

BEFORE THE NATIONAL GREEN TRIBUNAL
Faridkot House, Copernicus Marg, NEW DELHI-110001
ORIGINAL APPLICATION NO. 125/2017

IN THE MATTER OF:

Court on its Own Motion APPLICANT
Versus
State of Karnataka & Ors RESPONDENTS

Next D.o.H: 02.12.2019

I N D E X

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Filed on: 28.11.2019

BEFORE THE NATIONAL GREEN TRIBUNAL
Faridkot House, Copernicus Marg, NEW DELHI-110001
ORIGINAL APPLICATION NO. 125/2017

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State of Karnataka & Ors RESPONDENTS

**AFFIDAVIT ON ACTION TAKEN REPORT ON BEHALF OF
RESPONDENT KARNATAKA STATE POLLUTION CONTROL
BOARD (KSPCB)**

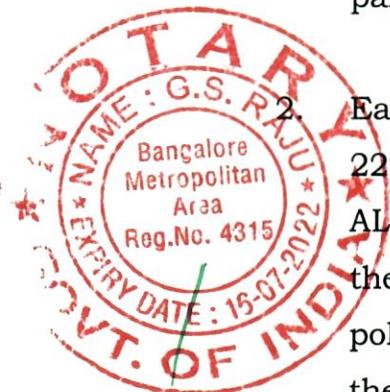
I, Shri BASAVARAJ V. PATIL, I.F.S. and Member Secretary, Karnataka State Pollution Control Board (KSPCB), do hereby solemnly affirm that in my official capacity I am familiar with the facts and circumstances relevant to the present matter and also as verifiable from the official records maintained with the Karnataka State Pollution Control Board. I further affirm that the contents of the affidavit are true and correct to the best of my knowledge, information and belief and nothing material is concealed there from.

1. That the present OA is in response to the suo moto cognizance by the Hon'ble Tribunal of the news appeared in NDTV television and print media journals regarding Bellandur Lake in Bengaluru. Accordingly, an Order dated 20.02.2017 was passed by this Hon'ble Tribunal. The scope thereof was to cover pollution of water in the K & C valley catchment area draining into Bellandur lake, Agara lake and Varthur lake of Bengaluru, inter-alia, on account of discharge of untreated sewage and other effluents from residential/commercial/industrial buildings in violation of statutory provisions of the Water (Prevention and Control of Pollution) Act, 1974, particularly Section 25 thereof.

2. Earlier, vide order dated 07.05.2015 in Original Application No. 222/2014, *The Forward Foundation v. State of Karnataka & Ors.* [2015 ALL (1) NGT REPORTER (2) (DELHI) 81], this Hon'ble Tribunal dealt with the issue of encroachments around drains called Rajakaluves resulting in pollution of the water bodies and affecting the ecologically sensitive area of the above lakes. The Hon'ble High Court of Karnataka, in Writ Petition No.



No. of Corrections: 01



817/2008 titled *Environment Support Group and Another v. State of Karnataka*, appointed a Committee headed by Hon'ble Mr. Justice N.K. Patil to suggest remedial action to remove encroachments.

3. Shri. Raj Panjwani, Sr Advocate, was appointed as Amicus Curiae, and a Committee was appointed headed by him by this Hon'ble Tribunal for certain recommendations in the matter. The Committee submitted its detailed Recommendations on 31.05.2018, which were accepted by this Hon'ble Tribunal. As there were no objections, the same were accepted vide Order 06.12.2018 passed by this Hon'ble Tribunal, and thereby directions were issued to the respondent authorities therein. Another Committee was constituted by this Hon'ble Tribunal, which was headed by Hon'ble Justice Mr N. Santosh Hedge, former Judge, Hon'ble Supreme Court, having three other members, viz. Professor T.V. Ramachandra from Indian Institute of Science, Bengaluru along-with a nominee of CPCB and another nominee from KSPCB.

