

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

**M.A. No. \_\_\_\_\_ of 2017  
IN  
SUO MOTO APPLICATION NO. 125 OF 2017**

IN THE MATTER OF:

Court on its own Motion

**...Applicant**

Versus

State of Karnataka & Ors.

**...Respondents**

AND IN THE MATTER OF:

Namma Bengaluru Foundation

**...Impleadment Applicant**

**APPLICATION FOR IMPLEADMENT ON BEHALF OF NAMMA  
BENGALURU FOUNDATION**

MOST RESPECTFULLY SHOWETH:

Introduction

1. That the applicant is a Public Charitable Trust, established *inter alia* with the objective of assisting and participating in developmental activities for the general public to the City of Bengaluru. The Applicant aims to serve the public by proactively participating in and addressing various problems faced by the City of Bengaluru and its citizens, through advocacy, partnership and activism.
2. It has been actively involved in hosting public awareness programme such as fire safety awareness, water conservation awareness, garbage segregation, waste management to promote civic awareness among the general public. The Applicant has been striving to ensure that developmental, industrial and other projects impacting the environment in and around Bengaluru are environmentally sound.
3. The Applicant has also espoused various public causes through public interest litigations in order to create better environment for the citizens of Bengaluru and in order to ensure that the stakeholders in development are in complete

compliance of the laws. A copy of the Trust Deed of the Applicant is produced herewith and marked as **Annexure-R1**.

#### Bellandur Lake

4. That Bellandur Lake being the largest water body has a special place in Bengaluru, once also known as 'Lake City' with a chain of natural and manmade lake systems that supported a natural drainage system. For several decades, citizens depended on this network of waterbodies for their daily needs.
5. The killing of Bellandur Lake is a sad representation of the rampant neglect and exploitation that is destroying Bengaluru city, making it unlivable and pushing it to a stage of multiple crisis, like Public health and water - signs of which are already evident. Many decades of neglecting a fundamental issue of Waste treatment capacities for a growing city has rendered this once life nurturing lake into a public health and environmental catastrophe.
6. Unplanned growth of the city without proper planning has brought the Lake into this precarious situation. Huge volumes of untreated sewage and industrial effluents flowing into the lake over a long period, inadequate treatment capacity and encroachment by developers are causes for this crisis.
7. The Lake has come to suffer abnormal levels of pollution in terms of septicity, obnoxious odour, aerosols with toxic volatile organic compounds, eutrophication, breeding of mosquitoes, disappearance of native fish species, algal bloom and profuse growth of invasive exotic aquatic macrophytes.
8. Due to high wind coupled with rainfall has led to formation of massive froth and aerosol at northern and southern waste weirs of the Lake eventually overflowing to the neighbouring road obstructing traffic.
9. Froth caught fire perhaps due to compounds with high flammability i.e. hydrocarbons and organic polymers being discharged in to the Lake from nearby industries in the vicinity

of Lake coupled with accidental fire (throwing cigarettes, beedis etc.).

#### Applicant's Involvement

10. The Applicant engaged with elected representatives and officials and discovered the lack of shared vision and holistic understanding of the problem as also the lacking solutions approach. Hence, the Applicant worked with the locals, experts and activists over intense deliberations and following an evidence based approach to evolve a total solutions methodology to save Bellandur Lake and rejuvenate it to its once pristine glory.
11. The Applicant had drawn up a comprehensive [#SaveBellandur](#) Action Plan – a set of solutions to save the lake. The solutions comprised a practical and viable set of actions to bring the Lake back to life. A copy of the Applicant's [#SaveBellandur](#) Action Plan Report is produced herewith and marked as **Annexure-R2**.
12. This report was duly presented to Bengaluru Development and Town Planning Minister - Shri KJ George on 13.04.2016, following which a Save Bellandur Lake workshop was organized. Post the deliberations at the workshop, the minister proposed the formation of an expert committee to finalize on a workable solution to revive the frothing lake.
13. An Expert Committee comprising of experts in the field under the chairmanship of Additional Chief Secretary to Government, Urban Development Department, Government of Karnataka was constituted vide Government Order No. UDD 212 MNJ 2016, dated 10.05.2016 to take up a study addressing the problems of lake contamination as well as the feasible technical solutions towards the rejuvenation of Bellandur Lake.
14. The Applicant was privileged to be part of the expert committee, along with leading researchers and activists, contributing to solutions towards restoring the Lake. Applicant ensured inputs

from all stakeholders were pursued to a logical end all through the committee deliberations.

