

**BEFORE THE NATIONAL GREEN TRIBUNAL,
(SOUTHERN ZONE), SITTING AT CHENNAI**
Original Application No. 191 of 2024

&
(I.A. No. 71 of 2024)

IN THE MATTER OF:

Yelahanka Puttenahalli Lake and
Bird Conservation Trust (Regd.)

....APPLICANT

VERSUS

The State of Karnataka & Ors.

...RESPONDENTS

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Date: 01.05.2025

Place: CHENNAI


APPLICANT

**Yelahanka Puttenahalli Lake and
Bird Conservation Trust (Regd.)**

Through


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**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI**

ORIGINAL APPLICATION NO. 191 of 2024

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State of Karnataka & Ors.

.....Respondents

**OBJECTIONS OF THE APPLICANT TO THE 6TH
RESPONDENT'S REPORT DATED 22.04.2025**

1. The 6th Respondent (BWSSB) has filed a Report dated 22.04.2025 pursuant to order dated 05.03.2025 passed by this Hon'ble Tribunal in the present Original Application. The 6th Respondent has annexed Minutes of Meeting of the Committee, with their deliberations and proposed plan of action (with a timeline), which they claim is the only option with no alternative.
2. That this Hon'ble Tribunal *vide* its Order dated 04.07.2024 was pleased to direct the BBMP and BWSSB, in the following terms:

"4. In the meanwhile, the BBMP and BWSSB are directed to file their reports along with photographs and sketch, explaining the distance between the Raja Kaluve, the lake and where the sewage line is situated. The report should also include the width of the Raja Kaluve, the carrying capacity of the Raja Kaluve as well as humepipes



which are now being laid for better appreciation of the case..”

3. It is submitted that the direction of this Hon’ble Tribunal was not complied with by the BBMP and BWSSB and hence, this Hon’ble Tribunal *vide* Order dated 13.09.2024, was pleased to further direct, as follows:-

“3. The BBMP also has filed a report dated 26.08.2024. however, it does not cover the direction given in our order dated 04.07.2024, wherein we directed to file a report, including the particulars viz., the width of the Rajakaluve, the carrying capacity of the same as well as the width of the humepipes which are now being laid for better appreciation of the case.

4. It is stated in the report that the width of the humepipes used for storm water drain is 1600 mm diameter, as has been foun in the report of the BBMP. However, the width of the Rajakaluve is not given.”

4. It is further submitted that the Respondents have not complied with the directions of this Hon’ble Tribunal and hence, this Hon’ble Tribunal *vide* its Order dated 25.10.2024, provided further time to the Respondents to file the report containing the width of the Rajakaluve, the carrying capacity of the same as well as the width of the humepipes and its carrying capacity.



5. That this Hon'ble Tribunal *vide* its Order dated 04.12.2024 was pleased to direct as follows:-

"7. We only direct the officials of the BWSSB and Lake department in the rank of not less than a Superintending Engineer to be present before us on the next date of hearing and give us the exact picture of the project.

8. The applicant is also directed to furnish the particulars about the boundaries of the Yelahanka-Puttenahalli Bird Conservation Reserve and Lake and mark the pipeline which is alleged to be taken to the Bird Conservation Reserve."

6. It is submitted that the directions of this Hon'ble Tribunal were not carried out by the BWSSB/BBMP, in letter and spirit, and hence, this Hon'ble Tribunal *vide* Order dated 19.12.2024 was pleased to direct as follows:-

"10. The Rajakaluve, which is carrying the surplus water from upstream tank, has to be retained in its original size. If the BWSSB or BDA or BBMP or the Lake Authority shall find an alternate solution instead of laying a sewer line or laying RCC pipes for carrying storm water within the Rajakaluve, so that the problem can be addressed."

7. It is submitted that this Hon'ble Tribunal *vide* its Order dated 05.03.2025, to take a comprehensive call on the problem, directed the Government authorities along with the other stake holders, to



collectively take a decision and to come out with a permanent solution.