4. That the Committee headed by Hon'ble Mr. Justice N. Santosh Hedge, has overseen the compliance of the said Recommendations of the committee headed by Sri. Raj Panjwani, Senior Advocate dated: 31.05.2018 as well as the order of Hon'ble NGT dated: 6.12.2018. Accordingly, the committee headed by Hon'ble Mr. Justice N.Santhosh Hegde submitted its Final Report on 20.09.2019 before this Hon'ble Tribunal. The committee in its Final Report has admitted in respect of the respondent KSPCB as under:

1) Respondent KSPCB has floated tender for the third time for installation of Real Time Water Quality Monitoring Stations, which is expected to be complied by 31.01.2020;

2) For levy/ recovery of penalties from defaulters, a Committee has been formed for the purpose of preparation of guidelines in line with the CPCB guidelines and the issue of notification by Government of Karnataka is expected by 15.02.2020;

3) The respondent KSPCB has sent a letter to the respondent Ministry of Environment, Forest & Climate Change (MoEF & CC) in respect of progressively reducing phosphorous in soaps and detergents to 2.2% of



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permissible phosphorous limits. The same is pending for consideration of the Ministry of Environment, Forest & Climate Change (MoEF & CC).

- 4) Legislative restrictions are required to control misuse of treated water, as the same is allowed fully/partly to flow into the underground drainage network and storm water drains. Matter is pending before this Hon'ble Tribunal in regard to evolving a proper treated water policy, which shall be a great assistance in the matter.
5. That the parawise detailed Compliance Report of the respondent KSPCB, is placed as **ANNEXURE: A-1(a)**, which is in line with the said Final Report dated 20.09.2019 of the Committee headed by Hon'ble Justice Shri N. Santosh Hegde, Former Judge of the Hon'ble Supreme Court of India. The gist of Action taken Report of the respondent KSPCB is briefly summarized hereunder:
 - 1) Respondent KSPCB has sent a letter dated 23.02.2017 to MoEF & CC for reduction of phosphorous percentage in the manufacture of soaps and detergents. Accordingly, a meeting was held on 20.11.2017 between respondent KSPCB and MOEF & CC and a request was made by MoEF & CC to Bureau of Indian Standards to reduce the percentage of Phosphate from existing 11% to 2.5% for toilet soaps, detergents, etc. BIS reply is awaited. In the mean time requests were made on 30.7.2019 and 7.11.2019 to MoEF & CC for further action in the matter.
 - 2) Out of 490 industries, there are 99 water based industries in Bellandur Catchment Area generating 3.6 MLD trade effluents and 4.9 MLD sewage effluents. The sewage generated from these industries were treated either in STP/Septic tank & Soak pit or discharged to BWSSB UGD. Joint inspection with CPCB officers is also conducted to monitor and to ensure that no treated/ untreated effluent/sewage is discharged outside their premises. All the units which treat and reuse all the wastewater completely within their premises are considered as Zero Liquid Discharge (ZLD). Out of 99 water based industries, there are 30 ZLDs, 23 units of Dry washing of vehicles, 15 units closed, 21 units handing over effluents to CETP, 3 units handing over sewage effluents to CSTP, 6 units have changed their activities and remaining one unit provided ETP and discharging



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treated effluent outside the premises (into UGD by Bangalore Diary-BAMUL).