15. The expert committee deliberated on the subject extensively, carried out field visits, went round the Lake in boat to understand magnitude of problem, elicited views from experts, conducted public hearings and received representations from local residents and NGOs.
16. The committee submitted its report to the Hon'ble Chief Minister of Karnataka on 16.11.2016 recommending short-term and long-term measures to rejuvenate the Lake. A copy of the Expert's Committee Report on Rejuvenation of Bellandur Lake is produced herewith and marked as **Annexure-R3**.

#### Recent Developments

17. Recently, in January, 2017, the Government of Karnataka has formed a Monitoring committee for Restoration of Bellandur Lake under the chairmanship of Commissioner, Bangalore Development Authority. The Applicant is a member of the said Monitoring Committee, which held its first meeting on 27.01.2017.
18. On 09.01.2017, the Division Bench of Hon'ble High Court of Karnataka in WP No. 58668/2015 observed that the authorities are shirking their respective responsibilities with regard to removal of pollution and rejuvenation of the Lake. The Hon'ble Court had appointed the Principal Secretaries of the Department of Urban Development and Department of Ecology and Environment, Government of Karnataka, as Special Officers directing them to look into present status of the Lake and take all remedial measures to restore and rejuvenate the Lake within four weeks. Despite this, the condition of the Lake continues to be precarious and no action appears to have been taken till date. A copy of the order dated 09.01.2017 passed by the Division Bench of Hon'ble High Court of Karnataka in WP No. 58668/2015 is produced herewith and marked as **Annexure-R4**.

19. On 16.02.2017, the Lake has again caught fire due to continuous dumping of municipal solid waste, debris from construction & demolition and discharge of untreated effluents containing high flammability compounds by the industries in the vicinity of Lake.
20. The Applicant submits that the present situation is alarming and immediate remedial measures are required to be adopted to save the dying lake in terms of the recommendations of the Applicant's Report and the Expert's Committee Report.
21. The Applicant/Proposed Respondent is therefore a necessary party for a complete and holistic adjudication of the subject Application. It is therefore necessary and expedient, in the interest of justice and equity that the Proposed Respondent be impleaded as a party to assist this Hon'ble Tribunal in bring out practical solutions and viable set of actions for saving the Lake and for its rejuvenation.
22. It is submitted that unless the Applicant/Proposed Respondent is permitted to be impleaded in the Application, irreparable loss and legal injury would be caused to the Applicant and it would be failing in its duties.
23. That, the prayer being urgent deserves to be considered at the earliest and the order allowing the application also deserves to be passed at the earliest.
24. The Applicant may be permitted to file additional and detailed affidavit/pleadings along with necessary documents supporting the stand taken herein, as and when required by this Hon'ble Tribunal.

### **PRAYER**

It is, therefore humbly prayed that this Hon'ble Tribunal may graciously be pleased to:

- i. Allow this Application and permit the Applicant to be impleaded in the aforementioned matter being Suo Moto Application No. 125 of 2017;
- ii. Allow the Applicant to file detailed pleadings supporting the stand taken herein; and
- iii. Pass such other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Delhi

**Advocate for the Applicant**

Date:

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**I N D E X**

<b>S. No.</b>	<b>Document</b>	<b>Page No.</b>
1.	Application for impleadment on behalf of Namma Bengaluru Foundation alongwith verifying affidavit.	
2.	<b>Annexure-R1</b> Copy of the Trust Deed of the Applicant	
3.	<b>Annexure-R2</b> Copy of the Applicant's <u>#SaveBellandur</u> Action Plan Report	
4.	<b>Annexure-R3</b> Copy of the Expert's Committee Report on Rejuvenation of Bellandur Lake	
5.	<b>Annexure-R4</b> Copy of the order dated 09.01.2017 passed by the Division Bench of Hon'ble High Court of Karnataka in WP No. 58668/2015	

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