**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,SOUTHERN ZONE, CHENNAI.**

**APPLICATION NO.13/2023**

**BETWEEN**

SRI PARAMESH V

APPLICANT

AND

ADDITIONAL CHIEF SECRETARY & OTHERS

… RESPONDENTS

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PLACE: CHENNAI

DATE: 04.04.2023

**COUNSEL FOR RESPONDENT NO.6**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,SOUTHERN ZONE, CHENNAI.**

**APPLICATION NO.13/2023**

**BETWEEN**

SRI PARAMESH V

APPLICANT

AND

ADDITIONAL CHIEF SECRETARY & OTHERS

... RESPONDENTS

**OBJECTION STATEMENT FILED BY THE 10th RESPONDENT**

I, Mr. M.Panchaksharaiah Hiremath S/o of Late. Mallaya Hiremath, aged about 39 years , Partner M/s United Projects Sun City, No.189, 2nd Main Road, Pai Layout, Old Madras Road, Bangalore – 5600 016. do hereby solemnly affirm and sincerely state as follows:

1. I am the authorized signatory for the 10th Respondent herein. As such,I am well acquainted with the facts and circumstances of the case and competent to swear this affidavit.

2. At the outset, I respectfully state that the above application is wholly false, friviolous, vexatious, factually incorrect and legally not maintainable. I respectfully state that the Applicant has approached this Hon'ble Court with unclean hands and is not entitled to any reliefs. The Application is filed on wrong surmises by supressing material and relevant facts. The petioner despite having knowledge has suppressed the same with a malafide intention to arm twist the respondent into terms. There is no bonafideness in filing the above Application. The said false averments are made with a view to maintain this Application

3. The Application is liable to be dismissed on the ground that it is barred by Limitation. Section 14(3) of NGT Act specifies that no application for adjudication of dispute under S.14 shall be entertained by the tribunal unless it is made within a period of 6 months from the date on which the cause of action dispute arose. In the instant case admittedly the plans of this respondent were sanctioned as early as 27.04.2022, after the respondent obtained necessary permissions, sanctions, approvals etc. from the competent authorities. After a

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detailed examination of all aspects relating to environment, The State Level Environment Impact Assessment Authority has accorded environmental clearance for the project in question. Copy of the Environmental Clearance issued by the State Level Environment Impact Assessment Authority (SEIAA) dated 27.05.2022 is produced herewith marked as **ANNEXURE R1.** The Consent for Establishment issued by Karnataka State Pollution Control Board dated 30.07.2022 permitting construction of 404 flats is produced herewith marked as **ANNEXURE R2.** The Developer has Obtained the sanction plan for construction of multi-storeyed residential building known as "United Suncity" vide license Bearing LP.No: BBMP/Ad.Com/MDP/0728/21-22 dated 27.04.2022, issued by the assistant Director of town planning, BBMP, Mahadevapura Zone, Bangalore for Wing 1 and Wing 2 copy of which is produced herewith marked as **ANNEXURE R3.** Very significantly, the applicant himself refers to some of these permissions, sanctions, consent in para 3 of the application the applicant was very well aware of the ongoing constructions and developments made by the present respondents and has chosen to approach this tribunal after the completion of the same.

4. Over 3 months have lapsed subsequent thereto. Application has been filed after a lapse of more than 3 months. This Application is hopelessly barred by Limitation, on this ground alone, the application is liable to be dismissed. The construction was commenced immediately thereafter, in the year 2022 and has been ongoing. It is submitted that the construction has been commenced in both the wings comprising of 404 apartments completed and the Commencement Certificate dated 02/08/2022 has also been granted. Copy of the photograph of the buildings and the occupancy certificate issued by BBMP is produced herewith marked as **ANNEXURE R4 & ANNEXURE R5.**

5. The Applicant has suppressed material facts. The Material facts which have been suppressed by the applicant are the following:

I. The construction was commenced way back in the year 2022

II. All the two wings comprising of 404 apartments have been commenced, Commencement certificates were also issued and 50% of the construction has been completed in both the wings.

III. The only Korakallu (Kaluva) which exists in the property has been retained apart and has been strengthened. The District Commissioner in terms of Sec. 71 of Karantaka Land Revenue Act,1964 has changed the path and permitted the use of land for development.

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6. The Application is liable to be dismissed on the ground of suppression of material facts and documents from this Hon'ble Tribunal. The Hon'ble Supreme Court has time and again held that if a litigant suppresses material documents from the court or a judicial forum, the same tantamount to committing fraud on the court or judicial for a and that the proceedings has to be dismissed in limine without even going into the merits of the matter.

7. The Applicant has produced documents by interpolating them which again amounts to committing fraud not only on the respondent but also on this Hon'ble Tribunal. Some of them are not even readable. The application is liable to be dismissed on this ground alone.

8. In the light of the above background, The Respondent denies each averment and every allegation made by the Applicant in their Applications and except those that are admitted hereunder. The respondent controverts various averments and allegations made in the application as under:

9. The averment in para 3(1) at page 5 of the application that this respondent is constructing multistoried residential apartment on the landspecified in this paragraph is true. However, it is false to allege that this respondent is constructing permanent concrete structure by encroaching the stream, rajakaluve, water bodies and its buffer zone and there has been encroachment of protected eco sensitive zone. It is equally false to allege that the construction had violated the guidelines of environmental law and the order of the Hon'ble High Court and the National Green Tribunal. The construction is not illegal as alleged or otherwise and is perfectly legal. The allegation that the respondents 1 to 9 have noticed that there has been illegal construction is also false. As stated earlier,there is no illegal construction.

10. The further allegation in para 3(1) that Respondents No. 1 to 9 have colluded with all the respondents and have failed to enforce the law is false. Annexure A to A3 produced by the petitioner has been deliberately over written as it is apparent to the naked eye and something which does not exist presently has been shown to pass therein. The copy of map in Annexure A is alleged to be downloaded from Karantaka Government Website itself states " *this Document is for viewing only and not for legal purpose"*

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11. This respondent is producing the relevant page of the master plan of Bangalore pertaining to the area where the land of this respondent lies marked **ANNEXURE R6 & 6A.** A perusal of the same bears out that there are no nala passing through the land in question. The Hon'ble High Court of Karnataka in Writ Petition No.44277/2011 reported in 2012 SCC Online Karnataka 2679 and in Valmark Developers v. State of Karnataka, order dated 06/07/2022 in W.A. NO.1226 OF 2021 has held that when the Master Plan is prepared by the planning authority as mandated by the Karnataka Town and Country Planning Act, the village map loses its credibility and ceases to be valid. Copy of the said judgement is produced herewith marked as **ANNEXURE R7 and ANNEXURE R8**. In view of the law declared by the Hon'ble High Court of Karnataka, which is binding on all concerned, the village map loses significance, efficacy, and validity.

12. The property in question falls within the planning area of Bangalore. The Bangalore Development Authority which is the planning authority has prepared the master plan in respect of the said area. The plan claiming to be the master plan has been produced by the applicant as **Annexure A3, Annexure A4 and Annexure A5**. A perusal of the same bears out that Ann. A3, Ann.A4 & Ann. A5 is not the master plan. On the contrary, it is the building plan approved by the Bruhat Bangalore Mahanagara Palike (The Corporation of the City of Bangalore)

13. The allegation in paragraph 3(2) at that the respondent is constructing apartment building "UNITED PROJECTS SUNCITY" by encroaching storm water drain , buffer zone and also dumping highly contaminating waste violating various guidelines prescribed in the applicable statutes is wholly false. The allegation that the residential building in which hich the respondent is constructing and planning to sell in Survey No. 3/1A3, 8/5, 9/7, 30/3. amounts to cheating the public and that the respondent has not abided by the law are all false.

14. The allegation in paragraph 3(3) that the Rajakavule which is flowing west to east in the Survey No. 09 and 30 on the southern side has been hidden in the plan are not true. There was Lead of Drain which was passing in the property in question. The respondent approached the The District Commissioner in terms of Sec. 71 of Karantaka Land Revenue Act,1964 has changed the path and permitted the use of land for development by an order dated: 29.12.2021. The said order is produced herewith as **Annexure- R9.** The Respondent has strengthened the storm water drain without in anyway encroaching upon the drain or in any way hindering the flow of water therein. **At any rate, as stated herein above the Master Plan does not have the storm water drain in Survey No.09 and Survey No.30**

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15. The further allegation that the apartment building construction is water bodies/storm water drain are also false. As stated herein above, there is storm water drain as alleged or otherwise. The storm water drain has been preserved and strengthened and there is no buffer in respect thereof. The allegation that without even leaving space for the buffer zone, encroaching the pedestrian pathway the respondent has enjoyed construction assuming that they can get away by the illegal power is false. The documents which the petitioner has produced as Annexure B to B2 are not admitted being genuine documents. At any rate, they are claimed to be survey sketch. Who has prepared , when it was prepared is not made known. Even in respect of these documents there have been interpolations, over writings etc., showing thereby that these are alldoctored documents.

16. The Allegation in paragraph 3(4) that the Respondent No.3 has joined together by making the plan approval by misuse of power is false & frivolous. The Respondent has obtained all plan approval's by following due process of law.

17. The Allegation in paragraph 3(5) that there has been encroachment and blocking of water body is all false. The further allegation that the storm water drain and its protected buffer zone area along with pedestrian pathwayis completely encroached and permanent structure like parking lot, cricket practice pitch, elders chit chat zone, pergola, stepped seater, compound wall and and other permanent concrete structures have been constructed encroaching the pedestrian pathway , blocking of waterbody and its buffer zone by this respondent is completely false. As stated herein above, there is storm water drain as alleged or otherwise. The storm water drain has been preserved and strengthened and there is no buffer in respect thereof. The allegation that without even leaving space for the buffer zone the respondent has enjoyed construction assuming that they can get away by the illegal power is false. The allegation that the petitioner has issued an complaint/legal notice may be true . The allegations and demands made in the said complaint/legal notice are wholly false and untenable. There is absolutely no need to cancel the license, plans, khata, land conversion etc.

18. The allegation that in Paragraph 3(6), that Respondent No.6 directed the Respondent No.7 to take suitable action in terms of the legal notice may be true. The Allegation that Respondent No.7 has failed to act on the direction is a meaningless statement. The Respondent No.7 has to act only in case there are violations or illegality and not otherwise. Since there are no illegalities, or violations, question of his acting does notarise.

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19. The allegation in Paragraph 3(7) that that the Applicant had conducted spot review of ongoing construction over the water bodies and photographed the same is not admitted to be true. The Photographs at Annexure G are not that of Respondent's property and construction.

20. The Allegation in Paragraph 3(8), that the Building Plan has been obtained by the respondent from BBMP by concealing water bodies as well as the revenue records and that the concerned authorities has failed to consider the rules in regards to the water body and verify the submitted documents intentionally & has mechanically approved the plan and further that this shows on the face of the record the various circles of the involvement of various officials with malicious intention arefalse. The allegation that in approving the plan, BBMP authority has violated the several guidelines which shall come to light shortly is a meaningless statement. It is apparent from this statement that the applicant wants to cook up further stories. The allegation that respondent and the BBMP authorities have joined together by making the plan by breaking the law even though the department objectives are crashed and crushed with the malicious intention are totally false. The allegation that there has been collusion between respondents and BBMP authorities and that there has been encroachment of Rajakaluves/Water bodies is false.

21. The Allegation in Paragraph 3(9) that law shall not allow Respondent No.10 to get away if they have made construction on Survey Number 3/1A3, 8/5 ,9/7, 30/3 by violating guidelines is denied, in any case the applicant himself is doubtful if there is any violation or not. and there is no necessity for the construction activities of respondents to be put on hold legally. The Further allegation that United Project Suncity have constructed permanent concrete structures like elders chit chat zone,toddlers pool, swimming pool, Dock Area, children play area byencroaching pedestrian pathway is completely denied

22. The allegation in Paragraph 3(10), that in Survey Number 30 and 9 there is a waterbody/storm water drain/ tertiary in village map and this map is an authenticated document and the present Respondent's construction has swallowed the waterbody along with the buffer zone are all not true and not correct. The allegation that there is gross violation of various acts including the Environment (Protection) Act, 1986 and other various notifications is not true.

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23. The allegation in Paragraph 3(11) that the present respondent has hampered the environment by illegal construction on the water body body and buffer zone is completely denied as false. The present respondent has not committed any illegal acts.

24. The allegation in Paragraph 3(12) that NOC's obtained remain illegal as respondent has obtained them by submitting fabricated supportive documents and the respondent has no respect over the law of the land and has rushed to make financial gain by constructing building over water bodies throwing all statutory guidelines over air and respondent had indulged in unfair trade practices along with other illegalities are all false. It is further submitted that the respondent has obtained sanction from RERA from the Building Plans which included Civic Amenities. If the respondent deviates from the said approved plan, he will be penalized under Real Estate (Regulation and Development) Act, 2016.

25. The allegation in paragraph 4(a) of the grounds that the respondents' authorities have a duty under the law to protect, preserve and maintain waterbody/nala and its buffer zone free from encroachment and contamination may be true. The respondents have carried out their duty properly and there has been no infraction in this regard. The said groundis untenable.

26. The allegation in paragraph 4(b) of the grounds that the respondents have not taken any steps to prevent ongoing construction is a meaningless statement. There is absolutely no need to prevent the ongoing construction. The allegation that the respondent has occupied, encroached water bodies, nala, buffer zone etc., is false. The allegation that respondent No.6 and 7's action is eyewash is a meaningless statement apart from being not true.

27. The allegation in repeated paragraph 5 of the grounds that the cause of action arose on 17.11.2022 where the applicant sent complaint to the respondents and that this application is well within the prescribed time are false. The application is filed over 3 months after the cause of action arose, if any, and is hopelessly barred by limitation.

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28. It is submitted that the official respondents herein have conducted all inspections & has reported that there has been no encroachments and permanent structures in the buffer zone and have filed report before this Hon'ble Tribunal It is further submitted that the present respondent has not constructed any permanent structures in the Buffer Zone area. The Present Respondent has also replied to the to the Notice sent by Respondent No.7 by a Letter Dated: 11.03.2023 produced herewith as Annexure R10

29. The petitioner is not entitled to any interim relief or the main relief. The petition being a totally false, frivolous, motivated and malafide petition isliable to be dismissed with costs.

WHEREFORE, the respondent prays that this Hon'ble Tribunal may be pleased to dismiss the application with exemplary costs in the interest of justice.

For UNITED PROJECTS SUNCITY

Partner

Bengaluru.

Date: Respondent No.10

VERIFICATION

I, Mr.M. Panchaksharaiah Hiremath S/o of Late. Mallaya Hiremath aged about 39 years , Partner M/s United Projects Sun City, "10th Respondent herein, do hereby declare that the contents of the objection statement are true to the best of my knowledge, information and belief and I have not suppressed any material fact

For UNITED PROJECTS SUNCITY

Partner

Bengaluru.

Date: Respondent No.10

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ATTESTED

B. Ramesh. B.Com. LL.B.
NOTARY & ADVOCATE
#341, 7th Main, HAL II Stage
BANGALORE-560 008. INDIA

21 APR 2023

**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL,SOUTHERN ZONE, CHENNAI.**

**APPLICATION NO.13/2023**

**BETWEEN**
SRI PARAMESH V ...APPLICANT

AND

DEPUTY COMMISSIONER & OTHERS ... RESPONDENTS

## VERIFYING AFFIDAVIT

I, Mr.M. Panchaksharaiah Hiremath S/o of Late. Mallaya Hiremath, aged about 39 years , Partner M/s United Projects Sun City, No.189, 2nd Main Road, Pai Layout, Old Madras Road, Bangalore – 5600 016 at dohereby solemnly affirm and sincerely state as follows:

1. I am the authorized signatory for the 10th Respondent herein, As such I am well acquainted with the facts and circumstances of the case and competent to swear this verifying affidavit.
2. I state that the averments contained in Paragraph 1 to 29 in the accompanying statement of objections are true and correct to the best of my knowledge, information and belief.
3. I state that ANNEXURE R1 to ANNEXURE R10 are true copies of the originals.

For UNITED PROJECTS SUNCITY

Partner DEPONENT

## VERIFICATION

I, the deponent above named do hereby verify that the contents of the foregoing affidavit are true, correct and nothing material has been concealedtherefrom.

NO. OF CORRECTIONS Nil

NOTARY S.RAMESH Rg. No. LAW 52 LCL 2019 Expiry Date 17-08-2024 GOVT. OF KARNATAKA

For UNITED PROJECTS SUNCITY

Partner

SWORN TO BEFORE ME DEPONENT

S. Ramesh, B.Com., L.L.B.,
NOTARY & ADVOCATE
No. 341, 7th Main, HAL II Stage,
Bengaluru-560 008, India.
Mobile: 9844255231.



11 APR 2023

ANNEXURE R1

सत्यमेव जयते

# State Level Environment Impact Assessment Authority-Karnataka

(Constituted by MoEF, Government of India, under section 3(3) of E(P) Act, 1986)

No. SEIAA 08 CON 2022

To,

Mr. R Gangadhar & S Pradeep
M/s United Projects
No.95/1, Dommasandra Village,
BidarahalliHobli, Bangalore East Taluk,
Bangalore – 560067

Sir,

Sub: Construction of Proposed Residential Apartmentproject at Sy. Nos.3/1A3, 8/5, 9/7 & 30/3, Sadaramangala Village, K. R. Puram Hobli, Bangalore East Taluk, Bangalore Urban District, Bangalore by M/s United Projects - Issue of Environmental Clearance – Reg.

*****

This has reference to your online application dated 08th January 2022 bearing proposal No. SIA/KA/MIS/250601/2022 addressed to SEIAA, Karnataka and subsequent letters addressed to SEIAA/SEAC Karnataka furnishing further information seeking prior Environmental Clearance for the above project under the EIA Notification, 2006. The proposal has been appraised as per the procedure prescribed in the provisions of the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Form 1, Form 1A, conceptual plans and the additional clarifications furnished in response to the observations of the SEAC, Karnataka. SEAC has recommended for issue of Environmental Clearance in their meeting held on 12th April 2022.

2. It is inter-alia, noted that M/s United Projects have proposed for construction of Residential Apartment Building Project on a plot area of 20,661.09Sqm. The total built up area is 62,054.70 Sqm. The proposed project consists of 404 Flats with Wing 1: Stilt Floor + GF + 3UP + Terrace and Wing 2: Stilt Floor + GF + 3UP + Terrace. Total parking space proposed is for 445 No's of Cars. Total water consumption is 305.69 KLD (Fresh water + Recycled water). The total wastewater generated is 244.55 KLD. The project proponent has proposed to construct Sewage Treatment plant with capacity of 250KLD. The project shall have DG sets of 2 Nos X 500 KVA as alternative source of power supply. The total project cost is Rs.161.60 Crores.

3. The SEIAA Karnataka after due consideration of the relevant documents submitted by the project proponent, additional clarifications furnished in response to its observations and the recommendation of the SEAC have in their meeting held on 7th May 2022 and decided to

accord Environmental Clearance in accordance with the provisions of Environmental Impact Assessment Notification-2006 and its subsequent amendments, subject to strict compliance of the following terms and conditions: -

**I. Statutory Compliance.**

i) The project proponent shall obtain all necessary clearance/ permission from all relevant agencies including town planning authority before commencement of work. All the construction shall be done in accordance with the local building byelaws.

ii) The approval of the Competent Authority shall be obtained for structural safety of the constructions due to earthquakes, adequacy of firefighting equipment etc as per National Building Code including protection measures from lightening etc.

iii) The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1980, in case of diversion of forest land for non forest purpose involved in the project.

iv) The proponent shall obtain clearance from the National Board for Wildlife, if applicable.

v) The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board/ Committee.

vi) The project proponent shall obtain the necessary permission for drawl of ground water / surface water required for the project from the competent authority.

vii) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.

viii) All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable, by project proponents from the respective competent authorities.

ix) The provisions of the Solid Waste Management Rules, 2016, e-Waste (Management) Rules, 2016, and the Plastics Waste Management Rules, 2016 shall be followed.

x) The project proponent shall follow the ECBC/ECBC-R prescribed by Bureau of Energy Efficiency, Ministry of Power strictly.

**II. Air quality monitoring and preservation**

i) Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.

ii) A management plan shall be drawn up and implemented to contain the current exceedance if any in ambient air quality at the site.

iii) The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. $PM_{10}$ and $PM_{2.5}$) covering upwind and downwind directions during the construction period.

iv) Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.

v) Construction site shall be adequately barricaded before the construction begins. Dust, smoke & other air pollution prevention measures shall be provided for the building as well as the site. These measures shall include screens for the building under construction, continuous dust/ wind breaking walls all around the site (at least 3 meter height). Plastic/tarpaulin sheet covers shall be provided for vehicles bringing in sand, cement, murram and other construction materials prone to causing dust pollution at the site as well as taking out debris from the site.

vi) Sand, murram, loose soil, cement, stored on site shall be covered adequately so as to prevent dust pollution.

vii) Wet jet shall be provided for grinding and stone cutting.

viii) Unpaved surfaces and loose soil shall be adequately sprinkled with water to suppress dust.

ix) All construction and demolition debris shall be stored at the site (and not dumped on the roads or open spaces outside) before they are properly disposed. All demolition and construction waste shall be managed as per the provisions of the Construction and Demolition Waste Rules 2016.

x) The diesel generator sets to be used during construction phase shall be low sulphur diesel type and shall conform to standards prescribed under Environmental (Protection) Rules for air and noise emission standards.

xi) The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution. Low sulphur diesel shall be used. The location of the DG set and exhaust pipe height shall be as per the provisions of the Central Pollution Control Board (CPCB) norms.

**III. Water quality monitoring and preservation**

i) The natural drain system should be maintained for ensuring unrestricted flow of water. No construction shall be allowed to obstruct the natural drainage through the site, on wetland and water bodies. Check dams, bio-swales, landscape, and

other sustainable urban drainage systems (SUDS) are allowed for maintaining the drainage pattern and to harvest rain water.

ii) Buildings shall be designed to follow the natural topography as much as possible. Minimum cutting and filling should be done.

iii) Total fresh water use shall not exceed the proposed requirement as provided in project details.

iv) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance as projected by the project proponent. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.

v) A certificate shall be obtained from local body supplying water, specifying the total annual water availability with local authority, the quantity of water already committed, the quantity of water allotted to the project under consideration and the balance water available, this should be specified separately for ground water and surface water sources, ensuring that there is no impact on the other users.

vi) At least 20% of the open spaces as required by the local building bye-laws shall be pervious. Use of Grass pavers, paver blocks with at least 50% opening, landscape etc. would be considered as pervious surface.

vii) Installation of dual pipe plumbing for supplying fresh water for drinking, cooking and bathing etc and other for supply of recycled water for flushing, landscape irrigation, car washing, thermal cooling, conditioning etc. shall be done.

viii) Use of water saving devices/ fixtures (viz. low flow flushing systems; use of low flow faucets tap aerators etc) for water conservation shall be incorporated in the project area.

ix) Separation of grey and black water should be done by the use of dual plumbing system. In case of single stack system separate recirculation lines for flushing by giving dual plumbing system be done.

x) The project proponent shall identify a suitable source of treated water for construction and submit an MOU/Agreement with such suppliers. If so the supplier identified shall be responsible for treatment of water with appropriate technology to the standards required for constriction purpose.

xi) The local bye-law provisions on rain water harvesting should be followed. If local bye-law provision is not available, adequate provision for storage and recharge should be followed as per the Ministry of Urban Development Model Building Byelaws, 2016.

xii) A rain water harvesting plan needs to be designed where the recharge bores of minimum one recharge bore per 5,000 square meters of built up area and storage capacity of minimum one day of total fresh water requirement shall be provided. In areas where ground water recharge is not feasible, the rain water should be

harvested and stored for reuse. The ground water shall not be withdrawn without approval from the Competent Authority.

xiii) All recharge should be limited to shallow aquifer.

xiv) No ground water shall be used during construction phase of the project.

xv) Any ground water dewatering should be properly managed and shall conform to the approvals and the guidelines of the CGWA in the matter. Formal approval shall be taken from the CGWA for any ground water abstraction or dewatering.

xvi) The quantity of fresh water usage, water recycling and rainwater harvesting shall be measured and recorded to monitor the water balance. The record shall be submitted to the Regional Office, MoEF&CC along with six monthly Monitoring reports.

xvii) Sewage shall be treated in the STP based on MBBR/SBR Technology with tertiary treatment i.e. Ultra Filtration. The treated effluent from STP shall be recycled/re-used for flushing, landscaping and HVAC cooling. No treated water shall be discharged to municipal drain.

xviii) No sewage or untreated effluent water would be discharged through storm water drains.

xix) The existing water body, canals and rajakaluve and other drainage and water bound structures shall be retained unaltered with due buffer zone as applicable and maintained under tree cover.

xx) Onsite sewage treatment of capacity of treating 100% waste water to be installed. The installation of the Sewage Treatment Plant (STP) shall be certified by an independent expert and a report in this regard shall be submitted to the Ministry before the project is commissioned for operation. Treated waste water shall be reused_on site for landscape flushing, cooling tower, and other end-uses. Excess treated water shall be discharged as per statutory norms notified by Ministry of Environment, Forest and Climate Change Natural treatment systems shall be promoted.

xxi) Periodical monitoring of water quality of treated sewage shall be conducted. Necessary measures should be made to mitigate the odour problem from STP.

xxii) Sludge from the onsite sewage treatment, including septic tanks, shall be collected, conveyed and disposed as per the Ministry of Urban Development, Central Public Health and Environmental Engineering Organization (CPHEEO) Manual on Sewerage and Sewage Treatment Systems, 2013.