- 3) In regard to the generation of sewage by the 873 apartments located in the catchment area of the lakes, 82.825 MLD of sewage is generated by these Apartments. Out of the 873 apartments, 496 apartments have the STP & treat about 62.223 MLD and reuse the same. About 13.256 MLD generated by 272 apartments are allowing the raw or untreated sewage in to the UGD. 51 apartments generating about 4.998 MLD are in the process of construction of STP. Another 38 apartments generating 1.721 MLD have agreed to setup the STP and Board has given a timeline of 6 months for installation of STP or to submit NOC obtained from BWSSB Authorities for discharge of sewage into their sewer network, failing which Board will initiate action under the provisions of Water Act. There are 16 apartments which are not co-operating either in the process of installation of STP or not taken NOC from BWSSB to discharge sewage into UGD. The KSPCB has initiated action to file criminal cases in the jurisdictional court as per the provisions of the Water Act, 1974.
- 4) Regarding Environmental Compensation, a Committee is constituted to work out specific guide lines/methodologies on case to case basis for imposing Environmental Compensation and for its utilization for remedial actions for different sectors, copy of OM No.2623 dtd 22.7.2019 is placed as **ANNEXURE: A-1(b)**.
- 5) After two unsuccessful attempt of tendering on 19.01.2019 & 24.4.2019, the 3rd call of tender was floated on 23.7.2019 for supply, installation, testing, commissioning of 3 Nos. of Real Time Water Quality Monitoring Stations including 5 years of AMC. It is expected to complete the process of procurement and installation before January 2020.
- 6) Regarding structures between 30-75 meters of Rajakaluves, the prescriptions regarding buffer zone made by the Hon'ble NGT vide order dated 04.05.2016, have been set aside by the Hon'ble Supreme Court in its order dated 5th March 2019 in Civil Appeal No. 5016 of



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2016 except for respondent Nos. 9 and 10 in the said appeal whose projects are also located in the catchment of Bellandur lake. Accordingly, both the Karnataka State Pollution Control Board & SEIAA, Karnataka are following Revised Master Plan 2015 regarding buffer zone norms for Bengaluru as per the orders of the Hon'ble Supreme Court of India.

6. That it is respectfully submitted that the above submissions may also be treated as comprehensive Action Taken Report based on the scrutiny by the Committee headed by Hon'ble Justice Shri N. Santosh Hegde.
7. It is respectfully submitted that KSPCB will be obliged to provide any additional information if so required by this Hon'ble Tribunal.


DEPONENT

VERIFICATION:

Verified on this 22nd day of November' 2019, that the contents of the above affidavit are true and correct to the best of my knowledge, information and belief and as verifiable from the records maintained and nothing material is concealed therefrom.

No. of Corrections:

none



22 NOV 2019

Book No. 3 Page No. 24
Reg. No. 1207 Dated 22-11-2019

19 *Notary*


DEPONENT

SWORN TO BEFORE ME

Notary

G. S. RAJU
Advocate & Notary
"Shree Raja Nilaya"
#1300, 11th Main, Vijayanagar,
BANGALORE - 560 040

NOTARY STAMP
NOT AVAILABLE
IN KARNATAKA STATE

ANNEXURE: A-1

6

+Compliance report of KSPCB for the Hon'ble NGT Order dtd: 21.10.2019 in respect of OA No.125/2017 in line with the report of NGT Committee headed by Hon'ble Justice Sri N.Santosh Hegde dtd:20.09.2019:

Sl No	Direction/Order No.19(2), 19(5), 19(13), 26(i) and 12 of NGT	Recommendations/Suggestions/Views of the Committee headed by Hon'ble Justice N.Santosh Hegde in its report dtd:20.09.2019	Particulars of the Work as per the Committee report dtd: 20.09.2019	Completion date	Status of the Works/Actions as on 18.11.2019	Remarks of KSPCB
1.	<i>19(2) Less Phosphorous means less weeds in the water body. One of the major sources of Phosphate is soaps and detergents. In several countries stringent limits have been specified for Phosphate in soaps and detergents as it leads to eutrophication of water bodies. MoEF & CC in conjunction with other ministries need to prescribe limits for Phosphorus in soaps and detergents by progressively reducing it to 2.2% of permissible phosphorous content.</i>	The KSPCB has informed to this Committee that they have requested the MoEF & CC in regard to para 19(2). The matter is pending with MoEF & CC, New Delhi. It is requested that the NGT may kindly issue directions to the Secretary, MoEF & CC to take the needful action in time bound manner.	<p>The Board has addressed a letter to MoEF & CC on 23.02.2017, requesting for ban of phosphorus usage in manufacture of detergents. Copy of the letter was annexed with the Affidavit dated 28.03.2017 submitted before the Hon'ble NGT. Additional Chief Secretary, Department of Forest Ecology and Environment has addressed on 06.03.2017 to MoEF to take action to ban or regulate the phosphate in manufacture of detergents.</p> <p>On the recommendation of Department of Forest Ecology and Environment, KSPCB the MoEF & CC, had convened a meeting on 20.11.2017 wherein it was informed that request has been made to Bureau of Indian Standards to reduce the percentage of phosphate from the existing minimum level of 11% to limiting to 2.5 % for toilet soaps, detergents etc. The communication from BIS is yet to be received. KSPCB has addressed another letter dated 30.07.2019 to MoEF requesting to take suitable action in the matter.</p>	-	The Board has issued reminder letter on 7.11.2019 to the MoEF & CC, New Delhi to expedite the process of issuing Notification on reduction/banning of Phosphorus in Soaps & Detergents. (copy of the letter submitted for reference as Annexure-I)	
2.	<i>19(5) All existing and new industries or commercial establishments or apartments</i>	It is observed from the submission made by the KSPCB that about 13.256 MLD treated water is allowed to flow into the UGD	In particular to Bellandur Catchment Area, totally there were 490 industries (Red, Orange & Green category) out	Already completed in 2018 with		

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<p>/ townships or institutions within the catchment area of the lakes must be made Zero Discharge.</p>	<p>network. Consequently, mixed (treated + sewage) to flow into the STPs of the BWSSB. It seems to be a wasteful exercise. The KSPCB and BWSSB should sit together and find out a viable option for proper use of treated water. Accordingly it is recommended.</p> <p>Further, proper action should also be taken for the 7.345 MLD sewage that is being allowed to let into SWDs.</p>	<p>of which water based industries were 99 and total quantity of trade effluent generated from these 99 industries was around 3.6 MLD and sewage was around 4.9 MLD. Further, the sewage generated from these industries were treated either in STP/Septic tank & Soak pit or discharged to BWSSB sewers/UGD. Further, in obedience to Hon'ble NGT order and as a general duty of KSPCB, these units are regularly being monitored to keep a close watch on these units and also conducting joint inspection of these units along with CPCB Officers, so that, no treated/untreated effluent/sewage is discharged outside their premises.</p> <p>Zero Liquid Discharge (ZLD) is a wastewater treatment process developed to completely eliminate all liquid discharge from a system.</p> <p>All the units which treat and reuse all the wastewater completely within their premises are considered as ZLD units.</p> <p>The abstract of these 99 industries are as below:</p> <table border="1" data-bbox="1309 1106 1732 1428"> <thead> <tr> <th>Sl No</th> <th>Present status of industries</th> <th>Nos.</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Adopted ZLD-Provided ETP & reusing treated effluent within the premises</td> <td>30</td> </tr> <tr> <td>2</td> <td>Adopted Dry washing of vehicles by automobile service stations</td> <td>23</td> </tr> <tr> <td>3</td> <td>Closed</td> <td>15</td> </tr> <tr> <td>4</td> <td>Handing over to CETP</td> <td>21</td> </tr> </tbody> </table>	Sl No	Present status of industries	Nos.	1	Adopted ZLD-Provided ETP & reusing treated effluent within the premises	30	2	Adopted Dry washing of vehicles by automobile service stations	23	3	Closed	15	4	Handing over to CETP	21	<p>regard to industries.</p>		
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5	In house centralized STP and Handing over to CSTP	03
6	Activity changed and no generation of effluent	06
7	Provided ETP & Discharging treated effluent outside the premises (into UGD by Bangalore Diary-BAMUL)	01
Total		99

