

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE, AT CHENNAI

O.A. 150/2023

BETWEEN

Anil Kumar Sastry

Petitioner

AND

Union of India & Ors

Respondents

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Place: Bengaluru

Date: 19/12/2024

[Signature]

Advocate for the RESPONDENT NO. 9

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE, AT CHENNAI

OA 150/2023

BETWEEN

Anil Kumar Sastory,
Kannataka

Petitioner

AND

Union of India & Ors

Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO 9

I, Mr. Anand C.L., Commissioner, Mangalore City Corporation, having my office at Mangalore City Corporation, MG Rd, Lalbagh, Mangaluru, Karnataka 575003, solemnly state and swear on oath as follows:

1. I state that the Hon'ble National Green Tribunal, Principal Bench (PB), New Delhi Vide Original Application No. 307 OF 2022 (PB) took suo-motu cognizance of news item published in 'The Hindu' dated 26.06.2022 on "Hundreds of fishes were found dead and floating in Phalguni (Gurupura) river, downstream the Malavoor vented dam, following the flow of industrial and domestic effluents into the river."
2. I state that the Hon'ble NGT(PB) transferred the matter to NGT, South Zone, Chennai per order dated 27.07.2023. As per order dated 02.01.2024, Mangalore City Corporation, was impleaded as Respondent No.9.
3. I state that the abovementioned Article states that "Hundreds of fish were found dead and floating in the Phalguni (Gurupura), down-stream of the Malavoor vented dam, following the flow of industrial and domestic effluent into the river, even as the administration has remained mute to the annual happening."



4. I state that the article mentions pollution of the Phalguni River from domestic and industrial effluents Baikampadi Industrial area, but it

AE
Errors / Corrections Etc.

principally focuses on the industrial effluents causing severe river pollution.

5. I state that Mangalore City Corporation (MCC) is responsible for Sewage Treatment Plants (STPs) developed for household waste within MCC limits. It is pertinent to note that there are no households in Baikampadi Industrial Area, hence no household effluents are generated. The STPs in respect of industrial effluents in Baikampadi Industrial Area are managed by Karnataka Industrial Area Development Board (KIADB). KIADB has called for tender for Establishing, Construction and Commissioning of 600 KLD Common Effluent Treatment plant with ZLD facilities on Turnkey basis including operation and maintenance of entire system for 05 years at Baikampadi Industrial Area, Dakshina Kannada District. The 'Short term notice inviting tender' called for by KIADB dated 26.08.2024 has been attached herewith as Annexure R 1.
6. This affidavit states the actions taken by MCC to treat the effluents from household waste discharged into the Phalguni River which would consequently improve the quality of water in the said River.
7. I state that the existing sewage treatment plant (STP) at Pacchanady was constructed and commissioned in the year 2013. The STP has the capacity of treating 8.75 MLD of sewage water. The sewage water from Manjalpade and Konguru mutt wetwells is pumped to the STP for treatment. The STP is designed for primary and secondary treatment of sewage water only and not designed for tertiary treatment.
8. I state that a DPR is prepared by keeping provisions for tertiary treatment and to supply the tertiary treated sewage water to PilikulaNisargadama- the botanical garden, forest and lake in Pilikula. Hence tertiary treated sewage water will not be discharged to Phalguni River. The work of *Providing Project Development & Management Consultancy (PDMC) services for design, DPR preparation, bid process management, construction supervision and monitoring services for used*



Errors / Corrections Etc.

[Handwritten signature]

water management project under Swachh Bharat Mission (Urban) 2.0 and NGT compensation fund package 1: Bengaluru and Mysuru Revenue Division' is entrusted to M/s Egis Consulting Engineer pvt ltd. The DPR is submitted to the State Government for approval. Work will be commenced after the approval from the State Government. Work order dated 14.03.2024 entrusting M/s Egis Consultants with the work of 'Providing Project Development & Management Consultancy (PDMC) services for design, DPR preparation, bid process management, construction supervision and monitoring services for used water management project under Swachh Bharat Mission (Urban) 2.0 and NGT compensation fund package 1: Bengaluru and Mysuru Revenue Division'. The same is annexed herewith as Annexure R2. The letter dated 12.11.2024 submitting the DPR developed by M's Egis Consultants to KUIDFC for further action, has been enclosed herewith as Annexure R3.