**IV. Noise monitoring and prevention**

i) Ambient noise levels shall conform to residential area both during day and night as per Noise Pollution (Control and Regulation) Rules, 2000. Incremental pollution loads on the ambient air and noise quality shall be closely monitored during construction phase. Adequate measures shall be made to reduce ambient air and

noise level during construction phase, so as to conform to the stipulated standards by CPCB / SPCB.

ii) Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

iii) Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

iv) The project proponent shall ensure the time specification prescribed by the Honourable High Court of Karnataka in WP. No. 1958/2011 (LB – RES - PIL) on 04.12.2012 for different activities involved in construction work

V. Energy Conservation measures

i) Compliance with the Energy Conservation Building Code (ECBC) of Bureau of Energy Efficiency shall be ensured. Buildings in the States which have notified their own ECBC, shall comply with the State ECBC.

ii) Outdoor and common area lighting shall be LED.

iii) Concept of passive solar design that minimize energy consumption in buildings by using design elements, such as building orientation, landscaping, efficient building envelope, appropriate fenestration, increased day lighting design and thermal mass etc. shall be incorporated in the building design. Wall, window, and roof u-values shall be as per ECBC specifications.

iv) Energy conservation measures like installation of LED for the lighting the area outside the building should be integral part of the project design and should be in place before project commissioning.

v) Solar, wind or other Renewable Energy shall be installed to meet electricity generation equivalent to 1% of the demand load or as per the state level/ local building bye-laws requirement, whichever is higher.

vi) Solar power shall be used for lighting in the apartment to reduce the power load on grid. Separate electric meter shall be installed for solar power. Solar water heating shall be provided to meet 20% of the hot water demand of the commercial and institutional building or as per the requirement of the local building bye-laws, whichever is higher. Residential buildings are also recommended to meet its hot water demand from solar water heaters, as far as possible.

VI. Waste Management

i) A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project shall be obtained.

ii) Disposal of muck during construction phase shall not create any adverse effect on the neighboring communities and be disposed taking the necessary precautions for

general safety and health aspects of people, only in approved sites with the approval of competent authority.

iii) Separate wet and dry bins must be provided and at the ground level for facilitating segregation of waste. Solid waste shall be segregated into wet garbage and inert materials.

iv) Organic waste compost/ Vermiculture pit/ Organic Waste Converter within the premises with a minimum capacity of 0.3 kg /person/day must be installed.

v) All non-biodegradable waste shall be handed over to authorized recyclers for which a written tie up must be done with the authorized recyclers.

vi) Any hazardous waste generated during construction phase, shall be disposed off as per applicable rules and norms with necessary approvals of the State Pollution Control Board.

vii) Use of environment friendly materials in bricks, blocks and other construction materials, shall be required for at least 20% of the construction material quantity. These include Fly Ash bricks, hollow bricks, AACs, Fly Ash Lime Gypsum blocks, Compressed earth blocks, and other environment friendly materials.

viii) Fly ash should be used as construction material as per the provision of Fly Ash Notification of September, 1999 and amended as on 27th August, 2003 and 25th January, 2016. Ready mixed concrete must be used in construction.

ix) Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016.

x) Used CFLs/TFLs/LED should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.

**VII. Green Cover**

i) No tree cutting/transplantation should be carried out unless exigencies demand. Where absolutely necessary, tree transplantation shall be with prior permission from the concerned regulatory authority. Old trees should be retained based on girth and age regulations as may be prescribed by the Forest Department. Plantations to be ensured species (cut) to species (planted).

ii) A minimum of 1 tree for every 80 Sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping.

*iii)* Where the trees need to be cut with prior permission from the concerned local Authority, compensatory plantation in the ratio of 1:10 (i.e. planting of 10 trees for

every 1 tree that is cut) shall be done and maintained. Plantations to be ensured species (cut) to species (planted).

iv) Topsoil should be stripped to a depth of 20 cm from the areas proposed for buildings, roads, paved areas, and external services. It should be stockpiled appropriately in designated areas and reapplied during plantation of the proposed vegetation on site.

## VIII. Transport

i) A comprehensive mobility plan, as per MoUD best practices guidelines (URDPFI), shall be prepared to include motorized, non-motorized, public, and private networks. Road should be designed with due consideration for environment, and safety of users. The road system can be designed with these basic criteria.

a. Hierarchy of roads with proper segregation of vehicular and pedestrian traffic.

b. Traffic calming measures.

c. Proper design of entry and exit points.

d. Parking norms as per local regulation.

ii) Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards be operated only during nonpeak hours.

iii) A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of roads within a 5 km radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 5 km radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

iv) Provide at the main entrances bell gates, which are located at least 12' inside the boundary of the project to enable smooth flow of traffic on the main road leading to the entrance

## IX. Human health issues

i) All workers working at the construction site and involved in loading, unloading, carriage of construction material and construction debris or working in any area with dust pollution shall be provided with dust mask.

ii) All required sanitary and hygienic measures should be in place before starting construction activities and to be maintained throughout the construction phase. Sufficient number of toilets/bathrooms shall be provided with required mobile toilets, mobile STP for construction workforce

iii) For indoor air quality the ventilation provisions as per National Building Code of India.

iv) Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.

v) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.

vi) Occupational health surveillance of the workers shall be done on a regular basis.

vii) A First Aid Room shall be provided in the project both during construction and operations of the project.

**X. Corporate Environment Responsibility**

i) The project proponent shall comply with provision contained in OM vide F.No. 22-65/2017-IA.III dated 20th October 2020, of the Ministry of Environment, Forest and Climate Change as applicable, regarding Corporate Environment Responsibility and shall execute the action plan of Providing Primary Health Care facility, Development of Green Belt, providing Drinking water/Sanitation and providing Smart Class Room facility for nearby Govt Primary School, as submitted vide letter dated 23.05.2022.

ii) The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or stakeholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.

iii) A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization. The project proponent enter into an agreement with the prospective buyers/ tenants to ensure that they maintain the cell and take care of all environment concerns during the operation phase of the project. In addition, sufficient fees should be levied so as to raise a corpus fund to maintain the Environment cell.

iv) Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry of Environment, Forest and Climate Change/Regional Office along with the Six Monthly Compliance Report.

## XI. Miscellaneous

i) The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEFCC/SEIAA website where it is displayed.

ii) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.

iii) The Project Proponent shall obtain the construction material such as stones and aggregates etc. only from the approved quarries and other construction material shall also be procured from the authorized agencies/traders.

iv) The project proponent shall not use Kharab land if any for any purpose and keep available to the general public duly displaying a board as public property. No structure of any kind be put up in the Kharab land and shall be afforested and maintained as green belt only.

v) The Project proponent shall build in infrastructure required for use of Piped Natural Gas (PNG) such as pipelines and space for installation of PNG distribution equipment for both domestic/commercial purpose and DG set and shall ensure that PNG is supplied for both commercial and for DG sets instead of other type of fuels.

vi) The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.

vii) The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.

viii) The Half Yearly Compliance Reports (HYCRs) with its contents of a covering letter, compliance reports, and environmental monitoring data has to be in PDF format merged into a single document. The email should clearly mention the name of project, EC No & date, period of submission and to be sent to the Regional

Office of MOEF&CC by email only at email ID rosz.bng-mefcc@gov.in Hard copy of HYCRs shall not be acceptable.

ix) The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.

x) The project proponent shall inform the Regional Office as well as the Ministry of Environment, Forest and Climate Change, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.

xi) The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.

xii) The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report and also that during their presentation to the Expert Appraisal Committee.

xiii) No further expansion or modifications in the plan shall be carried out without prior Environmental Clearance from the competent authority.

xiv) Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.

xv) The State Level Environment Impact Assessment Authority, Karnataka may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.

xvi) The SEIAA, Karnataka reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.

xvii) The Regional Office of MoEF&CC shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.

xviii) The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.

xix) Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

XII. **Additional Condition**

1. Assured water supply, commensurate with the ultimate occupancy envisaged in the project, shall be ensured before commencement of the project.
2. 25% of parking space shall have charging facility to enable charging of electric vehicles.
3. The PP shall strictly adhere to the local Planning Authority Bye-Laws.
4. The PP shall leave the kharab area for free access to public.

Yours faithfully,

(Vijay Mohan Raj V)
Member Secretary,
SEIAA, Karnataka.

**Copy to:**

1. The Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
2. The Commissioner, Bruhat Bengaluru Mahanagara Palike (BBMP), N.R. Square, Bangalore – 560 002.
3. The Member Secretary, Karnataka State Pollution Control Board, Bengaluru.
4. The APCCF, Regional Office, Ministry of Environment & Forests (SZ), Kendriya Sadan, IV Floor, E & F wings, 17th Main Road, Koramangala II Block, Bengaluru – 560 034.
5. Guard File.

Signature Not Verified
Digitally signed by Sri Vijay Mohan Raj V.,IFS
Member Secretary
Date: 5/27/2022 5:46:29 PM

**ANNEXURE R2**

Consent For Establishment (CFEs)

Consent No. CTE-332585 Valid upto: 29/07/2027

Karnataka State Pollution Control Board
Parisara Bhavana,No.49, Church Street,Bengaluru-560001
Tele : 080-25589112/3, 25581383
Fax:080-25586321
email id: ho@kspcb.gov.in

Industry Colour: RED Industry Scale: LARGE

(This document contains 5 pages including annexure & excluding additional conditions)

**Consent Order No.** CTE-332585 **PCB ID:** 131439 **Date.** 30/07/2022

To,

The Applicant

Residential Apartment by United Projects
Sadaramangala village, K.R Puram Hobli, Bangalore East Taluk. Bangalore Urban Di

Sir,

Sub: Consent to Establish under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981-reg.,

Ref: 1. CFE application submitted by the industry/organization on 08/06/2022 at Regional Office

2. Inspection of the project site by Regional Officer Bangalore Mahadevapura on 06/06/2022

3.Proceedings of the ECM dated 25/07/2022 ,held on 18/07/2022

With reference to the above, Karnataka State Pollution Control Board hereby accords **Consent for Establishment** for new Activity under the Water (Prevention & Control of Pollution) Act, 1974 & the Air (Prevention & Control of Pollution) Act, 1981 at the location indicated below subject to the following terms & conditions.

**Location:**

Name of the Applicant: Residential Apartment by United Projects

Address: Sy. No. 3/1A3, 8/5, 9/7, 30/3, Sadaramangala Village, KR Puram Hobli, Bengaluru East Taluk

Industrial Area: Not In I.A, Sadaramangala village,

Taluk: BBMP- W- 54, District: Bangalore Urban

**Conditions:**

1. This consent for establishment is valid up to 29/07/2027 from the date of issue.
2. The applicant shall not undertake expansion/diversification without the prior consent of the Board.
3. The applicant shall obtain necessary license/clearance from other relevant statutory agencies as required under the law.
4. This consent is granted considering the following activities:

| Sr | Product Name | Applied Qty | Unit |
|---|---|---|---|
| 1 | residential apartment with 404 flats with tbua of 62054.70 SQM | 1.0000 | Number |

**I. WATER CONSUMPTION:**

1. The source of water shall be from BWSSB and total water consumption shall be as below.

| Particulars | Water consumption(KLD) |
|---|---|
| Others ..... | 273.0 |

Consent For Establishment (CFEs)

Consent No. CTE-332585 Valid upto: 29/07/2027

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Karnataka State Pollution Control Board
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Industry Colour: RED Industry Scale: LARGE

(This document contains 5 pages including annexure & excluding additional conditions)

## II. WATER POLLUTION CONTROL:

1.The discharge from the premises of the applicant shall pass through the terminal manhole/manholes where from the Board shall be free to collect samples in accordance with the provisions of the Act or Rules made there under.

2. The applicant shall treat the domestic wastewater from the factory in septic tank with soak pit. No overflow from the soak pit is allowed. The septic tank and soak pit shall be designed as per IS 2470 Part - I andPart- II

3. The applicant shall treat the domestic wastewater in the Sewage Treatment Plant (STP) as per the proposal submitted.It shall meet the standards specified in Annexure-I & shall be used on land for gardening/greenbelt within the factory premises.

4. The quantity of domestic waste water and trade effluent generated from the proposed industry shall not exceed the permitted quantity as indicated below

**Discharge of effluents under the Water Act:**

| Sl. No. | Description | Permitted Quantity of discharge in KLD | Mode/Place of disposal |
|---|---|---|---|
| 1 | Others ..... | 219.000 | Sewage effluent shall be discharge into STP of capacity 250 KLD, treated to standards stipulated at all times and used for secondary urban purposes within the premises with Zero Liquid discharge outside. |

5. The applicant shall treat the trade effluent in proposed ETP which consists of the following;

**STP & ETP details**

| SlNo | ETP/STP NO | ETP Code | Category Name | Capacity (Meter Cubic) | Units | Remarks |
|---|---|---|---|---|---|---|
| 1 | STP1 | BS- | Bar Screen | 1.00 | 1 | |
| 2 | STP1 | COL | P-Collection Tank | 150.00 | 1 | |
| 3 | STP1 | EQU | P-Equalization Tank | 250.00 | 2 | |
| 4 | STP1 | FTP | P-Filter Press | 1.00 | 1 | |
| 5 | STP1 | SHT | S-SLUDGE HOLDING TANK | 9.00 | 1 | |
| 6 | STP1 | CFL | T-CARBON FILTER | 1.00 | 1 | |
| 7 | STP1 | SFL | T-SAND FILTER | 1.00 | 1 | |

6. The applicant shall ensure that the ETP will treat the effluent to the stipulated standards as indicated in Annexure-I

7. The applicant shall not discharge any effluent outside the industry premises.

8. The applicant shall provide separate flow meter for inflow & outflow of effluents through ETP and separate energy meter and shall maintain a logbook for hourly record of meter reading for the verification of inspecting officers

9. The applicant shall discharge the effluents only to the place mentioned in the Consent order.

## III. AIR POLLUTION CONTROL:

1. The Source of emission, Stack height & Air Pollution Control (APC) measures shall be as specified in ANNEXURE-II.

2. The applicant shall provide port holes for sampling of emission, access platforms for carrying out stack sampling, electrical points and all other necessary arrangements including ladder as indicated in Annexure-II.

3. The applicant shall upgrade/modify/replace the control equipment with prior permission of the Board.

Karnataka State Pollution Control Board
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## IV. NOISE POLLUTION CONTROL:

The applicant shall ensure that the ambient noise levels within its premises during construction and during operational period shall not exceed w.r.t Area/Zone as per Noise Pollution (Regulation and Control) Rules, 2000 as mentioned below:-

a) In Industrial Area 75 dB(A) Leq during day time and 70 dB(A) Leq during night time.

b) In Commercial Area 65 dB(A) Leq during day time and 55 dB(A) Leq during night time.

c) In Residential Area 55 dB(A) Leq during day time and 45 dB(A) Leq during night time.

d) In Silence Zone 50 dB(A) Leq during day time and 40 dB(A) Leq during night time.

Note: - * Day time shall mean 6 am to 10 pm and Night time shall mean 10 pm to 6 am.

* dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.

* A "decibel" is a unit in which noise is measured.

* "A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

* Leq: It is an energy mean of the noise level over a specified period.

## V. SOLID WASTE (OTHER THAN HAZARDOUS WASTE) DISPOSAL:

1. The applicant shall collect, treat and dispose off all solid waste generated from the process other than wastes covered under the Hazardous and other Wastes (Management & Transboundry Movement) Rules 2016, in such manner so as not to cause environmental pollution.

2. The details of solid waste generated from the proposed plant and mode of disposal shall be as below.

| Sr | Solid Waste Name/Type | Qty-Unit | Mode of Disposal |
|---|---|---|---|
| 1 | STP Sludge = 12.50 Kg/day | 0.3750 - M.T | LAN |
| 2 | solide waste = 909.00 Kg/day | 27.2700 - M.T | OTH |
| 3 | Organic waste = 545.40 Kg/day | 16.4830 - M.T | LAN |
| 4 | Inorganic waste = 363.60 Kg/day | 10.9080 - M.T | OTH |

## VI. HAZARDOUS AND OTHER WASTES (MANAGEMENT & TRANSBOUNDRY MOVEMENT) RULES 2016:

1. The applicat shall apply and obtain authorization under Hazardous and Other Wastes (Management & Transboundry Movement) Rules 2016, and comply with the provisions of the said Rules.

## VII. GENERAL:

1. The applicant shall transport and store the raw materials in a manner so as not to cause any damage to environment, life and property. The applicant shall be solely responsible for any damages to environment.

2. The applicant shall not commission the proposed plant for trial or regular production unless necessary Water & air pollution control equipments are installed as specified in the Consent Order.

3. The applicant shall ensure that the treatment plant and control equipments are completed and commissioned simultaneously along with construction of the factory and erection of machineries.

4. The applicant shall not change or alter (a) raw materials or manufacturing process, (b) change the products or product mix (c) the quality, quantity or rate of discharge/emissions and (d) install/replace/alter the water or air pollution control equipments without the prior approval of the Board.

5. The applicant shall immediately report to the Board of any accident or unforeseen act or event resulting in release of discharge of effluents or emissions or solid wastes etc. in excess of the standards stipulated. And the industry shall immediately take appropriate corrective and preventive actions under intimation to the Board.

6. The Board reserves the right to review, impose additional condition or conditions, revoke, change or alter the terms and conditions.

7. This CFE does not give any right to the Party/Project Authority/Industry to forego any other legal requirement, that is necessary for setting/operation of the plant.

8. The applicant shall furnish pointwise compliance to the conditions given under this consent for establishment along with the application for Consent to operate.

Consent For Establishment (CFEs)

Consent No. CTE-332585 Valid upto: 29/07/2027

Karnataka State Pollution Control Board
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(This document contains 5 pages including annexure & excluding additional conditions)

9. The applicant is liable to reinstate or restore, damaged or destroyed elements of environment at his cost, failing which, the applicant/occupier as the case may be shall be liable to pay the entire cost of remediation or restoration in advance an amount equal to the cost estimated by Competent Agency or Committee.

10. The applicant shall comply with all the Conditions and guidelines issued from time to time.

11. The applicant must create structure/facility for rain water harvesting and ground water recharge.

12. The applicant shall develop extensive green belt within the periphery of the plant.

13. This consent is issued without prejudice to Court Cases pending in any Hon'ble Court.

Please note that this is only consent for establishment issued to you to proceed with the formalities for establishment of the industry and does not give any right to proceed with trial/regular production. For this purpose, separate consents of the Board for discharge of liquid effluent and the emissions to the air shall have to be obtained by remitting prescribed consent fee. The application for consent has to be made 45 days in advance of commissioning for trial production of the plant.

The receipt of this letter may please be acknowledged.

Consent Fee paid : Rs. 125000

Note:

The Conditions Nil mentioned in the schedule are not applicable.

Additional Conditions:

II(2),(6), III(2), IV(1), V(1), VI(1) & VII(4) these conditions are not applicable.

The project authorities shall strictly comply with the conditions stipulated in Annexure I contains pages.

The CFE is issued as per the recommendations of the Enforcement Committee Meeting held on 5th May 2022 duly approved by Member Secretary & Hon'ble Chairman.

COPY TO:

1. The Environmental Officer, KSPCB, Regional Office, Bangalore Mahadevapura for information and to inspect the industry during your next visit to the area.
2. Master copy (Dispatch).
3. Office copy.

ANNEXURE- II

Consent For Establishment (CFEs)

Consent No. CTE-332585 Valid upto: 29/07/2027

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Karnataka State Pollution Control Board
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**LOCATION OF SAMPLING PORTHOLES, PLATFORMS, ELECTRICAL OUTLET.**

1. Location of Portholes and approach platform:

   Portholes shall be provided for all chimneys, stacks and other sources of emission. These shall serve as the sampling points.The sampling point should be located at a distance equal to atleast eight times the stack or duct diameters downstream and two diameters upstream from source of low disturbance such as a Bend, Expansion, Construction Valve, Fitting or Visible Flame or rectangular stacks, the equivalent diameter can be calculated from the following equation.

$$\text{Equivalent Diameter} = \frac{2\,(\text{Length} \times \text{Width})}{(\text{Length} + \text{Width})}$$

2. The diameter of the sampling port should not be less than 100mm dia". Arrangements should be made so that the porthole is closed firmly during the non sampling period.
3. An easily accessible platform to accommodate 3 to 4 persons to conveniently monitor the stack emission from the portholes shall be provided. Arrangements for an Electric Outlet Point of 230 V 15 A with suitable switch control and 3 Pin Point shall be provided at the Porthole location.
4. The ladder shall be provided with adequate safety features so as to approach the monitoring location with ease.

FOR AND ON BEHALF OF KARNATAKA POLLUTION CONTROLBOARD

Signature Not Verified
Digitally signed by
Date: 2022.07.30 17:53:05 +05:30

**ANNEXURE R3**

**BRUHAT BENGALURU MAHANAGARA PALIKE**

**Office of the Assistant Director Town Planning – (Mahadevapura), RHB colony, Whitefield main road, Bengaluru-560048**

**Licence Sl. No.** BBMP/CC/1002/22-23

**LP.No:** BBMP/Ad.Com./MDP/0728/21-22

**Project No.:** PRJ/12696/21-22

## BUILDING LICENCE

The request of the Katha Holder/GPA Holder Sri / Smt / M/s. MS UNITED PROJECTS SUNCITY REP BY MANAGING PARTNERS M PANCHAKSHARAIAH HIREMATH AND OTHERS dated. 19 March, 2022 to issue licence / building plan approval for the construction of building at Property No./PID No. 983 ,Sadaramangala Village, K.R. Puram Hobli, Bangalore,3/1A3, 8/5, 9/7 & 30/3 Ward No: Ward-054 ,Mahadevapura Zone under the juricdiction of Bruhat Bengaluru Mahanagara Palike has been accepted by the EoDB-JC Mahadevapura ,BBMP on Date. 23 March, 2022.

