

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTH ZONE

ORIGINAL APPLICATION NUMBER 296 /2024

[Earlier OA No 1187 of 2024 (PB)]

IN THE MATTER OF

**Tribunal on its own motion SUO MOTU based on the News Item in The
Deccan Herald dt: 09.09.2024 titled “Lokayukta probe finds blocked SWDs,
encroachments at two Bengaluru lakes”**

And

Bruhat Bengaluru Mahanagara Palike & Others Respondents

AFFIDAVIT ON BEHALF OF KARNATAKA STATE

POLLUTION CONTROL BOARD

PAPERBOOK

[PLEASE SEE INSIDE FOR INDEX]



DEVRAJ ASHOK

COUNSEL FOR KARNATAKA STATE POLLUTION CONTROL BOARD

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PLACE: BENGALURU

DATE:



THROUGH COUNSEL

DEVRAJ ASHOK
PH: 8050637442

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And

Bruhat Bengaluru Mahanagara Palike & Others
Respondents

AFFIDAVIT ON BEHALF OF THE KARNATAKA STATE POLLUTION
CONTROL BOARD

I, Dr. K.M. Raju, aged about 55 years, son of Late K.M. Kariyappa, presently
working as the Environmental Officer, Karnataka State Pollution Control
Board (the "KSPCB"), Mahadevapura Region, Bangalore do hereby solemnly
affirm and state that I am duly authorized and competent to depose the present
affidavit, on behalf of the KSPCB. I am familiar with the facts and
circumstances about the present matter, based on the official



ಪರಿಸರ ಅಧಿಕಾರಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು-ಮಹದೇವಪುರ, ಬೆಂಗಳೂರು

documents/records of the Karnataka State Pollution Control Board and also in my official capacity and depose as set forth below:

1. It is respectfully submitted that the present proceedings have been initiated by this Hon'ble Tribunal, based on the news article referenced in the cause title above. The subject-matter news article reports that the Hon'ble Lokayukta of Karnataka ("**Lokayukta**") has initiated proceedings against certain Government Authorities, in view of encroachment of two lakes and their connecting storm water drains. It is respectfully submitted that the Lokayukta is currently seized of the issues connected with such unauthorised encroachments and allied issues and the Lokayukta is taking necessary measures to alleviate the situation. As part of these proceedings, the Lokayukta has also impleaded the KSPCB as Respondent and issues pertaining to pollution of the two subject-matter lakes are also being addressed by the Hon'ble Lokayukta. KSPCB has also filed water and soil quality analysis reports in these proceedings.

2. The two lakes that are referred to in the subject-matter news article and currently under consideration before the Hon'ble Lokayukta are Doddanekundi lake and Vibhutipura lake, situated within the BBMP limits of Bengaluru city and are in the custody of the Bruhat Bengaluru Mahanagara Palike (the "**BBMP**"). It may be necessary to mention that the Hon'ble Lokayukta initiated proceedings, *suo moto*, against certain Government Authorities, such as the



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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು-ಮಹದೇವಪುರ, ಬೆಂಗಳೂರು

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Bangalore Water Supply and Sewerage Board (the “BWSSB”), commencing in the year 2018, for the rejuvenation and development of lakes situated in Bengaluru and other parts of Karnataka, in the larger public interest. Vibhutipura and Doddanekundi lakes were also considered and inspected by the Hon’ble Lokayukta and officers of the concerned departments on 20.08.2024. The following observations were made by the Hon’ble Lokayukta:

- (a) The water level in the lake is less than 20% even during the peak rainy season;
- (b) There was encroachment of lakes on all three sides:
- (c) There is no provision made for the flow of excess water in the Rajakaluve (storm water drain);
- (d) The gate to the lake is in unstable condition and there was damage to the gate.
- (e) Four toilets constructed within the lake area are in a state of disrepair;
- (f) Installation of CCTV was required in and around the lake area, together with installation of cement and stone chairs for public resting
- (g) There was a structure under construction in the lake area.

