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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//CNP/NGT/19

1956

Date: 21 JUN 2019

To,
The Registrar,
National Green Tribunal,
Principal Bench
Faridkot House, Copernicus Mark,
New Delhi – 110001.

Respected Sir,

Sub: Furnishing inspection report of M/s. Rajarajeshware Buildcon Pvt Ltd., located at Khatha No. 28/7, PID No. 50-59-28/7, 8th Cross, 2nd Block, Jayanagara 2nd Block, Bengaluru – 560 001.

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As directed by the Hon'ble NGT, Principal Bench, New Delhi dated 06.05.2019 the inspection report along with documents in respect of M/s. Rajarajeshwari Buildcon Pvt Ltd., located at Khatha No. 28/7, PID No. 50-59-28/7, 8th Cross, 2nd Block, Jayanagara 2nd Block, Bengaluru – 560 001, herewith attached for your kind perusal and with a request to place the same before the Hon'ble NGT, Principal Bench, New Delhi.

Yours faithfully,


Member Secretary

Joint inspection report of Sri Mahendra Jain, IAS, Additional Chief Secretary, Government of Karnataka, Urban Development Department, Sri. Ravi, IAS, Joint Commissioner, BBMP, and Sri. Manoj Kumar, IFS, Member Secretary, KSPCB

1	Officers Accompanied	1. Sri. Prahalad Chief Engineer, SWD, BBMP. 2. Sri. Fazal Ahamed Executive Engineer, BBMP. 3. Sri. Rathod Executive Engineer, Town Planning Section, BBMP. 4. Sri. M.C. Ramesh Environmental Officer, Regional Office, Bengaluru City-South, KSPCB, Bengaluru.
2	Date of inspection	3.6.2019
3	Reference	KSPCB Office Memorandum No: PCB/ CNP/NGT/19/147, Dt: 1.6.2019.

As per the Hon'ble NGT order dt: 6.5.2019 in respect of OA No: 314 of 2019 a Committee has been constituted vide KSPCB Office Memorandum No: PCB/CNP/NGT/19/147, Dtd: 1.6.2019 to inspect Parasmani Regency – 11 built by M/s Raja Rajeshwari Buildcom Pvt. Ltd., with regard to the encroachment of Raja Kaluve (drain) by the builder on north side of Vijaya College and on the West side of the apartment. Accordingly, the above said residential apartment was inspected along with jurisdictional officers of the BBMP and Pollution Control Board and following are the observations;

The residential apartment is in 3 Blocks namely Block A, Block B and Block C at khata No. 38/7, PID No. 50-59-28/7, 8th Cross, Jayanagara 2nd Block, Bangalore-560001.

The Block "A" consists of 65 flats (built in basement + Ground floor + 4 upper floors), block "B" consists of 56 flats (built in basement + Ground floor + 8 upper floors) and block "C" consists of 10 flats (built in basement + Ground floor + 4 upper floors). The total number of flats from all these three blocks is 131.

Also the builder has constructed a Yoga mandir abutting the open drain, flowing in the Western side of the apartment and reported that no permission has been obtained.

Accordingly during the inspection the following directions were given to the jurisdictional Officers to submit the detailed report immediately.



BBMP (Storm Water Division): Directed the Chief Engineer, Storm Water Drain to submit the details of drain in question with respect to Master Plan-2015 whether it is Primary, Secondary or Tertiary drain and whether they left the buffer as per the Master Plan.

Town Planning (BBMP): The Executive Engineer Town Planning Section BBMP present during the inspection to submit the details of plan sanction and whether they have maintained the buffer as per the RMP-2015.

Environmental Officer, Bangalore City South, KSPCB: The jurisdictional Officer, KSPCB present during the inspection was instructed to submit a report with respect to the consent and the compliance to CFE/CFO conditions.

As per the directions, the following authorities have submitted the details as under.

A) The Chief Engineer, Storm Water Drain has submitted the report dated 14.06.2019 and is enclosed as Annexure-I.