The prescribed fee for Building Plan Sanction as intimated vide revised demand notice dated. 23 March, 2022 is remitted by the applicant amounting to Rs. 19448697 by Net banking/Credit Card/Debit Card on Receipt Number. BBMP/EoDB/RC/32027/21-22 on Date 18 March, 2022, BBMP/EoDB/RC/2709/22-23 on Date 26 April, 2022, towards CANARA BANK, BBMP Branch A/C No. 8401132000014. Further Labour Cess Amount of Rs. 1000 is remitted by the applicant to the Building & other construction workers welfare board, through Net banking/Credit Card/Debit Card/NEFT/RTGS on BBMP/EoDB/RC/2715/22-23 Dated 26 April, 2022 towards Canara Bank, Hombegowda Nagar A/C No:1371101079786

Approval for Building Plans is hereby accorded subject to the conditions annexed, for the construction of building/s detailed below in the Site Area 19,668.89 Sq.m.

| Sl.no. | Building / Block Details | Building Use | Total No. of floors | Tenements | Height (m) | Total Built-up area (sq.m.) |
|---|---|---|---|---|---|---|
| 1 | WING 2 (RESIDENTIAL BUILDING) | /Residential | 1Stilt + 1Ground + 3 | 188 | 14.99 | 25969.66 |
| 2 | WING 1 (RESIDENTIAL BUILDING) | /Residential | 1Stilt + 1Ground + 3 | 216 | 14.99 | 28960.31 |

**Permission is hereby accorded under section 301 of KMC Act 1976 for the New (FRESH PLAN SANCTION) of Building and is subject to the conditions and sanctioned detailed plans annexed to this Licence. In case of failure to adhere / comply to sanction plans / conditions imposed, action will be initiated as per section 321 and 462 of KMC Act 1976. This License is valid for a period of two years from this day.**

**Enclosures. 1) Licence Conditions**
**2) Building Plans**

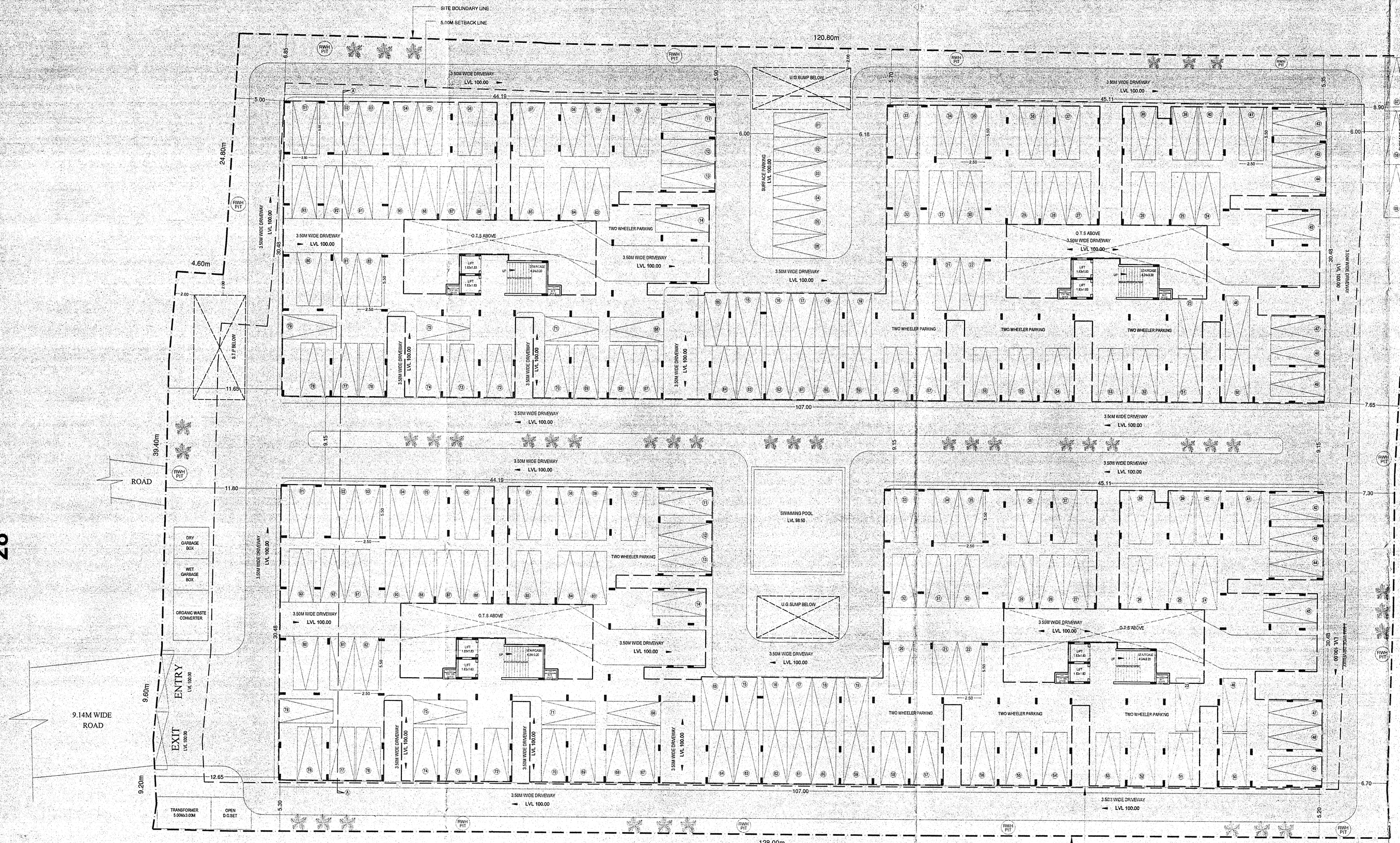
Bruhat Bengaluru Mahanagara Palike

Digitally signed by PRAKASH M DHARESHWAR
Date: 2022.04.27 17:31:51
Project No.:PRJ/12696/21-22IN
Organization :Bruhat Bengaluru Mahanagara Palike
Designation :Assistant Director Town Planning (ADTP)
FileNo :BBMP/Ad.Com./MDP/0728/21-22

To,

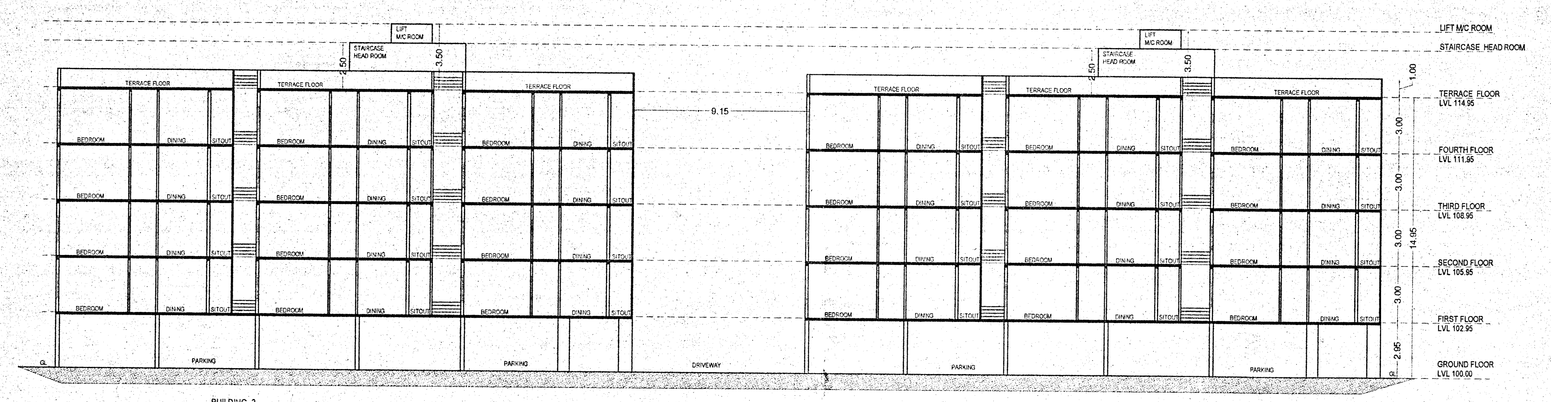
M/s, Sri MS UNITED PROJECTS SUNCITY REP BY MANAGING PARTNERS M PANCHAKSHARAIAH HIREMATH AND OTHERS

Dommasandra Village Bidarahalli Hobli Bangalore 560067




GROUND FLOOR PLAN ( LVL102.95M)

SURFACE PARKING = 09 UNITS
BUILDING -1, NO OF UNITS = 93 UNITS
BUILDING -2, NO OF UNITS = 93 UNITS
TOTAL = 195 UNITS




SECTION ON 'A-A'

ಷರತ್ತುಗಳು

1) ಕಟ್ಟಡದ ಜಾಗೃತಿಯಲ್ಲಿ ಅಗ್ನಿ ನಿ.ಸಿ ಕರ್ನಾಟಕ ಸೇವೆಯನ್ನಲ್ಲಿ ಎಲ್ಲಾರಿಸಿದ ನಂತರ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರದಿಂದ ಪೂರ್ಣಗೊಂಡ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ಪಡೆಯತಕ್ಕದ್ದು.

2) ಅಂಡಿಬಲಿ / ರಾಜ ಕಾಲುವೆ / ಚರಂಡಿ ನಿರ್ಮಿಸಿ ಅವುಗಳನ್ನು ಮಳೆಯ ನೀರು ಭರಿಸಿ ಅವುಗಳನ್ನು ತಡವದೆ ಹರಿಯಲು ಅನುವು ಮಾಡಿಕೊಡಲು ಸಂಬಂಧಿಸಿದ ಸಂಸ್ಥೆಯವರಿಂದ ಪೂರ್ಣಗೊಳಿಸಿದ ಬಗ್ಗೆ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ಪಡೆದ ನಂತರವೇ ಕಟ್ಟಡವನ್ನು ಉಪಯೋಗಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅಂತಿಮ ಪ್ರಮಾಣಪತ್ರವನ್ನು ಪಡೆದ ನಂತರ ಪ್ರಮಾಣಪತ್ರದ ಪ್ರತಿಯನ್ನು ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

3) ಅಂಡಿಬಲ್ಲಿದಾರರು ಬಳಸುವ ಸಿಮೆಂಟ್‌ನಿರ್ಮಾಣದ ಪೂರ್ವದಲ್ಲಿ ಮಣ್ಣಿನ ಸಾಮರ್ಥ್ಯವನ್ನು ಪರೀಕ್ಷಿಸಿ ಅದರ ವರದಿಯನ್ನು ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

4) ಅಡಿಪಾಯದ ಕಾಮಗಾರಿಯ ಸಂದರ್ಭದಲ್ಲಿ ಕಬ್ಬಿಣ / ಸಿಮೆಂಟ್ ಕಾಂಕ್ರೀಟ್ ಮತ್ತು ಇತರೆ ಸಾಮಗ್ರಿಗಳ ಸಂಗ್ರಹಣೆಗಾಗಿ ಸಾರ್ವಜನಿಕ ರಸ್ತೆಯ ಜಾಗವನ್ನು ಉಪಯೋಗಿಸಿಕೊಳ್ಳಬಾರದು.

5) ಮಳೆ ನೀರು ಕೊಯ್ಲಿನ ಯೋಜನೆಯನ್ನು ಕಡ್ಡಾಯವಾಗಿ ಅಳವಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

6) ಅಗ್ನಿಶಾಮಕ ಠಾಣೆಯಿಂದ ಅಗತ್ಯವಿರುವ ಸಲಹೆಗಳನ್ನು ಪಡೆದು ಅವುಗಳನ್ನು ಕಡ್ಡಾಯವಾಗಿ ಅನುಷ್ಠಾನಗೊಳಿಸತಕ್ಕದ್ದು.

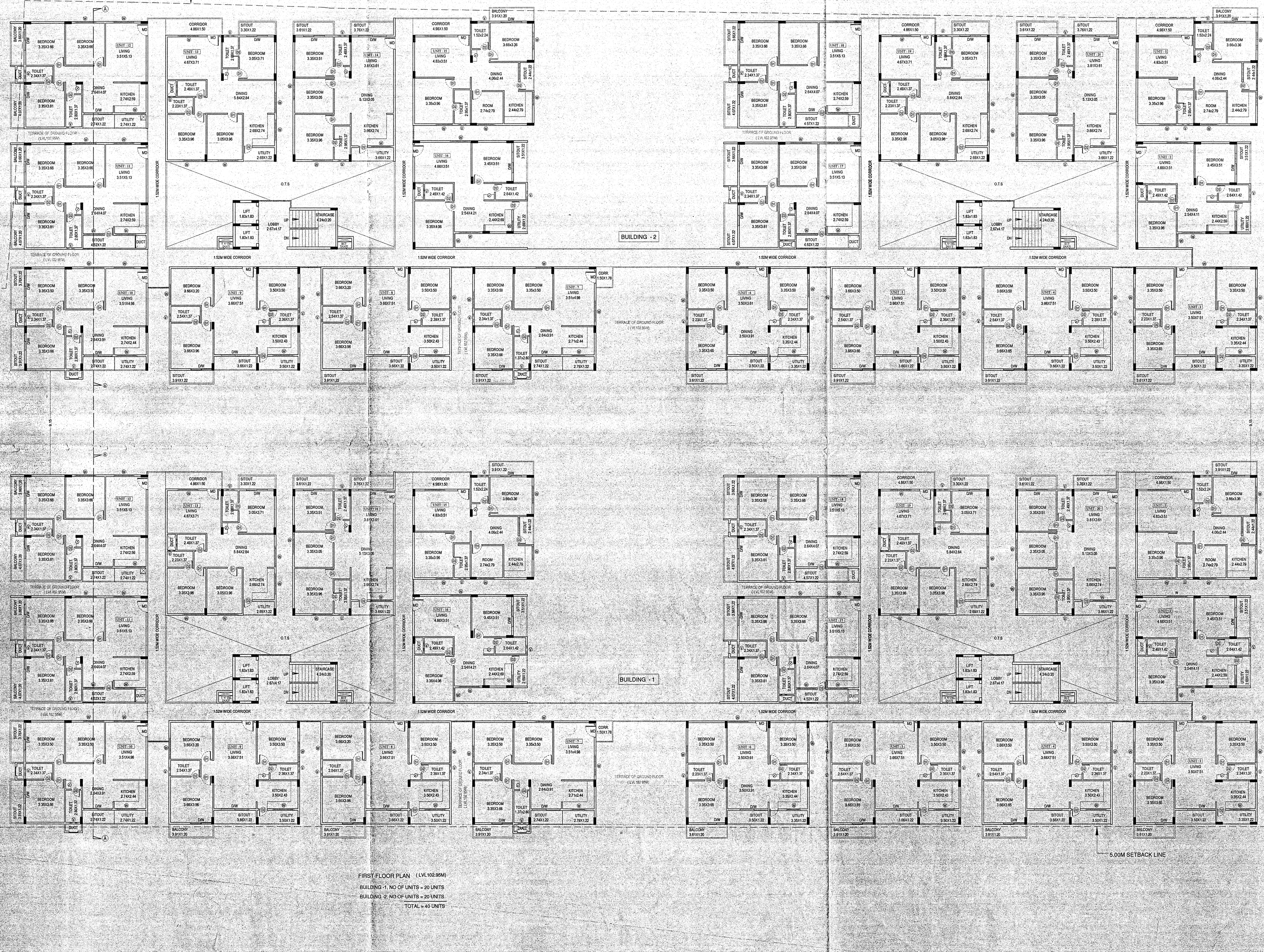
7) ಒಳಚರಂಡಿ ವ್ಯವಸ್ಥೆಗಾಗಿ ಸಾಕಷ್ಟಿರುವ ಸೆಪ್ಟಿಕ್ ಟ್ಯಾಂಕ್ ಮತ್ತು ಫಿಲ್ಟರ್ ಬೆಡ್‌ಗಳನ್ನು (S.T.P) ಅಳವಡಿಸಿ ಶುದ್ಧೀಕರಿಸಿದ ನಂತರವೇ ಮರುಬಳಕೆಗಾಗಿ ಶೌಚಾಲಯ, Gardening ಹಾಗೂ ಕಿಡಿದಲ್ಲಿ Lawn ಗಳಿಗಾಗಿ ಉಪಯೋಗಿಸತಕ್ಕದ್ದು. ಮತ್ತು ಅದರಿಂದ ಉತ್ಪತ್ತಿಯಾಗುವ Sewage ಘನ ತ್ಯಾಜ್ಯವನ್ನು ಪುರಸಭೆಯ ಅಧಿಕಾರಿಯ ಹೆಸರಿನಲ್ಲಿ ಪತ್ರವನ್ನು ಪಡೆದು ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

8) ಅಡಿಪ್ಪಿದಾರರು ಕಟ್ಟಡದ ಅವಶೇಷಗಳನ್ನು ಗಿಡ ಮರಗಳನ್ನು ಬೆಳೆಸಿ ಪರಿಸರವನ್ನು ಸಂರಕ್ಷಿಸುವ ಜವಾಬ್ದಾರಿ ಇದ್ದಾಗಿರುತ್ತದೆ.

9) ಅಡಿಪ್ಪಿದಾರರು ಕಟ್ಟಡಗಳಿಗೆ ಯೋಜನೆಗೆ ಅವಶ್ಯಕತೆಗಳನ್ನು ಅಳವಡಿಸಿಕೊಳ್ಳತಕ್ಕದ್ದು.

10) ಅಡಿಪ್ಪಿದಾರರು ಬ್ಯಾಸ್ಮೆಂಟ್ ಪಾರ್ಕಿಂಗ್ ಗಾಗಿ ಗರಿಷ್ಠವಿರುವ ಪ್ರದೇಶವನ್ನು ಅಳವಡಿಸತಕ್ಕದ್ದು. ಲೆಕ್ಕ ಮಾಡುವಲ್ಲಿ ಅಪ್ಪಲ್ಲಿಕ್ಕಾಗಿ ಅಡಿಸಬೇಕಾಗಿರುತ್ತದೆ.

11) ಅಡಿಪ್ಪಿದಾರರು ಕಟ್ಟಡದ ಮೇಲ್ಭಾಗ ಹಾಗೂ ಬೇಸ್‌ಮೆಂಟ್ ಪಾರ್ಕಿಂಗ್ ಸ್ಥಳಗಳಲ್ಲಿ ಸಾಕಷ್ಟು ಬೆಳಕಿನ ವ್ಯವಸ್ಥೆಯನ್ನು ಕಲ್ಪಿಸತಕ್ಕದ್ದು. ಕಟ್ಟಡದ ನಿರ್ಮಾಣದ ಬಳ್ಳೆ ಬೆಂಗಳೂರು ಅಂಡಿಪ್ಪಿಕೆ ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ರೀತಿಯ ಹಾನಿಯಾಗದಂತೆ ಕಟ್ಟಡದ ಸುತ್ತಲೂ ಸಾಕಷ್ಟು ಜಾಗವನ್ನು ಬಿಡತಕ್ಕದ್ದು. ಕಟ್ಟಡದ ಸುತ್ತಲೂ ಮಳೆಯ ನೀರು ಸರಾಗವಾಗಿ ಹರಿದು ಹೋಗಲು




FIRST FLOOR PLAN (LVL102.95M)

BUILDING -1 NO OF UNITS = 20 UNITS

BUILDING -2 NO OF UNITS = 20 UNITS

TOTAL = 40 UNITS

**ಷರತ್ತುಗಳು**

1) ಕಟ್ಟಡದ ಉದ್ದೇಶಗಳಿಯ ಅರ್ಜಿ-ಸಿ.ಪಿ ಕಂಪಗಾಯ ಸಂಬಂಧಪಟ್ಟ ವಲಯಿಯ ಸಂಯಂತ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರದಿಂದ ಪ್ರಧಾನಿಂದ ಪಡೆದುಕೊಳ್ಳಬೇಕು.

2) ಬಂಧಿಸುವಿ / ರಾಜ ಕಾಲುವೆ / ಮೇಲ್ ನೀರು ಚರಂಡಿ ಇವುಗಳ ಮೇಲೆ ಯಾವುದೇ ತರಹದ ಕಟ್ಟಡ ಅಥವಾ ಯಾವುದೇ ತರಹದ ಕಾಂಪೌಂಡ್ ಗೋಡೆಯನ್ನು ಕಟ್ಟಬಾರದು. ಒಂದು ವೇಳೆ ಯಾವುದೇ ತರಹದ ನಿರ್ಮಾಣದ ಅಥವಾ ಕಟ್ಟಡದ ಯಾವುದಾದರೂ ಭಾಗವು ಅಥವಾ ಯಾವುದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಉಪಯೋಗಿಸಿಕೊಳ್ಳುವ ಮತ್ತು ಅಂತಹ ಪ್ರದೇಶಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ವ್ಯಕ್ತಿಗಳ ಒಟ್ಟಿಗೆಯಾದರೆ.

3) ಅಭಿವೃದ್ಧಿದಾರರು ಭವ್ಯತಾ ಸಿಸ್ಟಂಗಳಿಯಿಂದಲಾಗಲಿ ನೀರಿನಿಂದ ಕಟ್ಟಡ ನಿರ್ಮಾಣದ ಪ್ರದೇಶದ ಒಳಗೆ ಹೊಗಲು ಮತ್ತು ಹೊರಗೆ ಬರಲು ಪಾರ್ಕಿಂಗ ಸಂಖ್ಯಾ ವ್ಯವಸ್ಥೆಯಲ್ಲಿ ಅಡಚಣೆ ಉಂಟಾಗದಂತೆ ವ್ಯವಸ್ಥೆ ಕಲ್ಪಿಸಿ ನಿರ್ವಹಿಸಬೇಕು. ಪಾರ್ಕಿಂಗ್ ಪ್ರದೇಶವನ್ನು ಬೇರೆ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಬಳಸಿದಲ್ಲಿ ಪಾರ್ಕಿಂಗ್ ಸೌಲಭ್ಯವನ್ನು ಕಲ್ಪಿಸಿದಂತಾಗುವುದಿಲ್ಲ.

4) ಅಡಿಯಲ್ಲಿರುವ ಜಾಗರಂಧ್ರದ ಸಂಗ್ರಹಗಳಿಗೆ, ಬಿಡಿಸಿ / ಬಿಡಿಬಿಡಿಸಿ / ಸರಿಸ ಸಿಪ್ / ಪಂಪಾಯಿಡ್ ಗೆ ಯಾವುದಾದರೂ ರೀತಿಯ ಕಲ್ಪನೆಗಳನ್ನು ಜಾಪಾಯಿಸಬಹುದಲ್ಲಿ ಅಂತಹ ಸಂಗ್ರಹಗಳು ನೀರಿನಿಂದ ಕುಟ್ಟಬಹುದು ಜಾಪಾಯಿಸಬಹುದು.

5) ಮಳೆ ನೀರು ಕೊಯ್ಲನ್ನು ಯೋಜನೆಯ ಆಲ ಮುಂಭಗ ರಸ್ತೆಯ ನೀರಿನಿಯಿಸಿಯಂತಿ ಕಲ್ಪಿಸಬಹುದು ಅಳವಡಿಸಿಬಹುದು.

6) ಅಗ್ನಿಗೆ ಹೊಂದಿ ವಿಧಾನವನ್ನು ಸಿಡಿಯಿಸಿ ನೀರಿಗಾಗಿ ಜಾಗಗಳು ಅಳವಡಿಸಿಬಹುದು ಅಳವಡಿಸಿಬಹುದು.

7) ಒಳಚರಂಡಿ ವ್ಯವಸ್ಥೆಗಾಗಿ ಸ್ಥಾಪಿಸಿದ ಸೈವಾಲ್ಯ ಪುನರ್ಬಳಕೆಯ ಘಟಕವನ್ನು (S.T.P) ಅಳವಡಿಸಿ ಜಾಗಗಳ ಪುನರ್ಬಳಕೆಗಾಗಿ ನೀರನ್ನು ಮೇಲೆಗಳಲ್ಲಿ ಬೇಸಾಯದ, Gardening ಜಾಗಗಳ ಗಿಡಗಳ Lawn ಗಳಿಗಾಗಿ ಕಲ್ಪಿಸುವಾಗ ಉಪಯೋಗಿಸಬೇಕಲ್ಲದೆ ಮತ್ತು ಅದರಿಂದ ಉತ್ಪತ್ತಿಯಾಗುವ Sewage ಪೂರಣ ನೀರನ್ನು ಯಾವುದೇ ಜಾಗಗಳ ಕುಡಿಯಲು ಕೆರೆಕಳ್ಳ/ಕಡಿಮೆಯಾಗಿ ದಿಂಡಿಕೆಗಳು.

8) ಅಭಿವೃದ್ಧಿದಾರರು ಕಟ್ಟಡದ ಅವಶ್ಯಕತೆಗಳಿಗೆ ಗಿಂತ ಹೆಚ್ಚಾಗುವ ಬೆಳಕು ಹರಿಯಲಿರುವ ಸಂಪ್ಟಿಯನ್ನು ಬಳಸಿಕೊಳ್ಳಬೇಕು.

9) ಅಭಿವೃದ್ಧಿದಾರರು ಕಟ್ಟಡಗಳಲ್ಲಿ ಸೌಲಭ್ಯಗಳಿಗೆ ಸೂಕ್ತವಾದ ಉಪಕರಣಗಳನ್ನು ಅಳವಡಿಸಿಕೊಳ್ಳಬೇಕು.

10) ಅಭಿವೃದ್ಧಿದಾರರು ಬ್ಯಾಟರಿ ಚಾಲಿತ ಗಾಡಿಗಳಿಗಾಗಿ ಗಂಡು-ಹೆಣ್ಣಿನ ಪ್ರದೇಶವನ್ನು ಅಳವಡಿಸಿಕೊಳ್ಳಬೇಕು. ಬೇರೆ ಯಾವುದೇ ಉದ್ದೇಶಕ್ಕಾಗಿ ಉಪಯೋಗಿಸಿಕೊಳ್ಳಬೇಕು.

