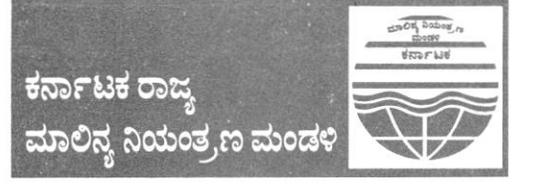


Regional Office - Nelamangala
Karnataka State Pollution Control Board
1st Floor, Urban Eco Park,
100 Feet Road, 3rd Phase,
Peenya Industrial Area, Bengaluru-560 058.
Telefax: 080-28390499

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ನೆಲಮಂಗಲ
1ನೇ ಮಹಡಿ, ಅರ್ಬನ್ ಇಕೋ-ಪಾರ್ಕ್,
100 ಅಡಿ ರಸ್ತೆ, 3ನೇ ಹಂತ,
ಪೀನ್ಯಾ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ,
ಬೆಂಗಳೂರು-560 058.
Email: nelamangala@kspcb.gov.in



towards a cleaner Karnataka

No. PCB/RO-NEL/2020-21/ 1252

Date: 16 FEB 2021

To

✓ The Member Secretary
Karnataka State Pollution Control Board
#49, Parisara Bhavan, Church Street
Bangalore-01

"Kind Attn : Vijikerthikeyn, SEO "

Sir,

Sub: Forwarding of Joint inspection report with respect to O.A. No. 258 of 2020 (SZ) of Hot mix plant Sy No. 138 & 22/4, Gundenahlli Village, Thyamagondlu Hobli , Nelamangala tq, Bangalore Rural dist- reg

Ref: 1. Board office memorandum dated 25.01.2021
2. Inspection of the Hot mix plant on 06.02.2021

With respect to above subject and reference, it is brought to your kind notice that the above said Hot mix plant was inspected by Deputy commissioner, Bangalore rural dist and RSEO Bangalore North on 06.02.2021 as per the Board office memorandum cited at ref(1). Please find herewith enclosed the copy of the same for your kind reference.

Yours faithfully

Environmental Officer
RO-Nelamangala

1064
17/2/21

17/2/2021
18/2/2021

8

REPORT OF THE JOINT COMMITTEE IN THE MATTER OF O.A No 258 OF 2020 (SZ) SUBMITTED BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI, AS PER ORDERS DATED 16.12.2020.

1.0 PREAMBLE

In the Original Application No. 258 of 2020 (SZ), filed by Sri Kirankumara Vs State of Karnataka & Ors, the Hon'ble National Green Tribunal (NGT), Chennai issued Orders on 16.12.2020 with the following directions:

9. In order to ascertain the genuineness of the allegations and also violations alleged, we feel it appropriate to appoint a Joint Committee comprising (1) Deputy Commissioner, Bangalore Rural District/ District Collector, Bangalore Rural district whoever, may be the administrative head of the District or a Senior Officer not below the rank of Sub Divisional Magistrate or Assistant Collector deputed by the District Collector/ Deputy Commissioner, Bangalore Rural and (2) a Senior Officer from Karnataka State Pollution Control Board (KSPCB) as directed by the Chairman to inspect the area in question and submit a actual as well as action taken report, if there is any violation found.

10. The committee is directed to ascertain as to whether the 5th respondent is having all necessary permissions and clearance required for the purpose of establishment of the unit and whether they are complying with the conditions of permissions or clearances if any granted and whether the pollution control norms which they are expected to maintain are in order and if there is any violation, what is the nature of action taken by the regulating authority including imposition of environmental compensation as directed by this Tribunal in several cases of this nature and also to ascertain as to whether the unit is established in any of the prohibited zone under the TGR Notification, 2003.

11. *The Karnataka State Pollution Control Board (KSPCB) will be the nodal agency for co-ordination and also for providing necessary logistics for this purpose.*

Pursuant to the directions of the Hon'ble NGT, the Karnataka State Pollution Control Board constituted Joint committee consisting of following officers (Annexure-1);

Sl. No	Name & Designation	Designated in the committee
1	The Deputy Commissioner/ District Collector, Bengaluru Rural District, Karnataka	Chairman
2	The Zonal Senior Environmental Officer, Karnataka State Pollution Control Board, Bangalore North	Member
3	The Environmental Officer, Regional Officer- Nelamangala Karnataka State Pollution Control Board, Nelamangala Tq- Bangalore	Convener

2.0. TERMS OF REFERENCE FOR THE JOINT COMMITTEE:

The Committee shall inspect and ascertain as to whether the occupier of the Hot Mix Plant has got all the necessary permissions and clearances required for the purpose for the establishment of the unit and whether they are complying with the conditions of permissions or clearances if any, granted and whether the pollution control norms are in order and if there is any violation, nature of the action taken by the Regulating Authority including imposition of environmental compensation as directed in several cases by the Tribunal and to ascertain whether the unit is established in any of the prohibited zone under the TGR Notification, 2003.

