

Karnataka State Pollution Control Board
Regional Office, Bangalore City West
1st Floor, "NISARGA BHAVAN",
7th 'D' Cross, Thimmaiah Road,
Shivanagar, Bangalore - 560 010
Tel : 080- 23229208, 23229281

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ಬೆಂಗಳೂರು ನಗರ ಪಶ್ಚಿಮ
1ನೇ ಮಹಡಿ, "ನಿಸರ್ಗ ಭವನ",
7ನೇ "ಡಿ" ಮುಖ್ಯರಸ್ತೆ, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
ಶಿವನಗರ, ಬೆಂಗಳೂರು- 560 010.
ದೂ : 080-23229208, 23229281

ಕರ್ನಾಟಕ ರಾಜ್ಯ
ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ



No. PCB/ RO-BCW/NGT-158-2020/2020-21/ 308

towards a cleaner Karnataka
DATE

09 OCT 2020

To
The Member Secretary,
Karnataka State Pollution Control Board,
Bengaluru – 560 001.

Kind Attention: Legal Section

Sir,

Sub: Forwarding of action taken report and inspection report in respect of Hon'ble NGT case Application No. 158 of 2020(SZ) directions with respect Bindu Ventues – reg.

- Ref:** 1. Board Office Combined consent order No. PCB/28/CNP/171/H673 dated 03.11.2017.
2. Letter of Bindu Galaxy Office Complex Owners Welfare Association dated 20.03.2020
3. Hon'ble NGT Application No. 158 of 2020(SZ) directions dated 24.08.2020
4. Joint inspection of your commercial complex office by officers of BBMP and KSPCB on 07.09.2020.
5. Inspection of your commercial complex office by the undersigned on 07.09.2020 and 19.09.2020.

With reference to the above subject is to be informed that the Board has issued Consent for operation vide ref(1) to M/s. Bindu Ventures. The consent is valid upto 31.12.2022. Further the Board has received complaint vide ref(2) by the Bindu Galaxy Office Complex Owners Welfare Association and also received the directions of Hon'ble NGT vide ref(3).

In this regard the said commercial complex and complainant office has been inspected vide ref(4) and (5). Based on the violations, this office has issued notices to both the parties as they are equally responsible for complying to the provisions of Air (Prevention and Control of Pollution) Act, 1981. The action taken report i.e Notices and Inspection report with photographs are enclosed herewith for further forwardal /uploading to Hon'ble NGT website as the case is coming on 20.10.2020.

This is for kind information and further needful action.

Yours faithfully

R.V. KM. 9/10/2020
Environmental Officer
RO, Bengaluru City West

Lo
Bengaluru

**INSPECTION REPORT OF SRI. K. M. RAMESH, ENVIRONMENTAL OFFICER,
REGIONAL OFFICE BANGALORE CITY -WEST.**

OFFICER ACCOMPANIED: DR. K.M.RAJU, DEPUTY ENVIRONMENT OFFICER

1	Name and Address of the unit inspected	M/s. Bindu Ventures, Site No. 2, 1 st Main Road, Rajajinagara Industrial Town, Bengaluru-560 010. Contact Person: Chandrik - Manager
2	Name and address of the complainant	Sri. Srinivas Prabhu Kumble S/o Sri. Narayana Prabhu Kumble, O/o of M/s. Bindu Ventures, Bindu Galaxy Office Complex, Office No. 301, 3 rd Floor, "Bindu Galaxy" First Main, Industrial Town, Rajajinagar, Bengaluru-10 Contact Person: Sri. Srinivas Prabhu Kumble
3	Name and address of the violator	Miss. Karishma P Shah and Sri. Paresh S Shaw. O/o of M/s. Bindu Ventures, Bindu Galaxy Office Complex, Office No.303, 3 rd Floor, Site No. 2, 1 st Main Road, Rajajinagara Industrial Town, Bengaluru-560 010. Contact Person: Sri. Paresh S Shaw - CA
4	BBMP Official present on 07.09.2020	Dr.Rajendra – Medical Officer
5	Date of inspection.	07.09.2020 and 19.09.2020
6	Type of activity of the unit along with category and classification as per Board notification	This is a commercial office complex classified under Large Green category
7	Consent Status	The consent for operation is valid upto 31.12.2020

Preamble :

M/s. Bindu Ventures, is a existing commercial complex located at Site No. 2, 1st Main Road, Rajajinagara Industrial Town, Bengaluru-560 010. The authorities have constructed commercial complex in an total built up area of 8650.70 Sq.Mtr with Basement Floor+Ground Floor+4Upper Floors. The authorities of Bindu Ventures have obtained consent for operation of the Board for the period upto 31.12.2022 for operating the 10 KLD Sewage Treatment Plant and 350 KVA DG Set.