The drain in question was examined in the Department of Storm Water Drain of BBMP. As per the records available in the Department following facts are presented;

The drain in question is a “Lead off Drain” starting from Vijaya PU College(Jayanagara 2nd Block) to Vijaya Teachers college connecting to the Major SWD at RV Road, .Hence, the said drain in question passes by the side of Sy No. 15, 16, and 17 and there is no existence of drain classified under Tertiary or Secondary or Primary. It is only a lead off drain connecting road side drains.

The said drain was verified with reference to CDP-2015 and is not classified under Tertiary or Secondary or Primary drain.

The said drain location was verified with reference to “Latest Dishank Mobile App” and the drain in question is not traceable under Dishank App. Further as per Dishank App, the said location is road, hence, the drain in question can be treated as road side lead off drain.

The said drain location was verified with the village map (Upparahalli village map) and the said place also forms a cart road continued till the lake via Sy No. 20 and 21.

The said drain was verified with reference to the SWD Network Plan of BBMP” prepared by M/s Stup Consultants during the year 2009-10. The said drain is not classified under the SWS network plan of BBMP.

It is already opined by the then Chief Engineer, Storm Water Drain vide letter dated: 9.3.2017 that the said drain is not traceable under City Survey Map or BDA RMP-2015.

Based on the above facts, the Chief Engineer, Storm Water Drain has opined that the drain located on the Western side of Paramani Regency-11, Bangalore South Taluk, Jayanagar, 2nd Block 8th Cross, 7th main, behind Vijaya College, Bangalore is not classified under Tertiary or Secondary or Primary drain.

B) Additional Director, Town Planning Department, submitted report dated 15.06.2019 and is enclosed as Annexure-II.

a) Plans issued by office of Joint Director Town Planning (South) as under.

i) LP No BBMP/Addl. Dir/JD South/0059/2014-15. (Block --A)

M/s Tallam Subbaraya Shetty & Sons with property address as #28/1 8th cross, 2nd Phase Jayanagar, Hombegowda Nagar Ward No 153, Bangalore. The Joint Commissioner (Revenue) BBMP, on 14-07-2014 has given opinion about the said property bearing site nos 123-28/1, 124-28/3, 125-28/12, 126-28/5, 127-28/8, 128/A/28/15 and 219/A/28/16. All these properties have been amalgamated as per order of Joint Commissioner (South) BBMP, having total area 26209.94 Sq ft and named as property no 28/1 bearing PID No 50-59-28/1.

For this property, the applicant has applied for the Plan Sanction to the office of Joint Director, Town Planning (South), by loading TDR as per Zoning Regulation. The DRC originates in Ring -III Zone and utilized in Ring-II Zone, and the plan is approved by Hon'ble Commissioner, BBMP on 27-09-2014. Commencement Certificate was issued on 15-04-2015. The Occupancy Certificate was issued by office of Joint Director Town Planning (South) on 07-11-2017.

Assistant Executive Engineer Hombe Gowda Nagar, has issued preliminary notice under the provisions of KMC act 321 (1), & (2) on 07-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act, to stop the construction work at site, as there were violations noticed with reference to construction in set back area.

ii. LP No BBMP/Addl.Dir/JD South/0372/14-15, (Block -B)

The applicant has applied for plan sanction on 08-12-2014 for approval to Construct BF+GF+5UF having 36 residential units on a plot having total area of 28295.08 sqft.

As per the plan it was permitted to construct BF+GF+5UF having 36 residential units which was approved by Commissioner, BBMP on 04-08-2015. The Modified Plan to construct BF+GF+8UF with 56 Residential units along with loading of TDR was approved by Commissioner on 19-03-2018 with a condition that the modification plan will be released when the applicant submits the revalidation certificates for the DRC's from BDA. Till date the applicant has not submitted the revalidated certificates from BDA. Hence the approved modified plan is not released to the developer.

