

IN THE HIGH COURT OF KARNATAKA  
DATED THE 01ST DAY OF DECEMBER 2014

PRESENT

THE HON'BLE CHIEF JUSTICE  
AND  
THE HON'BLE MR. JUSTICE BUDIHAL R.B.

WRIT PETITION NO 38401 / 2014 (GM-RES)



Petitioner

- 1 CITIZENS ACTION GROUP  
REGISTERED UNDER THE KARNATAKA SOCIETIES REGISTRATION ACT, 1960  
HAVING ITS OFFICE AT JAWAN'S COLONY, BDA PARK, 1ST STAGE,  
INDIRANAGAR, BANGALORE-560 038  
REPRESENTED BY ITS SECRETARY MS NOMITA CHANDY

By Sri JAYNA KOTHARI  
Vs

Respondents

- 1 THE STATE OF KARNATAKA  
DEPARTMENT OF URBAN DEVELOPMENT, M S BUILDING,  
BANGALORE-560 001, REPRESENTED BY ITS CHIEF SECRETARY
- 2 DEPUTY COMMISSIONER (BANGALORE URBAN)  
M.S BUILDING, BANGALORE-560 001
- 3 THE BANGALORE WATER SUPPLY AND SEWERAGE BOARD  
CAUVERY BHAVAN, BANGALORE-560 009  
REPRESENTED BY ITS COMMISSIONER
- 4 BRUHAT BANGALORE MAHANAGARA PALIKE  
CORPORATION BUILDING, N R SQUARE  
BANGALORE-560 002, REPRESENTED BY ITS COMMISSIONER
- 5 THE BANGALORE DEVELOPMENT AUTHORITY  
T CHOWDIAH ROAD, KUMARA PARK WEST, BANGALORE-560 020  
REPRESENTED BY ITS COMMISSIONER
- 6 THE LAKE DEVELOPMENT AUTHORITY  
PARISARA BHAVANA, BANGALORE-560 020  
REPRESENTED BY ITS COMMISSIONER

(AGA for R1 & R2; Sri Gurudev I Gachchinamath, Adv. for R3;  
Sri Subramanya R, Adv. for R4)

Whereas, a Writ Petition filed by the above named petitioner  
under Article 226 & 227 of the Constitution of India, has been  
registered by this court.

After hearing, the Court made the following:-

O R D E R

XEROX COPY OF THE ENTIRE ORDER DATED 01-12-2014 IS  
ENCLOSED HEREWITH SEPARATELY.

bk-41214.9



D. Aruna Kumari  
[D. ARUNA KUMARI] 4/12/14  
Assistant Registrar

*[Handwritten signature]*

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Received

CJ & BRBJ:  
01.12.2014

1  
W.P.No.38401/2014(GM-RES)

**ORDER**

1. During the pendency of the present petition, the concerns of the petitioner-Citizens Action Group are stated to have been partly addressed and a statement in that regard is submitted by respondent No.4-BBMP. The first status report submitted by respondent No.3-BWSSB explains in detail the planning and projections for management of water resources and disposal of sewage water as well as rain water by the rain water drains. It is generally denied that the storm water and the sewage water are allowed to be carried by the same sewerage system. It is, however, also acknowledged that in so many areas the sewage is directly discharged in storm water drains, which could cause serious health hazard and pollution of the lakes in a massive way.

2. It is not disputable that the sewerage system is choked or blocked at several places and are urgently required to be cleared and cleaned. It was noted from the status report that there are about 183 lakes in Bengaluru, each having at least two inlets from the storm water drains. If the storm water drains opening into lakes also carry untreated industrial effluents or domestic sewage, the lakes would be in danger of dying. Therefore, besides other



measures being taken up by both the respondents, it is very important and imperative that whichever storm water drain is opening into any of the lakes, it has to be maintained in a scientific manner and any leakage or release into such drains of any sewage, effluent or industrial effluent must be strictly prevented by taking all the necessary steps, including sealing such outlets and initiating penal action against any person or party releasing any pollutants into the storm water drains. Such storm water drains may be running through residential or industrial areas and may be running for several kilometers. But they must be maintained in such condition that only rain water is carried in such drains and such water passes on through such drains to the lakes.

3. The parties having realized the importance of the above aspect, it was stated at the bar that cleaning and maintenance of such storm water drains will be taken up on priority basis and the BBMP and BWSSB will work in tandem to ensure that no sewer or untreated effluent, either domestic or industrial, would be released directly or by outlets into such drains.

4. The hearing of the petition is adjourned to 30.1.2015 in the hope that by that time necessary actions would have



been initiated and borne some results, which could be reported to the Court by BBMP as well as BWSSB.

5. Since the subject matter of the petition is crucial and important for survival of Bengaluru as a beautiful and civilized metropolitan city, it could be expected that the representatives of the people, the elite and enlightened citizens, the non-governmental organizations concerned with the well-being of lakes and water bodies of the city and the people in general would realize the importance of cleanup and maintenance of the storm water drains and co-operate in efforts of the statutory agencies and authorities concerned in ensuring that the storm water drains are maintained in the manner in which they have to be maintained, even at the cost of some inconvenience or expenses to some private parties.

Sd/-  
Chief Justice

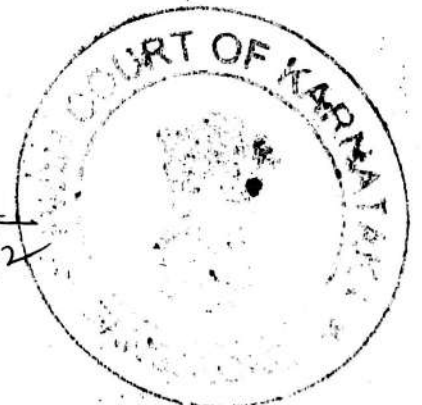
Sd/-  
JUDGE

**COPY**

*D. Anandakumar*  
Assistant Registrar  
High Court of Karnataka  
Bangalore - 560 001  
4/12/17

*OH/12*  
*4/12*

TRUE COPY  
*W.S.*  
Section Officer  
High Court of Karnataka  
Bangalore - 560 001  
5/12



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