The Board has received a complaint from the association members of Bindu Galaxy Office Complex Owners Welfare Association on 20.03.2020 and also direction from Board legal section that Sri. Srinivas Prabhu Kumble S/o Sri. Narayana Prabhu Kumble, Office No. 301, 3rd Floor, "Bindu Galaxy" First Main, Industrial Town, Rajajinagar, Bengaluru-10 has filed a

R. M. M.

complaint application before the Hon'ble NGT vide No. 158 of 2020(SZ) directions dated 24.08.2020 stating that, Miss. Karishma P Shah and Sri. Paresh S Shah S/o Late Harilal Shah has placed his own/individual diesel generator in the common pathway to third floor of the building and same is causing air and noise pollution. The Hon'ble NGT has directed this office to conduct inspection and submit a report.

In view of this, commercial office complex of M/s. Bindu Ventures and complainant office has been inspected on 07.09.2020 and observed the following:

1. The commercial complex has been occupied by the various small offices.
2. The commercial complex authorities have provided Sewage Treatment Plant of capacity 10 KLD and 350 KVA DG Set, which are under operation during the time of inspection. The acoustic enclosure and required chimney height is provided for 350 KVA DG Set.
3. The commercial complex authorities have provided water supply and power supply to all small offices **except to the office of Miss. Karishma P Shah and Sri. Paresh S Shaw due to their internal dispute.**
4. During visit both the parties have expressed about internal dispute, case filed before court and police station.
5. Miss. Karishma P Shah and Sri. Paresh S Shaw has occupied office No.303 in 3rd Floor of the same building and kept two small DG Sets in the pathway/corridor as they are not having the BESCOM power supply to their office. These two DG Sets are small DG's which are not having acoustic enclosure. One is portable 3 KVA DG Set which is not working at the time of inspection. Sri. Paresh S Shaw informed that it is not being used as the capacity is low. The other one is 5 KVA DG Set which is working on daily 10.00 AM to 5.00PM. Presently, this office is not having BESCOM power supply and water supply.
6. The 5KVA DG Set is a mobile set which is not having acoustic enclosure and chimney. Hence it is causing noise and air pollution to the entire area.

It is opined that in the said commercial complex, both the parties are responsible for complying to the provisions of Air (Prevention and Control of Pollution) Act, 1981. But they are making noise and air pollution to the neighboring offices and surrounding area. Hence both the parties are liable to take action.

Therefore, based on the above non compliance, this office has issued notices to the both parties to solve the problems and to shift the DG Sets. If they failed to comply within the stipulated time, this office will recommend the Board to initiate further course of action as per the provisions of Air (Prevention and Control of Pollution) Act, 1981.

The copy of the notices issued and photographs are enclosed.

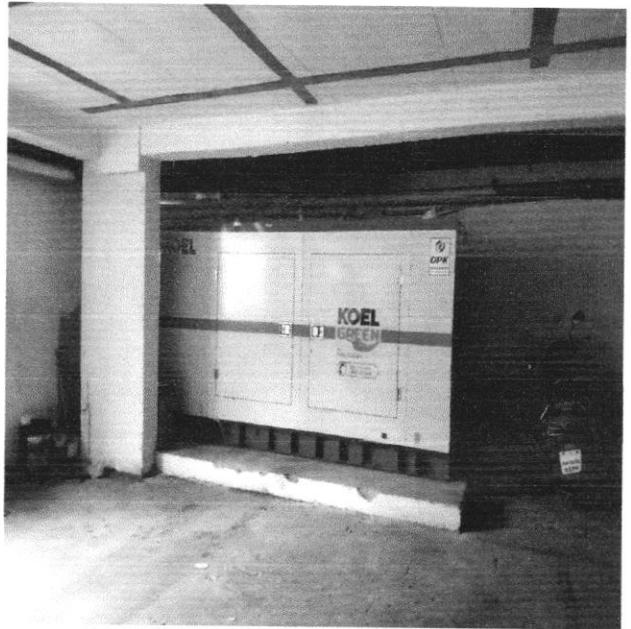
R. H. KM. 9/10/2020
Environmental Officer
RO, Bengaluru City West

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Photographs of Bindu Galaxy, DG Sets