For infrastructure projects such as commercial complexes, Apartments, etc. other than industries: Presently, the Discharge Standards for Sewage Treatment Plant (treated sewage quality standards) are evolved by CPCB for reusing it for non-potable/secondary purposes such as gardening, toilet flushing, car washing and cooling purpose as under:

Sl. no	Parameter	Parameters Limit
1.	pH	6.5-9.0
2.	BOD (mg/l)	Not more than 10
3.	COD (mg/l)	Not more than 50
4.	TSS (mg/l)	Not more than 20
5.	NH4-N (mg/l)	Not more than 5
6.	N-Total (mg/l)	Not more than 10
7.	Fecal Coliform (MPN/100 ml)	Less than 100

However, there may be excess treated sewage even after re-using the treated sewage for secondary purposes. Hence, 100% recycling of treated sewage within the premises and making the apartments/townships or institutions a Zero liquid discharge concept is found to be not feasible.

			<p>In regard to the generation of sewage by the 873 Apartments located in the catchment area of the lakes, 82.825 MLD is generated by these Apartments. Out of the 873 units, 496 units have the STP & treat about 62.223 MLD and reuse the same. About 13.256 MLD generated by 272 units are allowing the sewage in to the UGD. 51 units generate about 4.998 MLD are in the process of construction of STP. Another 38 units generate 1.721 MLD have agreed to setup the STP and Board has given a timeline of 6 months for installation of STP or to submit NOC obtained from BWSSB Authorities for discharge of sewage into their sewer network, failing which Board will initiate action under the provisions of Water Act. 16 units are not co-operating in the process of installation of STP and the sewage of 0.627 MLD are let into the open drains. In total about 7.345 MLD is being let into the open drains. The KSPCB is taking action as per the provisions of the Water Act, 1974 by filing the criminal case against them and it is under process.</p>	<p>It is to be submitted to the kind notice of Hon'ble NGT that the KSPCB in it's submission to the NGT Committee that "about 13.256 MLD generated by 272 units are allowing the sewage in to the UGD." However, the Committee appears to be misunderstood and quoted in their final report submitted to the NGT on 20.9.2019 (the extract of the report is reproduced as below)</p> <p><i>"that about 13.256 MLD treated water is allowed to flow into the UGD network. Consequently, mixed (treated + sewage) to flow into the STPs of the BWSSB".</i></p> <p>Hence, KSPCB once again clarifies that in its submission to Hon'ble NGT Committee that about 13.256 MLD generated by 272 units are allowing the sewage* in to the UGD." (The sewage* means raw/untreated sewage).</p> <p>The Board has initiated action against the 16 defaulting apartments neither installed STP nor connected to UGD by filing Criminal Cases under Water Act,1974 in the</p>	
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					<p>jurisdictional Hon'ble Courts.</p> <p>Further, the Committee in their final report submitted to the NGT on 20.9.2019 (the extract of the report is reproduced as below) .</p> <p><i>It seems to be a wasteful exercise. The KSPCB and BWSSB should sit together and find out a viable option for proper use of treated water”.</i></p> <p>In this regard it is submitted that KSPCB had convened meeting on 7.11.2019 with BWSSB BBMP and Confederation of Real Estate Developers Association of India (CREDAI) Bangalore to explore the possibilities of usage of the treated sewage for secondary purpose like watering Public Parks, Road side avenue plantation, and Construction purposes and also to use for Ground water Recharge .</p> <p>In the meeting it was resolved to conduct state level workshop involving stake holders like CREDAI, Bangalore, BWSSB, Urban Development Departments, BBMP, BDA & other local</p>	
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					bodies with the Indian Institute of Science (IISc) Bangalore who have extensively worked in this area. The recommendations of the workshop will be implemented.												