3. Based on the observations made herein above, the Lokayukta has registered a *suo moto* case vide no. Complaint /LOK/ BCD /2525 /2018



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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾನವ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು-ಮಹದೇವಪುರ, ಬೆಂಗಳೂರು

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/Secretary /C /W/ BCD/45/2017 and passed specific directions to the concerned Government Authorities, over the course of multiple hearings and proceedings, to alleviate the concerns noted about the two lakes. The progress of implementation of such directions, by the concerned authorities, is currently being monitored by the Hon'ble Lokayukta in the proceedings pending before it. KSPCB has also been directed to submit water analysis reports for both these lakes and KSPCB has provided such water analysis reports to the Hon'ble Lokayukta. Details pertaining to the Vibhutipura lake and Doddanekundi lake i.e. water and soil sample analysis, are attached herewith as **ANNEXURE R1**. The Regional Officer, Mahadevapura has attended hearing at Hon'ble Lokayuktha Office on 08.05.2025, proceedings of the same is annexed herewith as **ANNEXURE R2**. The water analysis report filed by the KSPCB with the Hon'ble Lokayukta is annexed herewith **ANNEXURE R3**.

4. KSPCB will be obliged to provide any additional information as directed by this Hon'ble Tribunal.



DEPONENT

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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾನವ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
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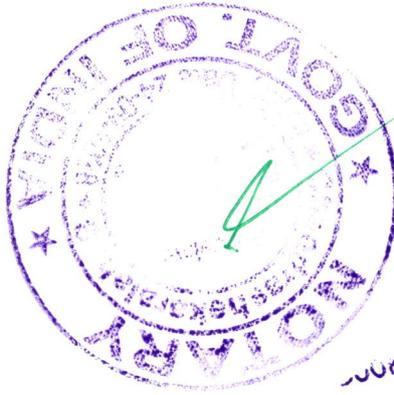
VERIFICATION

Verified on this 12th day of September, 2025, at Bengaluru, that the contents of the above affidavit are true and correct to the best of my knowledge, information and belief and nothing material is concealed therefrom.



DEPONENT

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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲವ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು-ಮಹದೇವಪುರ, ಬೆಂಗಳೂರು



SWORN TO BEFORE ME
CHANDRASHEKARAIHA. S.
Advocate & Notary
No. 9/7, Kempagowda Nilaya
3rd Cross, Muthurayaswamy Extension
Sunkadakatte, Bangalore-560091

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Doddanekudi Lake Water Analysis Report -Regional C

Sl. No	Parameter	Unit	05.02.2025 South East side	05.02.2025 South side
1	Temperature	-		
2	pH	-	6.5	6.6
3	Conductivity	μS/cm	683	680
4	Total Coliform	MPN /100ml	114	49
5	Fecal Coliform	MPN /100ml	13	6.1
6	Fecal Streptococci	MPN /100ml	0	0
7	Oxygen (Dissolved)	mg/L	5.4	5.4
8	Biochemical Oxygen Demand @ 27° C for 3 days	mg/L	5.0	6.0
9	Chemical Oxygen Demand	mg/L	64	60
10	Boron as B	mg/L	BDL	BDL
11	Nitrate Nitrogen as N	mg/L	2.4	2.4
12	Ammonia as N	mg/L	0.14	0.13
13	Total Kjeldahl Nitrogen (TKN)	mg/L	0.19	0.18
14	Turbidity	NTU	10.2	12.8
15	Total Hardness as CaCO ₃	mg/L	156	148
16	Calcium as CaCO ₃	mg/L	84	80
17	Calcium as Ca	mg/L	34	32
18	Magnesium as CaCO ₃	mg/L	72	68
19	Magnesium as Mg	mg/L	18	17
20	Chloride as Cl	mg/L	64	64
21	Sodium as Na	mg/L	67	68
22	Potassium as K	mg/L	3.0	3.0
23	Percent Sodium	%	47	49
24	Sulphate as SO ₄	mg/L	7.0	6.0
25	P- Alkalinity	mg/L	BDL	BDL
26	Total Alkalinity as CaCO ₃	mg/L	176	172
27	Sodium Absorption Ratio (SAR)	-	2.0	2.0
28	Free Ammonia as N	mg/L	BDL	BDL
29	Bicarbonate (HCO ₃)	mg/L	176	172
30	Carbonate (CO ₃)	mg/L	BDL	BDL
31	Total Dissolved Solids	mg/L	450	444
32	Total Suspended Solids	mg/L	14	18
33	Total Phosphate as P	mg/L	0.07	BDL
34	Ortho Phosphate as PO ₄	mg/L	0.16	BDL
35	Fluoride as F	mg/L	0.13	0.13

