



GOVERNMENT OF KARNATAKA

No: UDD 201 CSS 2020

Karnataka Government Secretariat

Date: 15-09-2020

Vikasa Soudha, Bengaluru.

ACTION TAKEN REPORT

To,
The Hon'ble Chairman
National Green Tribunal
Principal Bench, New Delhi.

Respected Sir,

Sub: Compliance to the Order passed by the Hon'ble National Green Tribunal in **Original Application no. 750/2019**, Dr. Sanjay Rao & Ors Vs. State of Karnataka.

Ref: Hon'ble National Green Tribunal's Order dated, **19-06-2020**.

With reference to the above Subject, the Hon'ble National Green Tribunal (NGT) has passed the Order on 19th of June 2020 and the directions issued vide Para no. 7 & 8 are as follows;

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

Further remedial action may be taken expeditiously by the authorities and discharge of any pollutant in the water body be stopped forthwith. A compliance report may be filed by the concerned Additional Chief Secretary, Karnataka after coordinating with the concerned officers within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 04.11.2020.”

- It is submitted that the directions issued to the Town Municipal Council Bommasandra (TMC) / State Govt. by the Hon'ble Tribunal are as below;
 - The TMC should stop dumping of garbage near the lake. Municipal Solid waste (MSW) generated in TMC limits should be managed as per the provisions of Solid Waste Management Rules, 2016.
 - The TMC should immediately stop discharging unregulated sewage into the lake.
 - The TMC shall take necessary remedial action to clean the polluted lake.
 - “Sewage Treatment Plants” should be set up and made functional, within the timelines and the format, expressed hereinabove.
 - The State of Karnataka is liable to pay Rs. 10 Lakhs and the Municipal Council, Bommasandra is liable to pay Rs. 5 Lakhs as the interim compensation for the damage caused to the environment.
 - The amount of interim compensation is liable to be deposited with the CPCB within one month and may be spent for restoration of the environment.
 - A compliance report may be filed by the concerned Additional Chief Secretary, Karnataka after coordinating with the concerned officers within three months by e-mail at judicial-ngt@gov.in.
 - It is open to any State authority, the State PCB and the Municipal Council, Bommasandra to file their response before the next date to avail of the opportunity to contest the proceedings before this Tribunal.

- It is submitted that, in this regard, 2 meetings were held on 19-08-2020 and 02-09-2020 under the Chairmanship of Additional Chief Secretary, Urban Development Department for the Officers of Karnataka State Pollution Control Board (KSPCB), Directorate of Municipal Administration (DMA), Karnataka Urban Water Supply & Drainage Board (KUWS&DB), District Urban Development Cell, Bangalore Urban District (DUDC), Town Municipal Council,



Bommasandra (TMC) to discuss on further course of action to be taken by the concerned institutions as per Hon'ble National Green Tribunal's directions.

- It is submitted that, Letters were written to Directorate of Municipal Administration (DMA) which is the State Level Overseeing Institution for all Urban local Bodies excluding BBMP, Karnataka Urban Water Supply and Drainage Board (KUWS&DB), which is also State Level Nodal Agency for implementation Water Supply and UGD Projects in all ULBs of the State excluding BBMP, to take necessary steps to implement Hon'ble NGT's order and to take up remedial actions immediately on war foot basis.
- It is submitted that, as per the Hon'ble NGT directions, the steps taken by the State Govt. / TMC Bommasandra towards the prevention of further pollution of lake and remedial action taken towards rejuvenation of the Lake are illustrated below,

Direction No.1 - The TMC should immediately stop dumping garbage in and around the lake and shall manage Municipal Solid Waste as per provisions of Solid Waste Management Rules, 2016:

- It is submitted that, the Chief Officer, TMC Bommasandra has reported as below,
 - The TMC Bommasandra has stopped dumping garbage into or near the Kithiganahalli Lake from the past one and half years. Bommasandra was earlier a Village Panchayat and recently (in the year 2015) upgraded as an Urban Local body (Town Municipal Council). Waste accumulated in and around Lake was dumped earlier by the then Village Panchayat and by TMC in its initial days, as the local body is not having necessary land for carrying out Solid Waste Management activities.

Municipal Solid Waste Management in TMC, Bommasandra:

- It is submitted that, the Chief Officer, TMC Bommasandra has reported as below,

Segregation of Waste at Source and Door-to-door Collection of Waste

- The TMC has 23 wards with an area of 8.28 Sq. Kms. and population of 28353 (2011 Census) (present population is approx. 42,000). There are



8071 no. of households, 946 no. of commercial establishments and 10 no. of bulk waste generators (which generates more than 100 kgs of waste everyday) in the TMC limits. Everyday approximately 12 tons of Municipal Solid waste (MSW) is being generated and about 10 tons of MSW is collected in the TMC limits.

