

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

**O.A.No.222 OF 2021 (SZ)**

**IN THE MATTER**

**JAGAN KUMAR J**

...Applicant

**VS**

**THE PRINCIPAL SECRETARY  
& Others.**

...Respondents

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Dated: 03.05.2023



**M.R. GOKUL KRISHNAN**

Counsel for 5<sup>th</sup> & 6<sup>th</sup> Respondent  
(KSPCB)



**Action Taken Report of Karnataka State Pollution Control Board w.r.t Hon'ble NGT OA No.222 of 2021 (SZ) & I.A.No.117 of 2022 (SZ) in respect of Vengayyana Kere/K.R.Puram Lake/Tank located at K.R.Puram and Sannathammanahalli Village, K.R.Puram Hobli, Bengaluru East Taluk, Bengaluru Urban District**

Sri. J.Jagan Kumar, resident of Bengaluru has filed petition/application before Hon'ble National Green Tribunal, Southern Zone (SZ), Chennai with regard to the dumping of waste and discharge of untreated sewage into Vengayyana Kere/K.R Puram Lake/Tank comprising in Survey No.9 of Krishnarajapuram (K.R.Puram) Village and Survey No. 46 of Sannathammanahalli Village of K.R. Puram Hobli, Bangalore East Taluk, Bangalore Urban District and hence the same has been admitted in Hon'ble NGT (SZ) in the name of Original Application No.222 of 2021(SZ).

The Hon'ble National Green Tribunal, Southern Zone, Chennai had passed an order dated 27.10.2021 in Original Application No.222 of 2021 regarding the above allegations made by the applicant. In the said order, Hon'ble NGT had appointed a Joint Committee and had directed this Joint Committee to inspect the area in question and submit a factual as well as action taken report, if there is any violation found and also Karnataka State Pollution Control Board had been made as Nodal Agency for co-ordination and for providing necessary logistics for this purpose. Further, the spot inspection of Vengayyana Kere/K.R.Puram Lake/Tank was carried out by the Joint Committee on 29.11.2021. The observations made by the Joint Committee and action taken w.r.t Hon'ble NGT directions issued in the interim order dated 27.10.2021 has been submitted to Hon'ble NGT. Later, apart from the above, the detailed action taken report by KSPCB was submitted as an independent report in the form of Affidavit before Hon'ble NGT.

Subsequently, the above said Hon'ble NGT OA no.222 of 2021 (SZ) in respect of Vengayyana Kere/K.R.Puram Lake came up for hearing on 24.11.2022 before the Hon'ble NGT (SZ), at Chennai. Further, in the order dated 24.11.2022, the Hon'ble NGT had called KSPCB to file complete report w.r.t compliance of the recommendations made in earlier report of KSPCB and any other action plan to restore KR Puram lake. Later, the complete action taken report dated 13.12.2022 was submitted by KSPCB before Hon'ble NGT for the hearing on 16.12.2022.

Later, the above said matter came up for hearing on 24.01.2023. The applicant had filed an I.A. vide no.117 of 2022 and in the said I.A, the applicant had alleged that the respondents are trying to

**Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bengaluru**



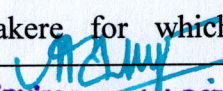
make some changes by laying a road in the water body and putting up the constructions in the buffer zone of the water body, thereby shrinking the size of the lake and the buffer zone. Further, in the order dated 24.01.2023, the Hon'ble NGT has called KSPCB to submit a comprehensive report regarding below said points and to file the reports after inspection.

- i. Letting out of sewage water into the lake
- ii. Restoration of the lake within the buffer zone
- iii. Encroachments inside the lake area which are to be addressed by the BBMP

Hence, KSPCB has conducted joint inspection of Vengayyana Kere/K.R.Puram Lake along with Officials of BBMP (Lakes), Minor Irrigation Department, BBMP (Solid Waste Management) & BWSSB once again on 07.02.2023. The inspection report of Regional Officer-Mahadevapura, KSPCB is herewith enclosed as **Annexure-I**.

