

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

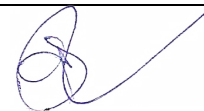
**Original Application No. 1219/2024**

**In the matter of:**

Suo Moto matter in respect of News Item titled "KPSCB directs BBMP to redirect sewage flow in Kodichikkanahalli" appearing in The Hindu dated 18.09.2024

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**Filed by Adv. Amit Singh Chauhan  
On behalf of Central Pollution Control Board**

**Place: Delhi  
Dated:13.01.2025**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH, DELHI****Original Application No. 1219/2024****In the matter of:**

Suo Moto matter in respect of News Item titled "KPSCB directs BBMP to redirect sewage flow in Kodichikkanahalli" appearing in The Hindu dated 18.09.2024

**REPLY ON BEHALF OF THE RESPONDENT NO. 3 CENTRAL POLLUTION CONTROL BOARD (CPCB)****MOST RESPECTFULLY SHEWETH:**

1. That, Hon'ble NGT vide order dated 04.10.2024 has sought the reply of Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. Thereby, the reply is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and control of Pollution) Act 1974 (hereinafter Water Act), The Air (Prevention and control of Pollution) Act, 1981 (hereinafter Air Act) and The Environment (Protection) Act, 1986.
3. That the matter relates to the discharge of sewage into a storm-water drain (SWD) attached to Vakil Marina, a housing society in Kodichikkanahalli near Madiwala lake in Bangalore.



4. That CPCB vide letter dated 14.11.2024 communicated to Bruhat Bengaluru Mahanagara Palike (BBMP) and Karnataka State Pollution Control Board (KSPCB) requesting for nomination of an official for the

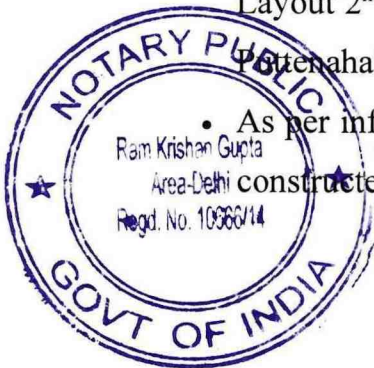
joint visit scheduled on 19.11.2024 in order to assess the ground reality and for ensuring compliance to Hon'ble NGT (PB) order dated 04.10.2024. Copy of the letter addressed to Bruhat Bengaluru Mahanagara Palike (BBMP) and Karnataka State Pollution Control Board (KSPCB) is annexed herewith and marked as **Annexure-I**.

5. That the joint inspection comprising officials of Central Pollution Control Board, Regional Directorate, Bengaluru and Karnataka State Pollution Control Board, Regional Office was conducted on 19.11.2024 in order to assess the ground reality and for ensuring compliance of the Order dated 04.10.2024. However, neither the representative nor nominated official from Bruhat Bengaluru Mahanagara Palike (BBMP) associated during the joint visit in spite of prior intimation.

6. During the joint visit, following main observations were made:

- There is one Storm Water Drain (hereinafter referred as “SWD”) passing behind the Complainants house located in the Vakil Marina Layout which is having a width of approximately around 15 -20 m and depth 5 to 10 m.
- The SWD and Vakil Marina Layout was separated by a retaining wall on both the sides to avoid entry of sewage into the said layout and Madiwala lake.
- The SWD was completely used for carrying sewage generated from the areas located in the upstream areas namely such as BTM Layout 2<sup>nd</sup> Stage, JP Nagar 6<sup>th</sup> Phase, Doresanipalya, Bilekahalli, Potnahalli, Madiwala and Arakere areas.

• As per information provided by the local residents, the drain was constructed in the year 1998-1999 and whereas the Vakil Marina



Layout came up in the year 2001. Over the years, width of the SWD has been increased to the existing width of 15-20 m to carry the sewage generated from the upstream areas.

- It is submitted that in Bengaluru, the BBMP is the authority responsible for regular maintenance of SWD. As per the residents, the drain has not been cleaned for more than 20 years and de-silting has not been carried out periodically.
- It was also confirmed from the local residents that, the domestic sewage generated from Vakil Marina layout is well connected to the existing Under-Ground Drainage (UGD) network through which the sewage is pumped to the Sewage Treatment Plant (STP) located in the downstream (i.e Koramangala & Chellagatta Valley STP through Agara Pumping Station).
- Only storm water run-off from the layout is pumped into the SWD during the monsoon as the layout submerges during the monsoon period as it is located on a lower level than the SWD.
- Bengaluru Water Supply and Sewerage Board (BWSSB) is the authority responsible for ensuring 100% UGD network for collection and treatment of domestic sewerage generated in Bengaluru.

7. That it is humbly submitted that in view of above observations made during the joint visit, CPCB Regional Directorate Bengaluru vide letter dated 27.11.2024 communicated to KSPCB to issue necessary directions under Section 33-A of The Water (Prevention and Control of Pollution) Act, 1974 to BBMP and BWSSB to take appropriate steps which includes as follows:



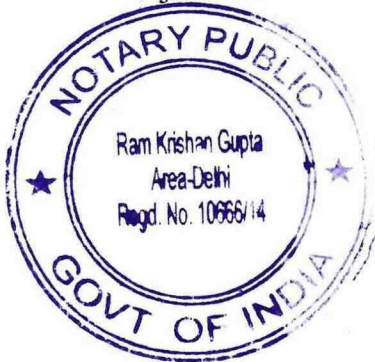
- a. To take up the cleaning activities of SWD periodically preferably during the lean flow period (before monsoon) in order to avoid

emanating stinking odour and poisonous snakes entering into the houses located near to the drain;

- b. To restore natural drain by plugging sewage entering sources and for ensuring carrying storm water only;
- c. for submission of an action plan covering the above aspects and for compliance in a time bound manner and for submission of ATR periodically to Karnataka SPCB.
- d. for interception and diverting the sewerage entering into the storm water drain (SWD) to nearby UGD connected with STP, so that the SWD can be kept for the purpose it was constructed.;

Copy of letter by CPCB Regional Directorate Bengaluru dated 27.11.2024 to KSPCB is annexed herewith and marked as **Annexure-II**.

8. That it is humbly submitted that Action Taken Report from KSPCB with reference to the letter sent by CPCB dated 27.11.2024 is yet to be received.
9. The answering respondent herein craves leave of this Hon'ble Tribunal for filing additional reply, if required, in future.
10. That, in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble tribunal in the instant OA and render justice.



  
**Vishal Gandhi**  
Scientist 'E'  
Central Pollution Control Board,

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, DELHI**

**Original Application No. 1219/2024**

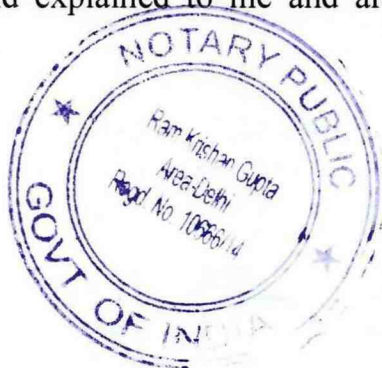
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**AFFIDAVIT**

I, **Vishal Gandhi** working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 3 in the above matter, do hereby solemnly affirm, declare on oath and state as under: -

1. That I, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



**DEPONENT**

**विशाल गांधी / Vishal Gandhi**  
**वैज्ञानिक 'ई' / Scientist 'E'**  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
**Central Pollution Control Board**  
 (पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
 (Mo Environment, Forest & Climate Change, Govt. of India)  
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at New Delhi on this day of 19 JAN 2025 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis- stated.