- Door-to-door collection of waste is being carried out in all the 23 wards. There are totally 9 no. of Auto tippers deployed for this.
- The Municipal Solid Waste (MSW) is being segregated at source into two streams i.e., wet waste and dry wastes. The Autotippers have two compartments for collection of wet and dry waste separately. The segregated wet waste is handed over to nearby farmers for manure and dry waste is handed over to the NGO named SAAHAS for further recycling.

Processing and Disposal of Waste

- As mentioned above, TMC Bommasandra doesn't have a dedicated SWM site for scientific processing & disposal of municipal solid wastes. The Chief Officer, TMC Bommasandra has reported that, TMC has made several written requests to Deputy Commissioner, Bengaluru Urban Dist and Tahsildar, Anekal Taluk, to allocate suitable land for handling the municipal solid wastes. Tahsildar, Anekal Taluk has given endorsement stating that there are no Govt. lands available in the Taluk limits and there is a huge price demand to the extent of Rs. 35 crores for just 10 acres of land for the private lands.
- As mentioned above, approximately about 6 TPD of wet waste is being handed over to farmers to use it as compost in their fields.
- About 4 TPD of dry wastes is being handed over to a NGO named, SAHAS by the TMC for further recycling. As per the agreement, M/s SAHAS is paying amount to TMC (approx. Rs 1000 everyday), which will be in-turn given to Pourakarmikas as an incentive to their waste collection work. As per the agreement, M/s SAAHAS is collecting the dry wastes from commercial establishments and NGO is paid monthly prescribed user charges by the concerned commercial establishments.



- It is submitted that, Instructions were issued to TMC Bommasandra, to establish decentralised waste processing units at ward levels to handle the wet wastes at ward level itself, until the TMC establishes a centralised scientific processing and disposal unit or an alternative solution is found out.
- It is submitted that, as procurement of land for solid waste management is very difficult in entire Bengaluru Urban Dist., because of high price demand for lands, in order to have a an alternative and permanent solution for waste disposal problem, a D.O. letter is written by ACS to Govt., UDD to the Commissioner, Bruhat Bengaluru Mahanagara Palike (BBMP), instructing him to accept the waste generated in all 7 Urban Local Bodies of the District on tipping fee basis to any one or more nearest BBMP's SWM plants for further scientific processing and disposal and to submit an ATR to the State Govt., within 20-10-2020.

Direction No.2 - The TMC should immediately stop discharging unregulated sewage into the lake.

- It is submitted that, the Chief Officer, TMC Bommasandra reported as below,
 - The Bommasandra TMC was earlier a Gram Panchayat and recently upgraded as Urban Local Body (in the year 2015). The existing UGD lines were laid and connections were given during the Gram Panchayat period and recently, in some of the newly formed layouts of TMC also.
 - Only overflow from Septic tanks in Ward no. 2 & 9 Households is getting discharged into drains and no sewage is discharged into the lake directly.
 - TMC has requested to Karnataka Urban Water Supply and Drainage Board (KUWS&DB) to prepare a DPR for establishment of STPs to treat the sewage generated in the TMC limits. TMC has deposited Rs. 12.00 lakhs to KUWS&DB for the same and Survey is already completed.
- It is submitted that, as establishment of STPs is a long term process, in order to have an immediate and effective solution towards treatment of sewage, as per recommendations of KSPCB officials, instructions are given to Bommasandra Industries Association, vide DO letter dated 11-09-2020 to

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establish 5 nos. of Japanese technology based Container type Sewage Treatment Units (STUs) each with 50 KLD capacity and SBR technology, from their Lake Rejuvenation Funds available under Corporate Social Responsibility (CSR fund).