Based on the observations made during inspection on 07.02.2023, the comprehensive report regarding the points stated in the order dated 24.01.2023 are as below:

| Sr. No | Issues/points stated in the order dated 24.01.2023 | KSPCB remarks   |
|--------|--|---|
| 1      | Letting out of sewage water into the lake          | <p>a) The BWSSB authorities should quantify the sewage generated in the Hebbal Valley till downstream of Varthur Lake as there are series of Lakes and also most of the newly added 110 villages are existing in this stretch. Without quantifying the sewage generation and submission of action plan by BWSSB to plug the sewage entry into the Lakes/Water bodies, entry of sewage into the lake cannot be stopped.</p> <p>b) The untreated sewage from the upstream area is flowing into Storm Water Drain (SWD) and reaching Vengaiahnakere. Hence, it is recommended that, BWSSB is required to provide UGD or take back this untreated sewage to Vengaiahanakere STP &amp; TC playa STP of capacity 20 MLD each in order to prevent the entry of sewage into Vengaiahanakere for which they have</p> |

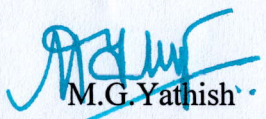
  
**Senior Environmental Officer**  
**Infrastructure & Lake Development**  
**Karnataka State Pollution Control Board**  
**Bengaluru**



|   |  |   |
|---|--|---|
|   |  | submitted an Action taken report vide their letter No. 378 dtd. 5.12.2022 stating that existing 40 MLD capacity of STP is frequently monitored and necessary action has been taken for improving the treating capacity of STP's by BWSSB and also another 10 MLD new STP is proposed at Basavanapura, KR Puram and DPR for the same is under preparation. |
| 2 | Restoration of the lake within the buffer zone                           | The BBMP (Lakes) authorities have not completed the Rejuvenation work of said Lake, even though the work order was issued on 08.12.2022. Also, BBMP has not yet fenced the entire lake completely.  |
| 3 | Encroachments inside the lake area which are to be addressed by the BBMP | Around 7 to 8 individual houses have been constructed by private parties towards Northern side of the Lake and they have constructed Compound wall by using size stone masonry & cement blocks all along the newly constructed houses towards the Northern side of the Lake. This has to be addressed by BBMP/Revenue Department authorities.             |

Further, it is to be submitted that, KSPCB is also conducting routine inspections in the catchment area of Vengayyana Kere/K.R.Puram Lake to identify & initiate action against the defaulters who are discharging sewage with/without treatment. In this regard, notices have been issued to 13 number of apartments. Copies of the notices are herewith annexed as **Annexure-II** for kind reference. In addition to this, KSPCB Marshalls are continuing patrolling and conducting surprise visits/checks in this office jurisdiction to identify any illegal discharges.

It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to record the above-mentioned facts, take the detailed Report of KSPCB along with Annexures, and pass such order (or) any other orders as this Hon'ble Tribunal may deem fit and proper in this case and thus render justice.

  
M.G. Yathish  
Senior Environmental Officer  
KSPCB, Bengaluru

Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bengaluru



**Inspection Report of Sri. D.P.Mahendra, Environmental Officer, KSPCB  
Regional Office – Mahadevapura, Bengaluru.**

|   |   |
|---|---|
| Name and address of the project         | Vengaiahnakere (KR Puram Lake),<br>Sy No.9 of Krishnarajapuram village and<br>Sy No. 46 of Sonnathammanahalli village,<br>K.R.Puram Hobli, Bangalore East Taluk,<br>Old Madras Road, Bengaluru.   |
| Date of Inspection                      | 07.02.2023  |
| KSPCB Officer Accompanied               | Sri J.N.Yogananda, DEO, KSPCB, RO-Mahadevapura  |
| Officials Present from other Department | <ol style="list-style-type: none"> <li>1. Sri Nagaraj, Asst Executive Engineer, Minor Irrigation Dept.</li> <li>2. Smt Sapna N.K., Asst Executive Engineer, BBMP(Lakes)</li> <li>3. Sri Srinidhi, Asst Executive Engineer, BBMP(Solid Waste Management)</li> <li>4. Smt. Gangalakshamma, Executive Engineer, BWSSB(STPs-Maintenance),</li> <li>5. Sri Vivek, Asst. Executive Engineer, BWSSSB(STPs Maintenance)</li> <li>6. Sri Venkataramanappa, Asst.Executive (Maintenance)</li> <li>7. Sri Dinesh, Asst. Engineer, BWSSB (Maintenance)</li> <li>8. Sri Lingaraju, Asst Engineer, BWSSB(STPs Maintenance)</li> </ol> |
| Officers Absent                         | Revenue Department officials  |
| Latitude                                | : 13.01640 N  |
| Longitude                               | : 77.69830 E  |