3.0 INSPECTION BY THE JOINT COMMITTEE

The Joint Committee inspected the hot mix plant on 06.02.2020. The complainant was contacted over mobile phone which was furnished in the OA and there was reply that "wrong number". The owner of hot mix plant was also informed to be present during inspection.

The following committee members were present;

Sl. No.	Name and designation	Designated in the committee
1	Sri P.N Ravindra, IAS, Deputy Commissioner, Bangalore Rural District	Chairman
2	Sri.Siddaramaiah C, Senior Environmental Officer, Karnataka State Pollution Control Board, Zonal Office- Bangalore North	Member
3	Sri. Bhim Singh Gowgi, Regional Officer, KSPCB, Nelamangala	Convener

Other Officers present during inspection are:

Sl. No.	Name and designation	Department
1	Sri. R. Bhaskar, Assistant Environmental Officer,	RO, KSPCB, Nelamangala
2	Sri Manjunath K, Thhsildar, Nelamangala	Revenue Department
3	Sri Mahesh Revenue Inspector, Thyamagondlu	Revenue Department

Owner of the hot mix plant Sri. Arun Kumar was also present. Complaint Sri Kirankumara was absent.

4.0 ABOUT THE HOT MIX PLANT

1. Sri K Arunkumar had established hot mix plant in the name M/s Arya Hot mix plant (SMH Enterprises) at Sy No. 22/4 of Gundenahalli Village, Thyamagondlu Hobli, Nelamangala Tq, Bangalore Rural dist, without obtaining consent to Establish/ Operate by the Karnataka State Pollution Control Board (KSPCB).
2. The residents of Gundenahalli village, Thyamagondlu Hobli, Nelamangala Taluq had filed complaint before Karnataka State Pollution Control Board, Regional Office-Nelamangala on 05.02.2019 against illegal operation of hot mix plant and dust and air pollution problem to the public (Annexure-2)

3. On receipt of the complaint, the plant was inspected by the Environmental Officer of Regional Office, Nelamangala on 13-02-2019, and the detailed inspection report was forwarded to head office with recommendations to issue closure order as the plant was established without valid consent of the Board and also causing air and sound pollution in the surrounding area (Annexure-3).
4. Further, Mrs. Puttalakshmamma and Mrs. Bhagya, residents of Gundenahalli village had filed one more complaint against the same plant with regard to illegal operation of the Hot Mix Plant (Annexure-4). The plant was inspected by the Environmental Officer of Regional Office, Nelamangala on 17-02-2020 and issued notice on 17.02.2020 based on the observations (Annexure-5). The plant owner submitted the compliances to Regional Office, Nelamangala on 24-02-2020 (Annexure-6).
5. The Environmental Officer of the Regional Office, Nelamangala had inspected unit on 29-02-2020 to verify the compliances made and it was observed that plant had complied with the notice issued by the Regional Office, Nelamangala dated 17-02-2020.
6. The plant owner submitted Form – XIII and Form-I applications through xgn software seeking consent under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for the operation of hot mix plant at Sy. No. 22/4 of Gundenahalli Village, Nelamanagala Taluk, Bengaluru Rural District with hard copy of the applications to Regional Office, Nelamangala on 02-03-2020 (Annexure-7).
7. On verification of the record submitted along with application by the applicant, the Deputy Commissioner, Bengaluru Rural District had converted the land for industrial purpose (brick manufacturing) at Sy. No. 22/4, Gundenahalli Village, Nelamangala Taluk for an area of 35gunta vide order dtd 07-08-2019 (Annexure-8).
8. Since the KSPCB is not insisting land conversion for establishment of industries (Annexure-9), the application was forwarded to Senior Environmental Officer, Bengaluru North on 03-03-2020 (Annexure-10) with recommendations to issue consent under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 as all the Sy. Nos. of Gundenahalli village falls under Zone-I (Sl. No. 266) as per TGRCA notification dated 18-11-2003, where in all industries are allowed to be established except stone quarries and stone crushers. (Annexure-11)

9. As per the recommendations of the Regional Office, Nelamangala, Senior Environmental Officer, Bengaluru North has issued consent under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for the period upto 30-09-2029 for operation of the Hot Mix Plant (Annexure-12).