8. That the Report dated 22.04.2025 filed by the BWSSB *inter alia* states that the BBMP would install 1600 mm diameter RCC pipeline for a length of 600 meters to carry the rainwater mixed with the sewage of un-sewered areas like villages panchayat, missed out 110 villages area during the low intensity rainfall. The timeline sought for is 45 days in this regard.
9. Herein, it may be noted that there is no DPR prepared nor a blue sketch of the plan has been submitted. Moreover, the BBMP/BWSSB had earlier stated about the filing of DPR, which has not yet been submitted to this Hon'ble Tribunal. Herein, a reference may be made to the Report dated 03.07.2024 submitted by the Respondent No. 4/Karnataka Forest, Ecology and Environment Department. Wherein, it is stated as follows:-

“12. It is submitted that BBMP and BWSSB are in communication with the Forest Department and are in the process of submitting a suitable DPR. Necessary action will be taken as per law by the answering Department on the application filed by BWSSB.”



10. It is submitted that Report dated 22.04.2025 filed by the Respondent No. 6/ BWSSB, surprisingly, has not submitted nor has made any mention about any DPR regarding the laying of hume pipeline for the purpose of draining the waste water, and has merely surmised about the project without any empirical data. It has not addressed any issues which are detrimental to the Puttenahalli Bird Conservation Reserve. It is submitted that there is no need to utilise the area of the Puttenahalli Bird Conservation Reserve to lay the sewage pipeline by the BWSSB.
11. In respect of the said Report dated 22.04.2025, the Applicant places the following submissions for the Hon'ble Tribunal's consideration:
- a. **Underground pipes are sought to be laid inside the lake boundary** – The underground pipes (1600 mm diameter RCC pipeline for the stormwater and 700 mm dia RCC trunk sewer for sewage) are sought to be installed by digging up the walkway, which is very much inside the lake boundary, *i.e.*, not in the buffer zone but in the riverbank itself. A Google Earth image demarcating the lake boundary is enclosed as ANNEXURE A-1.



b. Newly constructed 2024 Storm Water Drain already contains large quantities of sewage – Prior to 2024, the Storm Water Drain was coming from the East (from Attur lake side) and going to the South/South-East side of the Puttenahalli Lake. A map of the whole area published by the BBMP in August 2014 is enclosed as ANNEXURE A-2. In 2024, when new private constructions started coming up in the area, the Respondents constructed a new SWD, changing the route so that water moved from East (Attur Lake) to the West (towards Yellahanka Lake, without going southwards). It is submitted that this newly constructed 2024 SWD is carrying water from residences (individual house/flats) to the east of Puttenahalli Lake (Ananthpura Village and other settlements) which do not have any sewerage connection. Therefore, all the sewage from these settlements is presently being dumped/diverted into this SWD. This is completely separate from the sewage being generated by 9th Respondent and 10th Respondent. Therefore, the proposal to divert the water in the new SWD (comprising mix of rainwater and sewage) into two pipes will not resolve the problem, and any



overflow from the existing SWD will result in sewage going into the lake.

- c. **No Proposal/Plan for Separating Existing Sewage from the Mixed Water in the SWD:** The 6th Respondent has not stated how they will remove the sewage from the mixed water in the SWD. Moreover, a single silt barrier near the lake will not be sufficient, as debris from Ananthapura and the 110 villages will flow into the lake. A photograph showing the daily trash accumulating at one barrier from just one section of Yelahanka area is annexed as **ANNEXURE A-3**. The 6th Respondent has not proposed any plan for additional barriers/silt traps when waste from 110 villages will be flowing.

An important concern to note is that the 6th Respondent have stated sewage will be diverted through the proposed 1.6-meter pipeline, but during heavy rains, they intend to "naturally allow" rainwater into the lake. If rainwater (which will be mixed with sewage) is to be allowed into the lake at the deep end of the lake without treatment during heavy rainfall, the need for a 1.6-meter pipeline is unclear. The



Applicant submits that the plan/proposal should be such that during heavy rainfall, the mixed water should not enter in the North of the lake but should enter the wetland in the South of the lake, where there is vegetation etc.

- d. Non-consideration of topology of Puttenahalli Lake - The Lake is shallow on the South / South-East side and very deep on the North / North-West side. When the lake was rejuvenated in 2013-15 on a scientific basis, it was deliberately designed so that the SWD entry was in the South / South-East side. This inlet was designed so that during lean periods, when sewage enters the lake, it will be diverted directly to the lake's outlet, preventing contamination. During heavy rains, the mixed water will flow through the wetland plantation, allowing natural filtration. This process reduces pollution before the water reaches the deeper sections of the lake, thereby helping to protect and preserve the lake's biodiversity. No technical plan or drawing / DPR has been produced by the Respondent, because the technical enviro-engineering aspects of this project has not at all been properly considered.