*[Signature]*  
DEPONENT

विशाल गंधी / Vishal Gandhi  
वैज्ञानिक 'ई' / Scientist 'E'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन और जल विभाग, भारत सरकार)  
(Ministry of Environment, Forest and Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अक्षांश 28° 32' 30" उत्तर, देशी-110032  
Parvash Bhawan, East Area, New Delhi-110032

ATTESTED  
*[Signature]*  
NOTARY  
DELHI (INDIA)



19 3 JAN 2025

विशाल गंधी / Vishal Gandhi  
वैज्ञानिक 'ई' / Scientist 'E'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
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Parvash Bhawan, East Area, New Delhi-110032



NGT MATTER  
ON PRIORITY

SPEED POST/E-mail

F.No. CM-13011/268/2024/LAW-HO-CPCB-HO/519

14<sup>th</sup> November, 2024

To

The Joint Commissioner- South  
Bruhat Bengaluru Mahanagara Palike (BBMP)  
9<sup>th</sup> main, 9<sup>th</sup> Cross, 2<sup>nd</sup> Block, Jayanagar  
Bengaluru - 560011

**Sub: Joint inspection in connection with the NGT case Original Application No. 1219/2024 in which Hon'ble Tribunal on it's Suo motu action registered based on the news item titled "KSPCB directs BBMP to redirect sewage flow in Kodichikkanahalli" appeared in The Hindu dated 18.09.2024**

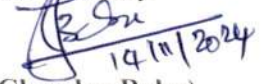
Sir,

With reference to the above subject, Hon'ble NGT has impleaded BBMP, Karnataka State Pollution Control Board (KSPCB), Central Pollution Control Board (CPCB), Karnataka Biodiversity Authority, Karnataka Wetland Authority and District Magistrate (DM), Bengaluru as respondents and directed to file independent response (Copy of the NGT order enclosed for ready reference). In this connection, joint inspection is scheduled at 9.00 AM on 19<sup>th</sup> November, 2024 comprising of officers from CPCB, KSPCB and BBMP.

In view of above, it is requested to depute the concerned Engineer to associate and provide information on Sources of Sewage joins the Raja Kaluve passing along the Vakil Marina Housing Society as detailed in the Hon'ble NGT order, copy of drainage map and BBMP approval of the said housing society etc. It is also requested to provide the status of action taken on the letter issued by KSPCB dated 9<sup>th</sup> September, 2024.

BBMP cooperation in this regard is highly appreciated.

Yours faithfully

  
14/11/2024  
(J. Chandra Babu)  
Regional Director  
Jcb.cpcb@nic.in

Encl: As above

क्षेत्रीय निदेशालय (बेंगलूरु) : निसर्ग भवन, ए-ब्लॉक, प्रथम एवं द्वितीय तल, तिम्मय्या रोड, 7-डी मैन, शिवनगर, बेंगलूरु - ५६० ०७९.

Regional Directorate (Bengaluru) : " Nisarga Bhawan ", A-Block, 1<sup>st</sup> & 2<sup>nd</sup> Floors, Thimmaiah Road, 7<sup>th</sup> D - Main, Shivanagar, Bengaluru - 560 079.

दूरभाष / Telephone : 080-23233739, 23233827, 23222539, Fax : 080-23234059

ई-मेल / E-mail : zobangalore.cpcb@nic.in

प्रधान कार्यालय : परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली- ११० ०३२.

Head Office : Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष / Telephone : 011-43102030, Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल / E-mail : cpcb@nic.in वेबसाइट / Website : www.cpcb.nic.in



8

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

13

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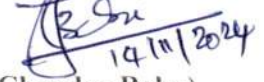
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**ON PRIORITY**

**SPEED POST/E-mail**

F.No. CM-13011/268/2024/LAW-HO-CPCB-HO 522

14<sup>th</sup> November, 2024

To

The Joint Commissioner  
Bruhat Bengaluru Mahanagara Palike (BBMP)  
CMC Building, 1, Begur Rd, Bommanahalli,  
Bengaluru, Karnataka -560068

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With reference to the above subject, Hon'ble NGT has impleaded BBMP, Karnataka State Pollution Control Board (KSPCB), Central Pollution Control Board (CPCB), Karnataka Biodiversity Authority, Karnataka Wetland Authority and District Magistrate (DM), Bengaluru as respondents and directed to file independent response (Copy of the NGT order enclosed for ready reference). In this connection, joint inspection is scheduled at 9.00 AM on 19<sup>th</sup> November, 2024 comprising of officers from CPCB, KSPCB and BBMP.

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**Regional Director**  
**Jcb.cpcb@nic.in**

**Encl: As above**

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ई-मेल / E-mail : cpcb@nic.in वेबसाईट / Website : www.cpcb.nic.in

-2-

Copy to:

1. The Member Secretary : For kind information and with a request to  
Karnataka State Pollution Control Board depute concerned RO of Karnataka  
No. 49, Parisara Bhavana, Church Street SPCB to associate with CPCB the team, pl  
MG Road, Bengaluru - 560001
2. The Executive Engineer, Storm Water : For kind information and to join joint  
Division, BBMP- Bommanhalli Division, inspection with relevant documents, pl.  
Jayanagara Complex, 4<sup>th</sup> Block, 9<sup>th</sup> Floor,  
Bangalore - 560011
3. The Regional Officer- Bommanahalli : For kind information and to associate for  
Karnataka State Pollution Control Board joint inspection on the said date, pl  
2<sup>nd</sup> Floor, Nisarga Bhavan, Bengaluru
4. The Divisional Head- WQM-I, CPCB, Delhi : For kind information, pl



(J. Chandra Babu)



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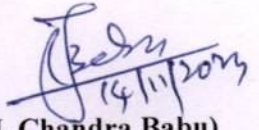
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(J. Chandra Babu)

**NGT MATTER**  
**ON PRIORITY****SPEED POST/E-mail**F.No. CM-13011/268/2024/LAW-HO-CPCB-HO  
52314<sup>th</sup> November, 2024

To

The Joint Commissioner  
Bruhat Bengaluru Mahanagara Palike (BBMP)  
CMC Building, 1, Begur Rd, Bommanahalli,  
Bengaluru, Karnataka -560068**Sub: Joint inspection in connection with the NGT case Original Application No. 1219/2024 in which Hon'ble Tribunal on it's Suo motu action registered based on the news item titled "KSPCB directs BBMP to redirect sewage flow in Kodichikkanahalli" appeared in The Hindu dated 18.09.2024**

Sir,

With reference to the above subject, Hon'ble NGT has impleaded BBMP, Karnataka State Pollution Control Board (KSPCB), Central Pollution Control Board (CPCB), Karnataka Biodiversity Authority, Karnataka Wetland Authority and District Magistrate (DM), Bengaluru as respondents and directed to file independent response (Copy of the NGT order enclosed for ready reference). In this connection, joint inspection is scheduled at 9.00 AM on 19<sup>th</sup> November, 2024 comprising of officers from CPCB, KSPCB and BBMP.

In view of above, it is requested to depute the concerned Engineer to associate and provide information on Sources of Sewage joins the Raja Kaluve passing along the Vakil Marina Housing Society as detailed in the Hon'ble NGT order, copy of drainage map and BBMP approval of the said housing society etc. It is also requested to provide the status of action taken on the letter issued by KSPCB dated 9<sup>th</sup> September, 2024.

BBMP cooperation in this regard is highly appreciated.

Yours faithfully

**(J. Chandra Babu)**  
**Regional Director**  
**Jcb.cpcb@nic.in****Encl: As above**

Contd...2/-

क्षेत्रीय निदेशालय (बेंगलूरु) : निसर्ग भवन, ए-ब्लॉक, प्रथम एवं द्वितीय तल, तिम्मय्या रोड, 7-डी मैन, शिवनगर, बेंगलूरु - ५६० ०७९.

**Regional Directorate (Bengaluru) :** " Nisarga Bhawan ", A-Block, 1<sup>st</sup> & 2<sup>nd</sup> Floors, Thimmaiah Road, 7<sup>th</sup> D - Main, Shivanagar, Bengaluru - 560 079.

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प्रधान कार्यालय : परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली- ११० ०३२.

