

IN THE HIGH COURT OF KARNATAKA AT BENGALURU  
(Original Jurisdiction)

W.P.No.7615/2020 (GM-RES-PIL)

Bengaluru Urban District

Advocate Sri

**KUMAR.M.N.**

No.60, Ground Floor,  
2<sup>nd</sup> Cross Road, 2<sup>nd</sup> Main Road,

Ramamohanapura,

Bengaluru– 560021.

Mob.No.94484-79917

e.mail : [kmn.studentoflaw@gmail.com](mailto:kmn.studentoflaw@gmail.com).

Between

Mallikarjuna A.

And

Government of India and others

PRESENTATION FORM

Sl.No.	Description of Papers Presented	Court Fee paid
1.	On memorandum of	.....
2.	On the Affidavit of	.....
3.	On the Memo of <b>respondent No.5</b>	.....
4.	On Certified Copies	.....
5.	On I.A.	.....
6.	On Process Fee	.....
7.	On Copy Application	.....
8.	On application for recalling	.....
9.	On caveat	.....
10.	On Statement of objections	.....
Total		

Number of Copies furnished

Other side Served

Presented by

Kumar M.N

Central Government Counsel for  
respondent Nos.1 to 5

Received papers with  
Court-fee label as above

Advocate's clerk

Date : 10/08/2020

Place : Bengaluru

Receiving Clerk

IN THE HIGH COURT OF KARNATAKA AT BENGALURU  
(Original Jurisdiction)

W.P.No.7615/2020 (GM-RES-PIL)

Between:

Mallikarjuna A.

...Petitioner

And

Government of India and others

...Respondents

**INDEX**

Sl.No.	Description	Pages
01	Memo of the respondent No.5 dated 10/08/2020	01-02
02	<b>Annexure-R1:</b> A copy of the order dated 08/08/2020 passed by Union Home Secretary and Chairman, National Executive Committee (NEC) under Section 69 of the Disaster Management Act, 2005.	00-03
03	<b>Annexure-R2:</b> A copy of the directions dated 09/08/2020 issued by the Secretary, Ministry of Water Resources, River Development and Ganga Rejuvenation to all States/Union Territory, Authorities/Dam Authorities.	04-05

Date : 10/08/2020

Kumar M.N.

Place : Bengaluru

Central Government Counsel for Respondent Nos.1 to 5

IN THE HIGH COURT OF  
KARNATAKA AT  
BENGALURU  
(ORIGINAL JURISDICTION)

Between:

W.P.No.7615/2020  
(GM-RES-PIL)

Mallikarjuna A.

...Petitioner

And

Government of India and others

...Respondents

**MEMO OF RESPONDENT NO.5 DATED 10/08/2020**

1. This Hon'ble Court vide order dated 24/07/2020, directed "the National Executive Committee of the National Disaster Management Authority to consider of exercising the powers under clause (l) of sub-Section (2) of Section 10 of the Disaster Management Act, 2005 by issuing directions to the State Governments and the State authorities mandating them to give an intimation to the adjacent States immediately after a decision is taken by the authorities of the State to release water from the reservoirs/dams so that mitigating measures can be taken by the State Governments which are likely to be affected and that they will be in the state of preparedness".
2. The Chairman of the National Executive Committee (NEC), in compliance of the said direction of this Hon'ble Court has passed an order *under* section 69 of the Disaster Management Act, 2005 vide order dated 08/08/2020 ***delegating its power under clause (l) of sub-section (2) of section 10 of the Disaster Management Act, 2005*** to secretary, Department of Water Resources, River Development and Ganga Rejuvenation to issue necessary directions as is considered expedient to comply with the direction of this Hon'ble Court dated

24/07/2020. A copy of the said order is attached herewith as **annexure-R1**.

3. Pursuant to the said order of Chairman, NEC, Secretary, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, vide order dated 09/08/2020 **has issued directions** to the Ministry of Power, Government of India (in respect of Dam Authorities under the Ministry of Power, Government of India), State/Union Territory Governments and State/Union Territory Authorities, for strict and immediate implementation **inter alia** whenever a decision is taken by a State/Union Territory Government/Authority/Dam Authority to release water from the reservoirs/dams within its limits, an immediate intimation thereof has to be issued to the State/UT Government/Authorities/Dam Authorities which are adjacent to the said State/or are likely to be affected by the release of water from the reservoirs or dams and further, the said decision shall be communicated sufficiently in advance by the Concerned State/UT Government/Authority in order to allow mitigating measures to be set up by the downstream State/UT Governments/Authorities/Dam Authorities against any impending flood situation which could be caused due to the release of water from dams/reservoirs. A copy of the said order is attached herewith as **annexure-R2**.

Wherefore, it is respectfully prayed that this Hon'ble Court be, pleased to place this memo with annexures on record, in the interest of justice.

Place : Bengaluru

Kumar M.N.

Date : 10/08/2020 Central Government Counsel for Respondent Nos'.1 to 5