Office: Mahadevapura

05.02.2025 East side	05.02.2025 North side	05.02.2025 North West	05.02.2025 West Side	05.02.2025 South west side
6.8	6.8	7.0	6.5	6.5
689	687	693	63	689
140	140	49	23	33
11	14	9.3	45	4.5
0	0	0	0	0
6.8	7.0	6.9	6.9	6.8
4.0	4.0	5	4	4
42	44	49	41	40
BDL	BDL	BDL	BDL	BDL
2.7	2.6	2.6	2.6	2.7
0.11	0.11	0.1	0.1	0.12
0.14	0.15	0.13	0.13	0.14
4.8	14.5	15.3	5.8	9.5
152	152	152	156	156
80	80	80	84	84
32	32	32	34	34
72	72	72	72	72
18	18	18	18	18
68	76	72	88	88
63	64	65	65	64
3.0	2	2	1	2
46	47	47	47	47
4	5	7	4	5
BDL	BDL	BDL	BDL	BDL
212	196	188	188	196
2.2	2.2	2.3	2.3	2.2
BDL	BDL	BDL	BDL	BDL
212	196	188	188	196
BDL	BDL	BDL	BDL	BDL
468	468	172	464	468
6	18	18	6	12
0.05	0.1	0.05	0.07	0.06
0.13	0.1	0.13	0.18	0.15
0.16	0.16	0.17	0.14	0.12



36	Nitrite as N	mg/L	BDL	BDL
37	Copper as Cu	mg/L	BDL	BDL
38	Lead as Pb	mg/L	BDL	BDL
39	Zinc as Zn	mg/L	BDL	BDL
40	Nickel as Ni	mg/L	BDL	BDL
41	Iron as Fe	mg/L	0.652	0.387
42	Manganese as Mn	mg/L	0.103	0.076
43	Cadmium as Cd	mg/L	BDL	BDL
44	Total Chromium as Cr	mg/L	BDL	BDL
Classification		-	D	E

Note: 1. BDL: Below Detection Level in mg/L.

Classification	DESIGNATED BEST USE OF INLAND
A	Drinking Water Source without Conventional
B	Outdoor bathing (Organized)
C	Drinking Water Source after conventional tre
D	Propagation of Wild Life, Fisheries.
E	Irrigation, Industrial cooling, Controlled Was

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BDL	BDL	BDL	BDL	BDL
BDL	BDL	BDL	BDL	0.014
BDL	BDL	BDL	BDL	BDL
BDL	BDL	BDL	BDL	0.025
BDL	BDL	BDL	BDL	BDL
0.674	0.407	0.395	0.189	0.18
0.1	0.066	0.116	0.018	0.03
BDL	BDL	BDL	BDL	BDL
BDL	BDL	BDL	BDL	BDL
D	D	D	D	D

SURFACE WATER AS STIPULATED BY CPCB

al treatment but after disinfections

atment and disinfection

te disposal

Compt/Lok/BCD/2525/2018 c/w
BCD/45/2017 and BCD/646/2016

Hon'ble Lokayukta

140. As per the order dated 19.02.2025, this matter is listed today for further consideration.

141. The following officers from different departments are present:

BBMP:

Sri B.N.Raghavendra, EE, SWD Divn, Mahadevapura
Sri Channabasappa, EE, K.R.Puram
Smt.Bhupradha, EE-Lakes, Mahadevapura Zone
Smt.Sapna A.K, AEE, Lakes
Smt.Reshma, AEE, Lakes
Sri M.Jagadeesha, AEE, HAL Subdivision
Smt.Nithya, EE, Lakes, K.R.Puram Divn.