3.	19(13) Strict Compliance of environmental laws for apartments/townships or commercial establishments:	It is submitted by the KSPCB that there is no guidelines to impose environmental compensation hence they are working out for issue of notification by the State government based on guidelines proposed by CPCB and they will finish the notification by 15.02.2020. The same may be accepted. The NGT may direct KSPCB to initiate appropriate legal action against all the polluters of water bodies including government agencies as per Water Act 1974.	The subject of levy of Environmental Compensation was deliberated in the 224 th Board meeting held on 10.5.2019 and it was resolved to authorise Chairman to work out the guide lines for imposing Environmental Compensation for different sectors and to send the same to the Government for issue of Notification. In this regard a Committee is constituted to work out specific guide lines/methodologies and case to case basis for imposing Environmental Compensation and for its utilisation for remedial actions for different sectors(copy of OM No.2623 dtd:22.7.2019 is enclosed). The Committee consisting of the following;	Six months i.e. before 15-02-2020	Committee constituted by the KSPCB for working guide lines for imposing Environmental Compensation has met twice. Based on the Committee report proposal will be sent to Govt of Karnataka for issuing Notification and same will be implemented within 15.02.2020.												
	<table border="1"> <thead> <tr> <th>Sl No</th> <th>Violation</th> <th>Environmental damage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Where STP is required as per the EC/ Consent, but the facility has not constructed the STP despite generating sewage.</td> <td>Rs. 10 Lakhs per month from the date of completion certificate or date of completion</td> </tr> <tr> <td>2</td> <td>Where actual capacity of STP is less than the capacity as shown in the EC/ Consent.</td> <td>Rs. 20,000/- per day from the date of inspection till final upgradation.</td> </tr> <tr> <td>3</td> <td>Where the number of flats/ units actually constructed is more than</td> <td>Rs. 1 Lakh per unit per month from the date of construction until the grant of fresh requisite</td> </tr> </tbody> </table>	Sl No	Violation	Environmental damage	1	Where STP is required as per the EC/ Consent, but the facility has not constructed the STP despite generating sewage.	Rs. 10 Lakhs per month from the date of completion certificate or date of completion	2	Where actual capacity of STP is less than the capacity as shown in the EC/ Consent.	Rs. 20,000/- per day from the date of inspection till final upgradation.	3	Where the number of flats/ units actually constructed is more than	Rs. 1 Lakh per unit per month from the date of construction until the grant of fresh requisite				
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	<p><i>around the three lakes may also be monitored by using drones and satellite</i></p>		<p>After verification of the tender documents in the Technical bid evaluation Committee meeting held on 27.5.2019 and the Committee found that, none of the Firms have provided proper technical brochure and are not technically qualified. Hence, resolved to call short term tender through e portal of GoK.</p> <p>Short term tender for 3rd call through e-portal of GoK was floated on 23.7.2019 with some specifications and parameters modifications with CPCB consultation in order to have healthy competition. Tenders will be opened on 8/8/2019. The procurement will be completed within 4 months period and installation and commissioning will be completed by another 2 months period i.e., within Jan 2020.</p>		
5	<p><i>12)Permission or sanction or consent or EC for structures between 30-75 meters of Rajakaluves where construction was below 25% of the total built up area as on 07.05.2015 (Forward Foundation Judgment) be withdrawn. The Hon'ble Tribunal may issue appropriate directions and orders keeping in view the interests of the buyers who would eventually suffer financial loss.</i></p>	<p>It is recommended to take action as per the order dated 05.03.2019 of the Hon'ble Supreme Court in CA Nos.4923-4924/2017.</p> <p>It is suggested that if any officer/official transfers/retires as stated in column 5 in this table the incumbent officer would be responsible for execution of works and would be liable actions as if his name is a part of the column 5. The names stated in column 5 may be accepted</p>	<p>Directions regarding compliance of recommendations of the Committee have been issued by the Hon'ble NGT on 06.12.2018. Following is opinion of the State Government regarding compliance of the said directions.</p> <p>As per the regulatory norms prevailed 30-75 meters from nalhas or Rajakaluves or storm water drains has never been a 'No Development Zone' either according to the Comprehensive Development Plan-2015 or according to the orders of the Hon'ble NGT issued on 04.05.2016.</p> <p>As per the CDP – 2015, following buffer was mandatory.</p> <ul style="list-style-type: none"> I. For lakes-30 meters from the boundary II. For Rajakaluve 	-	<p>As per the Hon'ble Supreme court order dated 05.03.2019. The KSPCB is stipulating the condition to maintain buffer from lakes and nala as per Revised Master Plan (RMP), 2015 for Bangalore.</p>