- e. Non-consideration of the fact that existing SWD is of 3.6 metres width x 2.5m depth, whereas proposed pipelines are 1.6 metres dia (SWD) and 0.7 m dia (Sewage) respectively – The existing SWD has a much larger diameter as compared to the SWD pipe and the Sewage pipe. The velocity of water in an open channel will also be different from closed channel. When there is heavy flow/overflow, these proposed pipes will not be able to take the load. The proposed manholes which will have to be constructed will definitely leak, and there will be inflow into the deep end of the lake.
- f. Non-consideration of Applicant's alternative proposals – The Applicant has made various suggestions for alternative route for the SWD. A Google Earth map with the proposed alternative route is annexed hereto as ANNEXURE A-4. The Applicant was also not invited to attend the meeting held pursuant to this Hon'ble Tribunal's orders, for reasons best known to the 6th Respondent.



12. It is submitted that this Hon'ble Tribunal *vide* its Order dated 04.12.2024 directed the Applicant to furnish the particulars about the boundaries of the Yelahanka-Puttenahalli Bird Conservation Reserve and Lake and mark the pipeline which is alleged to be taken to the Bird Conservation Reserve. It is submitted that the map showing the boundaries of the Bird Conservation Reserve corresponding to the Government Order dated 29.04.2015 declaring the Puttenahalli Lake as the Bird Conservation Reserve (see Annexure A-3 at pages 84 to 88 of Main paper-book), and the sketch showing the construction of the pipeline within the said Bird Conservation Reserve, has been filed as ANNEXURE A-15 along with an Application to file Additional Documents dated 17.12.2024.
13. Hence, for the aforesaid reasons the Report dated 22.04.2025 filed by the BWSSB/Respondent No. 6, if it is accepted and permitted to be implemented, would cause permanent damage and degradation of the present Puttenahalli Lake and Bird Conservation Reserve and the same deserves to be rejected in toto.



APPLICANT

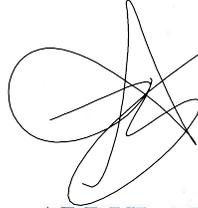
Yelahanka Puttenahalli Lake and
Bird Conservation Trust (Regd.)

VERIFICATION:

I, Dr. K. S. Sangunni, Chairman, Yelahanka Puttenahalli Lake and Bird Conservation Trust (Regd.), Reg No. BNG(U)YLNK/BKIV/13/2013-2014 #9, 1st Mani, Vinayaka Layout, Puttenahalli, Yelahanka, Bengaluru- 560064, Karnataka, do hereby verify that the contents of paras I to IX are true to my personal knowledge and paragraphs 1 to 13 believed to be true on legal advice and that I have not suppressed any material facts and I believe the same to be true and correct to the best of my knowledge and belief.