BWSSB:

Sri K.Lakshmikanth, Addl. Chief Engineer
Sri S.T.Suresh, Executive Engineer
Sri Mohammed Mudassir, AEE, East-1-2 Divn.

KSPCB:

Sri Syed Khaja Mohiddin, Zonal Officer
Dr.K.M.Raju, Executive Officer

In addition, Smt.Sathyavani, Smt.Veena Serrao,
Smt.Rajeshwari and Sri I.M.Kariappa-residents of
the locality have volunteered to provide vital inputs

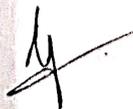


regarding the lakes in question. Sri Ganesh Kumar and Sri Vishwanath Herle are also present as representatives of NeTRA (Nekkundi Tank Residents' Association).

142. I have heard all of them.

REGARDING VIBHUTHIPURA LAKE

143. Smt.Nithya, Executive Engineer, BBMP, submits that desilting work has been completed; that about 2.9 acres of land in the tank bed was the subject matter of desilting and about 0.6 ft. depth of silting has been removed. With regard to the cost involved, she submits that the same will be calculated and placed before this authority for consideration. She further submits that they have not been able to install aerators and floating wetlands as the water storage level in the tank is nil. According to her, at least 2 ft. water should be in



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BCD/45/2017 and BCD/646/2016

storage to enable them to install aerators. She assures that no sooner the water level improves in the tank, they will install the aerators and floating wetlands. The Executive Engineer is instructed to carry out the works and file a report in that regard within two months.

144. It is brought to my notice by the representatives of *NeTRA*, Sri Ganesh Kumar and Sri Vishwanath Herle that the STP constructed abutting the tank is not working. In fact, this is also spoken by Sri Syed Khaja Mohiddin, Zonal Officer, KSPCB. He submits that when he made an inspection as recent as on 05.05.2025, he found that the STP is totally dysfunctional and the water which is supposed to enter the tank is diverted, thereby causing nuisance to the neighbouring residents. In response, Smt.Nithya submits that the maintenance



of the STP was looked after by them (BBMP) till February this year when it was handed over to BWSSB; that from April the Water Board ought to have maintained it, but due to budgetary problems, maintenance is not being done by BWSSB.

145. The above narration clearly shows that both the statutory bodies have failed in their duty to attend to this essential work leading to pollution in the area, posing a serious threat to the health of the local populace. To this, Sri Suresh, Executive Engineer, BBSSB, states that this aspect falls within the jurisdiction of STP wing of BWSSB and that he would inform the concerned Executive Engineer about it. It is made clear that the concerned Executive Engineer in charge of STP shall be present on the next date of hearing along with a report regarding the action taken on the maintenance of



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BCD/45/2017 and BCD/646/2016

STP effectively and efficiently. He shall file a report in this regard within a month from today:

146. Smt.Sathyavani, Smt.Veena Serrao and Sri I.M.Kariappa are some of the residents of the locality who are present today and claim to be doing their bit for the protection of the lake in question. They jointly submit that sewage water including filth drawn from the storm water drain joins the lake and no proper facility is provided for diverting such waste getting deposited in the lake. To this, the newly added respondent-Sri Mohammed Mudassir AEE, East-1-2 Subdivision, BWSSB, files a report along with photographs and submits that the issue of leakage from the pipelines is being fixed by replacing the existing pipelines with new ones. He takes the help of photographs to demonstrate the same, and submits that within a month from today,

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this work will be completed whereupon there would be considerable improvement in ensuring that sewage or waste water does not enter the lake.