			<ul style="list-style-type: none">a) Primary-50 meters measured from the centre.b) Secondary-25 meters measured from the centre.c) Tertiary-15 meters measured from the centre. <p>As per the orders of the Hon'ble NGT dated 04.05.2016,</p> <ul style="list-style-type: none">I. For lakes-75 meters from the peripheryII. For Rajakaluve<ul style="list-style-type: none">a) Primary-50 meters measured from the edge.b) Secondary-35 meters measured from the edge.c) Tertiary-25 meters measured from the edge. <p>The prescription of buffer zone made by the Hon'ble NGT vide order dated 04.05.2016 have been set aside by the Hon'ble Supreme Court in order dated 5th March 2019 in Civil Appeal No. 5016 of 2016 except for respondent Nos. 9 and 10 in the said appeal whose projects are also located in the catchment of Bellandur lake.</p> <p>On examination of the implications of the orders of the Hon'ble Supreme Court dated 5th March 2019 in Civil Appeal No.5016 of 2016 on these recommendations/directions, it is opined that the orders of the Hon'ble NGT dated 06.12.2018 in O.A.No.125/2017 followed its earlier order dated 04.05.2016 in O.A.No.222/2014. Since the order dated 04.05.2016 regarding extended buffer zone has been set aside by the</p>		
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			Hon'ble Supreme Court, the directions in O.A. No. 125/2017 which follow the general direction in O.A. No. 222/2014 stand annulled to that extent. Therefore, initiating action for withdrawing the Environmental Clearance for structures between 30-75 m of Rajakaluve where construction was below 25% of the total built up area as on 07.05.2015 (Forward Foundation Judgement) would not be required.			15
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Member Secretary
Karnataka State Pollution Control Board
No. 49, Church Street,
Bangalore - 560 001.

ಫ್ಯಾಕ್ಸ್ / Fax : 080-25586321
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☎ 25581383, 25589112
 25588151, 25588270
 25588142, 25586520

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

“ಪರಿಸರಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ.49, ಚರ್ಚ್‌ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ, ಭಾರತ
 "Parisara Bhavana", 1st to 5th Floor, # 49, Church Street, Bengaluru - 560 001, Karnataka, INDIA

No.: PCB/11/COC/2019/ 26 23

Date: 22-07-2019

OFFICE MEMORANDUM

Sub: Constitution of Committee for preparing guidelines/ methodology for
 “Environmental Compensation & its utilization for remedial actions”

Ref : Proceedings of 224th Board Meeting held on 10.05.2019

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Central Pollution Control Board (CPCB), in compliance to the directions of Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors has prepared a report on Environmental Compensation involving the Expert institutions. The subject on “Environmental Compensation & its utilization” was deliberated in the 63rd Conference of Chairmen & Member Secretaries of Pollution Control Boards & Committees, held on 19.03.2019 at New Delhi and decided that all SPCBs /PCCs may frame their Guidelines on EC based on CPCB's report.

The subject on levy of environmental compensation was deliberated in the 224th Board meeting held on 10.05.2019 and it is resolved to authorize Chairman to workout guidelines for imposing environmental compensation for different sectors and to send the same to the Government for issue of notification. Hence, the following

Order

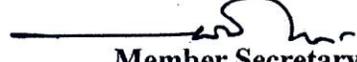
Under the circumstances explained above , a committee as below is constituted to workout specific guidelines/ methodology on case to case basis for imposing environmental compensation and for its utilization for remedial actions for different sectors.