**Head Office :** Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

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ई-मेल / E-mail : cpcb@nic.in वेबसाईट / Website : www.cpcb.nic.in

-2-

Copy to:

1. The Member Secretary  
Karnataka State Pollution Control Board  
No. 49, Parisara Bhavana, Church Street  
MG Road, Bengaluru - 560001 : For kind information and with a request to  
depute concerned RO of Karnataka  
SPCB to associate with CPCB the team, pl
2. The Executive Engineer, Storm Water  
Division, BBMP- Bommanhalli Division,  
Jayanagara Complex, 4<sup>th</sup> Block, 9<sup>th</sup> Floor,  
Bangalore - 560011 : For kind information and to join joint  
inspection with relevant documents, pl.
3. The Regional Officer- Bommanahalli  
Karnataka State Pollution Control Board  
2<sup>nd</sup> Floor, Nisarga Bhavan, Bengaluru : For kind information and to associate for  
joint inspection on the said date, pl
4. The Divisional Head- WQM-I, CPCB, Delhi : For kind information, pl

  
14/11/2024  
(J. Chandra Babu)

Item No. 08

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1219/2024

News Item titled “KPSCB directs BBMP to redirect sewage flow in Kodichikkanahalli” appearing in The Hindu dated 18.09.2024

Date of hearing: 04.10.2024

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON’BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Darpan K.M & Mr. Rajat Jonathan Shaw, Advs. for R - 6 (Through VC)

**ORDER**

1. This original application is registered *suo motu* on the basis of the news item titled “KPSCB directs BBMP to redirect sewage flow in Kodichikkanahalli” appearing in The Hindu dated 18.09.2024.

2. The matter relates to the discharge of sewage into a storm-water drain (SWD) attached to Vakil Marina, a housing society in Kodichikkanahalli near Madiwala lake in Bangalore. As per the news item, responding to the complaints filed by residents of the area, the Karnataka State Pollution Control Board (KSPCB) has directed the Bruhat Bengaluru Mahanagara Palike (BBMP) to take immediate action to redirect sewage flow in Kodichikkanahalli, a neighborhood in Bengaluru into the Bangalore Water Supply and Sewerage Board’s (BWSSB) underground drainage. The news item highlights that residents have reported unbearable stench and issues of snakes, insects, and termites due to sewage flowing through a storm-water drain (SWD) attached to their area. Furthermore, it is alleged that the sewage flow has

been contaminating local water bodies and creating unhygienic conditions, posing risks to public health and the environment.

3. As per the news item, the Madiwala Lake has been declared a biodiversity hotspot and a bird conservation reserve. The State Government has also sanctioned an amount of 25 crores for ecological development around the lake. Hence, the discharge of sewage near the lake hampers the biodiversity of the region severely.

4. The news item raises substantial issues relating to compliance of the environmental norms.

5. The power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

6. Hence, we implead the following as respondents in the matter:

1. Bruhat Bengaluru Mahanagara Palike (BBMP),  
Through its Chief Commissioner  
N.R Square, Bengaluru,  
Karnataka - 560002

2. Karnataka State Pollution Control Board (KSPCB),  
Through its Member Secretary:  
Parisara Bhavana, No. 49, Church Street,  
Bengaluru - 560001

3. Central Pollution Control Board (CPCB),  
Through its Member Secretary  
Parivesh Bhawan, East Arjun Nagar,  
Delhi - 110032

4. Karnataka Biodiversity Authority,  
Through its Chairman  
Ground Floor, Vanavikas, 18th Cross,  
Malleshwaram, Bengaluru-560003

5. Karnataka Wetland Authority,  
Through its Joint Secretary  
Department of Forest, Ecology and Environment,  
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru-560001

6. District Magistrate (DM), Bangalore  
District Commissioner Office, K.G. Road,  
Bengaluru - 560009

7. Mr. Darpan K.M and Mr. Rajat Jonathan Shaw Learned Counsel accept the Notice on behalf of the Respondent No.6-District Magistrate, Bangalore and seek six weeks to file the reply. Let the reply be filed within six weeks by way of an affidavit.

8. Issue notice to other respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal.

9. List on 15.01.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

October 04, 2024  
O.A. No. 1219/2024  
A..



18

Annexure- II  
केन्द्रीय प्रदूषण नियंत्रण बोर्ड

23

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA**HON'BLE NGT MATTER**  
**ON PRIORITY****SPEED POST/E-mail**F.No. CM-13011/268/2024/LAW-HO-CPCB-HO  
/55027<sup>th</sup> November, 2024

To

The Member Secretary  
Karnataka State Pollution Control Board  
No. 49, Parisara Bhavana, Church Street  
MG Road, Bengaluru - 560001**Sub: Action to be initiated in connection with the NGT case Original Application No. 1219/2024 in which Hon'ble Tribunal on it's Suo motu action registered based on the news item titled "KSPCB directs BBMP to redirect sewage flow in Kodichikkanahalli" appeared in The Hindu dated 18.09.2024****Ref: Joint visit of CPCB and Regional Office, Bommanahalli to the Vakil Marina Layout on 19<sup>th</sup> November, 2024**

Sir,

With reference to the above subject, joint visit was made by the officials of CPCB, Regional Directorate, Bengaluru and Regional Office, Bommanahalli, KSPCB on 19<sup>th</sup> November, 2024 to assess the ground reality and for ensuring compliance to Hon'ble NGT (PB) order dated 4.10.2024 in OA No. 1219/2024. However, no representative nor nominated official from Bruhat Bengaluru Mahanagara Palike (BBMP) was associated during the joint the visit in spite of prior intimation. The photographs taken during the joint visit is annexed as **Annexure-I**. During the joint visit, following observations were made:

- There is one Storm Water Drain (SWD) passing behind the complainant house located in the Vakil Marina Layout which is having a width of approximately around 15 -20 m and depth may be 5 to 10 m.
- The SWD and layout was separated by a returning wall on both the sides to avoid entry of sewage into the said layout and Madiwala lake
- The SWD is completely used for carrying sewage generated from the areas located in the upstream, which is having missing links, leakage of sewage pipe etc. in order to protect the Madiwala lake from entry of untreated sewage.
- As per information provided by the local residents, the drain was constructed in the year 1998-1999 and whereas the layout was constructed in 2001. Over the years, size of the SWD is increased to discharge generated sewage.
- It is also learnt that, while issuing NOC and clearance applicability of buffer zone was not considered by the concerned authorities.

Contd...2/-

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18

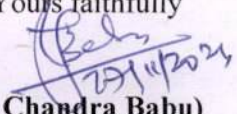
-2-

- As per the residents, the drain has not been cleaned for more than 20 years, de silting has not been done. This is one of the reason for stinking smell and snakes entering into the houses during heavy rains
- It was also confirmed from the local residents that, the domestic sewage generated from Vakil Marina layout is well connected to the existing Under-Ground Drainage (UGD) network through which the sewage is pumped to the Sewage Treatment Plant (STP) located in the downstream.
- Only storm water run-off from the layout is pumped into the SWD during the monsoon as the layout submerges during the monsoon period as it is located lower level than the SWD.
- In Bengaluru, the BBMP and Revenue Department are the responsible authorities for issuance of 'No Objection Certificate' and other requisite Clearances for construction of a building and layout.
- It is the responsibility of the Bengaluru Water Supply and Sewerage Board (BWSSB) for ensuring 100% UGD network for collection and treatment of domestic sewerage generated.

In view of above, it is requested to issue directions under section 33A of The Water (Prevention and Control of Pollution ) Act, 1974 to the BWSSB and BBMP directing to take appropriate steps which includes (i) for interception and diverting the sewerage entering into the storm water drain (SWD) to nearby UGD connected with STP, so that the SWD can be kept for the purpose it was constructed.; (ii) To take up the cleaning activities of SWD at least once in a quarter preferably during the lean flow period in order to avoid emanating stinking odour and poisonous snakes entering into the houses located near to the drain; (iii) To restore natural drain by plugging sewage entering sources and for ensuring carrying storm water only; (iv) for submission of an action plan covering the above aspects and for compliance in a time bound manner and for submission of ATR periodically to Karnataka SPCB.

It is also requested to arrange to send action taken report on the above at an early date to this Regional Directorate, CPCB, Bengaluru to enable to apprise Hon'ble NGT in the next hearing on the matter.