11) ಅಭಿವೃದ್ಧಿದಾರರು ಕಟ್ಟಡದ ಸುತ್ತಿಗೆ ಜಾಗಗಳ ಬಿಡುವಿನ, ಕಟ್ಟಡದ ವಿನ್ಯಾಸದ ಬಗ್ಗೆ ಸಂಬಂಧಪಟ್ಟಾಗಳಿಗೆ ಬಯಸ್ಸುವಂತೆಗಳಿಗೆ ಬಯಸ್ಸುವಂತೆಗಳಿಗೆ ಅಭಿವೃದ್ಧಿದಾರರು ಯಾವುದೇ ತರಹದ ಅಂತಹ ಅಥವಾ ಬಗ್ಗೆ ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರದ ಯಾವುದೇ ರೀತಿಯ ಅಂತಿಮ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ಪಡೆಯುವ ಮುಂಚೆ ಕಟ್ಟಡದ ಯಾವುದೇ ಭಾಗವನ್ನು ಅಥವಾ ಕಟ್ಟಡವನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ಅಥವಾ ಭಾಗಶಃ ಆಗಿ ಉಪಯೋಗಿಸಿಕೊಳ್ಳಬೇಕು. ನಿರ್ಮಾಣ ಸಮಯದಲ್ಲಿ ಯಾವುದೇ ತರಹದ ಅಂತಹ ಅಥವಾ ಬಳಸಿ ಕಾಮಗಾರಿಗಳಿಗೆ ಕಟ್ಟಡವನ್ನು ಎಲ್ಲಿಯಾದರೂ ಸಹ ಯಾವುದೇ ತರಹದ ಅಂತಹ ಅಥವಾ ಬಳಸಿ ಕಾಮಗಾರಿಗಳಿಗೆ ಕಟ್ಟಡವನ್ನು ಬಳಸಿಕೊಳ್ಳಬೇಕು. ಯಾವುದೇ

**ANNEXURE R4**

**ANNEXURE R5**

# ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

## ಸಹಾಯಕ ನಿರ್ದೇಶಕರು ನಗರ ಯೋಜನೆ, ಮಹದೇವಪುರ ವಲಯ, ಬೆಂಗಳೂರು.

ಸಂಖ್ಯೆ: ಬಬಿಎಂಪಿ/ನಯೋ/ಮವ/08/2022-23 ದಿನಾಂಕ: 02/08/2022

## "ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರ"

ವಿಷಯ:– On Line LP No.BBMP/Ad.Com./MDP/0728/2021-22 ದಿನಾಂಕ:27/04/2022 ರಂದು ಕಟ್ಟಡ ನಕ್ಷೆ ಪರವಾನಿಗೆ ಪಡೆದಿರುವ **Residential Apartment** ಕಟ್ಟಡ ನಿರ್ಮಾಣವನ್ನು ಮುಂದುವರೆಸಲು ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರ ನೀಡುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ:– ತಮ್ಮ ಮನವಿ ಪತ್ರದ ದಿನಾಂಕ:01/07/2022

******

ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮ, ಸರ್ವೆ ನಂ.9/7, 8/5, 30/3, 3/1A (Old), 3/1A3 (New) ಖಾತಾ ಸಂಖ್ಯೆ.983 ರ ಆಸ್ತಿಯನ್ನು ದಿನಾಂಕ:04/07/2022 ರಂದು ಸಹಾಯಕ ನಿರ್ದೇಶಕರು, ನಗರ ಯೋಜನೆ, ಮಹದೇವಪುರ ವಲಯ ರವರು ಸಹಾಯಕ ಅಭಿಯಂತರರೊಡನೆ ಪರಿವೀಕ್ಷಣೆ ಮಾಡಲಾಗಿ ಸ್ಟಿಲ್ಟ್ ಅಂತಸ್ತಿನಲ್ಲಿ ನಿರ್ಮಿಸಿರುವ ಸ್ಥಂಭಗಳನ್ನು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ, ಅಂತರ್ಜಾಲ ತಂತ್ರಾಂಶದ ಮೂಲಕ **ಎಲ್.ಪಿ.ಸಂಖ್ಯೆ.BBMP/Ad.Com./MDP/0728/2021-22 (Project No.PRJ/12696/21-22)** ದಿನಾಂಕ:27/04/2022 ರಂದು ಮಂಜೂರಾಗಿರುವ ನಕ್ಷೆಗೆ ಹೋಲಿಕೆ ಮಾಡಲಾಗಿ ಈ ನಡುಜಾಗಗಳು ಮಂಜೂರಾತಿ ನೀಡಿರುವ ನಕ್ಷೆಯಂತೆ ಬೈಲಾ ಪ್ರಕಾರ ಇರುವುದು ಕಂಡುಬಂದಿದೆ. ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರ ಪಡೆಯಲು ಪಾವತಿಸಬೇಕಾದ ಶುಲ್ಕ ರೂ.7,81,650=00 ಗಳನ್ನು ಪಾವತಿಸಲು ತಿಳಿಸಿದ್ದು, ತಾವು ರೂ.7,81,650=00 ಡಿ.ಡಿ.ಸಂಖ್ಯೆ.004250, ದಿ:02/08/2022 ರಂದು ಪಡೆದಿರುವ ಡಿ.ಡಿ.ಗಳನ್ನು ದಿನಾಂಕ:02/08/2022 ರಲ್ಲಿ ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಮೊತ್ತವನ್ನು ದಿನಾಂಕ:02/08/2022 ರಂದು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಬೊಕ್ಕಸಕ್ಕೆ ಪಾವತಿಸಲಾಗಿದೆ.

ಆದ್ದರಿಂದ ಕೆಳಕಂಡ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟು ಕಾಮಗಾರಿಯನ್ನು ಮುಂದುವರಿಸಲು ಈ ಮೂಲಕ ಅನುಮೋದನೆ ನೀಡಲಾಗಿದೆ.

1) ಯಾವುದೇ ಬದಲಾವಣೆಗಳನ್ನಾಗಲೀ, ಮಾರ್ಪಾಡುಗಳನ್ನಾಗಲೀ ಅಥವಾ ಉಲ್ಲಂಘನೆಗಳನ್ನಾಗಲೀ ಮಾಡದೆ ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಮಂಜೂರಾತಿ ನೀಡಿರುವ ನಕ್ಷೆಯ ಮತ್ತು ಕಟ್ಟಡ ಉಪವಿಧಿಗಳ ಪ್ರಕಾರವೇ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಳ್ಳತಕ್ಕದ್ದು.
2) ಕಾಮಗಾರಿಯು, ಅಡಿಪಾಯದ ಅಥವಾ ಸ್ಥಂಭಗಳ ಆಧಾರ ಅಥವಾ ಸ್ಥಂಭಗಳ ಸ್ಥಿರೀಕರಣ ಕಾರ್ಯವು ಪೂರ್ಣಗೊಂಡ ಹಂತವನ್ನು ತಲುಪಿದಾಗ ನಿರ್ಮಾಣವನ್ನು ಮಂಜೂರಾತಿ ನೀಡಿರುವ ನಕ್ಷೆಯ ಮತ್ತು ಕಟ್ಟಡ ಉಪವಿಧಿಗಳ ಪ್ರಕಾರ ಕೈಗೊಂಡಿರುವ ಬಗ್ಗೆ ಕಾಮಗಾರಿಯನ್ನು ಪರಿವೀಕ್ಷಣೆ ಮತ್ತು ಶೋಧನೆ ಮಾಡಲು ನೆರವು ನೀಡುವ ದೃಷ್ಟಿಯಿಂದ ಮಹಾನಗರ ಪಾಲಿಕೆಗೆ ಸಂದೇಶವನ್ನು ಕಳುಹಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಕಟ್ಟಡ ಪೂರ್ಣಗೊಂಡ ನಂತರ ಸ್ವಾಧೀನಾನುಭವ ಪತ್ರವನ್ನು ಪಡೆಯಲು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಗೆ ಸಂದೇಶವನ್ನು ಕಳುಹಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಸ್ವಾಧೀನಾನುಭವ ಪತ್ರವನ್ನು ಪಡೆಯುವುದು.
3) ಕಾಲಕಾಲಕ್ಕೆ ಸಂದರ್ಭಾನುಸಾರ ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯು ನೀಡುವ ಸೂಚನೆಗಳನ್ನು ಪಾಲಿಸತಕ್ಕದ್ದು ಹಾಗೂ ಮಂಜೂರಾತಿ ಸಮಯದಲ್ಲಿ ನೀಡಿರುವ ಷರತ್ತುಗಳಿಗೆ ಬದ್ಧರಾಗಿರತಕ್ಕದ್ದು.

02/08/22

ಸಹಾಯಕ ನಿರ್ದೇಶಕರು ನಗರ ಯೋಜನೆ
ಬೃ.ಬೆಂ.ಮ.ಪಾ. ಮಹದೇವಪುರ
ಬೆಂಗಳೂರು-48

ಸಹಾಯಕ ನಿರ್ದೇಶಕರು
ನಗರ ಯೋಜನೆ
ಮಹದೇವಪುರ ವಲಯ
ಬಿ.ಬಿ.ಎಂ.ಪಿ., ಬೆಂಗಳೂರು

ರವರಿಗೆ,

**Sri R Ramesh Babu,**
**Sri P K Sathyapal,**
**M/s United Projects Suncity,**
**Rep by Sri M Panchaksharaiah Hiremath,**
**Sri R Suresh**
Khatha No.983,
Survey No.9/7, 8/5, 30/3, 3/1A (Old), 3/1A3 (New)
Sadaramangala Village, K R Puram Hobli
Bangalore.

# Bruhat Bengaluru Mahanagara Palike

**Office of Assistant Director Town Planning Mahadevapura Zone**

**Receipt**
**(General Purpose)**
**[para 22(1)]**

| | | | |
|---|---|---|---|
| **Receipt Number** | : RE-ifms366-TP / 000045 | **DDO** | : ddo366 Assistant Director Town Planning Mahadevapura Zone |
| **Receipt Date** | : 02-Aug-2022 | **Ward** | : 054 Hudi |
| **Reference** | : BBMP/Ad.Com./MDP/0728/2021-22 / | **Credited to** | : Canara Bank, Bangalore City Corpn. E.C. (Cor) (CNRB0008401) - 8401132000014 (TP) |

Received the sum of Rs. 781650.00 (Seven Lakh Eighty One Thousand Six Hundred Fifty ) from

Sri/Smt R Ramesh Babu, Sri P K Sathyapal and M/s United Projects Suncity, Rep by Sri M Panchaksharaiah Hiremath and Sri R Suresh
Khatha No.983, Survey No.9/7, 8/5, 30/3, 3/1A (Old), 3/1A3 (New) ,Sadaramangala Village, Bangalore ,(Commencement Certificate)
Bengaluru

towards the following -

| Sl No | Name | Misc. | Amount | Remarks |
|---|---|---|---|---|
| 1 | R1061 Commencement Certificate Fee | | 781650.00 | |

Amount received as :

| Sl No | Type | Bank | Chq/DD No. | Chq/DD Dt. | Amount |
|---|---|---|---|---|---|
| 1 | DD | Axis Bank, Kadugodi Branch | 004250 | 02-Aug-2022 | 781650.00 |

**for Bruhat Bengaluru Mahanagara Palike**
**Assistant Director Town Planning**
**Mahadevapura Zone**

34

# ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

ಸಹಾಯಕ ನಿರ್ದೇಶಕರು ನಗರ ಯೋಜನೆ, ಮಹದೇವಪುರ ವಲಯ, ಬೆಂಗಳೂರು.

ಸಂಖ್ಯೆ: ಬಿಬಿಎಂಪಿ/ಮವ/ನಯೋ/LP No.728/21-22/2022-23 ದಿನಾಂಕ: 11/07/2022

## 'ಸೂಚನಾ ಪತ್ರ'

**ವಿಷಯ :–** ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಮಹದೇವಪುರ ವಲಯದ ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ.9/7, 8/5, 30/3, 3/1A3 ರ ಪ್ರದೇಶದ ಖಾತಾ ಸಂಖ್ಯೆ.983 ರ ಸ್ವತ್ತಿನಲ್ಲಿ ನಿರ್ಮಿಸುತ್ತಿರುವ Residential Apartment ಕಟ್ಟಡಕ್ಕೆ ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರ ನೀಡುವಂತೆ ಕೋರಿರುವ ಬಗ್ಗೆ.

**ಉಲ್ಲೇಖ:–1)** ತಮ್ಮ ಅರ್ಜಿಯ ದಿನಾಂಕ:

2) ಈ ಕಛೇರಿಯ On Line LP No.BBMP/Ad.Com/MDP/0728/2021-22 ದಿನಾಂಕ: 27/04/2022

*******

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಮಹದೇವಪುರ ವಲಯದ ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ.9/7, 8/5, 30/3, 3/1A3 ರ ಪ್ರದೇಶದ ಖಾತಾ ಸಂಖ್ಯೆ.983 ರ ಸ್ವತ್ತಿನಲ್ಲಿ ನಿರ್ಮಿಸುತ್ತಿರುವ Residential Apartment ಕಟ್ಟಡಕ್ಕೆ ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರ ನೀಡುವಂತೆ ಉಲ್ಲೇಖ (1) ರ ಪತ್ರದಲ್ಲಿ ಕೋರಿದ್ದು, ಈ ಸಂಬಂಧ ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ನೀಡಲು ಈ ಕೆಳಕಂಡ ಶುಲ್ಕಗಳನ್ನು ಪಾವತಿಸಲು ಸೂಚಿಸಿದೆ.

**ಪ್ರಾರಂಭಿಕ ಪ್ರಮಾಣ ಪತ್ರದ ಶುಲ್ಕ ಈ ಕೆಳಕಂಡಂತಿರುತ್ತದೆ**

| | | | |
|---|---|---|---|
| Building Total Plinth Area | : 9716.00 sqmts X 50000 X 0.11% | = | 5,34,380=00 |
| Scrutiny Fee | : 54945.00 sqmts X 50000 X 0.009 % | = | 2,47,253=00 |
| | | ಒಟ್ಟು ಮೊತ್ತ - | **7,81,633=00** |

**(ರೂ.ಏಳು ಲಕ್ಷದ ಎಂಬತ್ತೊಂದು ಸಾವಿರದ ಆರು ನೂರ ಮುವತ್ತಮೂರು ರೂ.ಗಳು ಮಾತ್ರ)**

ಸದರಿ ಮೊತ್ತವನ್ನು ಪಾವತಿಸಲು **"The Commissioner, BBMP" A/c of ADTP, Mahadevapura** ರವರ ಪರವಾಗಿ ಡಿ.ಡಿ. ಪಡೆದು ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಲು ತಿಳಿಸಿದೆ.

11/07/22

ಸಹಾಯಕ ನಿರ್ದೇಶಕರು ನಗರ ಯೋಜನೆ
ಬೃ.ಬೆಂ.ಮ.ಪಾ. ಮಹದೇವಪುರ,
ಬೆಂಗಳೂರು-ಪೂರ್ವ

ಸಹಾಯಕ ನಿರ್ದೇಶಕರು ನಗರ ಯೋಜನೆ
ಮಹದೇವಪುರ ವಲಯ
ಬಿ.ಬಿ.ಎಂ.ಪಿ., ಬೆಂಗಳೂರು

ರವರಿಗೆ,

**M/s United Projects Suncity,**
**Rep by Sri M Panchaksharaiah Hiremath &**
**Sri R Suresh**
Khatha No.983,
Survey No.9/7, 8/5, 30/3, 3/1A3,
Sadaramangala Village,
K R Puram Hobli,
Bangalore.

Translation copy-

BRUHAT BANGALORE MAHANAGARA PALIKE
Assistant Director, Urban Planning, Mahadevapura Range,
Bangalore.

No. BBMP/UP/DD/08/2022-2 Date: 08-02-2022

"**COMMENCEMENT CERTIFICATE** "

Sub :- On Line L.P.No.BBMP/ Ad.com./ MDP/ 0728/2021-22 obtained on 27-04-2022 the building plan license for proceeding with residential apartment building construction work and for which to issue Commencement Certificate –reg.

Ref:- Your representation dated 01-07-2022.

****

The land bearing Sy No.9/7, 8/5, 30/3, 3/1A (old) 3/1A3 (New) khatha No.983, situated at Sadaramangala Village, K.R. Puram Hobli, Bangalore East Taluk, the said property inspected on 04-07-2022by the Assistant Engineer along with Assistant Director, Urban Planning, Mahadevapura Range, that in the stilt floor pillers formed which is constructed as per bylaw and the sketch given approval given through internet of Bruhat Bangalore Mahanagara Palike, vide L.P.No. BBMP/ Ad.com./ MDP/ 0728/2021-22 dated 27-04-2022 and by comparing the same all

the setbacks which formed appears as per the approved plan. In order to get Commencement Certificate the charge payable Rs.7,81,650-00 is to be remitted for which it was instructed, you have remitted D.Ds for a sum of Rs.7,81,650-00, vide D.D No.004250 dated 02-08-2022 and submitted to this office on 02-08-2022, the said amount remitted to the Treasury of Bruhat Bangalore Mahanagara Palike on 02-08-2022.

Therefore, subject to the conditions hereunder to proceed with the work the approval given herein.

1. The work to be taken up strictly as per the approved plan and building bylaw without making any changes, modification or violations.

2. That for having taken up the work, the foundation or pillars support or pillars confirmation on completion of said work on reaching the said stage the construction work for having taken up as per the approved plan and building bylaw in order to facilitate to inspect and verify the work the message is to be sent to Mahanagara Palike also after completion of the building to take possession certificate the message is to

be sent to Bruhat Bangalore Mahanagara Palike also obtain possession certificate.

3) The instructions that may be given from time to time by the Bruhat Bangalore Mahanagara Palike is to be complied and also the conditions imposed at the time of grant to which binding upon.

Yours faithfully,
Sd/-
Assistant Director
Urban Planning
Mahadevapura Range,
BBMP, Bangalore.

To:

Sri Ramesh Babu,
Sri Sathtyapal,
M/s United Projects Suncity,
Rep. by Sri M. Panchaksharaiah Hiremath,
Sri R. Suresh
Khatha No.983,
Survey No.9/7, 8/5, 30/3, 3/1A (old) 3/1A3 (New),
Sadaramangala Village,
K.R. Puram Hobli, Bangalore

// True copy //

Translation copy-

BRUHAT BANGALORE MAHANAGARA PALIKE
Assistant Director, Urban Planning, Mahadevapura Range,
Bangalore.

No. BBMP/UP/L.P.No.728/21-22/2022-23
Date: 11-07-2022

"**NOTICE** "

Sub :- On Line L.P.No.BBMP/ Ad.com./ MDP/ 0728/2021-22 obtained on 27-04-2022 the building plan license for proceeding with residential apartment building construction work and for which to issue Commencement Certificate –reg.

Ref:- 1) Your representation dated……..

2) This office On Line L.P.No.BBMP/ Ad.com./ MDP/ 0728/2021-22 dated 27-04-2022.

---

The land bearing Sy No.9/7, 8/5, 30/3, 3/1A (old) 3/1A3 (New) khatha No.983, situated at Sadaramangala Village, K.R. Puram Hobli, Mahadevapura Range, in the said property the Residential building is being constructed and to the said building for issue of Commencement Certificate you have requested through letter vide Ref(1) above. In this connection for

issue of Commencement Certificate you are hereby informed to remit the below mentioned charges.

CHARGE FOR ISSUE OF COMMENCEMENT CERTIFICATE

Building Total plinth area: 9716.00 sqmts x 50000 x 0.11% = 5,34,380-00

Scrutiny fee : 54945-00 sqmts X 50000 X 0.009% = 2,47,253-00

Total 7,81,633-00

(Rupees Seven Lakhs Eighty one thousand six hundred thirty three only)

That in order to pay the said amount the D.D may be drawn favouring "The Commissioner, BBMP" A/c of ADTP, Mahadevapura, and submit to this office.

Sd/- 11-07-22
Assistant Director
Urban Planning
Mahadevapura Range,
BBMP, Bangalore.

To:

Sri Ramesh Babu,
Sri Sathtyapal,
M/s United Projects Suncity,
Rep. by Sri M. Panchaksharaiah Hiremath,
Sri R. Suresh
Khatha No.983,
Survey No.9/7, 8/5, 30/3, 3/1A (old) 3/1A3 (New),

Sadaramangala Village,
K.R. Puram Hobli, Bangalore

// True copy //

ANNEXURE R6

# BANGALORE
## Revised Master Plan 2015

Proposed Land Use Map

## 3.14 Sadara Mangala

N

0 250 500 1000 Meters

scale: 1 : 10 000

Coordinate system: UTM zone 43N
Reference ellipsoid: WGS 1984
Unit: meters

795000 796000 797000 798000 799000 800000 801000 802000

1441000 1440000 1439000 1438000 1437000 1436000

North to Equator

East to the 75th meridian

794000 796000 797000 798000 799000

313 312 315

Peripheral Ring Road

State Highway 35

Whitefield Service Road

Whitefield Main Road

Hoti Main Road

Kurudu Sonnenahalli

Dommasandra

Kodigehalli

Kumbena Agrahara

Sadaramangala

Sadarmangala Industrial Area

Kadugodi plantation

Kadugodi Industrial Area

Belatur

Belatur Colony

Kadugodi

Kadugodi Colony

VS Reddy Colony

Koralur

Tigalarapalya

Alfa Garden

Tyrappa Nagar

Eucalyptus Plantation & Cultivated Area

Kaveri Nagar (Hoodi)

Mahadevapura Industrial Area

KSSIDC Industrial Estate

Basavanna Nagar (Hoodi)

Dodda Nekkundi Industrial Estate

Dodda Nekkundi Extension

Kundalhalli Colony

AECS Layout 'A' Block

AECS Layout 'B' Block

AECS Layout 'C' Block

AECS Layout 'E' Block

Annaiah Reddy Layout (Kundalahalli)

Doddabanahalli

Chikkabanahalli

Weavers Colony

Kanamangala

Dinnur Gopalapura

Shigehalli

Mallasandra

Nagondanahalli

Channasandra

Alemoor Glass Colony

Whitefield

Vijaynagar

Gandhipuram

Dodsworth Layout

Vinayaka Layout (Whitefield)

Happy Valley

AK Gopalan Colony

Ambedkar Nagar

Thirumala Settihalli

Hagadooru

Chikbasavanapura

Gokul Extension

Swathantra Nagar

Bethel Nagar

Hale Devasandra

Hudi

Maruthi Nagar

Basavanapura

HV Residence

Kodigehalli lake

Yellamallappa Chetty kere

Chinagenhalli kere

Dabanahalli kere

Bhattarahalli kere

Kundalahalli lake

KIADB Office

Kadugodi Police Station

Kadugodi Post Office

Primary Health Center Kadugodi

Government Pre-University College

Cyber Space Institute of Meditation Technology

Government Primary School

Hazrat Sy Ishak Sufi Medium

Kadugodi Milk Federation Society

Karnataka State Warehousing Corp

Whitefield Police Station

Whitefield Traffic Police Station

Whitefield Fire Station

Government High School

Sri Kodandarama Swamy Temple

Sri Prasanna Venkateshwara Temple

Sri Kodandarama Swamy Temple

Sri Mahadevapura Ashram

Sub-registrar Office (SRO) Mahadevapura

Sub-registrar Office

Sri Bhagavan Mahaveer Jain Vidyalaya

Sri Kodandarama Swamy Temple

CONICAL
Building Height
45 - 100 Meters

APPROACH
Building Height = 2% of the distance from the edge of the Runway

315

| Proposed Land Use Analysis | | |
|---|---|---|
| **Description** | **Area in Ha.** | **%** |
| Residential (Main) | 634.48 | 40.26 |
| Residential (Mixed) | 114.94 | 7.29 |
| Commercial (Central) | - | - |
| Commercial (Business) | 17.72 | 1.12 |
| Mutation Corridor | 25.58 | 1.62 |
| Commercial Axes | - | - |
| Industrial | 215.58 | 13.68 |
| High Tech | - | - |
| Public and Semi-public | 19.43 | 1.23 |
| Green (Parks & Open Spaces) | 146.18 | 9.28 |
| Traffic and Transportation | 345.07 | 21.90 |
| Public Utilities | 56.95 | 3.61 |
| Unclassified | - | - |
| **Total** | **1575.93** | **100.00** |