9. I state that the MSEZ R&R colony, Angaragundi and Kudumbur villages, which are located near the Baikampady Industrial Area, do not have UGD system and sewage treatment plant. The work of construction of STP of capacity 1.5 MLD with 2 nos. of wet-wells and Underground Drainage system in MSEZ R&R colony has been taken up by Karnataka Urban Infrastructure Development Finance Corporation (KUIDFC). The aforementioned work is in progress and expected to be completed by end of 2025. The DPR for construction of STP, wet-wells and UGD system for Angaragundi and Kudumbur villages has been prepared by KUIDFC and submitted to State Government for approval. However, approval for land is pending at the State Government level. The 'Notice to Proceed' letter dated 16.02.2023, issued to M/S CVK Construction Private Ltd for providing sewerage system for rehabilitated colonies of MSEZ in Zone 12 has been enclosed herewith as Annexure R4.



10. I state that the work of upgradation of existing wet-wells at Kudroli and Kodialguttu, located near Phalguni River, is approved under smart city funds and the work to update them is in progress. The laying of sewer

lines to damaged/missing sewer lines at Kudroli, Bolor, Ashoknagar and Dambel is included in the DPR under NGT funds and the DPR is submitted to State Government for approval.

11. I state that the quality of water in the Phalguni River will be significantly improved once the works proposed under KUIDFC, smart city and NGT funds are completed which is expected to be completed by the end of 2025. MCC has initiated commendable efforts to improve sewage treatment and reduce pollution in the Phalguni River. With robust planning, consistent execution, and timely funding, these projects will achieve sustainable environmental practices and enhance public health in the region. MCC recognizes that the focus on modernizing infrastructure and community involvement is critical for the long-term well-being of the ecosystem and residents.

Identified by me

Advocate

Place:

Date:

[Signature]
Mangaluru
19/12/2024

[Signature]
DEPONENT

Sworn and Signed before me this
..... day of *December* 20*24*
at Mangaluru



[Signature]
REKHA K. B.A. (Law) LL.B.
Advocate & Notary (Govt. of Karnataka)
Raghavendra Complex
11th Floor, AB Shetty Circle
Pandeshwara Road, Mangaluru-575001
Mobile : 9481763777

NOTARIAL REG. NO.

Errors / Corrections Etc. *[initials]*

368/2024
19/12/2024



Karnataka Industrial Areas Development Board

(A Government of Karnataka Undertaking)

49, East Wing , 4th & 5th Floor, Khanija Bhavan Race Course Road

Bengaluru - 560 001. Phone No. 080-22265383

website : www.kiadb.in, e-Mail: cdoce1@kiadb.in

Date: 26.08.2024

No. IADB/ENGG/ETND-EP-17/405 /2024-25

SHORT TERM NOTICE INVITING TENDER (Through GOK e - Procurement Portal Only)

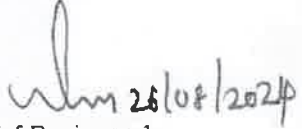
Turnkey Tender under two cover bid system is invited for the work mentioned below as per the Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 through electronic procurement from eligible Contractors who have got adequate financial resources, state of the art technology, suitable construction equipments, technical man power & sufficient past experience for the following work as per the schedule given below:

Sl. No	Name of the work	Approx cost put to tender (Rs in lakhs) (Exclusive of 18% GST)	EMD (Rs.in Lakhs)	Time for completion Including Monsoon	Class of Contractor
1	2	3	4	5	6
1	Establishment, Construction and Commissioning of 600 KLD Common Effluent Treatment Plant with ZLD facilities on Turnkey Basis including operation and maintenance of entire system for 05 years at Baikampadi Industrial Area, Dakshina Kannada District. (2 nd Call)	3106.17	31.06	11 Months	KPWD Class-I (Civil)

Applicants May Download Bidding Documents from the E-Procurement Portal
<https://kppp.karnataka.gov.in>

Scheduled of dates are as follows:

- Last date to receive pre bid Queries: 02.09.2024 Up to 5:00 pm
- Pre bid meeting will be held on:03.09.2024 at 12:00 noon
- Last date for submission of bids is:13.09.2024 upto 04:30 pm
- Time and date of opening Technical bids is on: 18.09.2024 at 11:30 am


Chief Engineer-1

6

ಕರ್ನಾಟಕ ನಗರೀಯ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಆರ್ಥಿಕ ಸಂಸ್ಥೆ
Karnataka Urban Infrastructure
Development and Finance Corporation Ltd.
(Government of Karnataka Undertaking)

Karnataka Urban Infrastructure
Development and Finance Corporation Ltd.
(Government of Karnataka Undertaking)

File No: KUIDFC/ UWM/PDMC-1/31/2023-24

14/03/2024

WORK ORDER

To:

Egis India Consulting Engineers Pvt. Ltd.
Plot No. 80, Sector - 32,
Gurgaon, Haryana-122001, India
Email: egisinfo@egis-India.com

Sir,

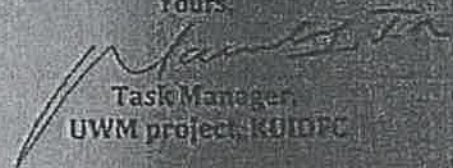
Sub: *Providing Project Development & Management Consultancy (PDMC) services for design, DPR preparation, bid process management, construction supervision and monitoring services for used water management project under Swachh Bharat Mission (Urban) 2.0 and NGT compensation fund Package 1 : Bengaluru & Mysuru Revenue Division*

Ref: 1. Tender Notification No: KUIDFC/UWM/03/2023-24/SE/008 dated: 19.12.2023
2. Letter of Acceptance No KUIDFC/ UWM/PDMC/2023-24 dated 05/03/2024

This work order is issued with respect to Tender Notification No: KUIDFC/UWM/03/2023-24/SE/008 dated: 19.12.2023 for "Providing Project Development & Management Consultancy (PDMC) services for design, DPR preparation, bid process management, construction supervision and monitoring services for used water management project under Swachh Bharat Mission (Urban) 2.0 and NGT compensation fund Package 1 : Bengaluru & Mysuru Revenue Division" for the negotiated Contract Price of Rupees 29,39,93,934/- (Rupees Twenty Nine Crore Thirty Nine Lakh Ninety Three Thousand Nine Hundred and Thirty Four only) (excluding GST).

You are hereby requested to proceed to work and mobilize key technical personnel & other support staff at the designated project towns within 7 days along with establishing PDMC offices within 15 days.

Yours,



Task Manager,
UWM project, KUIDFC

Copy to:

1. The Secretary, Urban Development department - for information
2. The Deputy Commissioners of the districts of Bengaluru and Mysuru Revenue divisions - for information and necessary action
3. The Managing Director, KUIDFC - for information

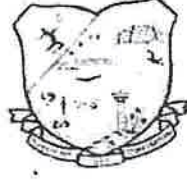
ನಿರ್ದೇಶನ ಕಛೇರಿ : ನಗರೀಯ ಅಭಿವೃದ್ಧಿ ಭವನ, # 22, 17ನೇ 'ಎಫ್' ಅಡ್ಡರಸ್ತೆ, ಹಳೇ ಮದ್ರಾಸ್ ರಸ್ತೆ, ಇಂದಿರಾನಗರ, 2ನೇ ಹಂತ, ಬೆಂಗಳೂರು-560 034

Regd. Office : Nagurebhim,uddi Bhavan, # 22, 17th 'F' Cross, Old Madras Road, Indira Nagar 2nd Phase, Bengaluru-560 034
Phone : 080-25196124-129 Fax : 080-25196110 E-mail : info@kuidfc.com website : www.kuidfc.com

PAN: AAACK6953F TAN: BLRK01111F GST No.: 29AAACK6953F1ZG CIN: UJH00KA0135SC0140

ಮಂಗಳೂರು

ಆಯುಕ್ತರು
ಮಹಾನಗರಪಾಲಿಕೆ
ಮಂಗಳೂರು



ಮಹಾನಗರಪಾಲಿಕೆ

ಅಂಚೆ ಪಟ್ಟಿಗೆ ನಂಟು:756,
ಲಾಲ್ ಭಾಗ್, ಮಂಗಳೂರು- 575003
ದೂರವಾಣಿ:2220313-318
ಫ್ಯಾಕ್ಸ್:0824-2220310

ಮ.ನ.ಪಾ/ಇಂ.ವಿ-3/ಸಿಆರ್ 164/2024-25/F6

ದಿನಾಂಕ:12.11.2024

ರಿಗೆ.

ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು
ಕರ್ನಾಟಕ ನಗರ ಮೂಲ ಸೌಕರ್ಯ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಹಣಕಾಸು ನಿಗಮ
ನಗರಾಭಿವೃದ್ಧಿ ಭವನ 433, 17ನೇ ಎಫ್ ಅಡ್ಡ ರಸ್ತೆ
ಹಳೇ ಮದ್ರಾಸ್ ರಸ್ತೆ, ಇಂದಿರಾನಗರ 2ನೇ ಹಂತ
ಬೆಂಗಳೂರು 560038

ಮಾನ್ಯರೇ.