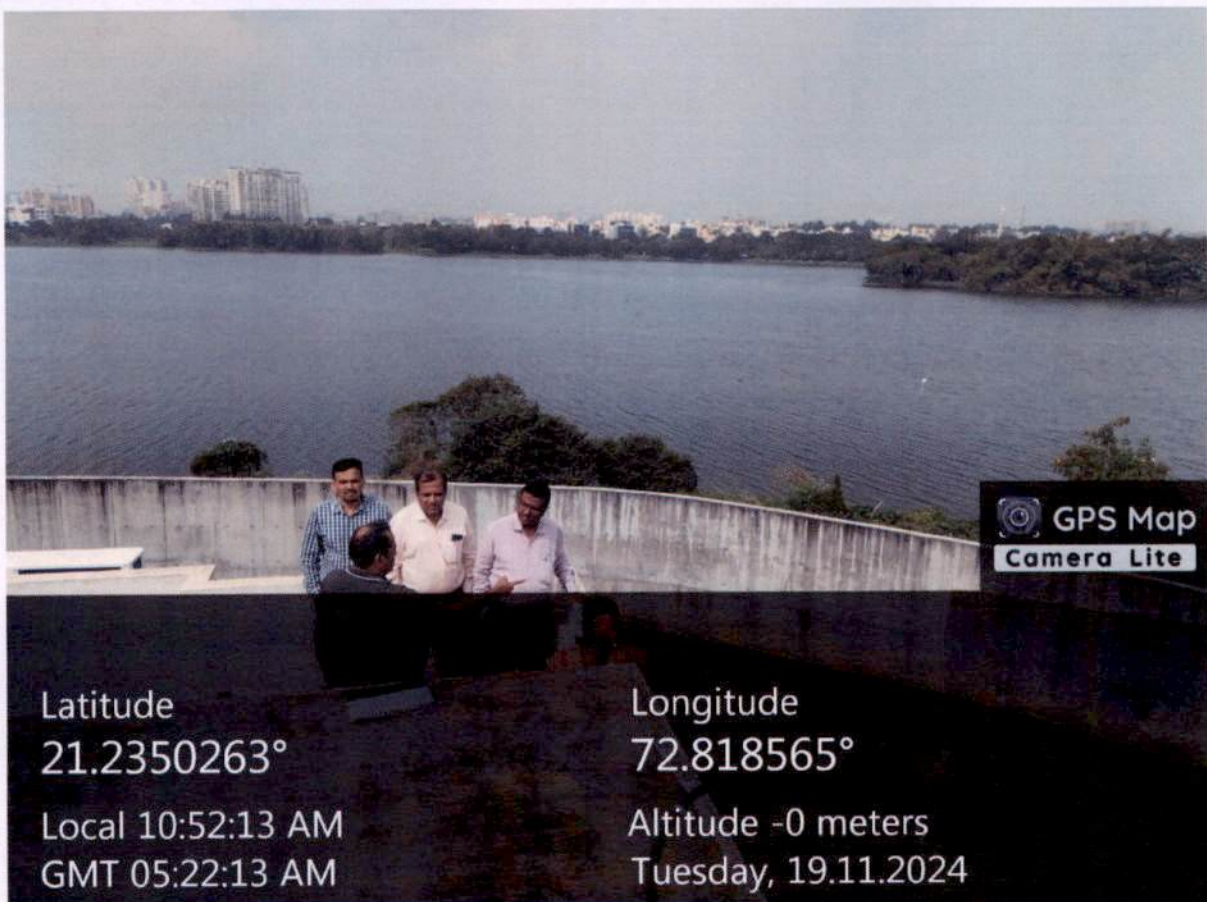
Yours faithfully

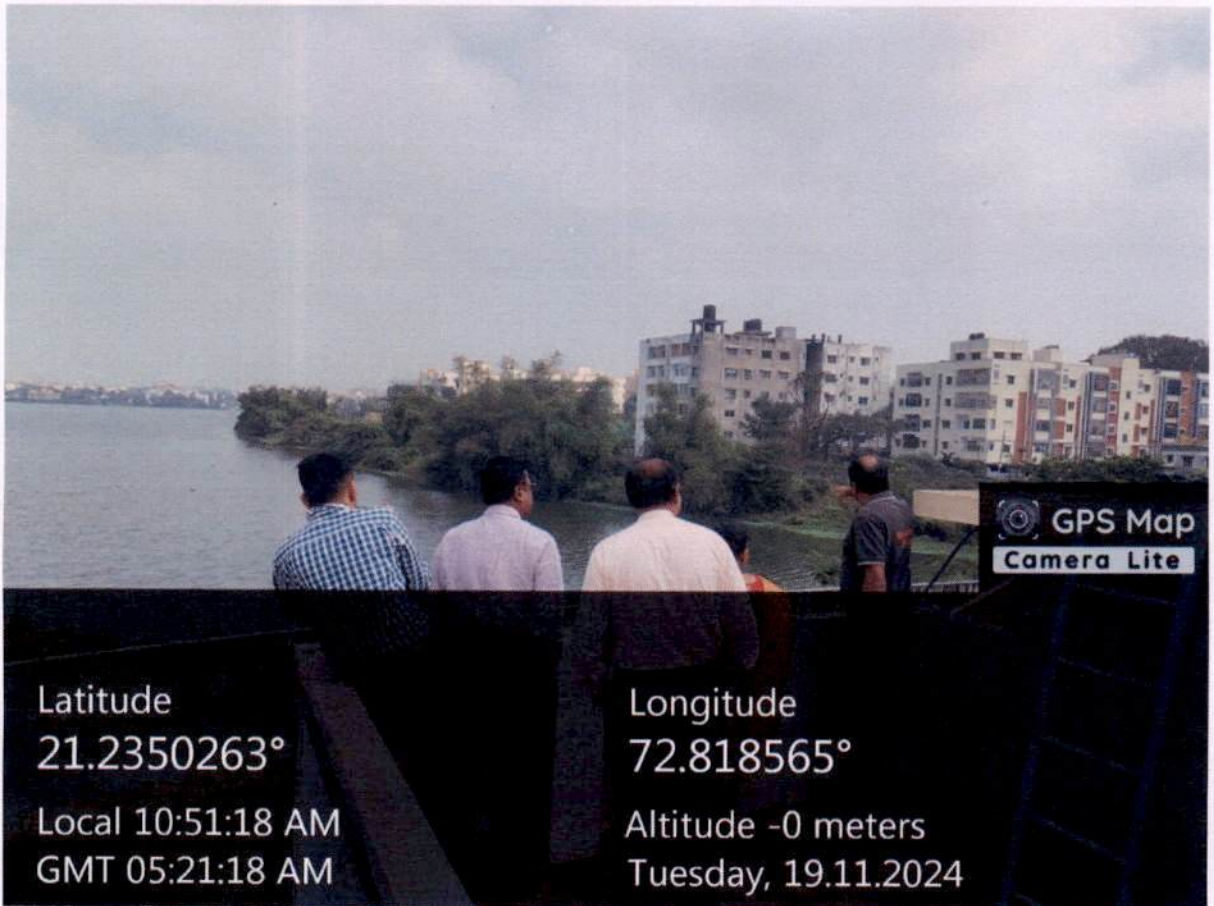
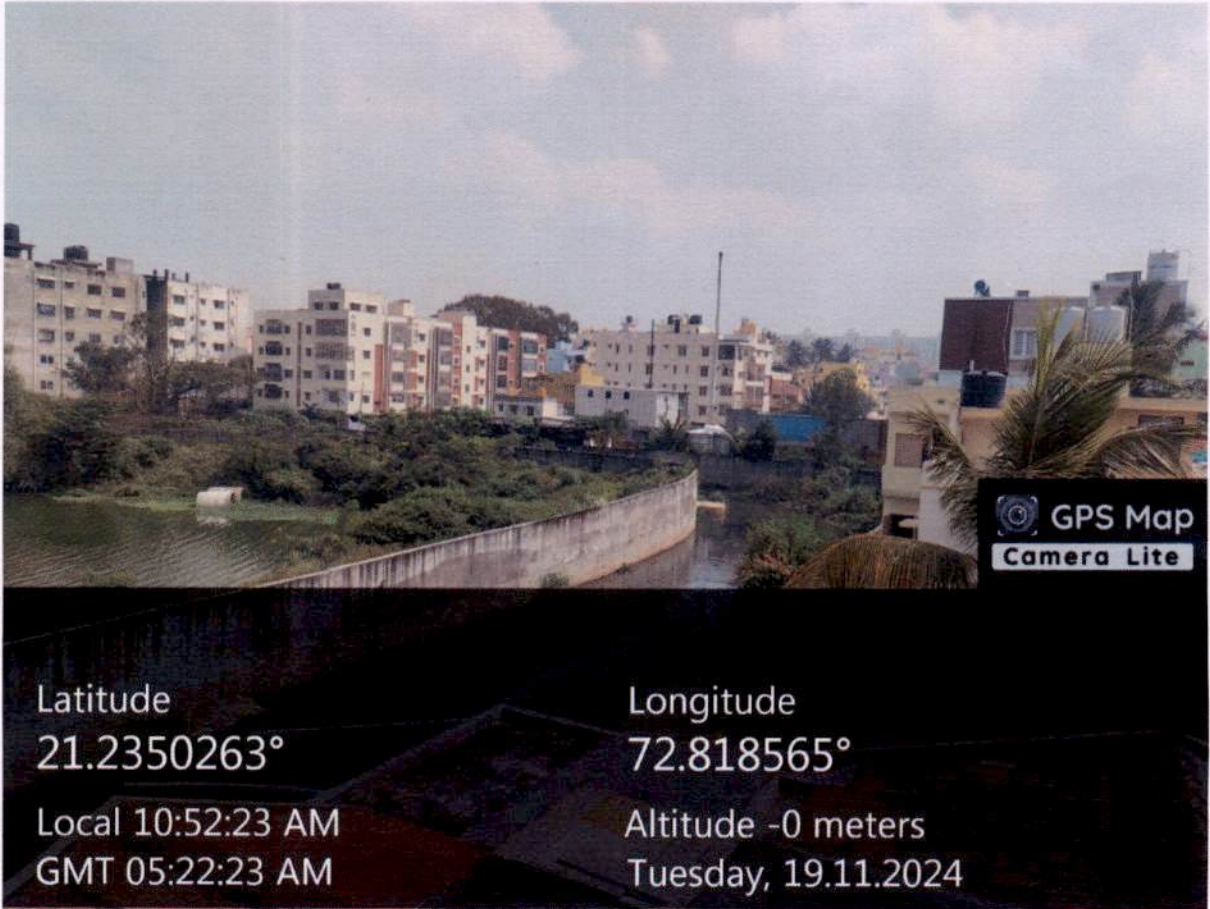
  