- It is submitted that, KUWS&DB has already completed the field survey and assessment, project designing and estimation are under progress. 2 STPs with capacities 3 MLD (at an estimated cost of Rs. 622 Lakhs) and 6 MLDs (at an estimated cost of Rs. 839 lakhs) with SBR technology are proposed in DPR to treat all sewage generated in the TMC limits. Total cost of DPR including UGD network along with 2 STPs is estimated to be Rs. 110.25 crores.
- It is submitted that, as per decisions taken in the meeting held on 02-09-2020, A Joint inspection has been conducted by the Officers / representatives of KSPCB, TMC Bommasandra, DUDC Bengaluru Urban Dist., Directorate of Municipal Administration, Bommasandra Industries Association on 03-09-2020, to assess the quantity of sewage flow into Lake, identification of locations to install 50 KLD Container type of STUs, status of effluent flow from Industries into Lake status of legacy waste dumped in and around the lake and its remediation etc.
- It is submitted that, a DO letter has been written to Member Secretary, Karnataka State Pollution Control Board to conduct a joint inspection of Bommasandra Industrial Area along with TMC officials, to find out polluting industries which are discharging effluents without any treatment into the Lake, take stringent actions as per law and to submit an ATR to the State Govt. before 30-09-2020.

Direction No. 3 - The TMC shall take necessary remedial action to clean the polluted lake.

- It is submitted that, the Chief Officer, TMC Bommasandra has reported as below,
 - Dumping of garbage in and around the lake has been stopped from the past one and half year. In order to prevent further illegal dumping of wastes, fencing of lake is done.
 - Earlier, an Expression of Interest (EOI) was invited by the TMC on 03-05-2019 to clear legacy waste dumped in and around the Lake, by

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bio-remediation method, but none of the agencies responded to the EOI.

- Meanwhile, The Bommasandra Industries Association has come forward to take up lake rejuvenation activities (clearing of legacy waste, cleaning of polluted Lake Etc.) under CSR activities and they have written a letter dated: 16-12-2019 to TMC in this regard, seeking the TMC's approval for the same.
 - The Council Body of Bommasandra TMC has given approval to it, vide its Council General Body meeting proceedings held on 03-12-2019.
 - But due to corona pandemic issue, the industries were closed down and labourers gone back to their villages / towns, the Lake rejuvenation work has not begun yet.
- It is submitted that, instructions were issued in the Meeting held on 02-09-2020 to the President, Bommasandra Industries Association to take up Lake Rejuvenation work immediately on war foot basis, which includes, scientific disposal of existing legacy waste in and around Lake area, cleaning of polluted water, beautification of Lake surroundings etc. A D.O. Letter is also written to the President of BIA in this regard from the State Govt.

Direction No. 4 - The State of Karnataka is liable to pay Rs. 10 Lakhs and the Municipal Council, Bommasandra is liable to pay Rs. 5 Lakhs as the interim compensation for the damage caused to the environment.

- It is submitted that,
 - As per the Hon'ble NGT directions, State Govt., through Directorate of Municipal Administration has remitted Rs. 10.00 lakhs (UTR No. RBI2002068258874) and TMC Bommasandra has remitted Rs. 5.00 lakhs (UTR No. CORPR22020071500590354) as interim compensation amount to Central Pollution Control Board vide Bank A/c No. 532702010009078, Union Bank of India, I.P. Extension Branch, Bengaluru.
 - The TMC Bommasandra has remitted the amount on 15-07-2020 and Directorate of Municipal Administration has remitted the amount 17-07-2020.



Direction No. 5 - A compliance report may be filed by the concerned Additional Chief Secretary, Karnataka after coordinating with the concerned officers within three months by e-mail at judicial-ngt@gov.in.

- It is submitted that, as per the Hon'ble NGT's directions, following actions were taken by the State Govt.;
- Two meetings were held on 19-08-2020 and 02-09-2020 under the Chairmanship of Additional Chief Secretary to Govt., Urban Development Department with the Officers from Urban Development Department, Karnataka State Pollution Control Board, Directorate of Municipal Administration, KUWS&DB, District Urban Development Cell, Town Municipal Council Bommasandra and necessary instructions have been issued to all the concerned organisations to implement the Hon'ble NGT directions. Copy of the Proceedings are enclosed to this Report and marked as **Annexure-R1 & Annexure- R2** respectively.
- Instructions were issued to carry out a joint inspection of the Lake, sewage catchment areas, Bommasandra Industrial Area etc. to find out factual status about quantum of sewage entering into Lake, quantum of untreated effluents being discharged into Lake, status of legacy waste etc. Accordingly Officials / representatives from KSPCB, KUWS&DB, TMC Bommasandra, Bommasandra Industries Association, DUDC Bengaluru Urban Dist., have conducted a joint inspection of the Lake area etc on 3rd September 2020 and submitted an Inspection Report to the Govt., Copy of the joint Inspection Report is enclosed to this Report and marked as **Annexure-R3**.
- Instructions were issued to KSPCB, to conduct a joint inspection of industries in Bommasandra Industries Area, along with TMC Bommasandra officials / elected representatives to find out industries which are discharging effluents without any treatment to the Lake and to take stringent actions against such industries for their closure / establishment of ETPs to treat the effluents in a time bound manner and submit an ATR to the State Govt., within 30th September 2020.
- Instructions were issued to BBMP to accept Municipal Solid Wastes generated in 7 ULBs of Bengaluru Urban Dist., including Bommasandra

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TMC in any one or more nearby BBMP SWM Plants for further scientific processing and disposal of waste on tipping fee basis. An ATR is also sought in this regard from BBMP Commissioner within 20th October 2020.