BANGALORE DEVELOPMENT AUTHORITY

| Town Planner Member BDA | Commissioner BDA | Chairman BDA |
|---|---|---|

(space for Govt approval)

### ZONING CLASSIFICATION

**MAIN ZONES**

**Residential**
- Residential (Mixed)
- Residential (Main)

**Commercial**
- Commercial (Central)
- Commercial (Business)
- Mutation Corridor
- Commercial Axes

**Industrial**
- Industrial
- High Tech

**Public and Semi-public**
- Public / Semi-public

**Green (Parks and Open spaces)**
- State forest
- Valley
- Lake / tank
- Parks and Green Spaces, Sport / Playgrounds, Cemeteries / Burial grounds

*Protected land*

**Traffic and Transportation**
- Road / Rail / Airport Transport

**Public Utilities**
- Power / Water / Garbage Facility / Treatment Plant

**Agricultural land**

**Unclassified use**

**Planning Perimeters**
- Town Planning Scheme (TPS)
- Coordinated Planning Scheme (CPS)
- Area Improvement Perimeter
- Transport and Utilities Perimeter
- Heritage Conservation zone

**CONSTRAINT AREA**
- Non buildable: High Tension Line (HTL) Pipeline: Oil / Water
- Airport/Heights restrictions

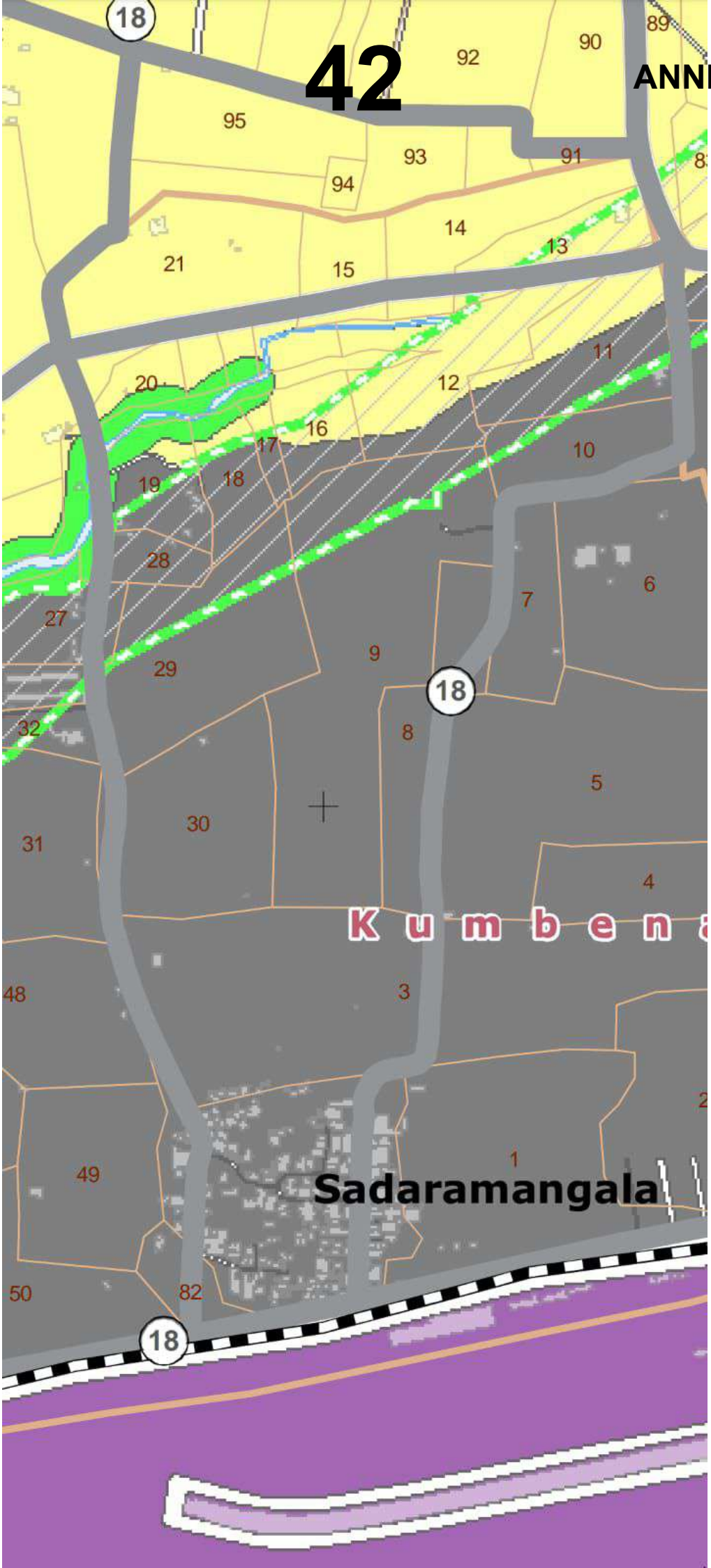
**OTHER INFORMATIONS**

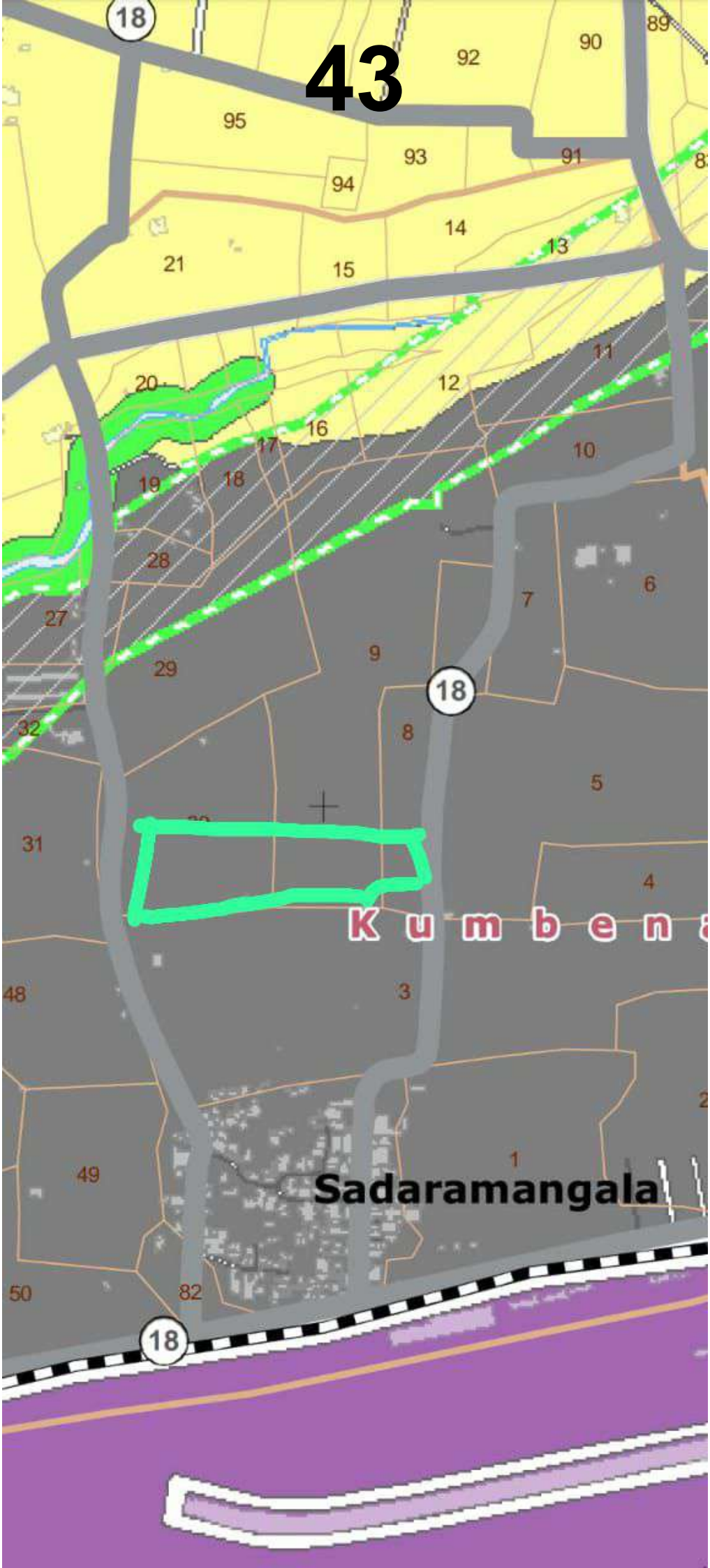
**Proposed roads hierarchy**
- Ring road
- Primary Urban road
- Major Urban road
- Minor Urban road
- 26 Proposed width of roads (in meters)
- Railway line
- Metro Alignment

**Boundaries**
- BDA LPA
- BMP Bangalore Mahanagara Palike
- LPA of BMICAPA
- VILLAGE Village
- 21 Survey number

**Hydrography**
- Drain
- Sensitive Area

**ANNEXURE R6A**

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K u m b e n a
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Sadaramangala
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**ANNEXURE R7**

W.P. No. 44277/2011 (LB-BMP) and W.P. No. 29108/2011 & 29318-27/2011 (LB-BMP)

Sobha Developers Limited v. Bruhat Bangalore Mahanagara Palike

2012 SCC OnLine Kar 2679

(BEFORE B.S. PATIL, J.)

Sobha Developers Limited, A Company incorporated under the Companies Act, 1956, having its registered office at E-106, Sunrise Chambers, 22, Ulsoor Road, Bangalore - 560 042, Represented by its Authorised Signatory, Mr. Vijaykumar G. Bagoji ..... Petitioner

Sri. K.G. Raghavan, Sr. Counsel for Sri. Suraj Govinda, Raj, Adv., for M/s. Anup S. Shah Law Firm, Advs.

*v.*

1. Bruhat Bangalore Mahanagara Palike, Hudson Circle, N.R. Road, Bangalore, Represented by its Commissioner.
2. Assistant Executive Engineer, Bruhat Bangalore Mahanagara Palike, Peenya Industrial Centre, Sub-Division, H.M.T. Layout, Bangalore - 560 073.
3. Bangalore Development Authority, T. Chowdaiah Road, Kumara Park West, Bangalore, Represented by its Commissioner ..... Respondents

Sri. I.G. Gachchinamath, Adv. for R-1 & R-2;

Sri. M.B. Prabhakar, Adv. for R-3

W.P. No. 44277/2011 (LB-BMP)

C/W

W.P. No. 29108/2011 & 29318-27/2011 (LB-BMP)

Decided on February 10, 2012

ORDER

1. Since the questions raised and the parties in these writ petitions are common, they arc clubbed together, heard and disposed of by this common order.

2. Petitioner is a construction company incorporated under the provisions of the Companies Act, 1956. In this writ petition, it is aggrieved by the refusal by respondents 1 & 2 to grant permission for road cutting to lay the electrical underground cable for the residential project known as Sobha Ruby and Sobha Platinum constructed in Sy. No. 5/3. 18/1 to 18/6, 23, 68, 69/2 and 70, situated at 8th Mile, Nagasandra Village, Yeshwantpura Hobli, Bangalore North Taluk.

3. The lands in question were purchased by the petitioner under a Sale Deed dated 23.3.2005 in auction proceedings initiated by the Court receiver as per the order passed by the Debts Recovery Tribunal-I. Mumbai in O.A. No. 264/2001. After the purchase, petitioner claims to have got the property converted to residential use for the purpose of construction of residential apartments. The petitioner applied for all necessary clearances, approval and sanctions from various statutory authorities for the purpose of putting up construction. The Surveyor attached to the office of the Special Land Acquisition Officer, Bangalore Development Authority, conducted a survey and

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submitted a survey sketch on 3.3.2006 as per Annexure-C.

4. It is the case of the petitioner that the said survey sketch was prepared on 'as is where is' and 'as is what is' basis. It is relevant to notice here that before the petitioner purchased the property and got it converted for residential use, there were industrial sheds and factory building belonging to Deepak Insulated Cables Corporation Ltd., which came to be sold in public auction pursuant to the order passed by the Debts Recovery Tribunal. The petitioner approached the then Bangalore Development Authority with the development and building plan and after the same were approved, petitioner undertook demolition of the factory and commenced the construction of residential building complex. Necessary commencement certificate came to be issued by the Bangalore Development Authority.

5. It is the further case of the petitioner that they have relinquished their rights in a portion of the aforementioned properties for undertaking development as required under the Karnataka Town and Country Planning Act. According to the petitioner they have relinqhished an area measuring 11,623.52 sq. mtrs. for park and open spaces, an area measuring 7,749.01 sq.mtrs. for civic amenities and an area measuring 2,606.751 sq.mtrs. for road widening in favour of the Bangalore Development Authority, vide relinquishment deed dated 1.12.2006. The Bangalore Development Authority issued work order dated 26.2.2007 and plan sanction order dated 23.3.2007 authorizing the petitioner to construct the group housing project on the aforementioned properties. A copy of the work order and the plan sanction order are produced at Annexure-F. It is also urged by the petitioner that after the revised Master Plan, 2015, came into force, based on the application made by the petitioner to the Bangalore Development Authority, the modified work order dated 26.3.2010 and modified plan sanction order dated 23.4.2010 authorizing the petitioner to construct the group housing project in terms of the modified plan came to be issued. A copy of the same is also enclosed to the writ petition at Annexure-G.

6. Petitioner has filed W.P. No. 29108 & 29318-327/2011 alleging interference with the possession by the respondents herein on the ground that the petitioner had put up construction on a Nala and a pathway as depicted in the village map. The petitioner has since put up construction of multistoried apartment building and it is urged by the petitioner that the built up area comes to around 19 lakhs sq. ft. on the property in question and the construction has been put up strictly in terms of the modified plan sanctioned.

7. It is the case of the petitioner that out of the 1200 apartments, the petitioner has already sold more than 934 apartments to various purchasers. According to the petitioner, in terms of the modified plan sanctioned, there are in all 6 blocks to be constructed, out of which block No. 1 & 5 have already been constructed for which occupancy certificate has been issued by the Bangalore Development Authority on 26.5.2011. In furtherance of the same, sale deeds have been executed in favour of third parties and the said parties are stated to be in occupation of their respective apartments. The construction in respect of other blocks as urged in the writ petition has been under progress at varying stages, in that, while some of them are completed, some are nearly completed and the others are at an advanced stage of construction. In fact the petitioner has produced along with a memo during the course of arguments, one more occupancy certificate issued by the Bangalore Development Authority on 12.1.2012 for the constructed residential block No. 4 with 184 dwelling units.

8. The petitioner applied on 20.8.2011 to the 2nd respondent requesting permission for road cutting so as to lay the electrical underground cable for its project from the

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Nelagadaranahalli KPTCL Sub-Station. There was no response. Another application was submitted on 9.11.2011 requesting the 1st respondent to act upon the application at the earliest pointing out the difficulties faced by the occupants of the premises in the residential project. These two representations are produced at Annexures-R & S, respectively. By an endorsement dated 19.11.2011, the 1st respondent has rejected the request made for permission to lay the electrical underground cable on the ground that certain illegalities have been resorted to by the petitioner in diverting the natural course of a Nala and the pathway running in the property in question. It is also stated that the petitioner had approached this Court in W.P. No. 29108 & 29318-327/2011 against the BBMP and Bangalore Development Authority wherein an interim order is obtained against the Corporation in connection with the property in question and therefore, no permission could be granted. It is also stated in the endorsement that the subject is seized by the Public Works Standing Committee of the Corporation for consideration and decision. Thus, the stand taken by the respondent Corporation as per the impugned endorsement is that, as the petitioner had committed illegality as stated above and the cases were pending, no permission could be granted for road cutting. In this background, aggrieved by the endorsement issued refusing permission for road cutting and seeking a direction of the 1st respondent to grant permission for road cutting, the present writ petition is filed.

9. It is contended by Mr. K.G. Raghavan, learned Senior Counsel appearing for the petitioner that the entire action of the 1st respondent is wholly illegal and arbitrary and is violative of Articles 14, 19 & 21 of the Constitution. His contention is that the petitioner having obtained the sanctioned plan from the Town Planning Authoirty viz., the Bangalore Development Authority and the said plan having been granted strictly in conformity with the comprehensive development plan and as also the revised master plan and zonal regulations, followed by the construction already put up by the petitioner culminating in the grant of occupancy certificate by the BDA. it was absolutely impermissible for the 1st respondent to subject the petitioner to such harassment by intentionally refusing to issue the road cutting permission on baseless and untenable grounds.

10. It is his further contention that the petitioner has not violated any of the conditions imposed and has in fact, relinquished in favour of the BDA vast extent of vacant land for the purpose of earmarking the same as park, open space and for road. It is urged that sale deeds have been executed in favour of various third parties by the petitioner in respect of most of the apartments and as such third party rights have been created in respect of the persons who have purchased the various apartments by raising loans from banks and financial institutions and refusal to grant permission for road cutting has been causing irreparable injury to the petitioner and the residents who have occupied premises.

11. He has invited the attention of the Court to Section 505 of the Karnataka Municipal Corporations Act, to contend that the Corporation is bound to act in conformity with the Town and Country Planning Act, meaning thereby the master plan and the zonal regulations and the revised master plan prepared are binding on all the authorities including the respondent-Corporation and it is not open for the 1st respondent to contend by relying on a village map that there existed a Nala or a pathway, when in fact no such Nala or pathway has been shown to have been in existence at the place with such width in the revised master plan. It is his contention that suitable and adequate arrangement for roads, storm water drains, culverts have been made in the revised Master Plan.

12. It is urged by him that there is no power or jurisdiction vested with the 1st

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respondent to enforce the village map ignoring the revised Master Plan and the roads, streets and other things provided for in the revised Master Plan in the locality. In other words, according to him, the BBMP had failed to establish that the land was covered by a Nala and pathway belonging to Government by producing any valid documents in any proceedings validly instituted before any Court of law.

13. Sri. K.G. Raghavan, learned Senior Counsel has taken me through the provisions contained under the Karnataka Town and Country Planning Act, particularly Sections 12, 14, 26 and 76. To support his contention that when there is a Master Plan prepared by the Planning Authority, the same superimposed over any village map that might have been in existence prior to the area being included in the Comprehensive Development Plan and the Master Plan prepared and revised. He has further contended, by referring to Section 61 A of the Karnataka Municipal Corporations Act, that there is no power vested in the Standing Committee to sit in judgment over the plan sanctioned by the Planning Authority as all works in private land are being regulated by the planning authority. The impugned endorsement issued stating that the Standing Committee is seized of the matter has been attacked as exfacie illegal. His contention is that once the Planning Authority sanctions the building plan and permits the construction in terms of the Master Plan prepared and strictly in conformity with the rules and regulations framed, it will not be open for the Corporation at the fag end when the entire construction is almost completed, to deny road cutting permission on the ground that the construction put up was on a pathway or a Nala as depicted in a village map. He urges that principles of promissory estoppel applies. Reliance is placed on the judgment of the Apex Court in this regard in the case of *STATE OF PUNJAB* v. *NESTLE INDIA LTD.* - (2004) 6 SCC 465. He has also relied on the judgment of the Division Bench in the case of *H.Y. VIJAYARAGHAVAN* v. *MALATHI DAS* - 2009 (4) KCCR 2313, to contend that once Master Plan is prepared and finalized, any change in the same can only be as per Section 14A as interpreted by the Supreme Court in *S.N. CHANDRASHEKAR* v. *STATE OF KARNATAKA* - (2006) 3 SCC 208.

14. He has furnished the list of dates and events starting from the date on which the application was submitted to the Town Planning Member, Bangalore Development Authority on 1.2.2006 ranging over various stages through which the entire process of obtaining the sanction plan, commencement, construction and other activities have gone on. He therefore contends that the respondents are estopped from alleging that the petitioners deviated the natural course of storm water drain from the Centre of their property to the western most periphery.

15. Respondent-BBMP has filed statement of objections. It is contended by him that apart from diverting the Nala and the natural course of the stream which was running across the schedule property from North to South, the petitioners have brought down the size of the passage of the water course, thereby increasing the scope for unexpected floods. He has further referred to the stand taken by the BBMP that the joint survey was conducted as requested by the petitioner and it was found that the petitioner had put up construction on the Nala violating the building bye-laws and the provisions of the Town and Country Planning Act. The map issued by the revenue authorities is referred to substantiate that there was a kachcha road and the Nala in existence in the land in question.

16. The Bangalore Development Authority has not filed any statement of objections. However, learned Counsel representing the Bangalore Development Authority Mr. M.B. Prabhakar has sought to justify the action of the BBMP. He has further contended that though Annexure-C-sketch and map depicting the kharab portion in the land in

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question, its topography is prepared by the surveyor attached to the Land Acquisition office of the Bangalore Development Authority, the said sketch does not seem to reflect the true state of affairs. He has placed reliance on the decision of the Apex Court in the case of *M.C. MEHTA* v. *KAMAL NATH* (1997) 1 SCC 388.

17. Counsel for the respondent-BBMP contends that the petitioners have not only disturbed and shifted the natural course of the stream which was running across the schedule property from North to South passing across National Highway No. 4, but have also brought down the size of vent way of the water course thereby increasing the scope of unexpected floods and unwarranted mishap during the rainy season. According to him, petitioner has closed the natural Nala that was running across the center of the schedule property in contravention of all the rules and regulations. It is also urged by them that BBMP had issued a show cause notice to the petitioners calling upon them to show cause why the building license should not be cancelled. Petitioner had replied requesting the BBMP to conduct joint survey and the BBMP obliged and conducted the survey.

18. As the petitioners had contended that the survey had been conducted by the BBMP behind their back, this Court directed a fresh survey to be conducted by the Surveyor in the presence of the petitioner and the representatives of the Corporation. Accordingly, a fresh survey is conducted and a report is filed before this Court. On the basis of the said report, Mr. Gachchinmath, learned Counsel for the respondent-Corporation submits that even as per the said survey, it was apparent that the petitioner had deviated the natural flow of the Nala and also the pathway that was running in the land.

19. Upon hearing the learned Counsel for the parties and on careful perusal of the materials on record, the only question that requires to be examined in the instant case is,

*"whether the respondent-Corporation is justified in denying the road cutting permission to the petitioner to lay underground cable to the residential apartments constructed by them in the lands in question?"*

20. Petitioner has produced along with the rejoinder filed on 22.11.2011, a Revised Master Plan 2015, and the proposed land use map in respect of the area in question. The drain passing in the lands in question is indicated with two parallel green lines under the category Hydrography. The area earmarked in purple colour is shown as industrial area, whereas the area shown in yellow colour is the residential area. It is not in dispute that the petitioner has got the area that was earlier reserved for industrial purpose changed into residential purpose. It is also not in dispute that as per the Master Plan, its construction is in the area meant for residential purpose including the portion for which the petitioner got the change of land use from industrial to residential purpose. Admittedly, there is no other drain, nala or pathway in the Master Plan to demonstrate that the petitioner had deviated the same for the purpose of putting up construction. It is also evident from Annexure-C - survey sketch prepared by the BDA on 03.03.2006 that no Nala or pathway as claimed by the respondent-Corporation has been shown to be running in the lands in question as is sought to be projected in the survey sketch prepared by the Surveyor based on the village map. Annexure-C - Sketch prepared by the BDA is prior to the date on which the petitioner was granted license.

21. As rightly contended by the Counsel for the petitioner, once the Master Plan is prepared indicating the existence of roads, drains, streets etc., and particularly the

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Planning Authority at an undisputed point of time had prepared a sketch of the lands wherein no such passage of Nala in the middle of the property or the existence of pathway therein was shown, it is not open for the Corporation at such a belated stage to raise an objection solely based on the village map to contend that the existing Nala was deviated by the petitioner. It is to be noticed that the draft of the Master Plan would be published and sent to the Government enclosing the report of the survey conducted and after taking into consideration all the relevant aspects, the Master Plan submitted by the Planning Authority viz., BDA for approval and the same is approved. The BBMP, at no stage had raised any objection nor is there anything to show that anybody had raised any objection to the contents of the revised Master Plan when the objections were called for. The Revised Master Plan 2015 has come into effect on 25.06.2007. The Master Plan contains showing of lands, street pattern, areas reserved for parks, playgrounds and other civic amenities or for public purpose as also areas of special control and development. In such circumstances the objection raised by the Corporation at the stage of grant of underground cable connection to the occupants of the premises is wholly unjustified. Section 505 of the Karnataka Municipal Corporations Act. 1976, makes it clear that exercise of powers by the Corporation shall be in conformity with the provisions of the Karnataka Town and Country Planning Act, 1961, with regard to any matter relating to land use or development as defined in the explanation to Section 14.