(J. Chandra Babu)  
Regional Director  
[Jcb.cpcb@nic.in](mailto:Jcb.cpcb@nic.in)

Encl: As above



Answer - I





**HON'BLE NGT MATTER**  
**ON PRIORITY****SPEED POST/E-mail**

F.No. CM-13011/268/2024/LAW-HO-CPCB-HO

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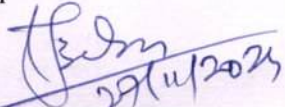
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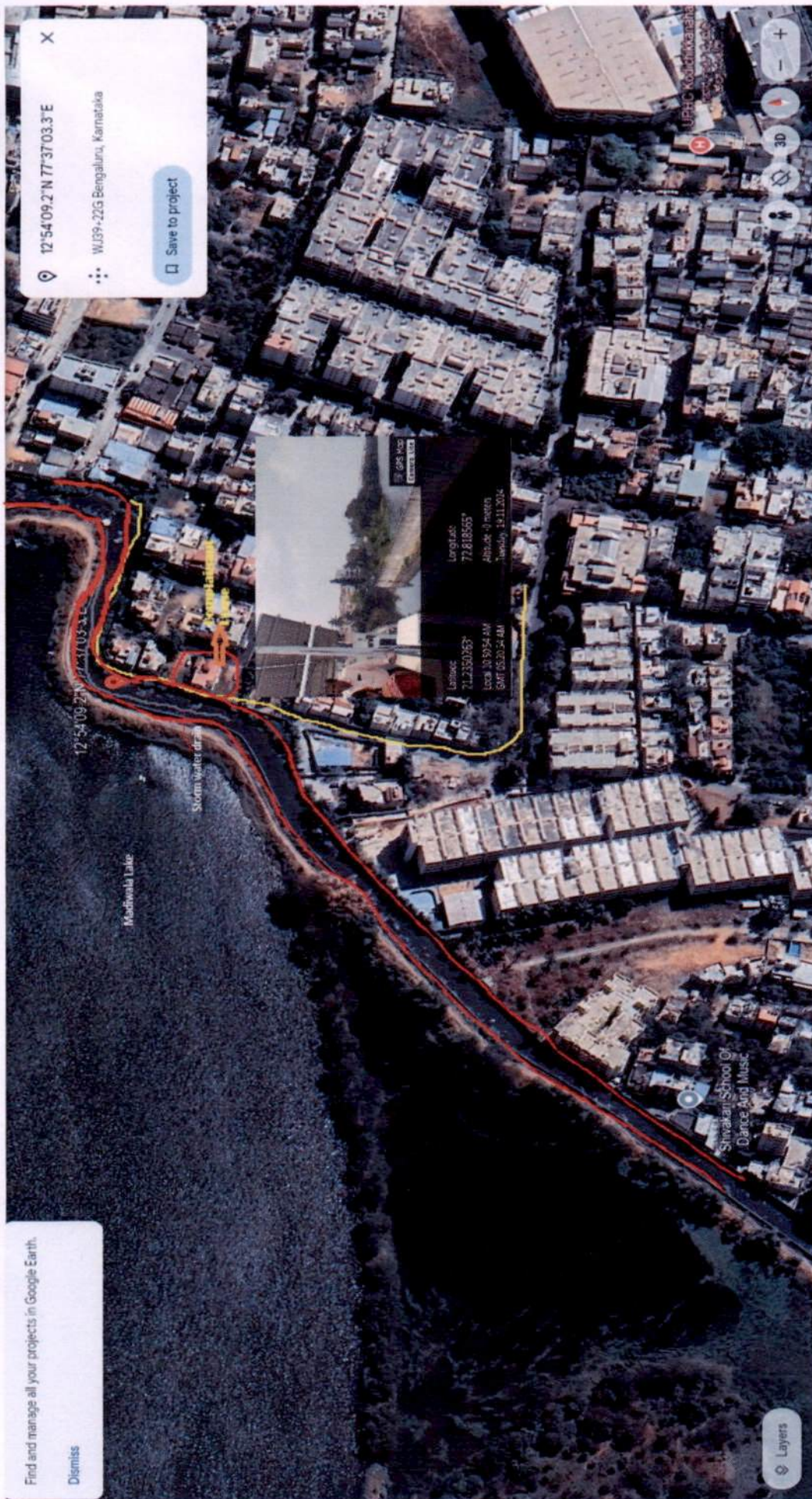
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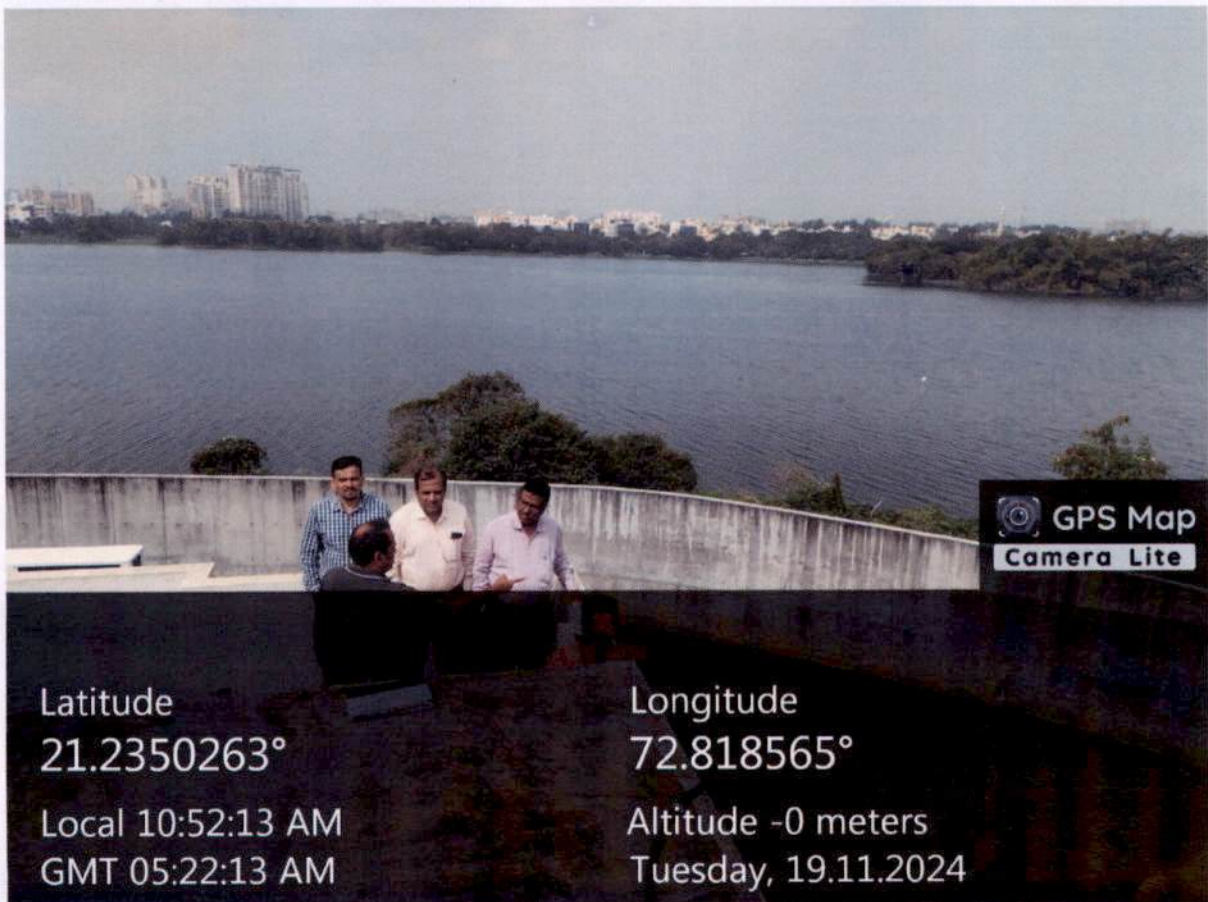
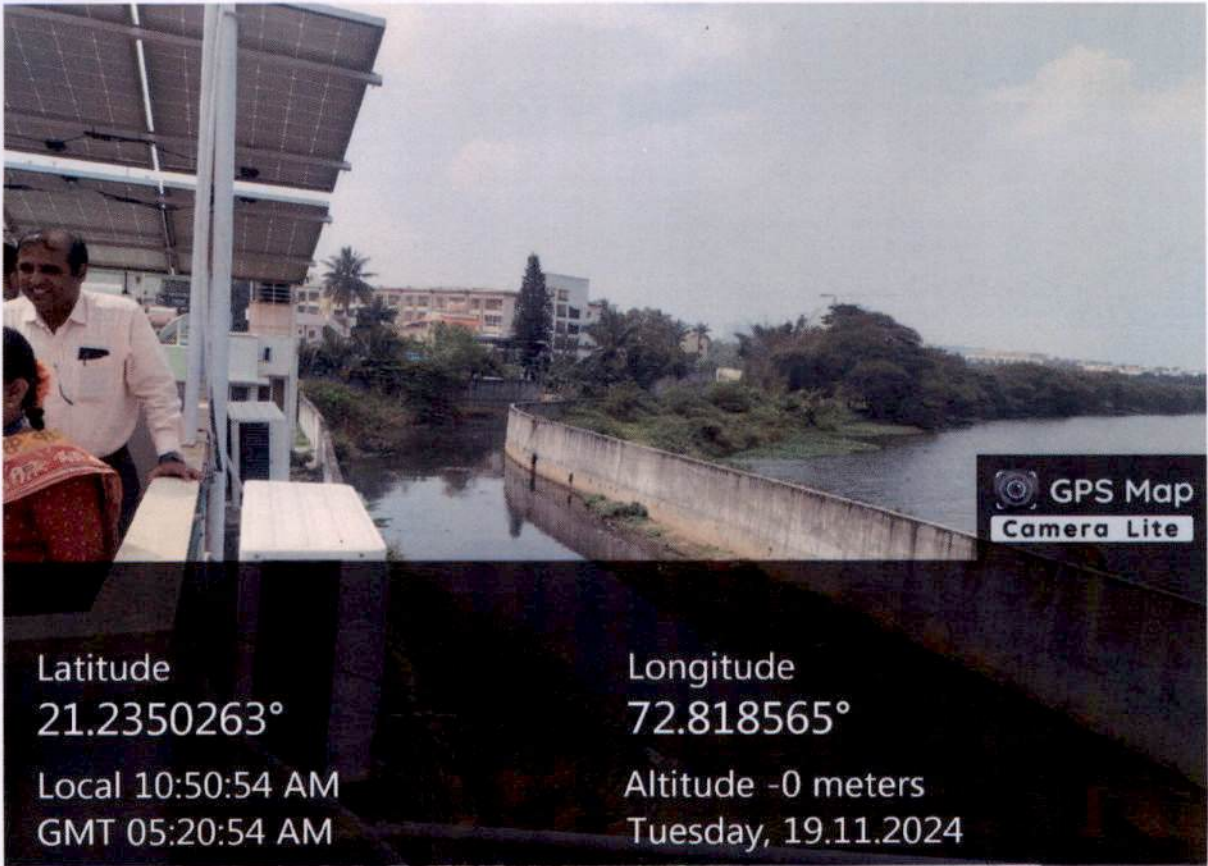