ವಿಷಯ: ಹಸಿರು ನ್ಯಾಯ ಮಂಡಳಿ ಪರಿಸರ ಪರಿಹಾರ ನಿಧಿ ಪ್ರಾಧಿಕಾರ ಯೋಜನೆಗಳಡಿ ಮಂಗಳೂರು
ಮಹಾನಗರ ಪಾಲಿಕೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಹೊರ ಹರಿವು ಕೊಳವೆಗಳನ್ನು ಅಳವಡಿಸುವ ಕಾರ್ಯಕ್ಕೆ
ಸಂಸ್ಕರಣಾ ಘಟಕಗಳನ್ನು ನಿರ್ಮಿಸುವ ಕಾಮಗಾರಿಗಳ ಸಮಗ್ರ ಯೋಜನಾ ವರದಿ (IPR)
ಮೇಲುರುಜು ಮಾಡಿ ಸಲ್ಲಿಸುವ ಬಗ್ಗೆ.

- ಉಲ್ಲೇಖ:1.Team leader . Egis india Consulting Engineers Pvt. Ltd. Vide Letter Reference No: Egis-
india/BR/KUIDFC-UWM/113174 Dated: 25.06.2024
2. ಈ ಕಛೇರಿ ಪತ್ರ ಸಂಖ್ಯೆ ಮ.ನ.ಪಾ/ಇಂ.ವಿ-3/ಕಾ ಪಾ.ಅ/ಸಿಆರ್/2023-24 ಬಿ.27 06.2024
3.Team leader . Egis india Consulting Engineers Pvt. Ltd. Vide Letter Reference No: Egis
India/BLR/KUIDFC-UWM/120300 Dated: 12.11.2024
4.ಕಿರಿಯ ಅಭಿಯಂತರರ ವರದಿ.ಡಿ: 12.11.2024

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಎಸ್.ಬಿ.ಟಿ ಪರಿಸರ ಪರಿಹಾರ ನಿಧಿಯಡಿ ಆಯ್ಕೆ 21 ನಗರ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ
ಅವಶ್ಯಕತೆಗಳ ಆಧಾರದ ಮೇಲೆ ಒಳಚರಂಡಿ ಸಂಸ್ಕರಣಾ ಘಟಕ (ಎಸ್.ಟಿ.ಪಿ) ದುರಸ್ತಿ /ಉನ್ನತೀಕರಿಸುವಿಕೆ ಗ್ರಹಿಸುವ
ಸಂಪರ್ಕಗಳನ್ನು ಒದಗಿಸುವುದು ಮತ್ತು ಒಳಚರಂಡಿ ಸಂಪರ್ಕ ನಿರ್ಮಿಸುವ ಕಾಮಗಾರಿಗಳಿಗೆ ಉಲ್ಲೇಖ(1)ರಂತೆ ಅನುದಾನ ಹಂಚಿಕೆಯಾಗುವ
ಮಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಗೆ ರೂ.40.00 ಕೋಟಿ ಅನುದಾನ ಅನುವು ಮಾಡಲಾಗಿರುತ್ತದೆ. ಉಲ್ಲೇಖ(2)ರ ಪತ್ರದಲ್ಲಿ ಸದರಿ
ಸಮಗ್ರ ಯೋಜನಾ ವರದಿಯನ್ನು (ಡಿ.ಪಿ.ಆರ್) ಮೇಲುರುಜುವಿನೊಂದಿಗೆ ದಿನಾಂಕ:27.06.2024ರಂದು ಸಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ.

ಮುಂದುವರಿದು, ಉಲ್ಲೇಖ(3)ರ ಪತ್ರದಲ್ಲಿ Egis india Consulting Engineers Pvt. Ltd ರವರು ಪರಿಷ್ಕೃತ ಸಮಗ್ರ
ಯೋಜನಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಪರಿಷ್ಕೃತ ಸಮಗ್ರ ಯೋಜನಾ ವರದಿ (ಡಿ.ಪಿ.ಆರ್) ಮೇಲುರುಜುವಿನೊಂದಿಗೆ ಮುಂಗಡ
ಕ್ರಮಕ್ಕಾಗಿ ಮಾನ್ಯರಿಗೆ ಸಲ್ಲಿಸಿದೆ

ತಮ್ಮ ವಿಶ್ವಾಸಿ



ಆಯುಕ್ತರು

ಮಹಾನಗರ ಪಾಲಿಕೆ, ಮಂಗಳೂರು

8

TRANSLATION : ANNEXURE R3

ANNEXURE...R3

Date: 12.11.2024

To,
Managing Director,
Karnataka Urban Infrastructure Development Finance Corporation,
Nagarabhivridi Bhavan
433, 1th F Cross Road, Old Madras Road, Indiranagar,
7th Stage, Bangalore- 560038

Respected Sir/Madam,

Sub: Regarding the submission of DPR for the installation of outflow pipes and construction of water treatment plants by Mangalore City Corporation under the National Green Tribunal funds.