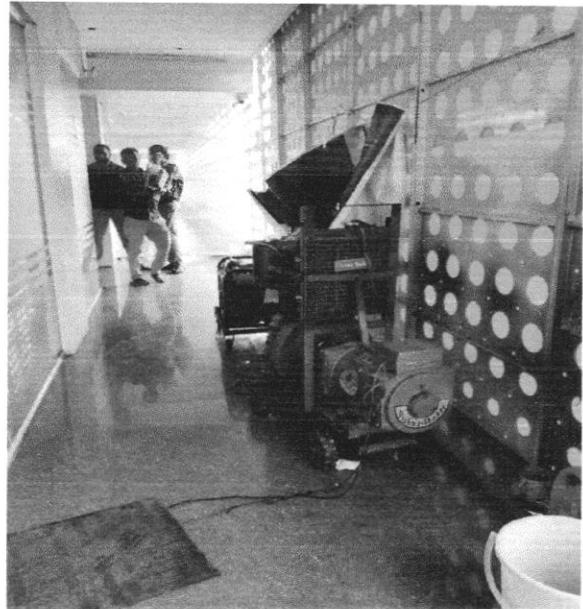
Front view of Bindu Galaxy Commercial Building



Common Generator Set (350 KVA) provided by Bindu Galaxy



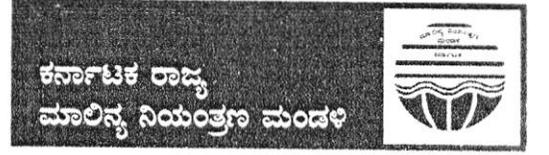
Portable 3 KVA DG Set provided by Miss. Karishma, P. Shah & Sri Paresh S. Shah office No. 303



Portable 5 KVA DG Set provided by Miss Karishma P Shah & Paresh S. Shah, Office No 303 Not provided acoustic enclosure.

Karnataka State Pollution Control Board
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ಶಿವನಗರ, ಬೆಂಗಳೂರು- 560 010.
ದೂ : 080-23229208, 23229281



//BY RPAD//

towards a cleaner Karnataka

No. KSPCB/RO-Bng City West /2020-21/ 306

Date: 9 OCT 2020

To,

The Occupier
M/s. Bindu Ventures,
Site No. 2, 1st Main Road,
Rajajinagara Industrial Town,
Bengaluru-560 010.

Sir,

Sub: Non compliances under the provisions of the Air (Prevention & Control of Pollution) Act, 1981 - reg.

Ref: 1. Board Office Combined consent order No. PCB/28/CNP/171/H673 dated 03.11.2017.

2. Letter of Bindu Galaxy Office Complex Owners Welfare Association dated 20.03.2020

3. Hon'ble NGT Application No. 158 of 2020(SZ) directions dated 24.08.2020

4. Joint inspection of your commercial complex office by officers of BBMP and KSPCB on 07.09.2020.

5. Inspection of your commercial complex office by the undersigned on 07.09.2020 and 19.09.2020.

With reference to the above subject mentioned, it is to be informed that Sri. Srinivas Prabhu Kumble S/o Sri. Narayana Prabhu Kumble, Office No. 301, 3rd Floor, "Bindu Galaxy" First Main, Industrial Town, Rajajinagar, Bengaluru-10 who is a tenant/member of your Welfare Association has filed a complaint application before the Honb'le NGT vide ref (2) stating that, Miss. Karishma P Shah and Sri. Paresh S Shah S/o Late Harilal Shah who is also a tenant/member of your welfare Association has placed his own/individual diesel generator in the common pathway to third floor of the building and same is causing air and noise pollution. The Hon'ble NGT has directed this office to conduct inspection and submit a report. In view of this, your office complex has been inspected and complainant office on 07.09.2020 and observed the following:

- 1) Miss. Karishma P Shah and Sri. Paresh S Shaw are placed the domestic portable generator 3 KVA and 5KVA generator in the common pathway at third floor of your Bindu Galaxy building as a source of power to their office, same is causing obstruction to the complainant office Sri. Srinivas Prabhu Kumble S/o Sri Narayana Prabhu Kumble, Office No. 301, 3rd Floor, "Bindu Galaxy" First Main, Industrial Town, Rajajinagar, Bengaluru-10 and not only to the applicant it is causing noise/air pollution to the surround area of the floor and other neighboring building.
- 2) During the time of inspection employees of the Sri Paresh S Shaw, Chartered Accountant, informed that the Builder/Welfare Association authorities have not given any basic infrastructures including power supply to their office, hence they have placed their own DG sets for the running the office. They have also stated that, "if the

- 4) The emissions generated from the DG sets are causing air pollution to the employees working in and around the area.
- 5) The noise level and smoke released during operation of DG set will cause health hazard to the complainant's as well as to entire 3rd floor and nearby buildings.

You have applied and obtained consent from the Board vide ref(1) to establish and operate the commercial complex by providing the basic infrastructure like space, power, water etc. and to operate Sewage Treatment Plant and 350 KVA DG Set.