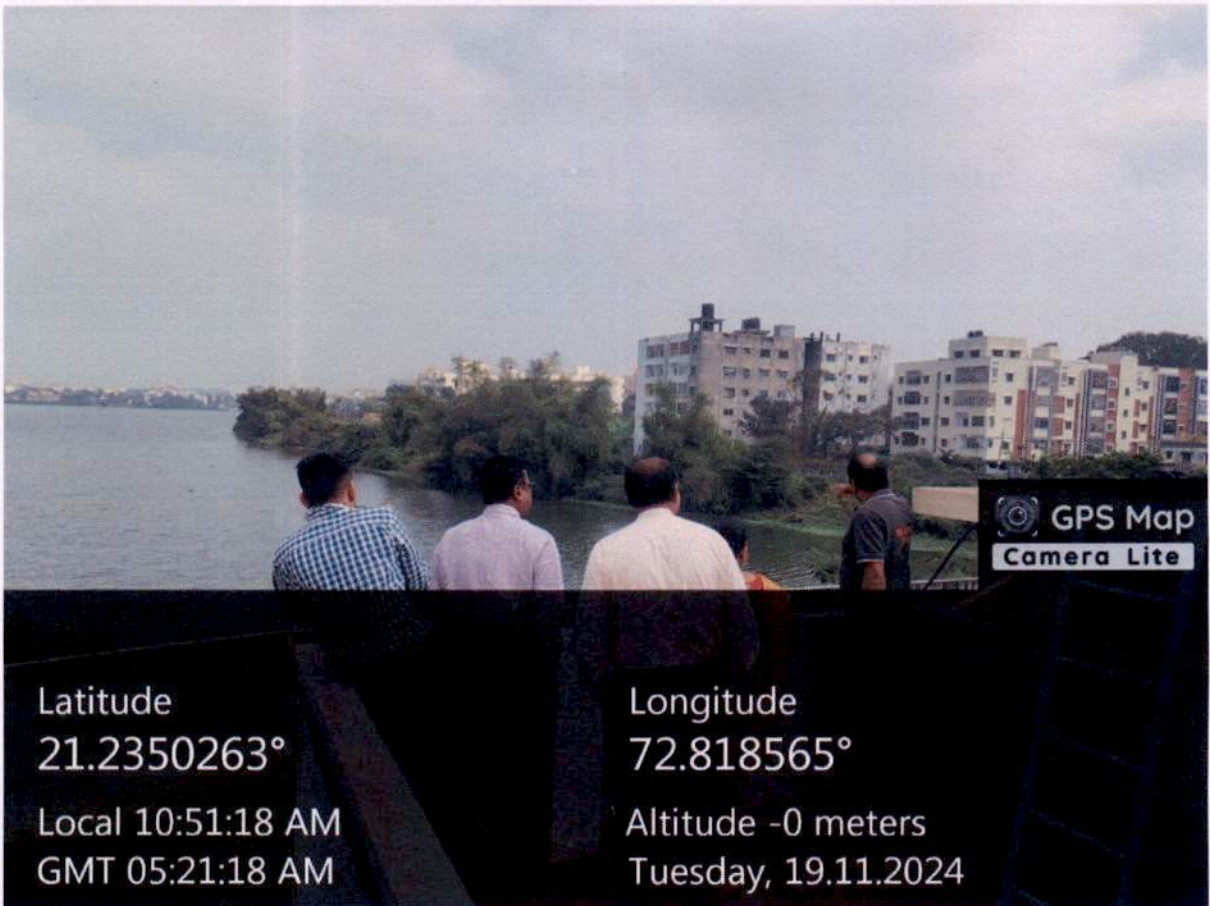
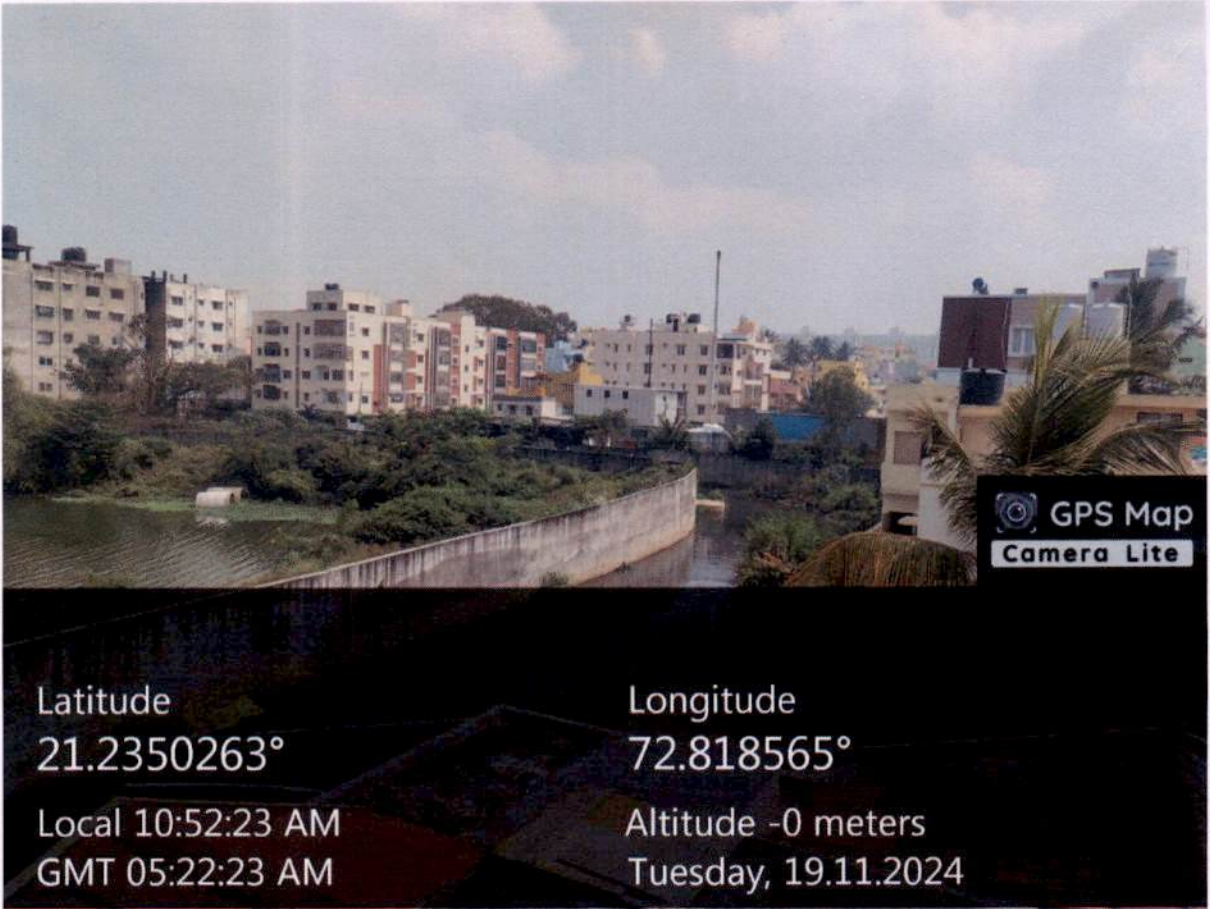
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- In Bengaluru, the BBMP and Revenue Department are the responsible authorities for issuance of 'No Objection Certificate' and other requisite Clearances for construction of a building and layout.
- It is the responsibility of the Bengaluru Water Supply and Sewerage Board (BWSSB) for ensuring 100% UGD network for collection and treatment of domestic sewerage generated.