Environmental Compensation Committee:

Sl.No.	Name & Address	Designation
1.	Dr. A Ramesh, Senior Environmental Officer, KSPCB, Bengaluru	Chairman
2.	Additional Director or his nominee, Regional Directorate, South Zone, CPCB, Bengaluru.	Member
3.	Prof. Krishna Raj, Centre for Economic Studies & Policy, Institute of Social and Economic Change(ISEC), Dr. VKRV Road, Nagarabhavi, PO, Bengaluru-72	Member
4.	Prof. M K Ramesh, National Law School of India University, Nagarabhavi, Bengaluru.	Member
5.	Prof. G Srinikethan, Chemical Engineering Department, NIT, Surathkal, Dakshina Kannada District.	Member
6	Sri. M Sridhar, Environmental Officer, Waste Management Cell, KSPCB, Bengaluru	Convener

TERMS OF REFERENCE

1. The Committee shall work out specific guidelines/ methodology on case to case basis for imposing environmental compensation and for its utilization for remedial actions for different industrial sectors.
2. Methodology on detailed investigations of contaminated sites and costing thereof.
3. The Members of the Committee other than the Officers of the Board are entitled for sitting fee and other allowances as per the Board norms.
4. The tenure of the Committee shall be until further orders.


Member Secretary

To:

All the Committee Members and respective Institutes for information

True copy

Member Secretary
Karnataka State Pollution Control Board
No. 49, Church Street,
Bangalore - 560 001.



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BEFORE THE NATIONAL GREEN TRIBUNAL AT PRINCIPAL BENCH NEW DELHI.

ORIGINAL APPLICATION NO. 125 /2017

Plaintiff/s, Petitioner's
Appellant/s, Complainant/s
Decree-Holder/s/Caveator

Vs.

Defendant/s/Respondent/s
Opponent/s Accused
Judgement-Debtor/s

COURT ON ITS OWN MOTION

STATE OF KARNATAKA & OTHERS

I/We Karnataka State Pollution Control Board by its Member Secretary Basavaraj V. Patil the Respondent No. in the above matter hereby appoint and retain

Mukesh Kumar Advocate R/o Flat No. 19, Ground Floor, Delhi Court Offices 33 Rajpur Plots 2d, civil lines Delhi-54.
to appear act and plead for me/us in the above matter and to conduct/prosecute and defend the same in all interlocutory or miscellaneous proceedings connected with the same or with any decree or orders passed therein appeals and or other proceedings arising there from and also in proceedings for review of judgment and for leave to appeal to Supreme Court and to obtain return of any documents filed therein or receive any money which may be payable to me/us.

2. I/We hereby authorize him/them on my/our behalf to enter into a compromise in the above matter, to execute any decree/order therein to appeal from any decree/order/therein and to appeal to act to plead in such appeal in any preferred by any other party from any decree/other therein.

I/We further agree that if I/We fail to pay the fees agreed upon or to give due instructions at all stages/he they is/are at liberty to retire from the case and recover all amounts due to him/them and retain all my our monies till such dues are paid.

Executed me/us this 20th day of November at 2019.


Signature/s

Member Secretary
Karnataka State Pollution Control Board
No. 49, Church Street,
Bangalore - 560 001.

Executants/are personally known to me and he/has/they have signed before us

Satisfied as to the identity of executant/s Signature/s
(Where the executant/s are illiterate, blind or unacquainted with the language of vakalath)

Certified, that the contents were explained to the executant/s in my presence in English language known to him/them who appear/s perfectly to understand the same and has/have signed in the presence.

Accepted



Address for service

Sri. Mukesh Kumar, Advocate & Designated Partner
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(A Law Firm registered under LLP Act, 2008), LLPIN # AAB-7036
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MUKESH KUMAR
Advocate
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Mobile: +91-98681 66522

Advocate for

Place
Date

New Delhi
26.11.2019