**Preamble:**

The Vengaiahnakere lake Located at Sy No.9 of Krishnarajapuram village and Sy No. 46 of Sonnathammanahalli village, K.R.Puram Hobli, Bangalore East Taluk, i.e. K R Puram BBMP Ward No.52. Vengaihnakere Lake is also known as K R Puram Lake. Earlier the lake offers boating facilities to visitors, and there are sheds built for people to relax. Vengaihnakere Lake also has a jogging track, fishing zones and food courts for visitors. The speed boats, pedal boats and scooter boats are a major attraction of Vengaihnakere Lake.

The catchment area/ upstream residential area for the Vengaihanakere is T.C.Palya, Anandapura, Ramamurthynagar, Vijinapura, Dasappa Layout, Shanthishree layout and Kowdenahalli area.

The said lake was inspected in view of Hon'ble NGT OA No.222 of 2021 at South Zone Chennai order dated. 24.01.2023 and the next hearing coming on 20.02.2023. Following are the observations were made during inspection:

1. The extent of the lake is about 64 Acres 35 Guntas as per Revenue records.
2. Earlier provided walking path, boating facility, jogging track, food courts have got damaged and not in usable condition.

3. The BBMP authorities are constructing the Kalyani in the lake bed towards south-east direction the lake.
4. The said lake has not been fenced completely by BBMP (Lakes) authorities towards northern and eastern side (old Madras Road) and the compound wall by using size stone masonry and cement blocks has been constructed towards northern side by private person.
5. The 90 % of the entire lake area has been grown with water hyacinth (water weeds).
6. The earlier dumped C & D waste, Garbage (general solid waste) all along the old Madras Road near the tank bund and in some portions towards Meenakshi temple has been cleared, still C & D waste and soil dumped near weir point i.e. near TC Palya signal has not been cleared.
7. The Building stone has been stored in the lake bed towards Northern side of the Lake by contractor of BBMP (Lakes) authorities for pitching of Lake Bund.
8. The BBMP authorities have provided underground diversion channel to prevent the entry of sullage/storm water into the lake and the same is yet to be operated as there was no further passage to discharge into downstream (BBMP authorities have proposed to provide trenchless drain road cutting).
9. Around 7 to 8 individual houses have been constructed by private parties toward Northern side of the Lake and they have constructed Compound wall by using size stone masonry & cement blocks all along the newly constructed houses towards the Northern side of the Lake.
10. This office is repeatedly receiving the complaints from neighboring residents regarding smell nuisance near T.C. Palya Traffic signal (@ out weir point of the Vengaihanakere lake).
11. The part of untreated sewage discharging from individual houses entering the Lake at North west side through Rajakaluve (near Meenakshi Temple) and Northern side of the lake through storm water drain was observed.
12. The BWSSB authorities are treating the sewage flowing from wards Nos. 25 (Horamavu), 26 (Ramamurthynagar), 51 (Vijinapura) & 52 (K.R. Puram) of BBMP area in 2 Nos of 20 MLD STP provided by BWSSB authorities @ upstream side of the Lake is also being letting into the Vengaihanakere lake.
13. Now the Minor Irrigation Department authorities are laying the steel pipe from the BWSSB STP (Vengaihanakere) through lake bed up to Yelemallappachetty Lake jock well (pump house) constructing by Minor Irrigation Department in order to convey the treated sewage from 3 STPs of Vengaihanakere, TC Palya and Medahalli to Hosakote taluk tanks filling up.
14. The BBMP (Lakes) Officials present during inspection informed that the extent of Vengaihanakere was 64 Acres 35 Guntas as per Revenue Records, but survey department authorities have submitted a survey sketch to BBMP (Lakes) dated: 16.11.2021 and as per the point shown by surveyor the extent of said Lake is coming to 59 Acres 28 Guntas and also they have informed that written a letter to ADLR (Assistant Director of Land Records) Revenue Department & copy to Tahasildar, Bangalore East Taluk w.r.t. difference in extent of Lake and so far they have not submitted any reply for considering the correct extent of Lake i.e. for fixing up of the boundary of Lake and hence the fencing at northern side is not being done.
15. The BBMP (Lakes) authorities present during inspection informed that Tender has been finalized and work order has been issued to M/s PJB Engineers Pvt Ltd on 08.12.2023 Rejuvenation of Lake



and Rejuvenation work will be commissioned by next week of this month(end of February-2023) and BBMP authorities present during inspection informed that dewatering of lake water through weir point the level of weir point is at higher level and it contains stone bed and hence gets delayed.