Assistant Executive Engineer Hombe Gowda Nagar, has issued preliminary notice under the provisions of KMC act 321 (1), & (2) on 07-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act, to stop the construction work at site, as the modified plan is not yet released for construction.

b) Plans issued by office of Assistant Director Town Planning (South-Zone) (Block -C)

For Property no 1/1 (Old No 130/A), 8th cross, 2nd block Jayanagar, Bangalore Ward No 153, the plan was issued vide LP No:Ad.Com/SUT/0810/16-17 for construction of BF+GF+3UF & terrace floor for residential building.



For Property No 28/2 (Old No 131/A) 8th cross, 2nd block Jayanagar, Bangalore Ward No 153 the plan was issued vide LP No:Ad.Com/SUT/0811/16-17 for construction of BF+GF+3UF & terrace floor for residential building.

For Property No 28/4 (Old No 132/A) 8th cross, 2nd block Jayanagar, Bangalore Ward No 153, the plan was issued vide LP No:Ad.Com/SUT/0812/16-17 for construction of BF+GF+3UF & terrace floor for residential building. However the same plan was withdrawn vide letter No: ADTP(S)/PR/29/17-18 on 11-05-2017.

Assistant Executive Engineer, Hombegowda Nagar, has issued preliminary notice under the provisions of KMC act 321 (1), & (2) on 08-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act, to stop the construction work at site as there were violations with respect to set backs.

At property No 132/A (New No 134) a temple and at property no 135/A, a prayer hall are under construction which are unauthorized and no approval is given by BBMP.

C) **Environmental Officer, KSPCB**, Bangalore City South submitted report dated 20.05.2019 and enclosed as Annexure-III.

The Environmental Officer has reported that the CFE from the Board has been issued vide its No. PCB/755/CNP/17/H-1132 dated: 26-03-2018 for 56 flats (Block B). And obtained CFO under Water and Air Act for the period 15-12-2018 to 30-09-2023 (Block B). The project authorities have not applied and obtained CFE for block A and block C as these blocks are exempted from obtaining CFE and CFO from the Board as per notification No. FEE 22 EPC 2009 (P-1) dated: 04-08-2010.

The Apartment authorities have constructed a sewage treatment plant of capacity of 75 KLD to treat the raw sewage generated from all the 3 blocks. And all the civil works have been completed and the plumbing works were in progress. It will be ready for commissioning in another 15 days as informed by project authorities. The treated sewage will be used for toilet flushing, landscape irrigation, vehicle washing, use in fire protection and commercial air conditioners. They have installed a DG set of 64 KVA for which chimney of ht. 3.0 ARL and acoustic enclosure are provided. They have also installed an organic waste converter to process the wet waste, to convert into compost.

The committee would like to submit the following before the of the Honble NGT.

The Chief Engineer, Storm Water Drain has opined that the drain located on the Western side of 'Parasmani Regency-11', Bangalore South Taluk, Jayanagar, 2nd Block 8th Cross, 7th main, behind Vijaya College, Bangalore is not classified under Tertiary or Secondary or Primary drain. The drain in question is a "Lead off Drain" starting from Vijaya PU College (Jayanagara 2nd Block) to Vijaya Teachers College connecting to the Major SWD at RV Road. Hence, the said drain in question passes by the side of Sy No. 15, 16, and 17 and there is no existence of drain classified under Tertiary or Secondary or Primary. It is only a lead off drain connecting road side drains.

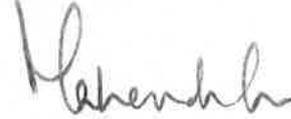
The Additional Director, Town Planning, BBMP, stated that the Assistant Executive Engineer, Hombegowda Nagar, has issued preliminary notice under the provisions of KMC act

321 (1), & (2) on 08-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act. to stop the construction work at site as there were violations with respect to set backs. At property No 132/A (New No 134) a temple and at property no 135/A, a prayer hall are under construction which are unauthorized and no approval is given by BBMP.