Date: 01.05.2025
Place: CHENNAI

Through

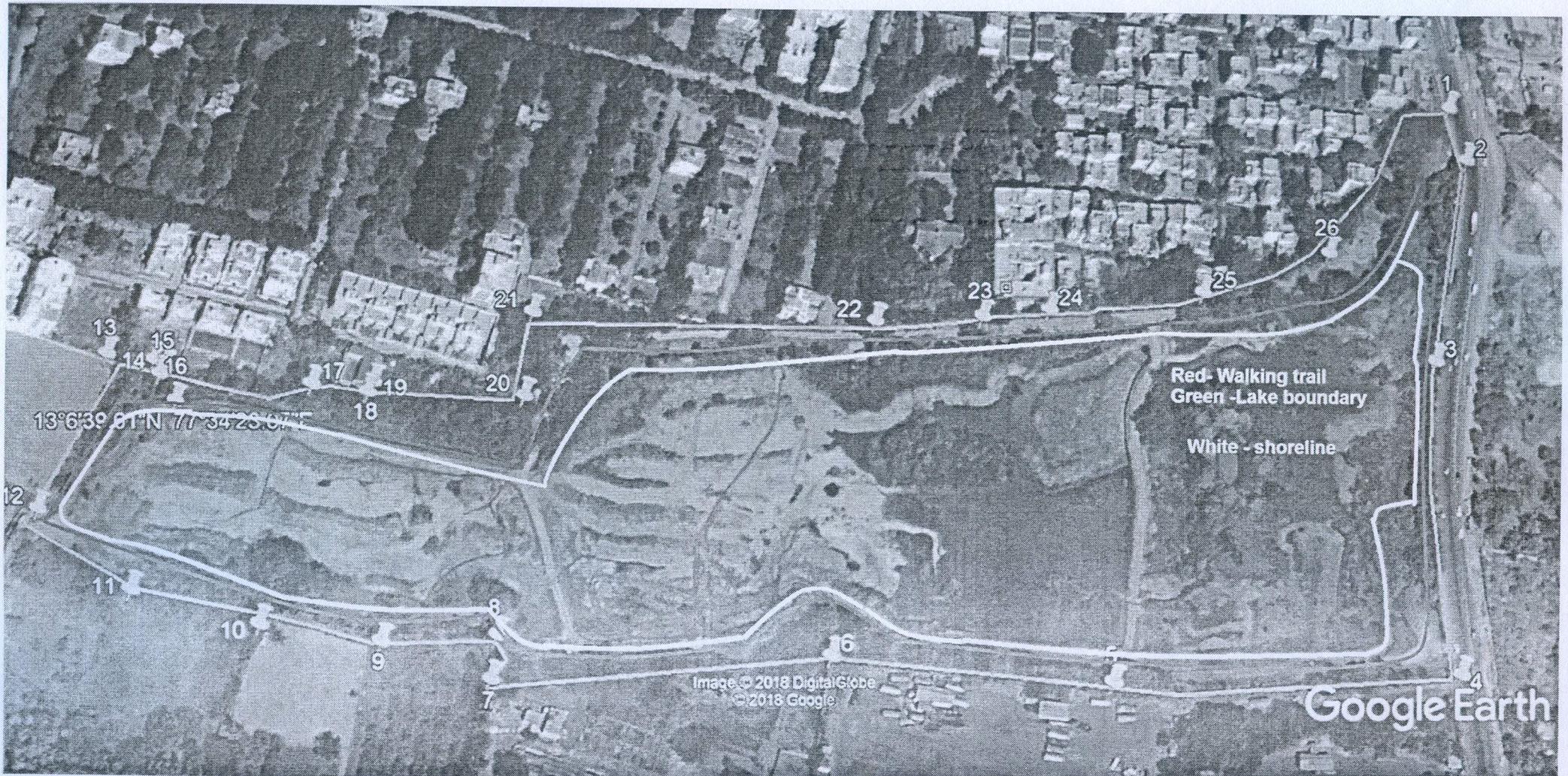


APPLICANT

**Yelahanka Puttenahalli Lake and
Bird Conservation Trust (Regd.)**

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ANNEXURE 