In view of above, it is requested to issue directions under section 33A of The Water (Prevention and Control of Pollution ) Act, 1974 to the BWSSB and BBMP directing to take appropriate steps which includes (i) for interception and diverting the sewerage entering into the storm water drain (SWD) to nearby UGD connected with STP, so that the SWD can be kept for the purpose it was constructed.; (ii) To take up the cleaning activities of SWD at least once in a quarter preferably during the lean flow period in order to avoid emanating stinking odour and poisonous snakes entering into the houses located near to the drain; (iii) To restore natural drain by plugging sewage entering sources and for ensuring carrying storm water only; (iv) for submission of an action plan covering the above aspects and for compliance in a time bound manner and for submission of ATR periodically to Karnataka SPCB.

It is also requested to arrange to send action taken report on the above at an early date to this Regional Directorate, CPCB, Bengaluru to enable to apprise Hon'ble NGT in the next hearing on the matter.

Yours faithfully

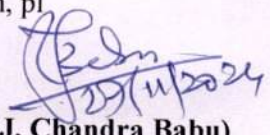
  
**(J. Chandra Babu)**  
**Regional Director**  
**Jcb.epcb@nic.in**

**Encl: As above**

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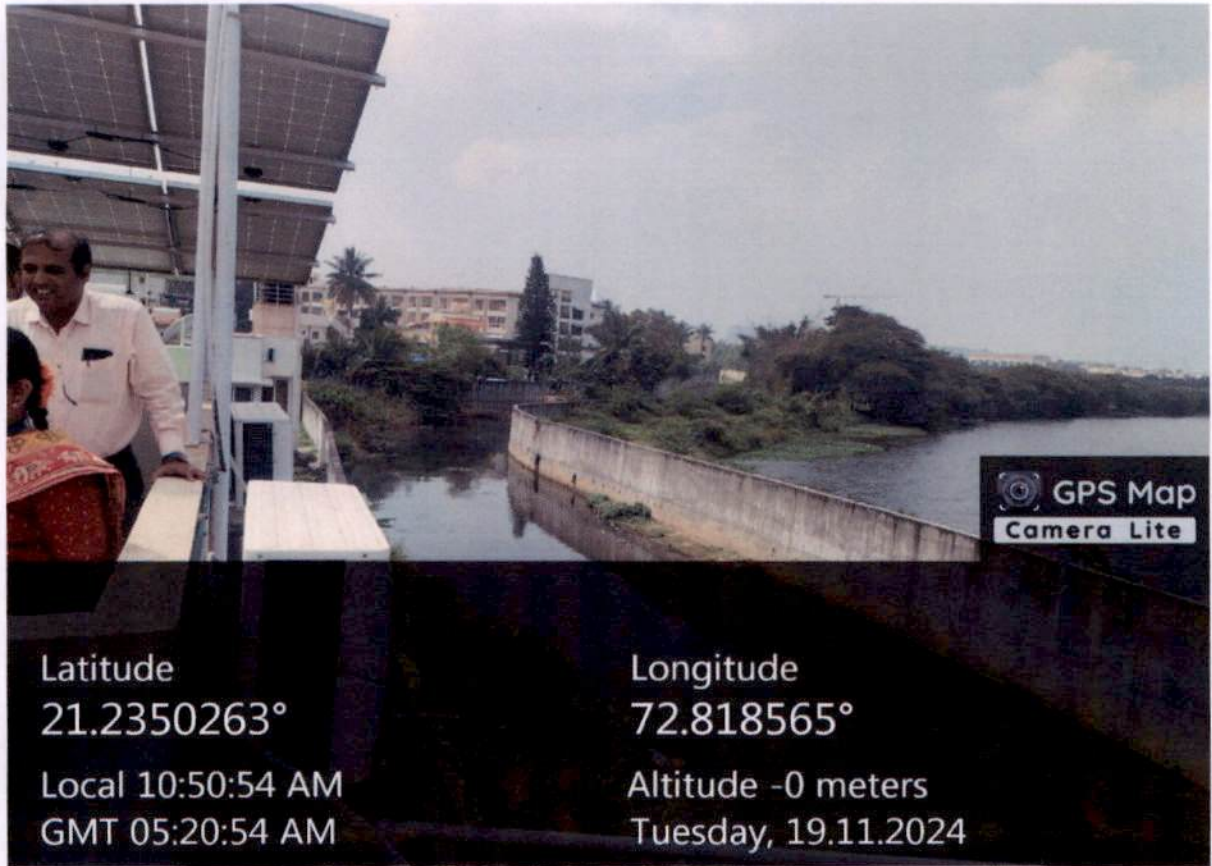
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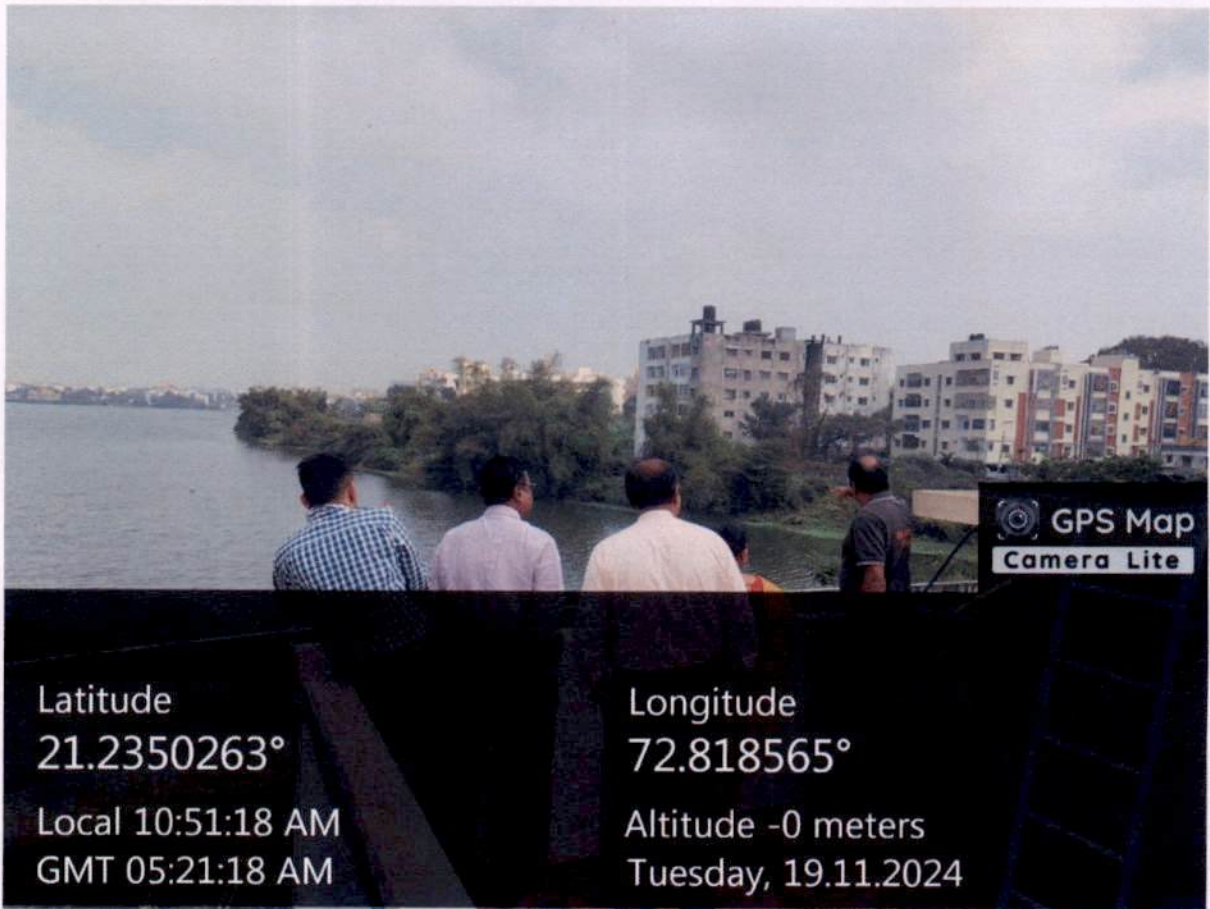
1. The Regional Officer- Bommanahalli  
Karnataka State Pollution Control Board  
2<sup>nd</sup> Floor, Nisarga Bhavan, Bengaluru : For kind information and to associate  
for joint inspection on the said date, pl
- ✓ 2. The Divisional Head- WQM-I, CPCB,  
Delhi : For kind information, pl



(J. Chandra Babu)







Item No. 08

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1219/2024

News Item titled “KPSCB directs BBMP to redirect sewage flow in Kodichikkanahalli” appearing in The Hindu dated 18.09.2024

Date of hearing: 04.10.2024

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON’BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Darpan K.M & Mr. Rajat Jonathan Shaw, Advs. for R - 6 (Through VC)

**ORDER**

1. This original application is registered *suo motu* on the basis of the news item titled “KPSCB directs BBMP to redirect sewage flow in Kodichikkanahalli” appearing in The Hindu dated 18.09.2024.

