

BEFORE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI.

O.A.No.77 OF 2022 (SZ)

Sri Paramesh V

...Applicant

-Vs-

The Commissioner,

Burhat Bengaluru Mahanagara Palike & others

...Respondents

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1.	COMPLIANCE REPORT FILED ON BEHALF OF THE 4 TH RESPONDENT – KARNATAKA STATE POLLUTION CONTROL BOARD	

Dated at Chennai on this the 30th day of October, 2023



COUNSEL FOR 4TH RESPONDENT

No. KSPCB/RO-MDP/SV Elegant/2023-24/372

Date: 26 JUN 2023

To

The Member Secretary
KSPCB, Bengaluru

URGENT: Hon'ble NGT Matter

Kind Attention: SEO (Infra Cell)

Sir,

Sub: Forwarding latest report in respect of **Hon'ble NGT OA No.77/2022** pertaining to Residential Apartment by M/s. Venkateshwara Builders (in the name of SV Elegant), at Sy. No. 2/1 & 2/7 Kumbena Agrahara village, BBMP Khata No.439, Bidarahalli Hobli, Bengaluru East Taluk, Bengaluru -reg

- Ref:**
- 1.RSEO -BNG-(East) office memo No.11 dated: 19.4.2022
 2. Inspection of the said apartment by the DEO of this office on 27.4.2022
 3. This office notice no. 193 dated: 17.5.2022
 4. BO memo No.1171 dated: 17.5.2022
 5. This office letter No.372 dated: 17.6.2022
 6. Hon'ble NGT OA No.77/2022 dated: 18.7.2022 filed by Sri. Paramesh V through advocate on 22.7.2022
 7. This office letter No.561 dated: 01.8.2022
 8. This office e-mail dated 19.08.2022
 9. Inspection of the apartment again by the DEO of this office on 24.8.2022 & this office report vide no.701 dated 24.08.2022
 10. This office letter vide no.108 dated 01.09.2022
 11. B.O email dated 22.09.2022
 12. T.O ltr no. 850 dtd. 27.09.2022
 13. BO. Ltr No. PCB 30 Infra NGT 2022/4742 dtd. 14.10.2022
 14. T.O. ltr No.1616 dtd. 20.02.2023
 15. Hon'ble NGT order dtd. 28.02.2023
 16. This office letter vide no. 1690 dated 04.03.2023
 17. Hon'ble NGT order dtd. 06.03.2023
 18. BO. Ltr No. PCB 30 Infra NGT 2022/528 dtd. 28.04.2023
 19. This office letter vide no.70 dated 02.05.2023
 20. BO letter vide no.827 dated 19.05.2023
 21. Inspection of the apartment by the undersigned of this office on 23.06.2023

With reference to the above subject, it is to be informed that, earlier, this office had addressed a letter to the B.O vide ref (12) w.r.t assessment of Environmental compensation (EC) against the P/A viz., M/s. Venkateshwara Builders for their apartment by name **SV Elegant** located at above said address as per the directions of Hon'ble NGT vide its order dated 19.09.2022 in respect of **OA no. 77/2022**. Further, the Board Office had levied EC of Rs. 46,12,500/- (from 27.4.2022 to 7.10.2022=164 days) and issued demand note to the project authorities vide ref (13) and this office had also issued one more notice in

Ins.

this regard to the project authorities vide ref (14) to the apartment address for payment of EC for Rs 46,12,500/-. Later, as the P/A had failed to pay the same nor submitted any reply, this office had addressed a letter to B.O vide ref (16) by assessing EC for further period and informed to bring this to the notice of Hon'ble NGT in next hearing.

Later, the case had been disposed on 06.03.2023 vide ref (17) wherein KSPCB was directed to carry forward the already levied EC in the manner known to Law and the matter has been listed on **03.07.2023** for reporting compliance. Also, Board Office had levied EC of Rs. 87,18,750/- (from 27.4.2022 to 04.03.2023=310 days) and issued demand note to the project authorities vide ref (18). However, meanwhile, this office had addressed a letter to B.O vide ref (19) wherein it was requested to give necessary directions to this office on how to go forward as the P/A has not yet paid EC nor replied to EC notice till date. Subsequently, in continuation to this, the BO has addressed a letter to The Deputy Commissioner vide ref (20) requesting to recover the said amount of Rs.87,18,750/- from the P/A as arrears of land revenue. Copy enclosed. Also, in the said letter of this office, it was stated that, the apartment will be inspected for verifying the latest status.

In view of this, the apartment was inspected by the undersigned of this office vide ref (21) to verify the present status and the inspection report of the same is herewith enclosed for kind reference.

This is submitted for your kind information and further needful for further needful and to file it before Hon'ble NGT for next hearing **on or before 03.07.2023.**

Encl: As above.