Based on the above facts and the reports submitted by the concerned departments, it is hereby submitted that the drain is not a Raja Kaluve but a Lead off Drain. However, there are certain violations with regard to set backs and unauthorized constructions abutting the drain. The Bruhat Bengaluru Mahanagara Palike (BBMP) has been directed to take action as per the law regarding the violations and unauthorized constructions.



(Manoj Kumar, IFS)
Member Secretary, KSPCB



(Mahendra Jain, IAS)
Additional Chief Secretary,
Urban Development Department.



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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

Rajarajeshwari Buildcom

No.PCB/CNP/NGT/19/

1955

Date:

21 JUN 2019

To
The Commissioner,
Bruhat Bangalore Mahanagara Palike,
Hudson Circle,
Bengaluru.

Sir,

Sub: Action taken on the facts and reports of the Joint Committee in respect of M/s. Raja Rajeshwari Buildcom Pvt Ltd., sites Nos. 426, 427, 428, 429, 430, 431, 432A, 433, 434, 435 in 7th main, 8th cross, Jayanagar 2nd Block, Off. R.V Road, adjacent to Vijaya College, Bengaluru as per the direction of Hob'ble NGT OA No. 314 of 2019.

Ref: 1. Hon'ble NGT Order dated 06.05.2019 in respect of OA No. 314 of 2019.
2. Joint Inspection of the location by Secretary, Urban Development, Karnataka and team dated 03.06.2019.

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With reference to the above subject, it is to be informed that Hon'ble NGT has issued an Order in respect of OA No.314 of 2019 stating that a Joint Committee should be constituted comprising the Secretary, Urban Development, Karnataka, Member Secretary, State Pollution Control Board (SPCB) and Commissioner, Bruhat Bengaluru Mahanagara Palike (BBMP) to look into the issue of encroachment of Raja Kaluve (drain) on north side of Vijaya College and on the west side which leads to Lalbagh by constructing a massive apartment complex named "Parasmani Regency- 1 1" of about 200 flats in just 50, 000 sqfts area in sites 426, 427, 428, 429, 430, 431, 432A, 433, 434, 435 in 7th main, 8th cross, Jayanagar 2nd Block, Off. R.V Road, adjacent to Vijaya College, Bengaluru – 560 011 by M/s Raja Rajeshwari Buildcom Pvt Ltd, take appropriate action in accordance with and furnish a factual and action taken report in the matter within two months.

Accordingly, Joint Committee consisting of Additional Chief Secretary, Urban Development Department, Member Secretary, Karnataka State Pollution Control Board, Joint Commissioner, BBMP along with the jurisdictional Officers of BBMP, KPSCB inspected on 03.06.2019. As per the report it was observed that there are certain violations with regard to set-back and unauthorized construction abutting the drain.

...2/P

In the report BBMP has been directed to take action as per the law regarding violation and unauthorized construction. The copy of the Joint committee along with Additional Director, Town Planning report is herewith enclosed for your reference.

In this connection you are hereby requested to take action as per the Joint committee report and requested to send the action taken report to Hon'ble NGT by e-mail at ngtfiling@gmail.com with a copy to the Member Secretary, KSPCB, # 49, Parisara Bhavan, Church Street, Bengaluru – 560 001.

The matter may be treated as very urgent.

Yours faithfully,


Member Secretary.

Annexure - I



BRUHAT BENGALURU MAHANAGARA PALIKE
Office of the Chief Engineer, Storm Water Drain, Jayanagara 4th block,
9th Floor, Bangalore-560 011

No.BBMP/CE(SWD)/PR/ 538 /2019-20

Date: 14/06/19

To,
Member Secretary
Karnataka State Pollution Control Board
Parisara Bhavana, No.49, Church Street,
Bangalore-560001

Sr.,

Sub: Detailed report on Storm Water Drain running on the Western side of Parasmani Regency - 11 Bangalore South Taluk, Jayanagara 2nd Block, 8th cross, 7th main, behind Vijaya College, Bangalore-Reg.