5.0 OBSERVATIONS MADE BY THE COMMITTEE AT THE TIME OF INSPECTION ON 06.02.2020;

1. The hot mix plant was not in operation and it was informed that, the plant operates intermittently as and when they get the order of road works. Cement brick manufacturing activity was observed on the eastern side at sy no. 22/4(Location map enclosed as Annexure-13).
2. They had provided scrubber to hot mix plant as air pollution control measure and provided zinc sheet barricade towards south and western side of the plant, masonry compound towards east. Mango plantations of the owner exist on northern side.
3. Karnataka State Pollution Control Board had monitored the ambient air quality near the plant using mobile monitoring vehicle for 24hrs on 05-01-2021 to 06-01-2021 and parameters are meeting the standards stipulated. Copy of the report is enclosed as (Annexure-14).
4. The hot mix plant was established in the Sy. No. 22/4 of Gundenahalli Village, Nelamangala Taluk, Bengaluru Rural District, but, not in the Sy.No. 136 as mentioned in the OA. The location of the plant in the present case is 1.35km form Kumadhathi River. As per the TGR notification, 2003, the said location falls under Zone-IV, where, only green category industry is allowed. As per the Board reclassification of the industry dated 15-06-2016, hot mix plant falls under Orange category and the said activity is not permitted in zone-IV (Annexure-15).
5. There were few residences built at an approximate distance 45m from the plant.
6. The land has been converted for industrial purpose (brick manufacturing unit) at Sy. No. 22/4, Gundenahalli Village, Nelamangala Taluk, but, land owner has established the hot mix plant in the converted land illegally.

6.0. DECISION OF THE COMMITTEE:

1. As informed by the Regional Officer, KSPCB, all the survey numbers of Gundenahalli village falls under Zone-1 of TGRCA Notification, where all types of industries are allowed to be established except stone quarries and stone crushers. Actually the village Gundenahalli printed at Sy No. 266 under TGRCA Notification comes under Sompura Hobli, where as the Gundenahalli at present case comes under Thyamagondlu Hobli. In the said notification, the villages have not been printed Hobli wise. On verification of the notification, it was observed that the name of Gundenahalli at present case has been wrongly printed as Guddenahalli (Narasapura) under serial No. 265 of TGRCA Notification, and hence it has led to confusion while deciding the zones. As per the notification, part of village comes under zone-III and part of village comes under zone-IV. In zone-III, only agriculture activity are allowed and in zone-IV only green category industries are allowed to be established. Hence, the committee decided to withdraw the consent issued by KSPCB by following procedure since the activities comes under orange category which is not permitted in zone-IV, including levying Environmental compensation as below;
2. The Environmental Compensation has been calculated by using following formula:

$$EC = PI \times N \times R \times S \times LF$$

EC = Environmental compensation (in Rs)

PI = Pollution Index of industrial sector

N = Number of days of violation took place

R = A factor in Rupees for Environmental compensation

S = Factor for scale of operation

LF = Location factor

Note:

- a. PI Shall be calculated, based on the prescribed scoring methodology given in CPCB document, wherever the PI score is not available. It was suggested that the average pollution index of 80, 50 and 30 may be taken for calculating the environmental compensation for Red, Orange and Green categories of industries respectively.
- b. R is a factor in Rupees, which may be a minimum of 100 and maximum of 500. It is suggested to consider R as 250, as the environmental compensation in cases of violation.
- c. S could be based on small/medium/large industry categorisation or volume of effluent discharge per day / fuel consumed per day with

- variable weightage shall be 0.5 for micro or SSI units, 1.0 for medium and 1.5 for large units.
- d. LF could be 1.5 for the units located in critically polluted areas/ecologically sensitive areas/ proximity to large habitations. The scope if LF will be examined further for listing ecologically sensitive areas and proximity to large habitations.
- e. N = 385 days (from the date of first inspection to the date of issue of consent)

Hence, the EC = $50 \times 385 \times \text{Rs. } 250 \times 0.5 \times 1.5 = \text{Rs. } 36,09,375/-$

It was decided to send the above proposal of environmental compensation to the Member Secretary, Karnataka State Pollution Control Board for issue of EC demand notice.

3. Land conversion has been issued for the purpose of brick manufacturing. Since the owner of land has mis used the land for which it was converted, the committee decided to withdraw the land conversion order issued vide dtd 07.08.2019.