147. Sri Suresh, Executive Engineer, BWSSB, submits that so far as the storm water drain is concerned, drains are being put in place and the work is in progress in his jurisdiction. In this connection, he has filed a separate report. The same is taken on record. In the report, it is mentioned that the work of providing and laying 900 mm. diameter RCC NP-3 class sewer from Old Madras Road to Nagawarapalya is almost under completion; further the work of providing and laying 900 mm. diameter sewer line from Mahadevapura Outer Ring Road to the existing link 1100 mm. diameter sewer line near the railway track adjoining Doddanekundi Lake is also in progress.



148. With regard to the *Rajakaluve* that has been blocked as submitted earlier, the matter is before the Apex Court where an interim order has been granted. Sri Raghavendra, Executive Engineer, Storm Water Drain (SWD) Division, BBMP, Mahadevapura Zone, submits that necessary action will be taken to expedite the hearing before the Apex Court. The representatives of *NeTRA* and other residents of the locality vehemently submit that the disposal of the case before the Hon'ble Supreme Court may get delayed and, therefore, in order to ensure that the excess water from the tank does not flood the neighbouring houses during the rainy season, a suitable alternate mechanism has to be found out. Some of them suggested that a Government property which was earlier used as road



can be used for laying temporary pipeline to let the excess water from the lake.

149. The other alternative suggested by Sri Raghavendra is that the Revenue Department has suggested installation of a culvert on both sides of the road to divert the excess water. The feasibility of the alternative options suggested will have to be examined by Sri Raghavendra with his superiors in BBMP. They shall come up with a workable solution in this regard so that the excess water stored in the tank is let out easily without causing any harm to the residents of the locality. In this connection, Sri Raghavendra is directed to file a detailed report before the next date of hearing, explaining the steps taken. Sri Mohammed Mudassir is also directed to file his report regarding completion of the work within six weeks from today.



150. Sri Channabasappa-Executive Engineer and designated officer, BBMP, submits that steps have been initiated for removal of the encroachments and notices have been issued to the concerned third parties and action in accordance with law will be taken. Action taken in this regard shall be placed on record before the next date of hearing. The report now filed is taken on record.

REGARDING DODDANEKUNDI LAKE

151. Smt. Bhupradha, Executive Engineer-Lakes, Mahadevapura Zone, BBMP, has placed on record a report along with photographs to show the improvements carried out in the lake area. An action plan for the development of the lake for the year 2025-26 is also placed on record. She submits that the ongoing developmental works will be completed



in due course and further works will be undertaken depending on the allocation of funds.

152. Sri Syed Khaja Mohiddin, Zonal Officer, KSPCB, submits that there is complete stoppage of sewage water flowing into the lake in question and the quality of water has substantially improved. He further submits that satellite monitoring of water bodies was the subject that was placed before the governing body of the Board which has passed a resolution approving the proposal. The project, according to him, has received a good lot of appreciation and once it is taken up, all the water bodies can be kept on vigil with special focus on preventing pollution of the water bodies by having a regulatory mechanism. This is certainly a good step forward which requires to be appreciated. The progress made in this connection, I am sure, will



help not only the lakes in question, but all the lakes in the State. It is hoped that such projects are undertaken and implemented strictly in a time-bound manner. It is necessary to emphasize protection and preservation of all lakes/water bodies is the fundamental duty of every citizen, as also the obligation of the State and its concerned departments. Hence, further progress made in this regard shall be placed for consideration before this authority.

153. As stated above, the residents who have volunteered to assist this institution in its strive for protection and development of lakes, have brought to my notice that canals leading to Doddanekundi Lake are not covered with chain-link fencing, which has resulted in throwing of trash which ultimately joins the lake. In order to prevent the same, the



authorities are required to take immediate precautionary measures to install chain-link/barricades.

Sri Raghavendra, Executive Engineer, BBMP, submits that this work will be taken up on priority basis based on the allocation of funds which is expected in a short period. The said work, according to him, will be taken up within a period of three months from today. A report in that regard shall be filed by Sri Raghavendra by the next date of hearing.