Ref: 1) Complaint registered in National Green Tribunal, New Delhi.
2) Inspection by Hon'ble Additional Chief Secretary to Government, Urban Development Department on 03.06.2019.

* * * * *

With reference to the above subject, a complaint is lodged with the National Green Tribunal regarding encroachment of "Buffer Zone" by M/s.Parasmani Regency-11 at Bangalore South Taluk, Jayanagara 2nd Block, 8th cross, 7th main, behind Vijaya College, Bangalore. Joint inspection was conducted under the Chairmanship of Hon'ble Additional Chief Secretary to Government, Urban Development Department on 03.06.2019.

During the course of inspection, the Hon'ble Additional Chief Secretary directed the Undersigned to give a detailed report regarding the Storm water drain running South to North on the western side of the property in question.

The drain in question was examined in the Department of Storm Water Drain of BBMP. As per the records available in the Department the following opinion is made.

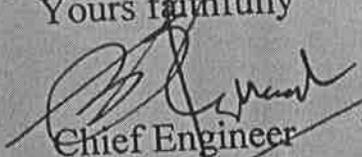
1. The drain in question is a "Lead of Drain" starting from Vijaya PU College (Jayanagara 2nd Block) to Vijaya Teachers college connecting to the Major SWD at RV Road. Hence, the said drain in question passes by side of Sy No: 15, 16 & 17 and there is no existence of drain classified under Tertiary or Secondary or Primary drain. It is only a lead off drain connecting road side drains.

2. The said drain was verified with the reference to CDP-2015 and is not classified under Tertiary or Secondary or Primary drain.
3. The said drain location was verified with reference to "Latest Dishank Mobile App" and the drain in question is not traceable under Dishank App. Further as per Dishank App, the said location is a road, hence, the drain in question can be treated as a road side lead-off drain.
4. The said drain location was verified with the Village Map (Upparahalli Village Map) and the said place also forms a cart road continued till the lake via Sy No: 20 & 21.
5. The said drain was verified with reference to the "SWD Network Plan of BBMP" prepared M/s.Stup Consultants during the year 2009-10. The said drain is not classified under the SWD Network Plan of BBMP.
6. It is already opined by the then Chief Engineer, Storm Water Drain vide letter dated:09.03.2017 that the said drain is not traceable under City Survey Map or BDA RMP-2015

Hence, it is to inform that the said drain located on the Western side of Parasmani Regency-11, Bangalore South Taluk, Jayanagara 2nd Block, 8th cross, 7th main, behind Vijaya College, Bangalore is not classified under Tertiary or Secondary or Primary drain.

Thanking you,

Yours faithfully


Chief Engineer
Storm Water Drain, BBMP

14/6/2019



Annex-I

BRUHAT BANGALORE MAHANAGARA PALIKE

Office of Additional Director (Town Planning), N.R. Square Bangalore -560002

No. Addl.Dir/TP/PR/154/19-20

Date: 15-06-2019

To,
Member Secretary
Karnataka State Pollution Control Board (KSPCB)
ParisaraBhavana, #49, Church Street
Bangalore-560001

Respected Sir,

Sub: Before The National Green Tribunal Principal Bench New Delhi,
Original Application No: 314/2019 Dt: 06-05-2019- reg
Ref: Inspection of site by Additional Chief Secretary Urban
Development department, Member Secretary KSPCB, Special
Commissioner BBMP on 03-06-2019

* * * *

With Reference to the above subject, the joint inspection report by Additional Director (Town Planning), Joint director Town Planning (South), Chief Engineer (Storm Water Drain), Assistant Director Town Planning (South) & related Bruhat Bangalore Mahanagara Palike (BBMP) officials.