22. Section 76M of the Karnataka Town & Country Planning Act, 1961, gives primacy to all the provisions of the Act over any other provisions of any other law. It is not the case of the respondents that there is any violation of the usage mentioned in the Master Plan or the building plan sanctioned and when there is no grievance made regarding the violations of any set backs or permissible vacant areas to be set part, it is not understandable how the Corporation can, by referring to a village map deny permission for road cutting after the petitioner put up construction by investing huge amount of money. The plan is sanctioned on 23.03.2007. The commencement certificate and work order has been issued by the BDA followed by the work order, in such event, how the Corporation can come to the conclusion that the original path or stream/nala has been deviated and its width is reduced by 10 feet before deviating its route is not clear.

23. As rightly urged by the learned Counsel for the petitioner. Section 61-A(1) deals with the power of the Standing Committee. It is not demonstrated how the Corporation can defer or deny the permission sought for road cutting stating that the matter is seized by the Standing Committee. Nothing is pointed out regarding the powers and functions of the Standing Committee to go into this aspect of the matter, particularly when the complaint is not with regard to the violation of the building plan or deviation from the usages mentioned in the revised master plan. The Corporation undoubtedly has to ensure that the existing Nalas and the drains have to be kept intact and no encroachment is made by any private parties on the same. They have every right to prevent the obstruction to be caused for free flow of water in the Nala/drain. The existence of the drain in the instant case is also evident from the master plan. The survey sketch now prepared now prepared also discloses that the nala is in existence and the same is constructed on the sites by the petitioner as it passes by the side of the petitioner's construction. If the width of the nala is reduced only at the place where the nala passes through the properties of the petitioner and if the Corporation on expert's opinion finds that the reduced passage would cause flooding in the area in and around then the best course is to find a solution to the problem by engaging the petitioner and owners of the area over with the nala passes for widening the nala in the interest of their own safety and security. The Corporation

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can also resort to other legal measures in this connection. But that does not enable the Corporation to block the entire project that is either substantially completed, in respect of some blocks or nearing completion in respect of several others from being occupied or enjoyed. Such an action is totally arbitrary and unreasonable.

24. The reasons assigned in the impugned endorsement to deny the permission for road cutting are legally untenable. Interim order passed in the connected writ petition cannot be a ground to deny the said permission as the interim order passed is restraining the respondents from in any manner interfering with the peaceful possession and enjoyment of the schedule property owned by petitioner. The connected petitions are filed seeking a direction restraining the respondents from in any manner trespassing on the schedule property belonging to the petitioner and/or in any manner demolishing or attempting to demolish the construction or any of its peripheral compound wall or other structures erected by the petitioner on the schedule property. Now the said writ petition does not survive for consideration in view of the order passed in this case setting aside the impugned endorsement.

25. For all the aforementioned reasons, W.P. No. 44277/2011 is allowed. The impugned endorsement is set aside. The Corporation is directed to give permission to the petitioner for road cutting to lay underground cable in accordance with law, expeditiously.

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**ANNEXURE R8**

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JULY 2022

PRESENT

THE HON'BLE MR. ALOK ARADHE
ACTING CHIEF JUSTICE

AND

THE HON'BLE MS.JUSTICE J.M. KHAZI

**W.A. NO.1226 OF 2021 (BDA)**

BETWEEN:

M/S. VALMARK DEVELOPERS PRIVATE LIMITED
HAVING ITS REGISTERED OFFICE
AT THE RESIDENCY
19TH FLOOR, NO.133/1
RESIDENCY ROAD, BANGALORE 560 025
REPRESENTED BY ITS MNAGING DIRECTOR
SRI. RATAN LATH.

... APPELLANT

(BY MR. UDAYA HOLLA, SR. COUNSEL FOR
MR. VIVEKANANDA T.P. ADV.,)

AND:

1. STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
VIKAS SOUDHA, BANGALORE 560 001
REPRESENTED BY ITS SECRETARY.

2. STATE OF KARNATAKA
DEPARTMENT OF REVENUE
VIDHANA SOUDHA, BANGALORE 560 001
REPRESENTED BY ITS SECRETARY.

3 THE DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT

KANDAYA BHAVAN
BANGLAORE 560 009.

4. KARNATKAA LAKE CONSERVATION
DEVELOPMENT AUTHORITY
II FLOOR, PARISHARA BHAVAN
NO.49, CHURCH STREET
BANGALORE 560 001
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER.

5. BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD
KUMARA PARK WEST, BANGALORE 560 020
REPRESENTED BY ITS COMMISSIONER.

6. THE TOWN PLANNING MEMBER
BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD, KUMARA PARK WEST
BANGALORE 560 020.

7. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BANGALORE
REPRESENTED BY ITS COMMISSIONER.

... RESPONDENTS

(BY MRS. VANI H, AGA FOR R1 TO R3
MR. V. RAGHUNATH, ADV., FOR R4
MR. K. KRISHNA, ADV., FOR R5 & R6
MR. K.N. PUTTEGOWDA, ADV., FOR R7)

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THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THIS WRIT APPEAL SET ASIDE THE ORDER DATED 01.09.2021 PASSED BY THE LEARNED SINGLE JUDGE PASSED IN WP NO.12942/2020 AND ALLOW THE WP NO.12942/2020 AS PRAYED FOR.

THIS W.A. COMING ON FOR PRELIMINARY HEARING, THIS DAY, ***ACTING CHIEF JUSTICE*** DELIVERED THE FOLLOWING:

**JUDGMENT**

This intra court appeal has been filed against order dated 01.09.2021 passed by the learned Single Judge, by which writ petition preferred by the appellant has been disposed of with liberty to seek clarification from the division bench of this court, in respect of its claim to raise construction without leaving the buffer zone in and around survey No.4 measuring 3 acres and 16 guntas. In order to appreciate the appellant's grievance, few facts need mention, which are stated infra.

2. The appellant who is a builder submitted an application before the Bangalore Development Authority (hereinafter referred to as 'the Authority' for short) on 01.03.2013 seeking sanction of development plan proposing to construction 554 villaments with a total built up area of 1,44,184 square meters. The

Authority in its meeting held on 31.01.2014 decided to accord approval to the development plan. However, the work order was directed to be released only after receipt of information from the Deputy Commissioner regarding reservation of an area measuring 3 acres 16 guntas of Survey No.4 of Chandrashekarpura Village. The Authority, thereafter, issued a demand notice dated 11.02.2014, by which the appellant was asked to pay a sum of Rs.81,94,800/- as well as to execute a relinquishment deed in respect of road and parks. The appellant submitted a modified plan on 18.02.2015 reducing the proposed buildable area to 1,17,303.98 square meters.

3. The State Government in exercise of powers under Section 71 of the Karnataka Land Revenue Act, 1964 (hereinafter referred to as 'the Act' for short) by a communication dated 07.08.2015 addressed to the Deputy Commissioner, Bangalore Urban District

accorded prior approval for reserving Chandrashekarpura Tank in survey No.4 measuring 3 acres and 16 guntas for a specific purpose of development of tree park. The Authority by a communication dated 09.09.2015 directed the appellant to execute the relinquishment deed in relation to park and open spaces, which was executed by the appellant on 15.09.2015. The Authority thereafter issued the work order to the appellant on 07.10.2015.

4. The Deputy Commissioner, Bangalore Urban District passed an order under Section 71 of the Act reserving Chandrashekarpura Tank area for development of a tree park and directed to hand over the same to Bruhat Bangalore Mahanagara Palike (hereinafter referred to as 'the BBMP' for short). The BBMP on 22.03.2016 permitted the appellant to construct the villaments in terms of development plan

approved by the Authority. The appellant on 23.03.2016 itself applied for approval to the modified development plan in respect of entire extent of land measuring 27 acres and 33 guntas and permit development of 554 villaments. The Lake Development Authority by a communication dated 20.04.2016 furnished in response to an application under Right To Information Act, 2005 (hereinafter referred to as 'the 2005 Act' for short) stated that the Chandrashekarpura Tank on Survey No.4 has lost its characteristic as tank and the same has been reserved for tree park.

5. The appellant thereafter submitted a representation on 24.12.2016 requesting the Authority for consideration of modified plan in the light of information furnished by the Lake Development Authority. Thereafter, the Authority addressed a communication dated 20.01.2017 to the

Lake Development Authority making an a reference to the information furnished under the 2005 Act seeking clarification as to whether the construction of the building could be permitted by leaving 16 meters of buffer zone.

6. The Lake Development Authority by a communication dated 17.02.2017 informed the Town Planning Department of the Authority that Chandrashekarpura Tank is modified to that of tree park and the area is a Tank and provisions of Karnataka Conservation and Development of Lakes Act, 2014 and its Rule as well as the order of National Green Tribunal (NGT) dated 04.05.2016 and Wet Land Rules are applicable. In the list of Tanks, the Lake Development Authority has mentioned that Chandrashekarpura Tank is reserved, as per orders of Deputy Commissioner, Bangalore dated 15.01.2015 for development of the park. The appellant submitted

a representation on 27.02.2018 to the Authority requesting for consideration of modified development plan in respect of additional 182 units pointing out that more than once the authority has clarified about the status of Tank in question. The authority on 23.05.2019 sought the opinion of the Deputy Commissioner, Bangalore Urban District about buffer zone of 30 meters.

7. The Deputy Commissioner, Bangalore Urban District by an order dated 03.06.2019 communicated to the Authority that Tank in question has lost its characteristic and the same has been reserved for development of tree park under Section 71 of 1964 Act. The authority was directed to hand over the possession to BBMP and it was clarified that zoning regulations referred to in the letter are not applicable. The authority by a communication dated 14.10.2019 informed the appellant that there is no

clarity in the opinion furnished by the Deputy Commissioner, as to declaration of the tank area as tree park. The appellant was informed that Revised Master Plan 2015 and zoning regulation, the appellant has to provide a buffer zone of 30 meters from the edge of the Tank and to submit a modified plan. The appellant assailed the aforesaid communication in a writ petition, which was disposed of by learned Single Judge of this court with the liberty to the appellant to seek clarification from the division bench of this court with regard to the claim of construction of the appellant without leaving a buffer zone of 30 meters in and around land bearing survey No.4 measuring 3 acres and 16 guntas. In the aforesaid factual background, this appeal has been filed.

8. Learned Senior counsel for the appellant submitted that the land in question is reserved for the tree park and is no longer a tank and therefore, the

impugned communication dated 14.10.2019 directing the appellant to provide a buffer zone of 30 meters from the edge of the tank and to submit a modified plan and arbitrary and suffers from the vice of non application of mind. It is further submitted that the prior approval of the State Government has been accorded and the land has been reserved as tree park. Learned Senior counsel has invited our attention to various documents on record. It is also submitted that State Government after having accorded the permission for the land in question with the reserve for tree park cannot take a stand that the same is a tank.

9. On the other hand, learned Additional Government Advocate submitted that communication dated 07.08.2015 is an inter departmental communication and at no point of time the lake has been de-classified as tree park and it remains to be so

in the revenue record. It is further submitted that land bearing survey No.4 measuring 3 acres and 16 guntas is a dry land and therefore, to avoid encroachment on the lake, the same has been reserved as tank. Attention of this court is also invited to Section 2(g) of Karnataka Tank Conservation and Development Authority Act, 2014 (hereinafter referred to as 'the 2014 Act' for short). It is further submitted that in the absence of any provision under the 1964 Act, the State Government has no power to de-classify the park.

10. Learned counsel for Lake Development Authority has submitted that the lake in question has lost its characteristic as a lake and the same has been handed over to BBMP to develop the same as tree park. Attention of this court has also been invited to the report submitted by the Lake Development Authority and it has been pointed out that the land in

question as reserved as tree park. Learned Counsel for the Authority has supported the stand taken by the Additional Government Advocate.

11. We have considered the rival submissions made on both sides and have perused the record. Section 71 of the 1964 Act enables the Deputy Commissioner to assign the land for special purposes and when they are so assigned, shall not otherwise be used without sanction of the Deputy Commissioner. However, the aforesaid order is subject to general orders of the State Government. Section 71 of the 1964 Act reads as under:

> ***71***. *Lands may be assigned for special purposes and when assigned, shall not be otherwise used without sanction of the Deputy Commissioner.—Subject to the general orders of the State Government, Survey Officers, whilst survey operations are proceeding under this Act, and at any other time, the Deputy Commissioner, may*

*set apart lands, which are the property of the State Government and not in the lawful occupation of any person or aggregate of persons in any village or portions of a village, for free pasturage for the village cattle, for forest reserves or for any other public purpose; and lands assigned specially for any such purpose shall not be otherwise used without the sanction of the Deputy Commissioner; and in the disposal of lands under section 69 due regard shall be had to all such special assignments.*

12. The relevant extract of the communication dated 07.08.2015 sent by Principal Secretary to the Revenue Department, Government of Karnataka to Deputy Commissioner, Bangalore Urban District, Bangalore reads as under:

*In view of the same, I am directed to inform that, prior approval of the government is hereby accorded reserving the park/plantation for the specific purpose of forming park/plantation as per Section*

*71 of Karnataka Land Revenue Act, 1964 and to transfer the said Lake land to BBMP, subject to the following conditions:*

Thereafter, the Deputy Commissioner by an order dated 15.10.2015 has passed an order under Section 71 of the 1964 Act reserving the land for the purposes of park / plantation. The relevant extract of the order is reproduced below for ready reference.

*It is hereby ordered, reserving government land measuring 3-16 acres in Survey No.4 of Chandrashekharapura village, Begur Hobli, Bangalore South Taluk for the purpose of Park/Plantation as per Section 71 of Karnataka Land Revenue Act, 1964 subject to the following conditions:*

12. From perusal of revenue records of houses and vacant lands maintained by BBMP, it is evident that land measuring 3.16 acres of survey No.4 has been recorded in the name of BBMP. In the list of

lakes prepared by Karnataka Lake development Authority , it is evident that in the aforesaid list also Chandrashekarapura Lake has been shown as reserved for development of tree park. The land bearing Survey No.4 measuring 3 Acres and 16 Guntas cannot be used for any other purpose and from perusal of the order dated 15.10.2015 passed by the Deputy Commissioner, the land is directed to be protected by putting up a barbed wire fencing to protect the trees and to prevent encroachment.

13. It is also pertinent to note that in the Master Plan-2015 land bearing Survey No.4 measuring 3 Acres and 16 Guntas has been shown to be reserved for residential purposes. For the aforementioned reasons, there appears to be no justification for the Authority to contend that the land in question is a lake and the appellant is required to set apart a buffer zone of 30 meters and to obtain a modified

development plan. The impugned communication dated 16.10.2020 and communication dated 17.02.2017 are hereby quashed. The Authority is directed to approve the modified development plan, treating land bearing Survey No.4 measuring 3 Acres and 16 Guntas to be a land earmarked for the purposes of a tree park. The BBMP shall issue a building plan and the license.

Accordingly, the appeal is disposed of.

**Sd/-**
**ACTING CHIEF JUSTICE**

**Sd/-**
**JUDGE**

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ANNEXURE R9

ವಿಷಯ:– ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ. 3/1ಎ3, 9/7 ಮತ್ತು 30/3 ರಲ್ಲಿ ಸರವು 'ಬಿ' ಖರಾಬನ್ನು ಪಥ ಬದಲಾವಣೆ ಮಾಡಲು ಅನುಮತಿ ನೀಡುವಂತೆ ಕೋರಿರುತ್ತಾರೆ.

ಉಲ್ಲೇಖ:– 1. ತಹಶೀಲ್ದಾರ್ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರ ವರದಿ ಸಂ: ಎಲ್ಎನ್‌ಡಿ(ವೈ)ಸಿಆರ್:64/21–22, ದಿನಾಂಕ:25.11.2021.

2. ಶ್ರೀ.ಆರ್.ರಮೇಶ್ ಬಾಬು ಬಿನ್ ಎ.ರಾಮಚಂದ್ರಯ್ಯ ಶೆಟ್ಟಿ, ಬೆಂಗಳೂರು ರವರ ಮನವಿ ದಿನಾಂಕ: 25.10.2021.

ಪ್ರಸ್ತಾವನೆ:

ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ.3/1ಎ3, 9/7 ಮತ್ತು 30/3 ರಲ್ಲಿ ಸರವು 'ಬಿ' ಖರಾಬನ್ನು ಪಥ ಬದಲಾವಣೆ ಮಾಡಿಕೊಡಲು ಅರ್ಜಿದಾರರಾದ ಶ್ರೀ.ಆರ್.ರಮೇಶ್ ಬಾಬು ಬಿನ್ ಎ.ರಾಮಚಂದ್ರಯ್ಯ ಶೆಟ್ಟಿ, ಬೆಂಗಳೂರು ರವರು ಉಲ್ಲೇಖ (2) ರಂತೆ ಮನವಿ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ತಹಶೀಲ್ದಾರ್ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರು ಉಲ್ಲೇಖ (1) ರಂತೆ ವರದಿ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ವರದಿಯಲ್ಲಿ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ.3/1ಎ3 ರ ಆರ್.ಟಿ.ಸಿ ಕಲಂ (3) ರಲ್ಲಿ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 1–19.08 ಎ/ಗು ಇದ್ದು, ಪೈಕಿ 0–01.08 ಗುಂಟೆ ಬಿ ಖರಾಬು ಜಾತಾ 1–18 ಎ/ಗು ವಿಸ್ತೀರ್ಣವಿರುತ್ತದೆ ಹಾಗೂ ಆರ್.ಟಿ.ಸಿ ಕಲಂ (9) ರಲ್ಲಿ ಶ್ರೀಮತಿ.ಕೆ.ಅನಿತ ಕೋಂ ಎನ್.ಕೃಷ್ಣಮೂರ್ತಿ ರವರ ಹೆಸರಿಗೆ 0–05 ಗುಂಟೆ ಮತ್ತು 0–08 ಗುಂಟೆ ಹಾಗೂ ಪಿ.ಕೃಷ್ಣಾರೆಡ್ಡಿ ಬಿನ್ ಪಿ.ಪಾಪಯ್ಯ ರೆಡ್ಡಿ 1–00 ಎಕರೆ ಭೂಪರಿವರ್ತನೆಯಾಗಿರುತ್ತದೆ. ಸ.ನಂ.9/7 ರಲ್ಲಿ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 1–22.08 ಎ/ಗು ಇದ್ದು, ಈ ಪೈಕಿ 0–02 ಗುಂಟೆ 'ಬಿ' ಖರಾಬು ಜಾತಾ 1–20.08 ಎ/ಗು ವಿಸ್ತೀರ್ಣವಿರುತ್ತದೆ ಹಾಗೂ ಆರ್.ಟಿ.ಸಿ ಕಲಂ 09 ರಲ್ಲಿ ಆರ್.ರಮೇಶ್ ಬಾಬು ಬಿನ್ ಎ.ರಾಮಚಂದ್ರಯ್ಯ ಶೆಟ್ಟಿ 1–20.08 ಎ/ಗು ಹಾಗೂ ಸ.ನಂ.30/3 ರಲ್ಲಿ ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ 2–07.08 ಎ/ಗು ಇದ್ದು, ಈ ಪೈಕಿ 0–00.04 ಗುಂಟೆ 'ಎ' ಖರಾಬು 0–05.04 ಗುಂಟೆ 'ಬಿ' ಖರಾಬು ಜಾತಾ 2–02 ಎ/ಗು ವಿಸ್ತೀರ್ಣವಿರುತ್ತದೆ ಹಾಗೂ ಆರ್‌ಟಿಸಿ ಕಲಂ 09 ರಲ್ಲಿ ಪಿ.ಕೆ.ಸತ್ಯಪಾಲ್ ಬಿನ್ ಲೇ॥ಕೊಚ್ಚು ಕೃಷ್ಣನ್ 2–02 ಎ/ಗು ವಿಸ್ತೀರ್ಣ ಖಾತೆ ದಾಖಲಾಗಿದ್ದು, ಭೂಪರಿವರ್ತನೆಯಾಗಿರುತ್ತದೆ.

ಅದರಂತೆ, ತಾಲ್ಲೂಕು ಮೋಜಿಣಿದಾರರು ಖುದ್ದು ಸ್ಥಳ ತನಿಖೆ ಮಾಡಿ ಸಲ್ಲಿಸಿರುವ ಸರ್ವೆ ನಕ್ಷೆಯಂತೆ ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ.3/1ಎ3 ರಲ್ಲಿ ಆಕಾರ್‌ಬಂದ್‌ನಂತೆ ವಿಸ್ತೀರ್ಣ ಐನು 1–19.08 ಎ/ಗು ದಾರಿ ಬಗ್ಗೆ ಖರಾಬು 0–01.08 ಗುಂಟೆ, ಬಾಕಿ 1–18 ಎ/ಗು, ಸ.ನಂ.9/7 ರಲ್ಲಿ ಆಕಾರ್‌ಬಂದ್‌ನಂತೆ ವಿಸ್ತೀರ್ಣ ಐನು 1–22.08 ಗುಂಟೆ ಸರವು ಬಗ್ಗೆ 0–02 ಗುಂಟೆ ಬಾಕಿ 1–20.08 ಎ/ಗು ಹಾಗೂ ಸ.ನಂ.30/3 ರಲ್ಲಿ ಆಕಾರ್‌ಬಂದ್‌ನಂತೆ ವಿಸ್ತೀರ್ಣ ಐನು 2–07.08 ಎ/ಗು 'ಎ' ಖರಾಬು 0–00.04 ಗುಂಟೆ, ದಾರಿ ಬಗ್ಗೆ 0–01.12 ಗುಂಟೆ, ಸರವು ಬಗ್ಗೆ 0–03.08 ಗುಂಟೆ ಬಾಕಿ 2–02 ಎ/ಗು ಇರುತ್ತದೆ.

ಸರವು ಪಥ ಬದಲಾವಣೆಯದಲ್ಲಿ ಸ.ನಂ.3/1ಎ3 ರಲ್ಲಿ 1–19.08 ಎ/ಗು ದಾರಿ ಬಗ್ಗೆ 0–01.08 ಗುಂಟೆ ಸರವು ಬಗ್ಗೆ 0–05.12 ಗುಂಟೆ ಬಾಕಿ 1–12.04 ಎ/ಗು ಇರುತ್ತದೆ. ಸ.ನಂ.9/7 ರಲ್ಲಿ 1–22.08 ಎ/ಗು ಸರವು ಬಗ್ಗೆ ಖರಾಬು 0–01 ಗುಂಟೆ ಬಾಕಿ 1–21.08 ಎ/ಗು, ಸ.ನಂ.30/3 ರಲ್ಲಿ 2–07.08 ಎ/ಗು 'ಎ' ಖರಾಬು 0–00.04 ಗುಂಟೆ ದಾರಿ ಬಗ್ಗೆ 0–01.12 ಗುಂಟೆ ಸದರಿ ಸರವು ಖರಾಬು ಅಗಲದಲ್ಲಿ ಯಾವುದೇ ವ್ಯತ್ಯಾಸವಾಗುವುದಿಲ್ಲ. ಖರಾಬು ಅಗಲದಲ್ಲಿ ವ್ಯತ್ಯಾಸವಾಗದಂತೆ ನಕ್ಷೆಯಲ್ಲಿ ತೋರಿಸಿರುತ್ತಾರೆ ಹಾಗೂ ಕಾಲುದಾರಿಯಲ್ಲಿ ಯಾವುದೇ ಪಥ ಬದಲಾವಣೆ ಮಾಡಿರುವುದಿಲ್ಲ. ನಕ್ಷೆಯಂತೆ ಖರಾಬು ವಿಸ್ತೀರ್ಣದಲ್ಲಿ ಹಾಗೂ ವ್ಯತ್ಯಾಸ 3/1ಎ3 ರಲ್ಲಿ 0–05.12 ಗುಂಟೆ ಖರಾಬು ವಿಸ್ತೀರ್ಣ ಹೆಚ್ಚಾಗಿರುತ್ತದೆ.