- It is again humbly reiterated that, instructions were issued to Bommasandra Industries Association to take up Lake Rejuvenation activities on war foot basis, which includes, cease of effluent entry into lake from industries, to set up ETPs for treatment of effluents, scientific disposal of legacy waste dumped near Lake, cleaning of polluted lake water, beautification of Lake area, most important to all, to establish 5 nos. of 50 KLD capacity Container type Sewage Treatment Units (STUs) to treat the sewage entering from 2 wards of TMC from their CSR funds and to submit an ATR within 20th October 2020 to the Govt.
- It is submitted that, based on further developments happened before the next date of hearing i.e., 04-11-2020, one more Action Taken Report will be submitted to the Hon'ble NGT by the State Government.
- It is humbly submitted that, the State Govt. is making all sincere efforts to stop further pollution of Lake and to take all remedial actions to rejuvenate it.

Yours Sincerely,



(Rakesh Singh., IAS)

Additional Chief Secretary to Govt.

Urban Development Department

Government of Karnataka

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Decisions taken in the Meeting:

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

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

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

The meeting was concluded with a vote of thanks.



(Rakesh Singh, I.A.S.)

Additional Chief Secretary to Govt.
Urban Development Department



Copy To;

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

Officers Present in the Meeting.

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

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

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

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

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

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

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

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

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

Following decisions were taken in the Meeting;

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

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

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



(Rakesh Singh, I.A.S.)

Additional Chief Secretary to Govt.
Urban Development Department

Copy To;

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

Officers Present In the Meeting.

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

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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ Karnataka State Pollution Control Board

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

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

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

Location Inspected: Kittagana Halli Lake, Bommasandra

Date: 3-9-2020

Officers / Executives Present

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

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

Back Ground Information:

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

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

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

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

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

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

Outcome of the discussions held post the joint inspection:

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

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

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

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

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

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

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

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

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

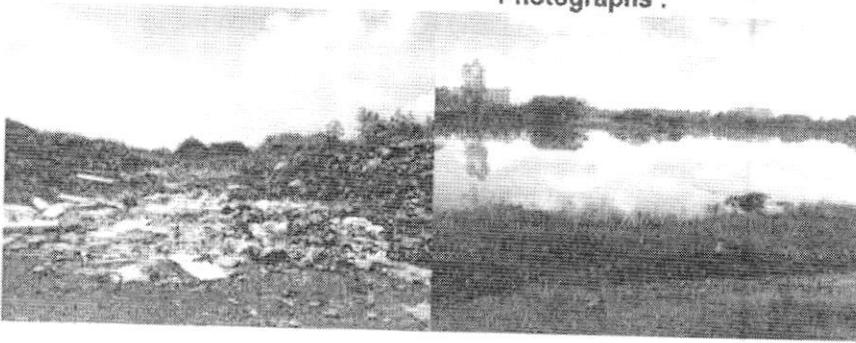
Management of waste on regular basis. The CEO informed that organic waste is being taken away by the farmers and inorganic waste by NGO "Sahas". However they are facing challenges for the disposal of inerts. It is advisable to request BBMP to permit disposal of inerts in their existence facility for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

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

CONCLUSIONS AND ACTION TO BE TAKEN:

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

Photographs :

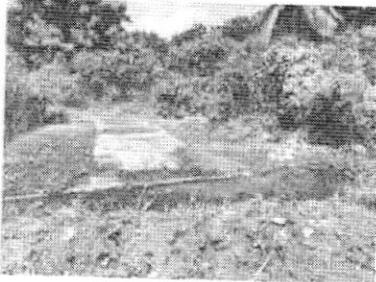


Legacy waste on the lake bed

View of Lake



Drain Leading to Lake



KIADB Septic Tank and water stagnation.



Assemble at the TMC Bommasandra Office post Inspection on 3.9.2020


Syed Khaja Mohiddin
SEO- Infra, KSPCB.

Copy to:

- 1) The Additional Chief Secretary,
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