

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTH ZONE, CHENNAI.  
O.A.No.144 OF 2022 (SZ)**

**IN THE MATTER**

V. Paramesh, Bengaluru.

...Applicant

VS

Deputy Commissioner,  
Bangalore Urban District and Ors.

... Respondents

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M.R. GOKUL KRISHNAN  
Counsel for 4<sup>th</sup> to 5<sup>th</sup> Respondent  
(KSPCB)

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI**

**O.A. NO. 144 OF 2022**

**BETWEEN**

Sri Paramesh. V  
s/o. Sri Late Venkatesh,  
aged about 38 years,  
near Om Shakthi Temple,  
Belthuru Colony, Kadugodi post  
Bengaluru – 560067  
E-mail: [parameshpar56082@gmail.com](mailto:parameshpar56082@gmail.com)  
phone No. 9986975337

...Applicant

-vs-

1. The deputy Commissioner  
Bengaluru Urban District  
D.C. Office Building  
Behind Kandaya Bhavan  
K.G Road  
Bengaluru – 560009  
E-mail: [durban@nic.in](mailto:durban@nic.in)  
Phone no. – 080-22211292
2. The Commissioner  
Bruhat Bengaluru Mahanagara Palike,  
Hudson Circle, N.R. Square  
Bengaluru – 560002  
E-mail: [comm.@bbmp.gov.in](mailto:comm.@bbmp.gov.in)  
Phone no.: 9480685700
3. The Joint Director  
Town Planning  
Burhat Bengaluru Mahanagara Palike,  
Bengaluru North  
BBMP HUDSON Circle  
Beengaluru – 560002  
E-mail: [comm.@bbmp.gov.in](mailto:comm.@bbmp.gov.in)



*[Signature]*  
Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bengaluru

4. The Chairman  
Karnataka State Pollution Control Board  
Parisara Bhavan, No. 49  
Church Street  
Bengaluru – 560001  
E-mail: [chairman@kspcb.gov.in](mailto:chairman@kspcb.gov.in)  
Phone no: 080-25589111
5. The Senior Environmental Officer  
Bengaluru South  
Nisarga Bhavan, 3<sup>rd</sup> floor  
Thimmiah Road  
Bengaluru – 560010  
e-mail: [seoe@kspcb.gov.in](mailto:seoe@kspcb.gov.in)
6. The Member Secretary  
SEIAA, Room No. 709,  
7<sup>th</sup> floor, 4<sup>th</sup> gate,  
M S Building  
Bangaluru – 560001  
E-mail: [msseiakarnataka@gmail.com](mailto:msseiakarnataka@gmail.com)
7. The Director  
M/s Sterling Urban Infra Projects Pvt Ltd.  
Prestige Nebula,  
Level 5, No. 8  
Opp. To Income Tax Office,  
Bengaluru – 560067  
E-mail: [info@strelingdevelopers.com](mailto:info@strelingdevelopers.com)
8. The Tahsildar  
K R Puram East Taluk  
K R Puram  
Bengaluru – 560036  
E-mail: [tah.bangaloreeasttq@gmail.com](mailto:tah.bangaloreeasttq@gmail.com)

....Respondents

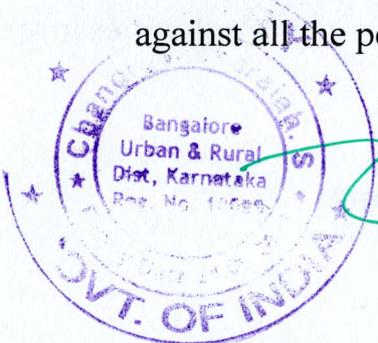


  
Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bengaluru

**COUNTER AFFIDAVIT FILED ON BEHALF OF 3<sup>RD</sup> RESPNDENT**

I, M . G. Yathish S/o Gopal M. V, The Senior Environmental Officer of Karnataka State Pollution Control Board, having office at Parisara Bhavan, No. 49, Church Street, Bangaluru – 560001 do hereby solemnly hereby solemnly state and sincerely affirm as follows:

1. I state that I am well acquainted with the facts and circumstances of the case and I am competent to swear this Affidavit.
2. I state that the Applicant filed the above Original Application praying the Hon'ble Tribunal to:
  - A. Direct the Respondent Authorities to stop and take strict actions against Respondent No. 7 on the ongoing construction activities in the Strom Water Drain/Stream/Nala buffer zone, and review issued NOC and Approvals
  - B. Direct the Respondent Authorities to maintain the Strom Water Drain/Stream/Nala and its buffer zone free from any encroachments.
  - C. Rebuild/ rejuvenate the waterbody as it was earlier by evacuating all the encroached portion in the waterbody and its buffer zone at the cost of Respondent No. 7
  - D. Hon'ble Tribunal be pleased to impose huge cost/environmental compensation on respondents due to the damage caused to the environment.
  - E. Hon'ble Tribunal be pleased to direct the respondent's to pay the legal expenses incurred by the complainant/applicant.
  - F. Direct the appropriate authority to initiate criminal proceeding against all the perpetrators.



  
Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bangaluru

G. Pass such other order/orders as this Hon'ble Tribunal deems fit, in the facts & circumstances of the case, including an order as to costs, in the interest of justice.

3. I state that I deny the each and every averment made in the Original Application except those are admitted hereunder.
4. I state that the Board accorded consent for establishment under the Water (Prevention and Control of Pollution) Act, 1974 to construct Residential Apartment with 392 Flats and a Club House (2BF+GF+14UF+TF) having built up area 84,295.05 sq. mtrs at Sy. No. 46/1. 4G/2A and 47 of Devarabeesanahalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru Urban District, by M/s. Sterling Urban Infraprojects Pvt Ltd.
5. I state that the Board has issued Consent for Establishment to Respondent No. 7, after verification of the land records and the building plan as per the Norms of the Local Planning Authority and Comprehensive Development Plan (CDP). The Consent for establishment is issued with a condition that, **“The Applicant shall adhere to the Zonal Regulation Norms of the Competent Authority and also to treat the sewage to urban re-use standards in Sewage treatment Plant and to re-use the maximum treated sewage for secondary purpose and excess for gardening within the premises of the project site i.e. without discharging outside the premises”**. The Local Planning Authorities and Revenue Authorities are the nodal agencies to give approval for building Plan/Local conversions and insist the necessary buffer for Nala/Lake as per CDP and monitor the encroachment of the Rajakaluve and Water bodies.
6. I state that regarding the encroachment of Nala buffer zone/ Rajakaluve the BBMP and the local officials are the Competent Authorities to answer the allegations.



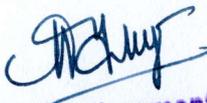
  
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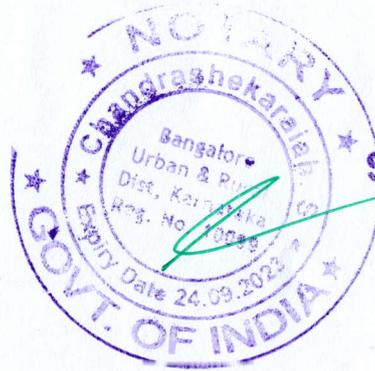
It is therefore prayed that this Hon'ble Tribunal may pleased to take the above facts on record and pass such further or other Orders as the Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

  
DEPONENT  
Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bengaluru

### VERIFICATION

I, M . G. Yathish S/o Gopal M. V , Senior Environmental Officer, Karnataka State Pollution Control Board having office at No.49, "Parisara" Bhavan, Church street, Bengaluru-560001, do hereby verify and state that the contents of Paragraph No. 1 to 13 are true and correct to the best of my knowledge, belief and information.

  
DEPONENT  
Senior Environmental Officer  
Infrastructure & Lake Development  
Karnataka State Pollution Control Board  
Bengaluru



SWORN TO BEFORE ME  
026/5/2023  
CHANDRASHEKARAPPA S.  
Advocate & Notary  
No. 9/7, Kempegowda Nilaya  
3rd Cross, Muthurayaswamy Extension  
Serikalakatta, Bangalore - 560031



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GREEN TRIBUNAL  
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