154. To a grievance aired by Sri Vishwanath Herle and Ganesh Kumar-representatives of *NeTRA* that in particular places the underground drainage is not available resulting in a substantial amount of sewage water joining the *Rajakaluve*, thereby polluting the lake in question, Sri Mohammed Mudassir explains that it is a small portion where



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BCD/45/2017 and BCD/646/2016

the pipeline has to be laid and the same will be done within twenty days from today. In the report to be filed by him, he shall refer to the same along with photographs showing that the work has been attended to.

155. All the officers who have participated in today's hearing shall appear in person on the next date of hearing along with their respective reports.

Re-list these matters on 30.7.25 at 12-10 AM

Communicate the same ~~at~~ this order. *Patil*

(LOKAYUKTA)

08.05.2025

	Vibhutipura Lake			Doddenakundi Lake -
Sl. No	Parameter	Unit	17.07.2025	17.07.2025
1	Temperature	-		
2	pH	-	7.8	7.6
3	Conductivity	µS/cm	764	682
4	Total Coliform	MPN /100ml	70	70
5	Fecal Coliform	MPN /100ml	14	12
6	Fecal Streptococci	MPN /100ml		
7	Oxygen (Dissolved)	mg/L	6.0	6.8
8	Biochemical Oxygen Demand @ 27° C for 3 days	mg/L	5.0	4.0
9	Chemical Oxygen Demand	mg/L	56	44
10	Boron as B	mg/L	BDL	BDL
11	Nitrate Nitrogen as N	mg/L	2.90	2.60
12	Ammonia as N	mg/L	0.51	0.55
13	Total Kjeldahl Nitrogen (TKN)	mg/L	0.56	0.61
14	Turbidity	NTU	79.8	8.9
15	Total Hardness as CaCO ₃	mg/L	212	168
16	Calcium as CaCO ₃	mg/L	108	88
17	Calcium as Ca	mg/L	43	35
18	Magnesium as CaCO ₃	mg/L	104	80
19	Magnesium as Mg	mg/L	25	19
20	Chloride as Cl	mg/L	80	76
21	Sodium as Na	mg/L	75	70
22	Potassium as K	mg/L	17.0	13.0
23	Percent Sodium	%	41	45
24	Sulphate as SO ₄	mg/L	16.0	15
25	P- Alkalinity	mg/L	BDL	BDL
26	Total Alkalinity as CaCO ₃	mg/L	204	120

27	Sodium Absorption Ratio (SAR)	-	2.24	2.15
28	Free Ammonia as N	mg/L	BDL	BDL
29	Bicarbonate (HCO ₃)	mg/L	204.0	120
30	Carbonate (CO ₃)	mg/L	BDL	BDL
31	Total Dissolved Solids	mg/L	522	460
32	Total Suspended Solids	mg/L	88	12
33	Total Phosphate as P	mg/L	0.11	0.1
34	Ortho Phosphate as PO ₄	mg/L	0.3	0.28
35	Fluoride as F	mg/L	0.39	0.49
36	Nitrite as N	mg/L	-	-
37	Copper as Cu	mg/L	-	-
38	Lead as Pb	mg/L	-	-
39	Zinc as Zn	mg/L	-	-
40	Nickel as Ni	mg/L	-	-
41	Iron as Fe	mg/L	-	-
42	Manganese as Mn	mg/L	-	-
43	Cadmium as Cd	mg/L	-	-
44	Total Chromium as Cr	mg/L	-	-
Classification		-	D	D

Note: 1. BDL: Below Detection Level in mg/L.

Classification	DESIGNATED BEST USE OF INLAND SURFACE WATER
A	Drinking Water Source without Conventional treatment but after disin
B	Outdoor bathing (Organized)
C	Drinking Water Source after conventional treatment and disinfection
D	Propagation of Wild Life, Fisheries.
E	Irrigation, Industrial cooling, Controlled Waste disposal