1 - GOOGLE EARTH SKETCH OF LAKE BOUNDARY

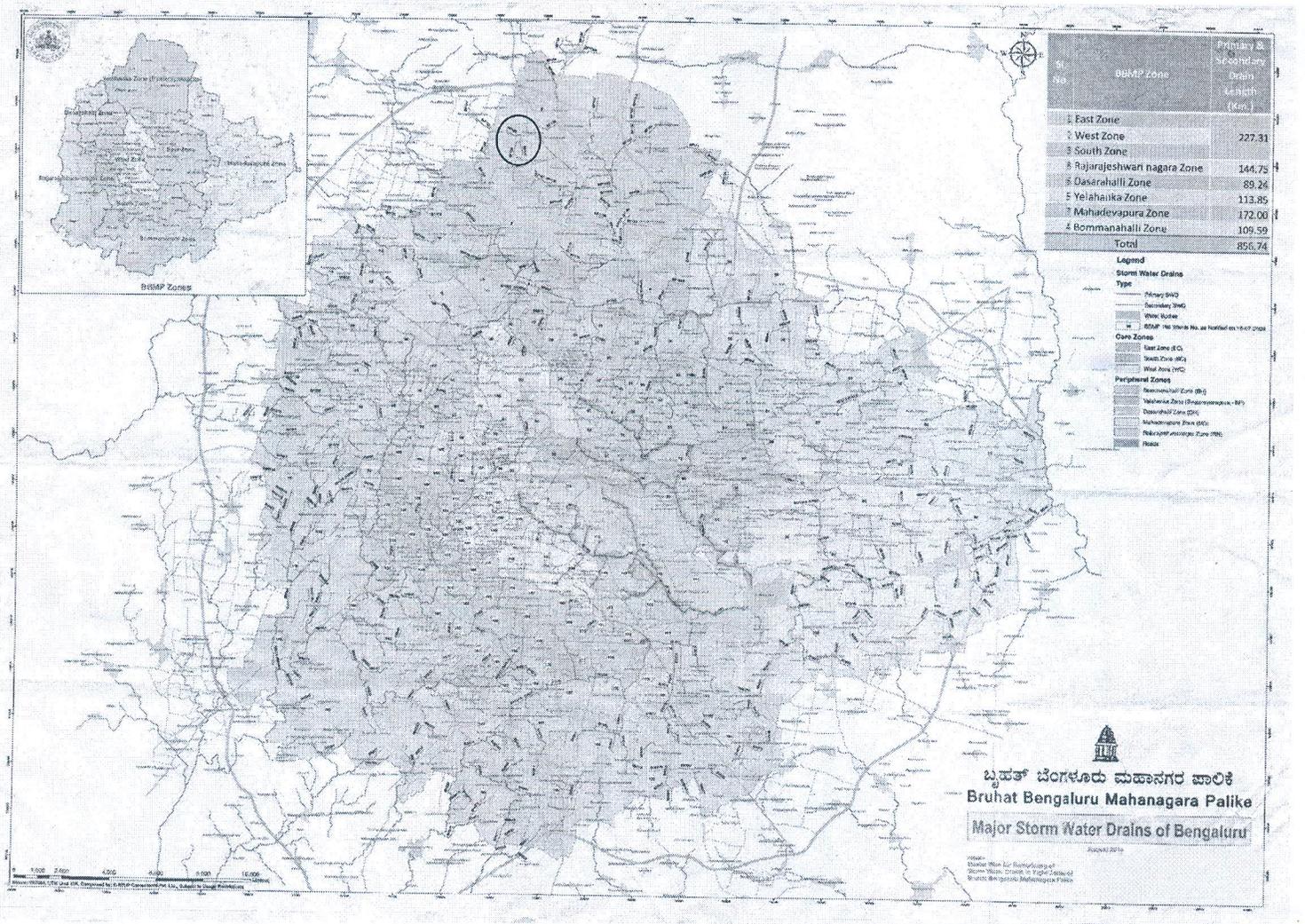


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ANNEXURE 2 - MAP PUBLISHED BY BBPM IN AUGUST 2014