2. The matter relates to the discharge of sewage into a storm-water drain (SWD) attached to Vakil Marina, a housing society in Kodichikkanahalli near Madiwala lake in Bangalore. As per the news item, responding to the complaints filed by residents of the area, the Karnataka State Pollution Control Board (KSPCB) has directed the Bruhat Bengaluru Mahanagara Palike (BBMP) to take immediate action to redirect sewage flow in Kodichikkanahalli, a neighborhood in Bengaluru into the Bangalore Water Supply and Sewerage Board’s (BWSSB) underground drainage. The news item highlights that residents have reported unbearable stench and issues of snakes, insects, and termites due to sewage flowing through a storm-water drain (SWD) attached to their area. Furthermore, it is alleged that the sewage flow has

been contaminating local water bodies and creating unhygienic conditions, posing risks to public health and the environment.

3. As per the news item, the Madiwala Lake has been declared a biodiversity hotspot and a bird conservation reserve. The State Government has also sanctioned an amount of 25 crores for ecological development around the lake. Hence, the discharge of sewage near the lake hampers the biodiversity of the region severely.

4. The news item raises substantial issues relating to compliance of the environmental norms.

5. The power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

6. Hence, we implead the following as respondents in the matter:

1. Bruhat Bengaluru Mahanagara Palike (BBMP),  
Through its Chief Commissioner  
N.R Square, Bengaluru,  
Karnataka - 560002

2. Karnataka State Pollution Control Board (KSPCB),  
Through its Member Secretary:  
Parisara Bhavana, No. 49, Church Street,  
Bengaluru - 560001

3. Central Pollution Control Board (CPCB),  
Through its Member Secretary  
Parivesh Bhawan, East Arjun Nagar,  
Delhi - 110032

4. Karnataka Biodiversity Authority,  
Through its Chairman  
Ground Floor, Vanavikas, 18th Cross,  
Malleshwaram, Bengaluru-560003

5. Karnataka Wetland Authority,  
Through its Joint Secretary  
Department of Forest, Ecology and Environment,  
M.S. Building, Dr. Ambedkar Veedhi, Bengaluru-560001

6. District Magistrate (DM), Bangalore  
District Commissioner Office, K.G. Road,  
Bengaluru - 560009

7. Mr. Darpan K.M and Mr. Rajat Jonathan Shaw Learned Counsel accept the Notice on behalf of the Respondent No.6-District Magistrate, Bangalore and seek six weeks to file the reply. Let the reply be filed within six weeks by way of an affidavit.

8. Issue notice to other respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal.

9. List on 15.01.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

October 04, 2024  
O.A. No. 1219/2024  
A..