Applicant M/s Tallam Subbaraya Shetty & Sons with property address as #28/1, 8th cross, 2nd Phase, Jayanagar, Hombegowda Nagar, Ward No 153, Bangalore, the property has been divided into 3 parts, for which 3 khatahs has been issued by BBMP Revenue department. 3 different plans have been approved & issued. Two separate building plans have been issued by office of Joint Director Town Planning (South) & one plan has been issued by Office of Assistant Director Town Planning (South- Zone) details of which are as follows

Reg-Plans issued by office of Joint Director Town Planning (South)

4. LP No BBMP/Addl.Dir/JD South/0059/2014-15. (Block -A)

M/s Tallam Subbaraya Shetty & Sons with property address as #28/1, 8th cross, 2nd Phase, Jayanagar, Hombegowda Nagar, Ward No 153, Bangalore. The Joint Commissioner (Revenue) BBMP, on 14-07-2014 has given opinion about the said property bearing site nos 123-28/1, 124-28/3, 125-28/12, 126-28/5, 127-28/8, 128/A/28/15 and 219/A/28/16. All these properties have been amalgamated as per order of Joint Commissioner (South) BBMP, having total area 26209.94 Sqft and named as property no 28/1 bearing PID No 50-59-28/1.



For this property, the applicant has applied for the Plan Sanction to the office of Joint Director, Town Planning (South), by loading TDR as per Zoning Regulation. The DRC originates in Ring -III Zone and utilized in Ring-II Zone, and the plan is approved by Hon'ble Commissioner, BBMP on 27-09-2014. Commencement Certificate was issued on 15-04-2015. The Occupancy Certificate was issued by office of Joint Director Town Planning (South) on 07-11-2017.

Assistant Executive Engineer Hombegowda Nagar, has issued preliminary notice under the provisions of KMC act 321 (1), & (2) on 07-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act, to stop the construction work at site, as there were violations noticed with reference to construction in set back area.

5. LP No BBMP/Addl.Dir/JD South/0372/14-15. (Block -B)

The applicant has applied for plan sanction on 08-12-2014 for approval to Construct BF+GF+5UF having 36 residential units on a plot having total area of 28295.08 sqft.

As per the plan it was permitted to construct BF+GF+5UF having 36 residential units which was approved by Commissioner, BBMP on 04-08-2015. The Modified Plan to construct BF+GF+8UF with 56 Residential units along with loading of TDR was approved by Commissioner on 19-03-2018 with a condition that the modification plan will be released when the applicant submits the revalidation certificates for the DRC's from BDA. Till date the applicant has not submitted the revalidated certificates from BDA, and hence the approved modified plan is not released to the developer.

Assistant Executive Engineer Hombegowda Nagar, has issued preliminary notice under the provisions of KMC act 321 (1), & (2) on 07-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act, to stop the construction work at site, as the modified plan is not yet released for construction.

6. Plans issued by office of Assistant Director Town Planning (South-Zone) (Block -C)

(4) For Property no 1/1 (Old No 130/A), 8th cross, 2nd block Jayanagar, Bangalore Ward No 153, the plan was issued vide LP No:Ad.Com/SUT/0810/16-17 for construction of BF+GF+3UF & terrace floor for residential building.

(5) For Property No 28/2 (Old No 131/A) 8th cross 2nd block Jayanagar, Bangalore Ward No 153 the plan was issued vide LP No:Ad.Com/SUT/0811/16-17 for construction of BF+GF+3UF & terrace floor for residential building.



(6) For Property No 28/4 (Old No 132/A) 8th cross, 2nd block Jayanagar, Bangalore Ward No 153, the plan was issued vide LP No:Ad.Com/SUT/0812/16-17 for construction of BF+GF+3UF & terrace floor for residential building. However the same plan was withdrawn vide letter No No: ADTP(S)/PR/29/17-18 on 11-05-2017.

Asstistant Exicutive Engineer Hombegowda Nagar, has issued preliminary notice under the provisions of KMC act 321 (1), & (2) on 08-06-2018 and again on 25-06-2018 as per provisions of section 321 (3) of KMC Act, to stop the construction work at site, as there were violations with respect to set backs.