16. BBMP(Lakes) authorities are providing 2 Nos of inlet silt traps to avoid sewage entry during dry weather flow and is under progress.
17. As per the analysis report received from the laboratory and it reveals that the water quality is for Class-E(it can be used for Irrigation, Industrial cooling & controlled waste disposal), copy enclosed for reference.
18. Even though repeatedly informed to the BWSSB authorities for linking all missing links to their UGD or taken back to 2 Nos of 20 MLD STP (Vengaihanakere and TC Palya) and they informed during inspection that survey work has been completed and execution of work is pending and it will be completed by the end of March-2023 in order to prevent the entry of untreated sewage into the storm water drain and then to Vengaihanakere Lake.
19. The BWSSB authorities have completed the work w.r.t. laying of 450 mm dia NP3 Class RCC sewer pipeline from Rangappanathota to TC Palya signal.
20. The photographs taken during inspection are enclosed as **Annexure-I & Ia** for kind reference.

#### **Recommendations:**

In view of the above said facts and observations, following recommendations are put forth:

- a) The BWSSB authorities should quantify the sewage generated in the Hebbal Valley till downstream of Varthur Lake as there are series of Lakes (Hebbal lake → Jakkur Lake → Rachenahalli Lake → Nagavara Lake → Kalkere Lake → Margondanahalli(Rampura)Lake, Vengaihanakere Lake → Yelemallappachetty Lake → Dakshina Pinakini River → downstream of Varthur Lake) and also most of the newly added 110 villages are exists. Without quantifying the sewage generation and submission of action plan to plug the sewage entry into the Lakes/Water bodies will not serve the purpose.
- b) The untreated sewage from the upstream area is flowing into SWD and reaching Vengaihanakere, it is recommended that, BWSSB is required to provide UGD or taken back this untreated sewage to Vengaihanakere & TC playa STPs of capacity 20 MLD each in order to prevent the entry of sewage into Vengaihanakere for which they have submitted an Action taken report vide their letter No. 378 dtd. 5.12.2022 stating that existing 40 MLD capacity of STP is frequently monitored and necessary action has been taken for improving the treating capacity of STP's by BWSSB and also another 10 MLD new STP is proposed at Basavanapura, KR Puram and DPR for the same is under preparation.
- c) The BBMP (Lakes) authorities are not commissioned the Rejuvenation work of said Lake even though work order was issued on 08.12.2022 and not fenced the entire lake completely, the copy of the work order issued is herewith enclosed as **Annexure-II**.

Hence, in view of the above said facts, direction can be given to the BWSSB and BBMP (Lakes) authorities from the Board Office and to submit the action taken report directly to the Hon'ble NGT (SZ) Chennai Bench in order to prevent the entry of untreated sewage into the Lakes and Rejuvenation of said Lake.

  
**Environmental Officer,**  
**RO-Mahadevapura.**

W/2



Photographs taken during inspection of Vengaiahnakere Lake on 7.2.2023 by KSPCB, BBMP(Lakes & SWM), BWSSB(STPs & Maintenance) & Minor Irrigation Dept. officials.



Kalayni constructing by BBMP authorities in the lake bed area towards south-east side of lake.



Minor irrigation department authorities are laying the steel pipe for conveying the treated sewage from Vengaiahnakere BWSSB STP to Yelemallappachetty lake pump house(Jock Well)



KSPCB, BBMP(Lakes & SWM), BWSSB(STPs & Maintenance) & Minor Irrigation Dept. officials present during inspection of the lake



KSPCB, BBMP(Lakes & SWM), BWSSB(STPs & Maintenance) & Minor Irrigation Dept. officials present during inspection of the lake



Environmental Officer  
RO-Mahadevapura.