During inspection, it has been noticed that due to the internal problem on selling of office complex you have not given the water and power supply to the complainant office of Miss. Karishma P Shah and Sri. Paresh S Shah. Which in turn, they have placed the portable DG Sets and causing noise and air pollution.

In view of your personal problems, the Board has received a complaint from complainant and Bindu Galaxy Office Complex Owners Welfare Association on 20.03.2020 vide ref(2) and one of the your member Sri. Srinivas Prabhu Kumble S/o Sri Narayana Prabhu Kumble has filed an application before the Hon'ble NGT vide ref(3) as they are causing noise and air pollution.

In view of complaint and case filed before Hon'ble NGT, your office complex has been inspected alongwith BBMP Officials on 07.09.2020 and informed to solve the issues by removing the portable DG Sets immediately. To peruse the issues, again your office complex has been inspected on 19.09.2020 and observed that you have not solved the problems and your member continued to operate the portable DG Sets by making noise and air pollution.

Since you are an applicant and obtained the consent in the name of Bindu Ventures for establishing and operating the Office complex, the Board is compelled to take action on the applicant only. Therefore you have been informed to solve the issues immediately and stop the noise and air pollution within **seven (7) days** from the issue of this notice. If you failed to stop the pollution, this office will recommend the Board to initiate further action as per the provisions of Air (Prevention & Control of Pollution) Act, 1981 and you may have to pay environmental compensation for damaging the environment.

Please acknowledge the receipt of this notice.

Yours faithfully

Sd/-

Environmental Officer
RO, Bengaluru City West

Copy to:

1. The Member Secretary, KSPCB, Bengaluru(Infra Cell) for kind information and needful action.
2. The Senior Environmental Officer, Zonal Office, Bengaluru City for kind information and needful action.
3. The President/Secretary, M/s. Bindu Galaxy Office Complex Owners Welfare Association, No.2, 1st Main Road, Industrial Town, Rajajinagar, West Of Cord Road, Bengaluru-560 010 for information. Since you have formed an association for your facility, please rectify and stop the pollution activity and comply to the conditions of the consent issued by Board.
4. Case file.

R. K. M. 9/10/2020
Environmental Officer
RO, Bengaluru City West

//BY RPAD//

No. KSPCB/RO-Bng City West /2020-21/ 307

Date:

09 OCT 2020

To,

Miss. Karishma P Shah and Sri. Paresh S Shaw.

O/o of M/s. Bindu Ventures,
Bindu Galaxy Office Complex,
Unit No.303, 3rd Floor,
Site No. 2, 1st Main Road,
Rajajinagara Industrial Town,
Bengaluru-560 010.

Sir,

Sub: Non compliances under the provisions of the Air (Prevention & Control of Pollution) Act -1981 - reg.

Ref: 1. Honbl'e NGT Application No. 158 of 2020(SZ) directions dated 24.08.2020

2. Inspection of your commercial office on 07.09.2020 and 19.09.2020

With reference to the subject mentioned above, Sri. Srinivas Prabhu Kumble s/o Sri Narayana Prabhu Kumble, Office No. 301, 3rd Floor, "Bindu Galaxy" First Main, Industrial Town, Rajajinagar, Bengaluru-560010 has filed a complaint application at Hon'ble NGT vide ref (1) stating that, you have placed a diesel generator in the common pathway to third floor of the building, same is causing air pollution and noise pollution. The Hon'ble NGT directed this office to conduct inspection and submit a report. In view of this your office was inspected on 07.09.2020 and observed the following:

- 1) You have placed the domestic portable generator 3 KVA and 5KVA generator in the common pathway at third floor of the Bindu Galaxy building as a source of power to your office, same is causing obstruction to the complainant office and not only to the applicant it is causing noise and air pollution to the surround area of the floor and other neighboring building.
- 2) The said DG sets are not provided with any air pollution control measures such as Acoustic measure/required chimney.
- 3) The noise and smoke generated from the DG sets are causing air pollution to the employees working in your office and also to the surrounding area.

During inspection, you have stated about the internal dispute on purchase and occupancy of your office area. Therefore, you have been appraised about air and noise pollution and informed to shift the portable DG Set to the basement floor. But, so far you have neither removed nor shifted the portable DG Sets and continued to operate the DG Sets by making noise and air pollution in the office complex area.

Please note that operating of DG Sets in excess of the noise standards and causing the air

the noise standards and causing air pollution are liable to punish under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and you may have to pay environmental compensation for damaging the environment.

In view of the above, you are hereby once again informed to shift the DG Sets within **seven days** from the date of issue of this notice. Failing which, legal action will be initiated under the provisions of Air (Prevention & Control of Pollution) Act 1981 without any further correspondence.

Yours faithfully

P. M. K. M. 9/10/2020
Environmental Officer
RO, Bengaluru City West