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ಸ.ನಂ.9/7 ರಲ್ಲಿ 0-01 ಗುಂಟೆ ಖರಾಬು ವಿಸ್ತೀರ್ಣ ಕಡಿಮೆಯಾಗಿರುತ್ತದೆ ಮತ್ತು ಸ.ನಂ.30/3 ರಲ್ಲಿ 0-03.12 ಗುಂಟೆ ಖರಾಬು ವಿಸ್ತೀರ್ಣ ಕಡಿಮೆಯಾಗಿರುತ್ತದೆ. ಸರವು ಬದಲಾವಣೆಯಂತೆ ಅಗದಲ್ಲಿ ಯಾವುದೇ ವ್ಯತ್ಯಾಸ ಇರುವುದಿಲ್ಲ ಮತ್ತು ವಿಸ್ತೀರ್ಣದಲ್ಲಿ ವ್ಯತ್ಯಾಸ ಕಂಡುಬಂದಿದ್ದು, ಹೆಚ್ಚು ಕಡಿಮೆ ವಿಸ್ತೀರ್ಣವನ್ನು ನಕ್ಷೆಯಲ್ಲಿ ದಾಖಲು ಮಾಡಿರುತ್ತಾರೆ. ಸ.ನಂ.3/1ಎ3 ರಲ್ಲಿ ಸರವು 0-05.12 ಗುಂಟೆ, ಸ.ನಂ.9/7 ರಲ್ಲಿ 0-01 ಗುಂಟೆ ಸರವು ಮಾರ್ಗದ ಪಥ ಬದಲಾವಣೆ ಮಾಡುವ ಬಗ್ಗೆ ಮೋಜಿಣಿದಾರರು ನಕ್ಷೆ ತಯಾರಿಸಿರುತ್ತಾರೆ. ಅದರಂತೆ, ಅರ್ಜಿದಾರರು ಹಾಗೂ ಗ್ರಾಮಸ್ಥರ ಒಪ್ಪಿಗೆ ಇರುತ್ತದೆ. ಸರವು ಪಥ ಬದಲಾವಣೆ ಮಾಡಿರುವುದರಿಂದ, ಸಾರ್ವಜನಿಕರಿಗೆ ಯಾವುದೇ ಅಸಾನುಕೂಲವಾಗುವುದಿಲ್ಲವೆಂಬ ಅಭಿಪ್ರಾಯವನ್ನು ಗ್ರಾಮಸ್ಥರ ಮಹಜರ್‌ನಲ್ಲಿ ತಿಳಿಸಿರುತ್ತಾರೆ.

ಅದರಂತೆ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ.3/1ಎ3 ರಲ್ಲಿ 0-05.12 ಗುಂಟೆ ಹಾಗೂ ಸ.ನಂ.9/7 ರಲ್ಲಿ 0-01 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣದ ಜಮೀನನ್ನು ಸರವು ಪಥ ಬದಲಾವಣೆ ವಿಚಾರದಲ್ಲಿ ತಾಲ್ಲೂಕು ಭೂಮಾಪಕರ ತಯಾರಿಸಿರುವ ನಕ್ಷೆಯನ್ನು ವರದಿಯೊಂದಿಗೆ ಲಗತ್ತಿಸಿ, ಕರ್ನಾಟಕ ಭೂ ಮಂಜೂರಾತಿ ನಿಯಮ 1969 ಕಲಂ 28-ಎ ಮತ್ತು ಉಪನಿಯಮದಲ್ಲಿ ಕ್ರಮವಹಿಸಿ ಪಥ ಬದಲಾವಣೆ ಮಾಡಲು ತಹಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬೆಂಗಳೂರು ಇವರು ಸರ್ವೆ ನಕ್ಷೆಯೊಂದಿಗೆ ಪ್ರಸ್ತಾವನೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಮೇಲ್ಕಂಡಂತೆ ವಿವರಿಸಲಾಘಿರುವ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಪರಿಶೀಳಿಸಿ, ಸದರಿ ಜಮೀನುಗಳಲ್ಲಿರುವ ಸರವು ಖರಾಬನ್ನು ಪಥ ಬದಲಾವಣೆ ಮಾಡುವ ಬಗ್ಗೆ ಮೋಜಿಣಿದಾರರು ಅಳತೆ ಮಾಡಿ ತಯಾರಿಸಿ ಸಲ್ಲಿಸಿರುವ ನಕ್ಷೆ ಹಾಗೂ ತಹಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬೆಂಗಳೂರು ರವರು ಸಲ್ಲಿಸಿರುವ ಪ್ರಸ್ತಾವನೆಯನ್ನಾಧರಿಸಿ, ಈ ಕೆಳಕಂಡಂತೆ ಆದೇಶ ಹೊರಡಿಸಲಾಗಿದೆ.

**:: ಆದೇಶ ::**

**ಸಂಖ್ಯೆ: ಎಲ್‌ಎನ್‌ಡಿ(ಪೂ)ಸಿಆರ್/195/2021-22** ದಿನಾಂಕ: **29** .12.2021.

ಮೇಲ್ಕಂಡ ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ವಿವರಿಸಿರುವಂತೆ, ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ ಸ.ನಂ.9/7 ರಲ್ಲಿ 0-02 ಗುಂಟೆ ಸರವು ಬಗೆಗಿನ ಮೂಲ ಖರಾಬು ಹಾಗೂ ಸ.ನ.30/3 ರಲ್ಲಿ 0-03.08 ಗುಂಟೆ ಸರವು ಬಗೆಗಿನ ಮೂಲ ಖರಾಬು ಇದ್ದು, ಪಥ ಬದಲಾವಣೆ ಮಾಡಿದ್ದಲ್ಲಿ ಸ.ನಂ.3/1ಎ3 ರಲ್ಲಿ 0-05.12 ಗುಂಟೆ ಹಾಗೂ ಸ.ನಂ.9/7 ರಲ್ಲಿ 0-01 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣದ ಜಮೀನನ್ನು ತಹಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ಹಾಗೂ ತಾಲ್ಲೂಕು ಮೋಜಣಿದಾರರು ಅಳತೆ ಮಾಡಿ ಸಲ್ಲಿಸಿರುವ ವರದಿಯನ್ನಾಧರಿಸಿ, ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ನಿಯಮ 1969 ರ ನಿಯಮ 28(1) ರಡಿ ಪಥ ಬದಲಾವಣೆ ಮಾಡಿ, ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಕಾಯ್ದೆ 1964ರ ಕಲಂ 71 ರಡಿ ಕಾಯ್ದಿರಿಸಿ, ಈ ಕೆಳಕಂಡ ಷರತ್ತುಗೊಳಪಡಿಸಿ ಆದೇಶಿಸಿದೆ.

**ಷರತ್ತುಗಳು**

1. ಪ್ರಶ್ನಿತ ಜಮೀನಿನ ಬಗ್ಗೆ ಯಾವುದೇ ನ್ಯಾಯಾಲಯದಲ್ಲಿ ದಾವೆಗಳು ದಾಖಲಾಗಿದ್ದಲ್ಲಿ, ಈ ಆದೇಶವು ನ್ಯಾಯಾಲಯದ ಅಂತಿಮ ತೀರ್ಪಿಗೆ ಒಳಪಟ್ಟಿರುತ್ತದೆ.
2. ಈ ಭೂಮಿಯಲ್ಲಿ ವಿನಾಶಕಾರಿಯಾದ ಅಥವಾ ಖಾಯಂ ಆಗಿ ಹಾನಿಕರಕವಾಗುವ ರೀತಿಯಲ್ಲಿ ಏನನ್ನು ಮಾಡತಕ್ಕದ್ದಲ್ಲ.
3. ತಾಲ್ಲೂಕು ಮೋಜಣಿದಾರರು ಸದರಿ ಜಮೀನಿನ ಸರವು ಬಗೆಗಿನ ಖರಾಬನ್ನು ಸ್ಥಳಾಂತರಗೊಳಿಸಲು ಉದ್ದೇಶಿಸಿರುವಂತೆ ನಕ್ಷೆ ತಯಾರಿಸುವುದು.

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ಸಂಖ್ಯೆ: ಎಲ್‌ಎನ್‌ಡಿ(ಪೂ)ಸಿಆರ್/195/2021-22

ದಿನಾಂಕ: 24.12.2021.
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4. ಜಿಲ್ಲಾ ತಾಂತ್ರಿಕ ಸಹಾಯಕರು ಪದನಿಮಿತ್ತ ಭೂ ದಾಖಲೆಗಳ ಉಪ ನಿರ್ದೇಶಕರು, ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ ರವರು ಸದರಿ ಜಮೀನು ಪಥ ಬದಲಾವಣೆ ಮಾಡಿರುವಂತೆ ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಅಧಿನಿಯಮ 1966 ರ ನಿಯಮ 73 ರಂತೆ ಸರ್ವೆ ದಾಖಲೆಗಳಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡಿಕೊಳ್ಳತಕ್ಕದ್ದು.

5. ಉದ್ದೇಶಿತ ಯೋಜನೆಗೆ ಈ ಜಮೀನು ಬಳಕೆಯಾಗದಿದ್ದಲ್ಲಿ ಕೂಡಲೇ ಕಂದಾಯ ಇಲಾಖೆಗೆ ಹಿಂದಿರುಗಿಸತಕ್ಕದ್ದು.

6. ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಕಾಯ್ದೆ 1964 ರ ಕಲಂ 71 ರಡಿ ಸಾರ್ವಜನಿಕ ಉದ್ದೇಶಕ್ಕೆ ಆದೇಶದಲ್ಲಿ ಮೀಸಲಿರಿಸುವ ಬಿಟ್ಟುಕೊಡುವ) ಹೆಚ್ಚುವರಿ ವಿಸ್ತೀರ್ಣವನ್ನು ಅರ್ಜಿದಾರರು ತಮ್ಮ ಸ್ವಂತ ಖರ್ಚಿನಲ್ಲಿ ಸರ್ಕಾರದ ಹೆಸರಿಗೆ ಪರಿತ್ಯಾಗ ಪತ್ರ (Relinquish Deed) ದಂತೆ ನೋಂದಣಿ ಮಾಡತಕ್ಕದ್ದು.

7. ತಹಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರು ಸದರಿ ಆದೇಶದಂತೆ ಚೆಕ್ಕುಬಂದಿಯೊಂದಿಗೆ ಸರ್ವೆ ನಕ್ಷೆ ತಯಾರಿಸಿ ಅರ್ಜಿದಾರರಿಂದ ಪರಿತ್ಯಾಗ (Relinquish Deed) ನೋಂದಣಿ ಮಾಡಿಸಿಕೊಂಡು ಪಹಣಿ ಮತ್ತು ಕಂದಾಯ ದಾಖಲೆಗಳಲ್ಲಿ ನಮೂದಿಸಿ ಈ ಕಛೇರಿಗೆ ಅನುಪಾಲನಾ ವರದಿ ನೀಡುವುದು.

8. ಅರ್ಜಿದಾರರು ನೀಡಿರುವ ಯಾವುದೇ ಮಾಹಿತಿಯು ತಪ್ಪು ಎಂದು ಕಂಡುಬಂದಲ್ಲಿ ಈ ಆದೇಶವನ್ನು ರದ್ದುಗೊಳಿಸುವ ಹಕ್ಕನ್ನು ಈ ಪ್ರಾಧಿಕಾರವು ಹೊಂದಿರುತ್ತದೆ.

9. ಪಥ ಬದಲಾವಣೆಯಂತೆ ಕಾಯ್ದಿರಿಸಲಾಗಿರುವ ಸರವು ಬಗೆಗಿನ "ಬಿ" ಖರಾಬು ಜಮೀನನ್ನು ಒತ್ತುವರಿಯಾಗದಂತೆ ಮತ್ತು ಸಾರ್ವಜನಿಕ ಮುಕ್ತವಾಗಿ ಇರುವಂತೆ ನಿಗಾವಹಿಸುವುದು ತಾಲ್ಲೂಕು ಆಡಳಿತ ಹಾಗೂ ಅರ್ಜಿದಾರರ ಜವಾಬ್ದಾರಿಯಾಗಿರುತ್ತದೆ.

ಸಹಿ/-
**(ಜಿ.ಮಂಜುನಾಥ್)**
ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು
ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು.

**ಪ್ರತಿಯನ್ನು ಮಾಹಿತಿಗಾಗಿ ಮತ್ತು ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಈ ಕೆಳಕಂಡವರಿಗೆ ಕಳುಹಿಸಿದೆ:**

1. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು, ಕಂದಾಯ ಇಲಾಖೆ, ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ
2. ಉಪವಿಭಾಗಾಧಿಕಾರಿಗಳು, ಬೆಂಗಳೂರು ಉತ್ತರ ಉಪವಿಭಾಗ, ಬೆಂಗಳೂರು ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ
3. ಜಿಲ್ಲಾ ತಾಂತ್ರಿಕ ಸಹಾಯಕರು ಹಾಗೂ ಪದನಿಮಿತ್ತ ಭೂ ದಾಖಲೆಗಳ ಉಪ ನಿರ್ದೇಶಕರು, ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು ರವರಿಗೆ ನಕ್ಷೆ ಹಾಗೂ ವರದಿಗಳನ್ನು ಲಗತ್ತಿಸಿ ಕಳುಹಿಸುತ್ತಾ, ಮುಂದಿನ ಅಗತ್ಯ ಕ್ರಮಕೈಗೊಳ್ಳಲು ತಿಳಿಸಿದೆ.
4. ತಹಶೀಲ್ದಾರ್, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ರವರಿಗೆ ಕಳುಹಿಸುತ್ತಾ, ಕಂದಾಯ ದಾಖಲೆಗಳಲ್ಲಿ ನಮೂದಿಸಲು ಸೂಚಿಸಿದೆ.
5. ಅರ್ಜಿದಾರರಾದ ಶ್ರೀ.ಆರ್.ರಮೇಶ್ ಬಾಬು ಬಿನ್ ಎ.ರಾಮಚಂದ್ರಯ್ಯ ಶೆಟ್ಟಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮ, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬೆಂಗಳೂರು ರವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಕಳುಹಿಸಿದೆ.
6. ಕಛೇರಿ ಪ್ರತಿ.

ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು,
ಬೆಂಗಳೂರು ಜಿಲ್ಲೆ, ಬೆಂಗಳೂರು

Translation copy

PROCEEDINGS OF THE OFFICE OF THE DEPUTY COMMISSIONER, BANGALORE URBAN DISTRICT, BANGALORE

Sub :- Request made to change the track of "B" kharab in the land bearing Sy No. 3/18A3, 9/7 and 30/3 of Sadaramangala Village, K.R.Pura Hobli, Bangalore East Taluk-reg.

Ref:-1) Report of Tahsildar, Bangalore East Taluk, vide No.LND(Y) CR.64/21-22 dated 25-11-2021.

2) Sri R. Ramesh Babu S/o A.Rama chandraiah Shetty, Bangalore, vide his representation dated 25-10-2021.

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The applicant Sri R. Ramesh Babu S/o A.Ramachandraiah Shetty, Bangalore, submitted representation vide Ref(2) seeking change the track of "B" kharab in the land bearing Sy No. 3/18A3, 9/7 and 30/3 of Sadaramangala Village, K.R.Pura Hobli, Bangalore East Taluk.

The Tahsildar, Bangalore East Taluk, submitted report vide Ref (1) above, in the said report he stated that, the land bearing Sy No.3/1A3 situated at Sadaramangala Village, K.R.Pura Hobli, Bangalore East Taluk and in RTC at column No.3 totally measuring 1-19.08 A/G and out of which 0-01.08 guntas 'B'

kharab and balance 1-18 A/G of extent remained also at Column No.(9) of the RTC Smt.K. Anitha W/o N. Krishnamurthy, in her name 0-05 guntas and 0.08 guntas also an extent of 1-00 acre got converted in the name of P.Krishna Reddy S/o Papaiah Reddy. In Sy No.9/7 the total extent 1-22.08 A/G out of which 0.02 guntas 'B' kharab and balance remained 1-20.08 A/G also in Column No.9 RTC an extent of 1-20.08 A/G in the name of R. Ramesh Babu S/o A. Rama Chandra Shetty also in Sy No.30/3 totally measuring 2-07.08 A/G and in which 0-00.04 guntas 'A' kharab 0-05.04 guntas 'B' kharab and the balance 2-02 A/G extent remained also in Column No.09 to the name of P.K.Sathyapal S/o Late Kochhu Krishnan an extent of 2-02 A/G the katha recorded and the land is got converted.

Accordingly the Taluk Surveyor conducted spot inspection and submitted the survey sketch and as per which the land bearing Sy No.3/1A3 situated at Sadaramangala Village, K.R. Pura Hobli, as per akarabundh extent Ainu 1-19.08 A.G about way kharab 0-01.08 gunta, the balance 1-18 A/G, in Sy No. 9/7 as per akarbundh extent Ainu 1-22.08 guntas and about essence 0-02 guntas, the balance 1-20.08 A/G also in Sy No.30/3 as per akaarbundh extent Ainu 2-07.08 A/G, "A" Kharab 0-00.04

gunta, aabout way 0-01.12 guntas, about essence 0-03.08 guntas, the remaining extent is 2-02 A.G.

In the change of essence track the land bearing Sy No.3/1A3 measuring 1-19.08 A/G about way 0-01.08 guntas of essence about which 0-05.12 guntas balkance 1-012.04 A/G remained. In Sy No.9/7 an extent of 1-22.08 A.G essence about which kharab 0-01 gunta balance 1-21.08 A/G “A” kharab 0-00.04 guntas about way 0-01.12 guntas, the said essence kharab width in which there will be no any change. It is shown in the sketch that in the width of kharab there will no any change will take place about the width of kharab also in the path way there is no any track change is made. As per the sketch in the kharab extent also difference in 3/1A3 an extent of 0-05.12 guntas of kharab increased, in Sy No. 9/7 0-01 gunta kharab extent reduced and in Sy No.30/3 an extent of 0-03.12 guntas of kharab extent reduced. By changing the essence there will be no any difference in width and in the extent the difference appears, the escalation of extent is recorded in the sketch. That in Sy No.3/1A3 essence measuring 0-05.12 guntas, in Sy No. 9/7 essence measuring 0-01 gunta about change of route track surveyor has prepared the sketch. Accordingly the applicant also

villagers also given consent, by changing the essence track change it will not cause any inconvenience to the general public and the same is stated by the villagers in the mahazar.

Accordingly in the matter of changing essence track in Sy No.3/1A3 measuring 0-05.12 gunta also in Sy No.9/7 an extent of 0-01 gunta of land situated at Sadaramangala village, K.R. Pura Hobli, Bangalore East Taluk, the sketch prepared by the Taluk Surveyor enclosed along with report and by taking steps under section 28-A of Land Grant Rules, 1989 and the clauses thereunder to make track change the Tahsildar, Bangalore East Taluk has submitted the proposal along with survey sketch.

That as narrated above perused the proposal, and the essence kharab existing in the said lands about making track change of the same the surveyor who conducted survey and prepared sketch the said sketch submitted by the Tahsildar, Bangalore East Taluk, Bangalore along with the proposal, based on which it is ordered as hereunder.

**ORDER**

No.LND(E)CR/195/2021-22 Date : 29-12-2021

That as narrated in the aforesaid proposal the land bearing Sy No. 9/7 measuring 0-02 guntas essence about which original kharab also in Sy No.30/3 in which 0-03.08 guntas essence about which original kharab existing, if the track is changed the land bearing Sy No.3/1A3 measuring 0-05.12 guntas also Sy No.9/7 measuring 0-01 gunta of land situated at Sadaramangala village, K.R. Pura Hobli, Bangalore East Taluk, got surveyed by the Taluk Surveyor and based on the report submitted by the Tahsildar, Bangalore East Taluk along with the said survey report, it is ordered under Rule 28(1) of Karnataka Land Revenue Rules,12969 to change the track, by reserving under section 71 of Karnataka Land Revenue Act, 1964, it is ordered by imposing certain conditions as hereunder.

**CONDITIONS**

1. In the event of any case is filed in respect of the land in question before the court, this order will be subject to the final judgment of the court.

2. That no destructive or permanently in the manner which may cause harm shall be done in this land.

3. The Taluk Surveyor shall prepare the sketch about the essence of the said land about proposed kharab shifting.

4. District Technical Assistant also designated Deputy Director of Land Records, Bangalore District, as per the track changed in the said land it may by corrected in the records under Rule 73 of Karnataka Land Revenue Act,1966.

5. This land if, could not use to the proposed project immediately the same may be returned to Revenue Department.

6. The area reserved for public purpose (additional space) in the order under Section 71 of Karnataka Land Revenue Act,1964, the said excess extent the applicant at their own cost shall execute the Relinquish Deed at their own cost in favour of the Government.

7. The Tahsildar, Bangalore East Taluk as per the said order shall prepare sketch along with boundary and obtain the Relinquish Deed from the applicant and RTC and in revenue

records the same may be entered and the compliance report may be submitted to this office.

8. The information furnished by the applicant and if the same is found to be false, this authority reserve its right to cancel this order.

9. As per the change in the track the essence which is reserved about which "B" kharab land without any encroachment and it will be free for public and for which the Taluk administration also the applicant should monitor the same and it is their responsibility.

Sd/-
(J.Manjunath)
Deputy Commissioner
Bangalore District, Bangalore.

Copy forwarded for information and further needful action to the following persons.

1) Principal Secretary to Government, Revenue Department, Multistoried Building, Bangalore- for information.

2) Assistant Commissioner, Bangalore North Sub Division, Bangalore- for information.

3) District Technical Assistant also designated Deputy Director of Land Records, Bangalore District, Bangalore by enclosing sketch also the report forwarded duly intimating to take further needful steps.

4) Tahsildar, Bangalore East Taluk with an instruction to enter the same in the revenue records.

5) Applicant Sri R. Ramesh Babu S/o A. Ramachandraiah Shetty, Sadaramangala Village, K.R. Puram Hobli, Bangalore East Taluk, Bangalore- for information.

6) Office copy.

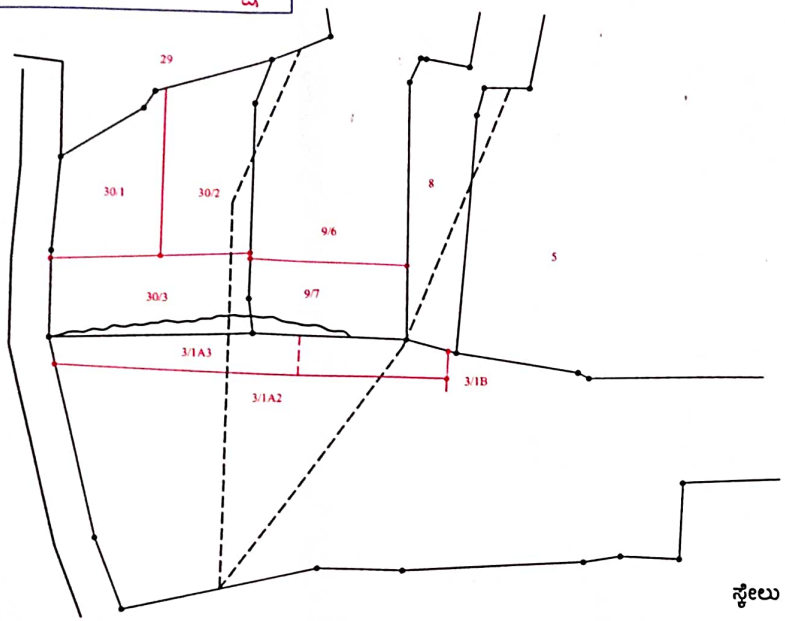
Sd/-
Deputy Commissioner,
Bangalore District, Bangalore.

