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Buffer zone: Karnataka to move Supreme Court on National Green Tribunal fines

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The SC also ordered the State to pay a performance guarantee amount of ` 100 cr to ensure the work is executed | Express

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BENGALURU: Karnataka will soon file an appeal in the Supreme Court against the order issued by the National Green Tribunal (NGT) last month, slapping a penalty of Rs 50 crore on the State and Rs 25 crore on the Bruhat Bengaluru Mahanagara Palike (BBMP) for their “negligence” in reining in unchecked pollution in Bellandur, Agara and Varthur lakes. Karnataka government was also asked to transfer Rs 500 crore in a specific account to be used for executing an action plan for rejuvenating the lakes. The order was passed by the NGT in New Delhi on December 6, 2018. The court also ordered the State to pay an additional performance guarantee amount of Rs 100 crore to ensure the plan is executed by January 30.

Top government officials told The New Indian Express that they would either file an appeal in the Supreme Court or they would ask NGT to review its order. “Filing an appeal in the SC is more likely since it was the Tribunal that passed the order in the first place.” Advocate General of Karnataka, Uday Holla, confirmed the plan, saying, “We will be filing an appeal against it in the Supreme Court very shortly.”

A government source questioned the basis on which the fine has been imposed. “There has to be some reasoning for it. What is the yardstick being used to fix this fine? This is mainly why we are choosing to appeal against the order,” he said.

A highly-placed government official said the civic agencies had drawn an action plan to manage the Bellandur Lake but it failed to find place in the submissions made before the NGT.

Monitoring committee to meet State officials

The NGT in its order also mandated the setting up of a monitoring committee headed by former Supreme Court judge Santosh Hegde, to oversee the implementation of its order. The team also comprises Indian Institute of Science faculty member T V Ramanchandra, and officials from the Central Ground Water Pollution Control Board and Karnataka State Pollution Control Board. The committee will listen to representations from the State on January 7.

SC to hear case on Jan 8

Bengaluru: The Supreme Court will hear the final arguments on the case regarding the extent of buffer zones along rajakaluves (stormwater drains) set by the National Green Tribunal (NGT), on January 8. On May 4, 2016, the NGT Principal Bench had passed an order specifying that a buffer zone of 75 metre in case of lakes, 50 metre for primary, 35 metre for secondary and 25 metre for tertiary rajakaluves should be maintained. These buffer zones were directed to be maintained as green belts, and as 'no construction zone' for all intent and purposes. Two private companies and the state government have approached the Supreme Court seeking to quash the NGT judgement.