Yours faithfully
Sd/-

Environmental Officer
RO-Mahadevapura

Copy submitted to:

1. Law Officer, Legal Cell, KSPCB, Parisara Bhavana, Bengaluru for kind information and necessary action.
2. Office copy.

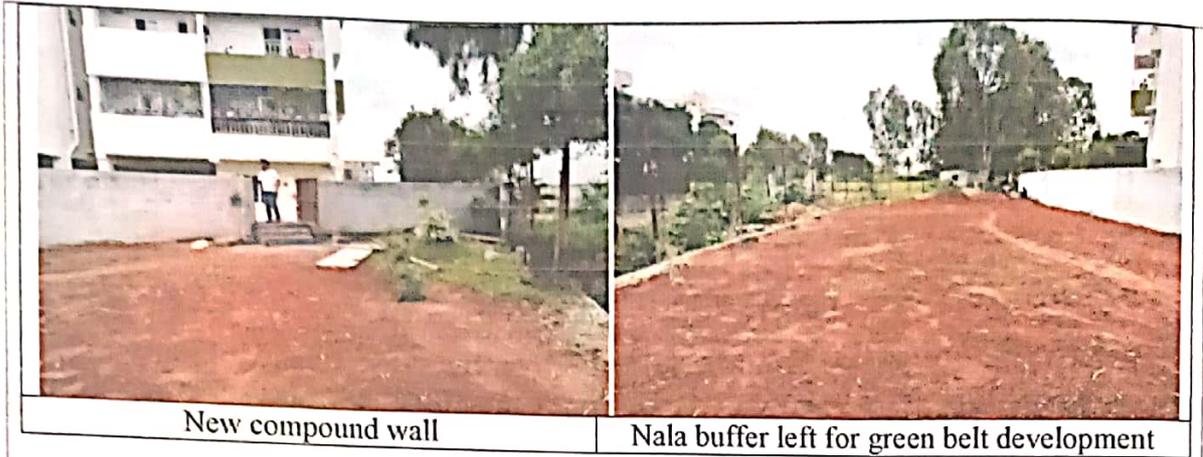
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Environmental Officer
RO-Mahadevapura

**Inspection Report of Sri. D.P.Mahendra, Environmental Officer, KSPCB, Regional Office-
Mahadevapura, Bengaluru**

Name and address of the project.	Residential Apartment by M/s. Venkateshwara Builders in the name of "SV Elegant", at Sy. No. 2/1 & 2/7 Kumbena Agrahara village, BBMP Khata No.439,Bidarahalli Hobli, Bengaluru East Taluk, Bengaluru .
Date of Inspection	23.06.2023
Person contacted	Sri.Giri Babu G.K-Partner, M/s. Venkateshwara Builders
Category	Large Orange (Sewage generation Less than 100 KLD)
CFE status	The project authorities have obtained the CFE from the Board vide order No.H-633 on 29.8.2018 for construction of Residential Apartment with 64 flats having TBUA of 8930.94 sqmtr with STP capacity of 45 KLD at Sy No.2/1 of Kumbena Agrahara village, Bidarahalli Hobli, Bangalore East Taluk. Further, they have obtained the CFE-Expn from the Board vide order No.CTE-322763 on 6.1.2021 for construction of from 64 flats to 108 Flats and TBUA from 8930.94 sq.mtr to 14,314.72 sq.mtr and STP from 45 KLD to 60 KLD.
Building Plan Approved from BBMP authorities	Obtained approved building plan from BBMP authorities on 11.02.2020 for construction of Residential Apartment with 108 Flats having total BUA of 14,314.72 sq.mtr comprising of SF+GF+3 UF+TF.
Consent status	Obtained the consent for operation under Water Act for the period up to 30.09.2030 for operation of 60 KLD STP in the premises of Residential Apartment having 108 flats with TBUA of 14,314.72 sq. m comprising of BF+ GF + 3 UF.

The **Hon'ble NGT OA No.77/2022** case w.r.t above said apartment project had been disposed on 06.03.2023 wherein KSPCB was directed to carry forward the already levied EC in the manner known to Law and the matter has been listed on **03.07.2023** for reporting compliance. In view of the said disposal order, this office had addressed a letter to B.O vide no.70 dated 02.05.2023 wherein it was requested to give necessary directions to this office on how to go forward as the P/A has not yet paid EC nor replied to EC notice till date. Also, in the said letter of this office, it was stated that, the apartment will be inspected for verifying the latest status.

In view of this, the apartment was inspected by the undersigned of this office on 23.06.2023 to verify the present status and noted that, the P/A has demolished all the civil structures in nala buffer including compound wall and constructed new compound wall leaving the nala buffer and the buffer area is reserved for green belt development. The photographs taken during inspection are as below:



New compound wall

Nala buffer left for green belt development

Recommendation:

The latest inspection report is herewith forwarded to B.O, as the next hearing is coming up on 03.07.2023.


Environmental Officer
RO-Mahadevapura