Reference: Team Leader: Egis Consulting Engineers Pvt Ltd vide letter reference no. Egisindia/ BR/KUIDFC-UWM/113174 Dated: 26.06.2024

Letter by MCC dated 24.08.2024

Team Leader Egis India Consulting Engineers Pvt Ltd vide Letter Reference No EgisIndia/BLR/KUIDFC-UWM?102300 Dated: 12.22.2024

Junior Engineer's report dated: 12.22.2024

In connection with the above matter, 27 selected urban local bodies under the NGT Environmental Remedial Fund have been allocated grant as per ref (1) for Sewage Treatment Plant (STP) repair and upgradation of STP for provision of domestic service connections and construction works of sewage connections as per ref(1). A grant of Rs 40 crores will be made to the corporation as per the letter of reference (2) in the Detailed Project Report (DPR) filed on 27.06.2024 with endorsement.

Further, in the reference (3) Egis India Consulting Engineers Pvt Ltd have submitted Detailed (DPR). The said DPR is along with endorsement is submitted to you for further action.

Yours Sincerely,
Commissioner
Mangalore City Corporation

MANGALURU

CITY CORPORATION

Commissioner
City Corporation,
Mangaluru.



Post Box No: 756
Lalbagh, Mangaluru-575003
Telephone No: 0824-2220313-318
Fax: 0824- 2220310.
Website: www.mangalorecity.gov.in
E-mail : commissioner.mcc@gmail.com

NO. MCC/MNG/KUIDFC/UGD/02 MNG 04(1)/2022-23/1485

Date:16.02.2023

NOTICE TO PROCEED

To:

M/s CVK Construction Private Limited,
No 1, 3rd Floor, D Block Shindhe Complex,
Neeligin Road, New Cotton Market,
Hubli - 580029

Gentlemen,

Sub: "Providing Sewerage system for Rehabilitated colonies of MSEZ in Zone 12 & Construction of Wetwell at Thiruvail in Zone 13 including 3 years O & M for Mangalore City, Contract Package No 02MNG04-(1)" - Issue of Notice to Proceed with the work - reg.

Ref:1) This office LOA letter No: MCC/MNG/KUIDFC/UGD/02MNG04(1)/2022-23/1328, dated: 13.01.2023.

2) Agreement Date:15.02.2023.

3) Amount of Contract : INR 15,63,91,849.04/- (Rupees Fifteen Crore Sixty Three Lakh Ninety One Thousand Eight Hundred Forty Nine and Paise Four Only)

Effective Date: 16th February 2023, Contract Completion Date: 15th February 2025. 24 (Twenty Four) months including 3 months trial run commissioning (including monsoon period).

With reference to the above subject and pursuant to your furnishing the requisite security deposit as stipulated in ITT Clause 29.1 and signing of the contract agreement for the work "Providing Sewerage system for Rehabilitated colonies of MSEZ in Zone 12 & Construction of Wetwell at Thiruvail in Zone 13 including 3 years O & M for Mangalore City" Package No: 02MNG04-(1), at a Tender Price Rs. 15,63,91,849.04/- (Rupees Fifteen Crore Sixty Three Lakh Ninety One Thousand Eight Hundred Forty Nine and Paise Four Only). You are hereby instructed to submit the milestone and proceed with the execution. The works should be completed within 24 months from the date of issue of Notice to Proceed including 3 months trial run and monsoon, accordance with the contract documents.

Yours faithfully



Commissioner

Mangaluru City Corporation,
Mangaluru

Copy submitted to:

- 1) The Managing Director, KUIDFC, Bengaluru for kind information.
- 2) The Joint Managing Director, KUIDFC, Bengaluru for kind information.

CC:

- 1) The Task Manger, KUIDFC, KIUWMIP, Bengaluru for kind information.
- 2) The Deputy General Manager, KUIDFC- KIUWMIP, Bengaluru for kind information
- 3) The Deputy Project Director, KIUWMIP, RPMU, Mangaluru for kind information.
- 4) The Executive Engineer, KIUWMIP -PIU, Mangaluru for information.
- 5) The Team Leader, M/s. Tractebel GWK GmbH, Mangaluru for information