13



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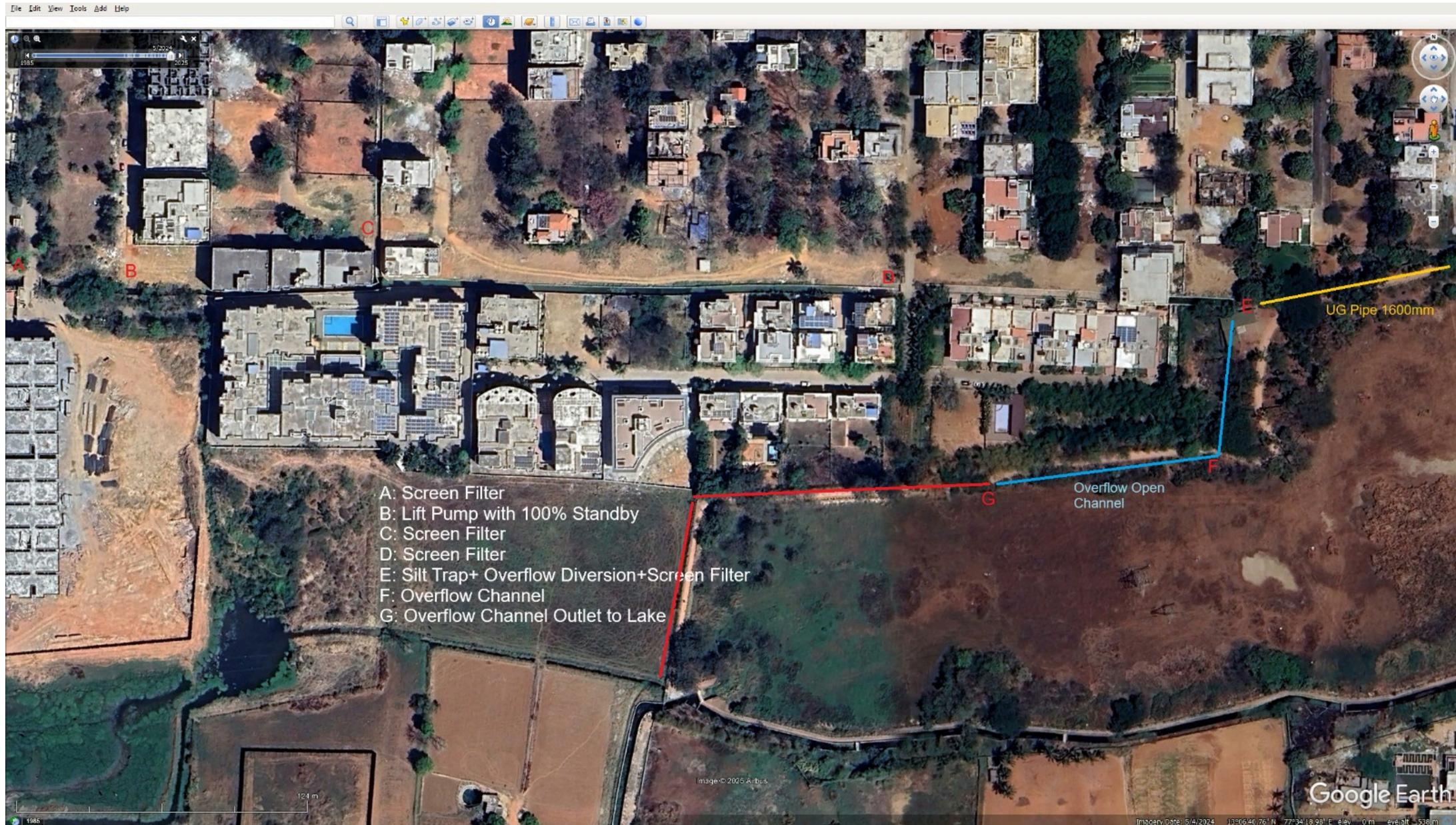
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- A: Screen Filter
- B: Lift Pump with 100% Standby
- C: Screen Filter
- D: Screen Filter
- E: Silt Trap+ Overflow Diversion+Screen Filter
- F: Overflow Channel
- G: Overflow Channel Outlet to Lake

UG Pipe 1600mm

Overflow Open Channel

**PROOF OF SERVICE**

abdul azeem Kalebudde <kalebudde.azeem@gmail.com>

OA No. 191 of 2024, Yelehanka Puttenhalli and Bird Conservation Trust (Regd) v. State of Karnataka

1 message

abdul azeem Kalebudde <kalebudde.azeem@gmail.com>

1 May 2025 at 11:54

To: Krishnakumar Ganapathy <krishna1974adv@gmail.com>, cs@karnataka.gov.in, contactusbbmp@gmail.com, secyforest-fee@karnataka.gov.in, pccfwl@gmail.com, chairman@bwssb.gov.in, chairman@kspcb.gov.in, msseiaakarnataka@gmail.com, ceolda2002@gmail.com, Chandra Sekhar <advocatesekhar7@gmail.com>, darpan.advocate@gmail.com, tvsekar12@rediffmail.com

Respected Sir,

Kindly find attached herewith the Objections of the Applicant, to the Report dated 22.04.2025 filed by BWSSB/Respondent No. 6, in the above captioned matter.

Kindly acknowledge the receipt of the same.

Thanking you,

Yours Sincerely,

Abdul Azeem Kalebudde

Advocate-on-Record

Supreme Court of India

New Delhi

M: 9899474399

**Objection to Report dt 22.4.25-FINAL.pdf**

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