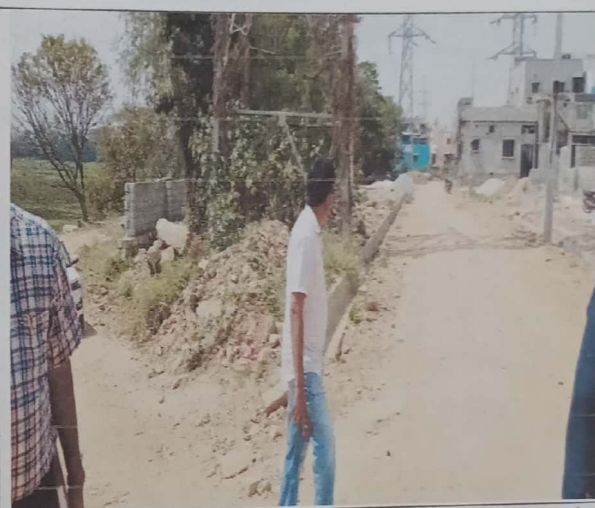
# Annexure-Ia



Building stone has been stored in the lake bed by BBMP(Lakes) contractor to construct diversion channel in order to prevent the entry of sewage/storm water into the lake



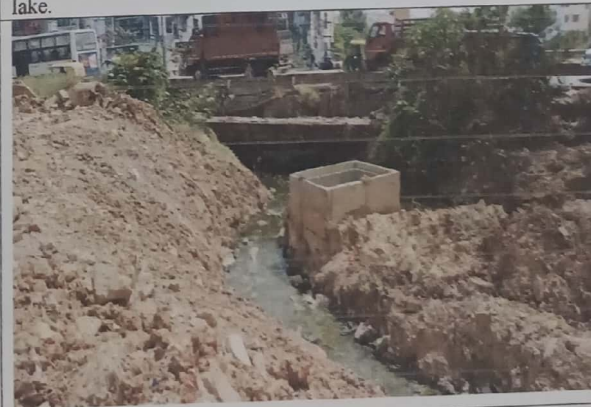
Water hyacinth (weed) grown up (fully covered up) in the entire Vengaiahankere lake



Road has been formed near the compound wall towards newly constructed 7 to 8 individual houses towards northern side of the lake.



Compound wall has been constructed towards northern side of lake



Weir point of Vengaiahankere (Near TC Palya Signal)

Environmental Officer  
RO-Mahadevapura.



Annexure 9 II



**BRUHAT BANGALORE MAHANAGARA PALIKE**  
Office of the Executive Engineer(K.R.Pura-Lakes), 3<sup>rd</sup> Floor, Annexure  
Building-3, N. R. Square, Bangalore – 560 002.

No. EE(K.R.P-Lakes)/WO-09/2022-23

Dated: 08-12-2022

To,  
M/s. PJB Engineers Private Limited  
(Prop.Sri. Pannkuzhyil Joseph Baby),  
# 143, 4<sup>th</sup> Floor, Rathna Building,  
Richmond Road, Bangalore-560025

**WORK ORDER**

Sub: "Rejuvenation and Developmental Work to Vengaiahna kere".


Ref: 1) Tender Notification No: EE-1(Lakes)/TEND/18/2022-23.  
Dated: 04-10-2021. Indent No. BBMP/2021-22/RT/  
WORK\_INDENT48607.

2) Agreement No: EE/K.R.P-LAKES/AG-09/2022-23.  
Dated:08-12-2022.

\*\*\*\*\*

Pursuant to your furnishing the requisite security deposit as stipulated in  
ITT Clause 29.1 and signing of the contract agreement for execution of the  
work of "Rejuvenation and Developmental Work to Vengaiahna kere" (job  
code 308-23-000082) for a Total Amount Rs.7,65,76,563/- (Rupees Seven  
crore Sixty five lakhs Seventy six thousand Five hundred and Sixty three  
(Tender Price of Rs.6,48,95,393/- and 18%GST charges Rs.1,16,81,170/-)

Hence you are hereby instructed to proceed with the execution of the  
said works in accordance with the contract documents. The Contractor shall in  
all respect complete within the stipulated period of **11 months** from this work  
order date.

  
Executive Engineer

K.R.Pura-Lakes,  
Bruhat Bangalore Mahanagara Palike

Copy to:

1. Chief Engineer, Lakes, BBMP for kind information
2. Assistant Executive Engineer, lakes-K.R.Pura BBMP for necessary action.
3. Office copy.