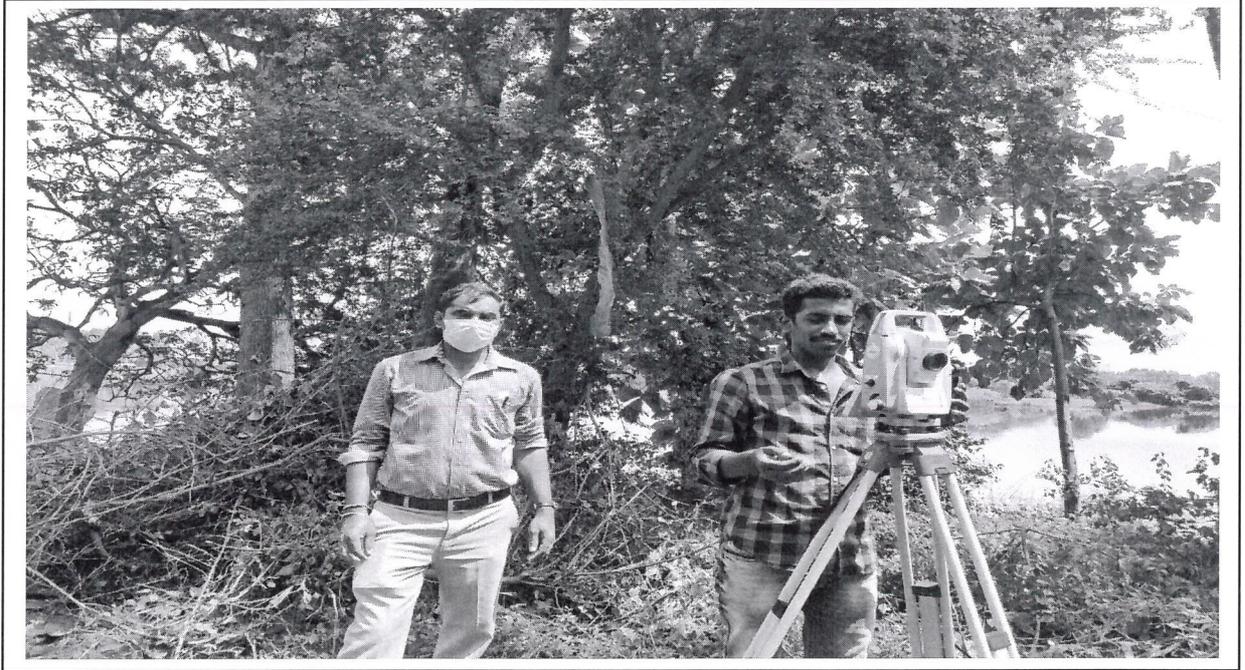
Activate Windows
Go to Settings to activate Windows.



Photographs of Bommasandra Kithiganahalli Lake Rejuvenation Works



Photographs of Bommasandra Kithiganahalli Lake Rejuvenation Works



This is the Annexure.....^C.....Stated In the
Affidavit of.....*Rajesh Singh*.....

[Signature]
Advocate & Notary (Govt. of India)
Reg. No. 12313, Bengaluru.