ಗ್ರಾಮ ; ಸಾದರಮಂಗಲ ಹೋಬಳಿ ; ಕೆ.ಆರ್.ಪುರ ತಾಲ್ಲೂಕು ; ಬೆಂ.ಪೂರ್ವ ಜಿಲ್ಲೆ ; ಬೆಂ.ನಗರ

## ಸರ್ವೆ ನಂ 3/1A3 9/7 30/3 ರ ಸರವು ಪಥಬದಲಾವಣೆ ಬಾಬ್ತು ನಕ್ಷೆ

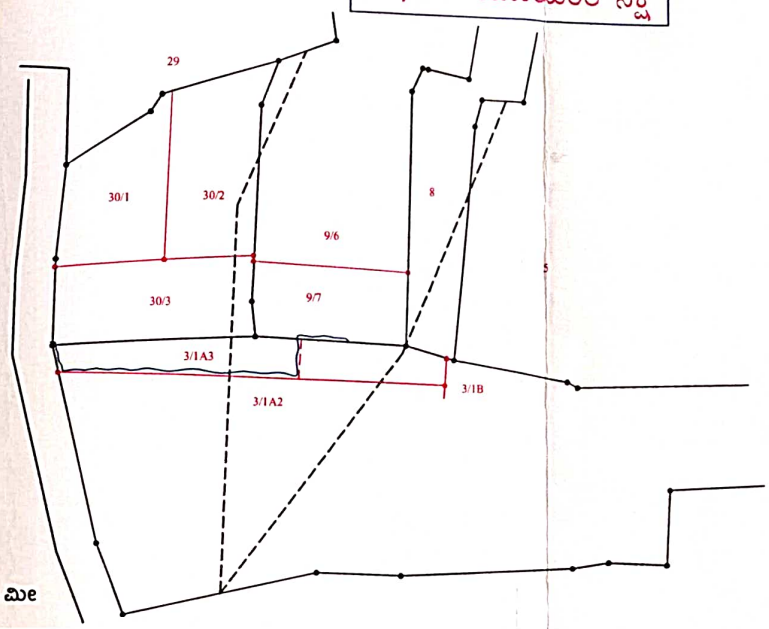
ನಕ್ಷೆ 1

ಸರ್ವೆ ದಾಖಲೆಗಳಂತೆ ನಕ್ಷೆ




ನಕ್ಷೆ 2

ಪಥಬದಲಾವಣೆಯಂತೆ ನಕ್ಷೆ




ಸ್ಕೇಲು 1 ಸೆ.ಮೀ = 40 ಮೀ

| ಕ್ರಮ ಸಂಖ್ಯೆ | ಸರ್ವೆ ನಂಬರ್ | ಆಕಾರಬಂದಿನಂತೆ ವಿಸ್ತೀರ್ಣ | | | | | ದರ |
|---|---|---|---|---|---|---|---|
| | | ಏನು | Aಖರಾಬು | ದಾರಿ | ಸರವು | ಬಾಕಿ | |
| 1 | 3/1A3 | 01 - 19½ | - | 00 - 01½ | - | 01 - 18 | 01 - 83 |
| 2 | 9/7 | 01 - 22½ | - | - | 00 - 02 | 01 - 20½ | 02 - 08 |
| 3 | 30/3 | 02 - 07½ | 00 - 00¼ | 00 - 01¾ | 00 - 03½ | 02 - 02 | 02 - 81 |

| ಸರವು ಪಥಬದಲಾವಣೆಯಾದಂತೆ ವಿಸ್ತೀರ್ಣ | | | | | ದರ |
|---|---|---|---|---|---|
| ಏನು | Aಖರಾಬು | ದಾರಿ | ಸರವು | ಬಾಕಿ | |
| 01 - 19½ | - | 00 - 01½ | 00 - 05¾ | 01 - 12¼ | 01 - 83 |
| 01 - 22½ | - | - | 00 - 01 | 01 - 21½ | 02 - 08 |
| 02 - 07½ | 00 - 00¼ | 00 - 01¾ | - | 02 - 05½ | 02 - 81 |

| ಖರಾಬು ವಿಸ್ತೀರ್ಣದಲ್ಲಿ ಆಗುವ ವ್ಯತ್ಯಾಸ | |
|---|---|
| ಹೆಚ್ಚು | ಕಡಿಮೆ |
| 00 - 05¾ | - |
| - | 00 - 01 |
| - | 00 - 03½ |

1. ಮಾನ್ಯ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಸಂಖ್ಯೆ ನಂ. ಎಲ್.ಎನ್.ಡಿ(ಪೂ)ಸಿ.ಆರ್/ 195 /2021–22 ಹಾಗೂ ಮಾನ್ಯ ತಹಶೀಲ್ದಾರ್ ರವರ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ ಎಲ್.ಎನ್.ಡಿ.ಸಿ.ಆರ್/64/2021–22 ರಂತೆ ಅಳತೆ ಮಾಡಿ ನಕ್ಷೆ ತಯಾರಿಸಿದೆ.
2. ನಕ್ಷೆ 1 ರಲ್ಲಿ ತೋರಿಸಿರುವಂತೆ ಆಕಾರಬಂದಿನಂತೆ ಸ.ನಂ 9/7 ರಲ್ಲಿ 0 – 02 ಗುಂಟೆ ಮತ್ತು 30/3 ರಲ್ಲಿ 0–03½ ಗುಂಟೆ ಒಟ್ಟು 0 – 05½ ಗುಂಟೆ ಸರವು ಬಗ್ಗೆ (ಬಿ) ಖರಾಬು ಇರುತ್ತದೆ. ಆದರೆ ಪಥ ಬದಲಾವಣೆಯಂತೆ 3/1A3 ರಲ್ಲಿ ಸರವು ಬಗ್ಗೆ 0 – 05¾ ಗುಂಟೆ ಖರಾಬು ಬದಲಾವಣೆಯಾಗಿರುತ್ತದೆ.
3. ಸದರಿ ಸರವು ಖರಾಬು ಅಗಲದಲ್ಲಿ ಯಾವುದೇ ವ್ಯತ್ಯಾಸವಾಗುವುದಿಲ್ಲ. ಖರಾಬು ಅಗಲದಲ್ಲಿ ವ್ಯತ್ಯಾಸವಾಗದಂತೆ ನಕ್ಷೆ–2 ರಲ್ಲಿ ತೋರಿಸಿರುತ್ತೆ ಹಾಗೂ ಕಾಲುದಾರಿಯನ್ನು ಯಾವುದೇ ಪಥಬದಲಾವಣೆಗೆ ಮಾಡಿರುವುದಿಲ್ಲ ಅರ್ಜಿದಾರರು ಕೋರಿರುವಂತೆ ನಕ್ಷೆ ತಯಾರಿಸಿದೆ.
4. ಸರವು ಬದಲಾವಣೆಯಂತೆ ಅಗಲದಲ್ಲಿ ಯಾವುದೇ ವ್ಯತ್ಯಾಸ ಇರುವುದಿಲ್ಲ ಮತ್ತು ವಿಸ್ತೀರ್ಣದಲ್ಲಿ ವ್ಯತ್ಯಾಸ ಕಂಡುಬಂದಿದ್ದು ಹೆಚ್ಚು ಕಡಿಮೆ ವಿಸ್ತೀರ್ಣವನ್ನು ವ್ಯತ್ಯಾಸ ತಃಖ್ತೆ–3 ರಲ್ಲಿ ದಾಖಲು ಮಾಡಿದೆ.

ತಹಶೀಲ್ದಾರ್
ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು

ತಯಾರಿಸಿದವರು
NK Gauuuu
ತಾಲ್ಲೂಕು ಭೂಮಾಪಕರು
ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು
ಕೆ.ಆರ್.ಪುರ

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Translation copy

Sadaramangala Village, K.R. Puram Hobli, Bangalore East Taluk.

Essence track change sketch of Sy No.3/A3, 9/7, 30/3.

SKETCH-1 SKETCH-2

As per survey records Sketch as per track change

Scale 1 cm = 40 mtr.

| Sl No | Sy No | Extent as per akarbundh | | | | | Rate |
|---|---|---|---|---|---|---|---|
| | | Ainu | A karab | Way | Essence | Balance | |
| 1 | 3/1A3 | 01-19½ | - | 0-01 ½ | - | 0-18 | 01-83 |
| 2 | 9/7 | 01-22½ | - | - | 00-02 | 01-20 ½ | 02-08 |
| 3 | 30/3 | 02-07½ | 00-00 ¼ | 00-01¼ | 00-03½ | 02-02 | 02-81 |

| Extent as per essence track change | | | | | Rate |
|---|---|---|---|---|---|
| Ainu | A karab | Way | Essence | Balance | |
| 01-19½ | - | 0-01 ½ | 0.05 ¼ | 01.12 ¼ | 01-83 |
| 01-22½ | - | - | 00-01 | 01-21 ½ | 02-08 |
| 02-07½ | 00-00 ¼ | 00-01¼ | - | 02-05 ½ | 02-81 |

| Difference taken place in kharab extent | |
|---|---|
| More | Less |
| 00-05 ¼ | - |
| - | 00-01 |
| - | 00-03 ¼ |

1. As per No.LND(E) CR/195/2021-22 of Deputy Commissioner, also the Memorandum of Hon'ble Tahsildar, vide No.LND.CR/64/2021-22d the sketch prepared by conducting survey.

2. As per the akarbundh shown in Sketch Sy No.9/7 measuring 0-02 guntas and in 30/3 measuring 0-03 ½ guntas, in total 0-05 ½ guntas of essence about which there is (B) kharab, but as per track change in 3/1A3 about essence 0-05 ¼ guntas kharab changed.

3. In the width of said essence kharab will not cause any change, there is no difference taken place in the width of kharab and the same is shown in sketch No.2 also the path

way track not changed in any manner and at the request of applicant sketch prepared.

4. As per change in essence there is no any change taken place in the width and in the extent the difference noticed and the escalation of extent recorded in abstract-3.

Sd/-
Taluk Surveyor
Bangalore East Taluk.

// True copy //

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# ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

**ಮುಖ್ಯ ಅಭಿಯಂತರರು, ಬೃಹತ್ ಮಳೆ ನೀರುಗಾಲುವೆ, 9ನೇ ಮಹಡಿ, ಜಯನಗರ ವಾಣಿಜ್ಯ ಸಂಕೀರ್ಣ, ಜಯನಗರ, ಬೆಂಗಳೂರು–560 011**

**ಸಂಖ್ಯೆ:ಬಿಬಿಎಂಪಿ/ಮು.ಅ(ಬೃ.ನೀ.ಗಾ)/ಪಿ.ಆರ್/603/2021–22** **ದಿನಾಂಕ: 27.08.2021**

## ಹಿಂಬರಹ

**ವಿಷಯ:** ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ, ಸರ್ವೆ ನಂ.3/1ಎ3, 8/5, 9/7 ಮತ್ತು 30/3ರಲ್ಲಿ ಗ್ರಾಮ ನಕ್ಷೆಯಂತೆ ಸರ್ವೆ ನಂ.9/7 ಮತ್ತು 30/3ರ ಮಧ್ಯಭಾಗದ ಸ್ವತ್ತಿನ ಉತ್ತರ–ದಕ್ಷಿಣ ಭಾಗದಲ್ಲಿ ಹರಿಯುತ್ತಿರುವ ನಾಲೆಯ ವರ್ಗೀಕರಣ ಮತ್ತು ಬಫರ್ ಅನ್ವಯಿಸುವ ಕುರಿತು ಹಿಂಬರಹ ನೀಡುವ ಬಗ್ಗೆ.

**ಉಲ್ಲೇಖ:** ತಮ್ಮ ಮನವಿ ಪತ್ರ ದಿನಾಂಕ:21.08.2021

* * * * *

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಿತ ಪತ್ರದಂತೆ ಪ್ರಶ್ನಿತ ಸ್ವತ್ತಾದ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ, ಸರ್ವೆ ನಂ.3/1ಎ3, 8/5, 9/7 ಮತ್ತು 30/3ರ ಸ್ಥಳವನ್ನು ದಿನಾಂಕ:25.08.2021 ರಂದು ಪರಿಶೀಲಿಸಲಾಯಿತು.

- ಸದರಿ ಪಶ್ನಿತ ಸ್ವತ್ತನ್ನು ಸಾದರಮಂಗಲ ಗ್ರಾಮ ನಕ್ಷೆಯೊಂದಿಗೆ ಪರಿಶೀಲಿಸಲಾಗಿ, ಪ್ರಶ್ನಿತ ಮನವಿ ಪತ್ರದಲ್ಲಿ ಕೋರಿರುವಂತೆ ಸರ್ವೆ ನಂ.3/1ಎ3, 8/5, 9/7 ಮತ್ತು 30/3ರ ಒಟ್ಟು 04 ಸರ್ವೆ ನಂಬರ್‌ಗಳ ಮಧ್ಯದಲ್ಲಿ ಬರುವ ನಾಲೆಯ ಬಗ್ಗೆ ಮಾಹಿತಿಯನ್ನು ಕೋರಲಾಗಿರುತ್ತದೆ.
- ಪ್ರಶ್ನಿತ ಸ್ವತ್ತಿನ ಅಂದರೆ, ಸರ್ವೆ ನಂ.3/1ಎ3, 9/7 ಮತ್ತು 30/3ಎ ಮಧ್ಯದಲ್ಲಿ ಹರಿಯುತ್ತಿರುವ ನಾಲೆಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ, ಸದರಿ ನಾಲೆಯು ಸ್ಥಳೀಯವಾಗಿ ಸರ್ವೆ ನಂ.9ರಲ್ಲಿ ಹುಟ್ಟಿ ಸಾದರಮಂಗಲದಿಂದ ಹೊಸಕೋಟೆಗೆ ಸಂಪರ್ಕಿಸುವ ರಸ್ತೆಯಲ್ಲಿ ಕೊನೆಗೊಳ್ಳುತ್ತಿರುತ್ತದೆ. ಸದರಿ ನಾಲೆಯು ಒಂದು ಗೆರೆಯ ಕೃಷಿಗಾಲುವೆಯಾಗಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ.
- ಮುಂದುವರೆದು, ಸದರಿ ಪ್ರಶ್ನಿತ ಸ್ವತ್ತನ್ನು ಆರ್.ಎಂ.ಪಿ–2015ರ ನಕ್ಷೆಯೊಂದಿಗೆ ಪರಿಶೀಲಿಸಲಾಗಿ, ಸದರಿ ನಾಲೆಯನ್ನು ಉಲ್ಲೇಖಿಸಿರುವುದಿಲ್ಲ.
- ಮುಂದುವರೆದು, ಸದರಿ ಮಾಲೀಕರು ಸರ್ವೆ ನಂ.09 ಮತ್ತು 30ರಲ್ಲಿ ಇದ್ದಂತಹ ನಾಲೆಯನ್ನು ಸರ್ವೆ ನಂ.3/1ಎ3ಗೆ ಪಥ ಬದಲಾವಣೆ ಮಾಡಿ ವರ್ಗಾಯಿಸಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ ಮತ್ತು ಹೆಚ್ಚುವರಿ 5.15 ಗುಂಟೆ ಜಮೀನನ್ನು ನೀರುಗಾಲುವೆಗೆ ಮೀಸಲಿಟ್ಟಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಆದರೆ, ಪ್ರಸ್ತುತ ಸದರಿ ಜಾಗದಲ್ಲಿ ಯಾವುದೇ ನೀರುಗಾಲುವೆಯ ಆಸ್ತಿತ್ವ ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ.

ಈ ಹಿನ್ನಲೆಯಲ್ಲಿ ಸದರಿ ಪ್ರಶ್ನಿತ ಸ್ವತ್ತಾದ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಸಾದರಮಂಗಲ ಗ್ರಾಮದ, ಸರ್ವೆ ನಂ.3/1ಎ3, 8/5, 9/7 ಮತ್ತು 30/3ರಲ್ಲಿ ಗ್ರಾಮ ನಕ್ಷೆಯಂತೆ ಸರ್ವೆ ನಂ.9/7 ಮತ್ತು 30/3ರ ಮಧ್ಯಭಾಗದಲ್ಲಿ ತೋರಿಸಿರುವ ನೀರುಗಾಲುವೆಯು ಸಂಪರ್ಕ ಕಾಲುವೆಯಾಗಿದ್ದು (Lead of Drain), ಯಾವುದೇ ಪ್ರಥಮ/ದ್ವಿತೀಯ/ತೃತೀಯ ಹಂತದ ವರ್ಗಕ್ಕೆ ಸೇರುವುದಿಲ್ಲವೆಂದು ಮತ್ತು ಯಾವುದೇ ಬಫರ್ ಅನ್ವಯಿಸುವುದಿಲ್ಲವೆಂದು ಮತ್ತು ಸದರಿ ನಾಲೆಯನ್ನು ಈಗಾಗಲೇ ಸರ್ವೆ ನಂ.3/1ಎ3ಕ್ಕೆ ಪಥ ಬದಲಾವಣೆ ಮಾಡಿರುವುದರಿಂದ ಸದರಿ ಪ್ರದೇಶದಲ್ಲಿ 5.15 ಗುಂಟೆಗಳನ್ನು ಸಂಪರ್ಕ ಕಾಲುವೆಗೆ (Lead of Drain) ಮೀಸಲಿಡಬೇಕಾಗುತ್ತದೆ ಎಂದು ಅಭಿಪ್ರಾಯಿಸುತ್ತಾ ಹಿಂಬರಹ ನೀಡಲಾಗಿದೆ.

ಮುಖ್ಯ ಅಭಿಯಂತರರು
ಬೃಹತ್ ನೀರುಗಾಲುವೆ, ಬಿಬಿಎಂಪಿ 27/8/2021

**ಇವರಿಗೆ,**
ಮೆ॥ಯುನೈಟೆಡ್ ಪ್ರಾಜೆಕ್ಟ್ಸ್ ರವರ ಪರವಾಗಿ
ವ್ಯವಸ್ಥಾಪಕ ಪಾಲುದಾರರಾದ
ಆರ್.ಗಂಗಾಧರ್ & ಎಸ್.ಪ್ರದೀಪ್,
ನಂ.317, ಬಾಳನೂರು ಗ್ರಾಮ,
ಕಾಡುಗೋಡಿ, ಬೆಂಗಳೂರು

# 83

Translation copy-

BRUHAT BANGALORE MAHANAGARA PALIKE

Chief Engineer, Major Rain Channel, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bangalore-560 011

No.BBMP/CE(MWC)/PR/603/2011-12 Date : 27-08-2021

**ENDORSEMENT**

Sub :- Issue of endorsement about classification of Channel and about applicability of buffer zone of the channel flowing on north-south portion middle portion of property bearing Sy No.9/7 and 30/3 as per the village map in Sy No.30/1A3, 8/5,9/7 and 30/1 of Sadaramangala Village, K.R.Puram Hobli, Bangalore East Taluk –reg.

Ref:- Your representation dated 21-08-2021.

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With regard to aforesaid subject, as per the letter referred above the property in question spot inspection was conducted on 25-08-2021 in respect of land bearing Sy No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R.Puram Hobli, Bangalore East Taluk.

* The said property in question on verifying the same with Sadaramangala village map, in the representation as sought the information about the channel coming between Sy

No.3/1A3, 8/5, 9/7 and 30/3, in total middle portion of 04 survey number.

* The property in question, the channel which is flowing in the middlepart of Sy No.3/1A3, 9/7 and 30/3A, on verifying the same the said channel locally born in Sy No.9 and ending at road connect from Sadaramangala to Hoskote. The said channel is one line agriculture channel as it appears.

* Further, the said property in question on verifying with R.M.P-2015 sketch, the said channel has not been quoted therein.

* Further, the said landlord diverted te said channel which was existing in Sy No.09 and 30 towards Sy No.3/1A3 by changing the track as it appears and the additional 5.15 guntas of land reserved for water channel as it appears. But, at present in the said place there are no any water channel is existing as it appears.

On this ground the said property in question bearing Sy No.3/1A3, 8/5, 0/7 and 30/3 of Sadaramangala village, K.R.Puram Hobli, Bangalore East Taluk, as per the village sketch in the middle portion of Sy No.9/7 as shown the water channel is approaching

channel (lead of Drain) and hence in the said area 5.15 guntas to be reserved for link channel and by opining the same this endorsement given.

Sd/-

// True copy //

Annexure -V

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**ANNEXURE R10**

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Date: 11-03-2023.

To,

**The Environmental Officer,**
KSPCB Regional Office, Bengaluru - Mahadevapura
NISARGA BHAVANA, 3rd Floor, Thimmaiah Road
7th D Main, Shivanagar, Bangalore- 560 010.

Dear Sir,

**Subject: Compliance under the provisions of Water (Prevention & Control of Pollution) Act, 1974, w.r.t the Constructing Residential Apartment building at Sy. No. 3/1A3, 8/5, 9/7, 30/3, of Sadaramangala Village, K R Puram Hobli, Bangalore East Taluk.**

**Ref. No:1.PCB/RO-MDP/United Projects Suncity/Notice/2022-23/1386.**
**Dated: 07 JAN 2023.**
**2.Consent Order No. CTE - 332585 with PCB ID: 131439.**
**Dated. 30.07.2022.**

With reference to the above subject, we have received a letter from your good office, complaint from Advocate Mrs Brinda A.S state that, have encroached the water body along with its buffer zone and attempt to construct the building on the water body.

1. We acknowledge the receipts of your letter vide Ref.No.1 above and we are herewith furnishing the additional information, as required by you we are submitting the required documents related to the above subject. There is irrigation canal as earmarked in the village map and there is no water flow in this canal and not used for agricultural purpose. Hence position of the field canal has been shifted as per the District Commissioner Vide Order No. LND(E)CR/195/2021-22. Further 0-02 guntas of Field irrigation canal passes through the property in Sy No-9/7 and 0-03.08 guntas of field irrigation canal passes through the property in Sy. No-30/3 and further 0-05.12 Guntas Canal B Kharab position and 0-01 Gunta Nala B Kharab position has been shifted towards Southern side edge of the property in Sy. No 3/1A3 and Sy.No.9/7 respectively. We have enclosed B Kharab shifting order and Sketch Copy, **Annexure – 01.**

**UNITED PROJECTS**
Sy. No. 30, Near Cement Godown, Sadaramangala Main Road,
Kadugodi Post, Bengaluru Urban, Bengaluru - 560 067.
Email: crm.greencity@unitedproject.in URL: unitedproject.in



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2. Storm water department (BBMP) opinion obtained Vide letter No. BBMP/CE/PR/603/2021-22 dated 27.08.2021, states that this irrigation canal considered as Lead of Drain, as per the RMP 2015, there is no earmark any - kind of nala and buffer in which there is no water flow and this land is not used for agricultural purpose and hence this Canal not comes under Primary, Secondary and Tertiary categories and need not to leave any buffer. Further as per the SWD opinion the B-kharab area as to be reserved as per the DC kharab shifting order. The concerned CE-SWD opinion letter enclosed. **Annexure – 02.**

3. We have obtained the Consent for Establishment from KSPCB vide order No.CTE-332585, PCB ID:131439 dated.30.07.2022 pertaining to the land, **Survey No. 3/1A3, 8/5, 9/7, 30/3, of Sadaramangala Village, K R Puram Hobli, Bangalore East Taluk,** which consist of 404 Flats (Stilt floor + Ground floor + 03 Upper floors) with Total Built up Area – 62054.70 sq.mtr. We are constructing the project without any changes/violation as per KSPCB/CFE. We will follow/obey all the norms of KSPCB/CFE conditions. We have enclosed CFE copy, **Annexure – 03.**

4. We have obtained Environmental Clearance from SEIAA vide No. SEIAA 08 CON 2022 dated .27.05.2022 pertaining to the land, **Survey No. 3/1A3, 8/5, 9/7, 30/3, of Sadaramangala Village, K R Puram Hobli, Bangalore East Taluk,** which consist of 404 flats (Stilt floor + Ground floor + 03 Upper floors) with Total Built up Area – 62054.70 sq.mtr. We are.constructing the project without any changes/violation as per Environmental Clearance, we will follow/obey all the norms of Environmental Clearance. We have enclosed SEIAA Copy, **Annexure – 04.**

5. We have obtained Plan Sanction from concerned BBMP authority vide Project No. PRJ/12696/21-22, Vide LP No. BBMP/Ad.Com./MDP/0728/21-22, dated .27.04.2022 for the property situated at **Survey No. 3/1A3, 8/5, 9/7, 30/3, of Sadaramangala Village, K R Puram Hobli, Bangalore East Taluk,** which consists of 404 Flats (Stilt Floor + Ground floor + 03 Upper floors) with Total Built up Area – 55345.45 sq.mtr. We will follow/obey all the norms of BBMP, without any changes/violation. We will proceed with the construction as per the BBMP approved plan. We have enclosed Sanction plan copy, **Annexure – 05.**



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Hence, we are not encroaching and constructing any Water bodies and we will follow/obey all the norms of BBMP, KSPCB and Environmental Clearance Department without any changes/violations. Therefore, we are constructing the project as per BBMP approved plan, the above information satisfies your requirements and requesting you to consider our requisitions.

As per compliant given by advocate Mrs. BRINDA A.S, we are not doing any kind of violation. Kindly request you to check the same and not to give any conflict way forward during project execution.

For UNITED PROJECTS SUNCITY
Thanks
Yours sincerely
PARTNER

UNITED PROJECTS
Sy. No. 30, Near Cement Godown, Sadaramangala Main Road,
Kadugodi Post, Bengaluru Urban, Bengaluru - 560 067.
Email: crm.greencity@unitedproject.in URL: unitedproject.in



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