At property No 132/A (New No 134) a temple and at property no 135/A, a prayer hall are under construction which are unauthorized and no approval is given by BBMP.

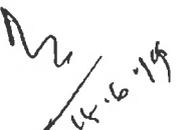
Thanking You,

With Regards

 15/6/2019

Additional Director (Town Planning)
Bruhat Bangalore Mahanagar Palike

 15/6/19

 14.6.19

No. KSPCB/EO/DEO/AEO/IR/Apartment/2019-20/ 226

Date: 20 MAY 2019

To,

The Member Secretary,
KSPCB, Parisara Bhavan,
Bangalore-560001.

Sir,

Kind Attn: Sri. Shivalingegowda, SEO, Infrastructure Cell

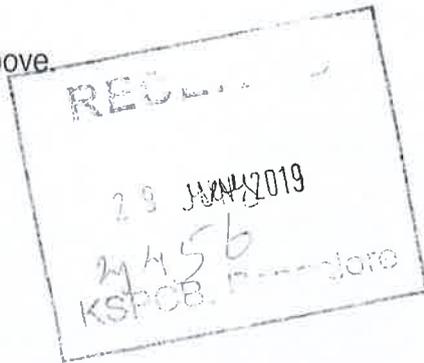
Sub: Furnishing the Inspection report on the apartment constructed by M/s. Rajarajeshwari Buildcon Pvt Ltd, Khata No. 28/7, PID No. 50-59-28/7, 8th Cross, 2nd Block, Jayanagara 2nd Block, Bengaluru - 560001- reg.

Ref: 1. National Green Tribunal order dtd: 6.5.2019.
2. Inspection of the Project by the undersigned on 16.5.2019.

In view of the NGT order dtd: 6.5.2019, the residential apartment constructed by M/s. Rajarajeshwari Buildcon Pvt Ltd, was inspected on 16.5.2019 in respect of the encroachment of Rajakaluve (drain), and the detailed inspection report is enclosed with this letter for further needful.

This is for your kind information.

Encl: As above.



Yours faithfully,

Environmental Officer
Regional Office, KSPCB,
Bangalore city South

INSPECTION REPORT OF SRI. M.C. RAMESH, EO, REGIONAL OFFICE, KSPCB,
BANGALORE CITY SOUTH, BENGALURU

1	Names and Address of the Residential Apartment inspected	M/s. Parasmani Regency – 2 of M/s. Rajarajeshwari Buildcon Pvt Ltd, Khata No. 28/7, PID No. 50-59-28/7, 8 th Cross, 2 nd Block, Jayanagara 2 nd Block, Bengaluru - 560001.
2	Date of inspection	16.5.2019
3	Person Contacted	1. Sri. Zia – Manager. 2. Sri umapathi Site Engineer
4.	Consent status	1. CFE from the Board vide lts. No. PCB/755/CNP/17/H-1132 dtd:26/3./018 for 56 flats (Block B). 2. Also applied and obtained CFO under water and Air Act for the period 15/12/2018 to 30/9/2023 (Block B). 3. The project authorities have not applied and obtained CFE for block A and block C as these blocks exempted from obtaining CFE & CFO from the Board as per notification.No. FEE 22 EPC 2009 (P-1) dtd: 4.8.2010
5	Reference:	National Green Tribunal order dtd:6.5.2019

M/s. Rajarajeshwari Buildcon Pvt Ltd, "Sri Ranga", # 67/1, Nettakallappa Circle, Basavanagudi, Bangalore-560004 have constructed the residential apartment in 3 blocks namely Block A, Block B and Block C at khata No. 38/7, PID No. 50-59-28/7, 8th Cross, Jayanagara 2nd Block, Bangalore-560001

The Block "A" (Total built up area -10,923 Sq mtrs) consists of 65 flats (built in basement + Ground floor + 4 upper floors), block "B" (Total built up area -11,721 Sq mtrs) consists of 56 flats (built in basement + Ground floor + 8 upper floors) and block "C" (Total built up area -541 Sq mtrs) consists of 10 flats (built in basement + Ground floor + 4 upper floors). The total no. of flats from all these three blocks is 131 flats.

In the Block "A", 6 no. of flats have been occupied, the block B and block C none of the flats occupied yet. The sewage generated from the 6 no. of flats is discharged into BWSSB sewer, for which the BWSSB has issued NOC on 12.2.2015 (**Annexure – 1**), till the sewage treatment plant is ready to use.

F. Water Pollution and its control:

The Apartment authorities have constructed a sewage treatment plant of capacity of 75 KLD to treat the Raw sewage generated from all the 3 blocks. And all the civil works have been completed and the plumbing works were in progress. It will be ready for commissioning in another 15 days as informed by project authorities. The treated sewage will be used for toilet flushing, land scape irrigation, vehicle washing, use in fire protection and commercial air conditioners.

G. Air Pollution and its control:

They have installed a DG set of 64 KVA for which chimney of ht. 3.0 ARL and acoustic enclosure are provided.

H. Solid Waste Management: -

They have installed an organic waste converter to process the wet waste, to convert into compost. The inorganic waste will be given to recycler.

I. National Green Tribunal order:

The NGT has made an order on 6/5/2019 to look into the matter pertaining to the encroachment of Raja kaluve (drain) on the north side of vijaya college and on the west side, which leads to lalbagh by this developer. Hence, it was inspected on 16/5/2019. During the inspection, the drain which passes in the west side was inspected and the following observations were made.

1. There is no Rajakaluve passing in the north side and west side of the apartment (block A and block C). It is actually a drain passing in the western side of the apartment (back side).
2. The total width of the drain is 7 feet including the stone masonry wall built on either side of the drain and the clear width of the drain is 2.5 feet.
3. The photographs of the drain taken during the inspection are enclosed with this report for kind perusal.
4. The distance from the centre of the drain to the edge of the wall of the block "B" is 18 mtrs.
5. The distance between the centre of the drain and the outer edge of the block "C" is 28 mtrs on one corner and it is 23 mtrs in an another corner.
6. The distance between the drain and the back wall of the meditation hall (built close to drain) is 0.90 mtr.
7. Lastly, the distance between the centre of the drain and the back wall of the Jain temple (which is built at the back side of block "C") is 8 mtrs, and the distance between the centre of the drain and the back wall of the block "A" is 57.5 mtrs.

J. As per the letter issued by the BBMP on 9.3.2017 to M/s. Thallam subbaraya shetty and Sons, Bangalore with respect to the drain, the drain is a man made drain and it is not a Rajacanal/nala. It is a pillagaluve. A copy of the letter given by BBMP to the above said person is enclosed for kind perusal (Annexure - 2)

Opinion:-

As per the village map furnished by the developer no Rajakaluve/nala passing through the Sy no. 15 and 16 of the project area. Further, as per the letter issued by the BBMP, the drain passing in the western side (at the back side) of the apartment, is a manmade storm water drain (Pillagaluve) and it is not a Rajacanal/nala. And, they have stated that as per city survey map and BDA R.M.P-2015, no nala is passing through this property. Regarding Encroachment and other violations with regard to building construction the concerned department opinion may be obtained.


ENVIRONMENTAL OFFICER
RO, KSPCB, BANGALORE CITY SOUTH

Encl:-

1. Photos.
2. Copy of the CFE issued by the Board on 26.3.2018.
3. Village map.
4. BWSSB NOC dtd: 12.2.2015.
5. Letter address to Sri. Thallam Subbaraya shetty and Sons on 9.3.2017 by Chief Engineer BBMP.
6. Layout plan of the project.
7. BBMP approved plan for block A, block B and block C.
8. Notification issued by Department of FEE dtd:4.8.2010.
9. Revised master plan – 2015 (2007 – Vol 3).
10. Local Area No.33, Jayanagar plan.