(C. Siddaramaiah)

**Senior Environmental Officer
KSPCB, Bangalore North**


(Sri P.N. Ravindra, IAS)
**Deputy Commissioner
Bangalore Rural dist**

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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾನವ ನಿಯಂತ್ರಣ ಪರಿಷತ್
Karnataka State Pollution Control Board

"ಪರಿಸರ ಭವನ", 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
"Parisara Bhavan", 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

No. PCB/SEO/MIN/NGT/2020-21 4721

Date: 25 JAN 2021

OFFICE MEMORANDUM

Sub: Constitution of Joint Committee to obtain the status of the operation of the Hot Mix Plant located at Sy. No. 138 & 22/4, Gundenhalli Village, Thyamagondlu Hobli, Nelamangala Taluk, Bengaluru Rural District - reg.

Ref: National Green Tribunal, Southern Zone, Chennai order dated: 16.12.2020 in the O. A. No. 258 of 2020 (SZ).

<<<<>>

Preamble:

The Hon'ble National Green Tribunal, Southern Zone, Chennai has passed an order Dated: 16.12.2020 cited at ref regarding the allegation made on illegal operation of the above said Hot Mix Plant without obtaining Consent for Establishment and Consent for Operation and running the plant in a prohibited eco-sensitive area under the Tippagondanahalli Reservoir Notification (TGR) dated: 08.11.2003 issued by the Government of Karnataka. It is stated that, the authorities of the Hot Mix Plant have also not obtained necessary permission for conversion of the agricultural land for the industrial purpose as required under the Karnataka Land Reforms Act. The operation of the Hot Mix Plant is causing serious air pollution in the locality affecting the health of the people.

The Hon'ble National Green Tribunal has directed the Karnataka State Pollution Control Board (KSPCB) to initiate action against the Hot Mix Plant for non-compliance of siting guidelines issued by the Board and to frame guidelines for setting up of Hot Mix Plant in the State of Karnataka so far as the Hot Mix Plant considered to be the plant emits more toxic substances into the environment which causes vulnerable disease to the human beings.

In this background, to ascertain the genuineness of the allegations and violations alleged, the Hon'ble National Green Tribunal felt it appropriate to appoint a Joint Committee to get the present status of the operation of the said Hot Mix Plant to get the factual as well as action taken report.

In view of the above, the Hon'ble National Green Tribunal, Southern Zone, Chennai, the KSPCB hereby appoints a Joint Committee consisting of Officers from the following Departments:

Sl. No.	Name & Designation	Details
1.	The Deputy Commissioner/District Collector, Bengaluru Rural District, Karnataka	Chairman
2.	The Zonal Senior Environmental Officer, Karnataka State Pollution Control Board, Bengaluru North	Member
3.	The Environmental Officer, Regional Officer - Nelamangala Karnataka State Pollution Control Board, Nelamangala Taluk, Bengaluru	Convener

The Committee shall inspect and ascertain as to whether the authorities of the Hot Mix Plant is having all the necessary permissions and clearances required for the purpose for the establishment of the unit and whether they are complying with the conditions of permissions or clearances, if any, granted and whether the pollution control norms are in order and if there is any violation, nature of the action taken by the Regulating Authority including imposition of environmental compensation as directed in several cases by the Tribunal and to ascertain whether the unit is established in any of the prohibited zone under the IGR Notification, 2003.

It is requested to nominate the Officers from your department for the joint inspection. The matter may be treated as 'most urgent' since KSPCB is the Nodal agency for co-ordination and is required to submit the **Joint Inspection report within 27.01.2021, the same shall be submitted to the Hon'ble NGT on or before 28.01.2021.**

Enclosures:

- i. Copy of the Board meeting memo No. 1294 dated: 03.06.2017 on siting guidelines for establishment of Hot Mix Plant and Ready Mix Concrete.
- ii. NGT order dated: 16.12.2020 in the O.A. No. 259 of 2020 (SZ).

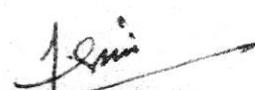
Sd/-
CHAIRMAN
KARNATAKA STATE POLLUTION CONTROL BOARD

To,

1. The Deputy Commissioner/District Collector,
Bengaluru Rural District,
Karnataka
2. The Zonal Senior Environmental Officer,
Karnataka State Pollution Control Board,
Bengaluru North
3. The Environmental Officer,
Regional Office,
Karnataka State Pollution Control Board,
Nelamangala

Copy to:

1. The Zonal Senior Environmental Officer, KSPCB, Bengaluru North instructed to co-ordinate for conducting the Joint inspection with the Chairman of the committee immediately and to submit the Joint inspection report on top priority and since it is required to forward it to the Hon'ble NGT within the stipulated time.
2. The Environmental Officer, Regional Office, Karnataka State Pollution Control Board, Nelamangala is instructed to co-ordinate with the Zonal Senior Environmental Officer, KSPCB, Bengaluru North for conducting Joint inspection to submit the report within 27.01.2021.
3. Case File


MEMBER SECRETARY
KARNATAKA STATE POLLUTION CONTROL BOARD

28/1/2021
25/1

ದಿನಾಂಕ:- 04/02/2019

ರವರಿಗೆ.

ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರು, ಕೊಪ್ಪಳ ರೀಡ್‌ಮಿಂಗ್ಸ್.
ಮಾನ್ಯ ನಿಯಂತ್ರಣಾ ಮಂಡಳಿ,
ಪಿಣ್ಯ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ,
ಪಿಣ್ಯ, ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ:- ನೆಲಮಂಗಲ ತಾಲ್ಲೂಕು ತ್ಯಾಮಗೊಂಡ್ಲು ಹೋಬಳಿ ಗುಂಡೇನಹಳ್ಳಿ ಗ್ರಾಮದಲ್ಲಿ
ಅಕ್ರಮವಾಗಿ ಹಾಗೂ ಕಾನೂನು ಬಾಹಿರವಾಗಿ ಟಾರ್ ಪ್ಲಾಂಟ್ ನಡೆಯುತ್ತಿದ್ದು
ಇದನ್ನು ತಡೆಹಿಡಿಯುವ ಬಗ್ಗೆ,

ಈ ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ನೆಲಮಂಗಲ ತಾಲ್ಲೂಕು ತ್ಯಾಮಗೊಂಡ್ಲು
ಹೋಬಳಿ ಗುಂಡೇನಹಳ್ಳಿ ಗ್ರಾಮಸ್ಥರು ಮಾಡಿಕೊಂಡ ಮನವಿ ಎನೆಂದರೆ ಗುಂಡೇನಹಳ್ಳಿ ಗ್ರಾಮದ
ಸರ್ವೆ.ನಂ22/4 2 ಎಕರೆ 34 ಗುಂಟೆ ಜಮೀನಲ್ಲಿ ಅರುಣ್‌ಕುಮಾರ್.ಕೆ.ಬಿನ್ ಕೃಷ್ಣಪ್ಪ ಎಂಬುವರು
ಗುಂಡೇನಹಳ್ಳಿ ದಾಖಲೆ ಹನುಮಂತೇಗೌಡಪಾಳ್ಯದ ನಿವಾಸಿಯಾಗಿದ್ದು ಇವರು ಯಾವುದೇ ಸ್ಥಳೀಯ
ಸಂಸ್ಥೆಯಿಂದಾಗಲಿ, ನೆಲಮಂಗಲ ಯೋಜನಾ ಪ್ರಾಧಿಕಾರದಿಂದಾಗಲಿ ಅಥವಾ ಸರ್ಕಾರದಿಂದಾಗಲಿ
ಅನುಮತಿಯನ್ನು ಪಡೆಯದೆ ಟಾರ್ ಪ್ಲಾಂಟ್ ನಡೆಸುತ್ತಿದ್ದು ಸದರಿ ಟಾರ್ ಪ್ಲಾಂಟ್‌ನಿಂದ ಬರುವ
ಹೊಗೆ ಮತ್ತು ಧೂಳು ಪಕ್ಕದಲೇ ಇರುವ ಗುಂಡೇನಹಳ್ಳಿ ಗ್ರಾಮ, ಗುಂಡೇನಹಳ್ಳಿ ಎಸ್ಪಿ ಕಾಲೋನಿ,
ಮತ್ತು ಸುಬ್ರಮಣ್ಯ ನಗರದ ಗ್ರಾಮಸ್ಥರು ಇದರಿಂದಾಗಿ ಅನಾರೋಗ್ಯಕ್ಕೆ ಒಳಗಾಗುತ್ತಿರುತ್ತಾರೆ ಹಾಗೂ
ಬೆಳೆ ನಾಶವಾಗುತ್ತಿದೆ, ಗಿಡ ಮರಗಳಿಗೆ ಹಾನಿಯಾಗುತ್ತಿದೆ.

ಸದರಿ ಪ್ಲಾಂಟ್ ನಡೆಸುತ್ತಿರುವ ಜಮೀನು ಹಸಿರು ವಲಯದ ಕುಮುದ್ವತಿ ನದಿ ಪಾತ್ರದ
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ಅವಕಾಶವಿರುತ್ತದೆ. ಈ ಸ್ಥಳದಲ್ಲಿ ಅನ್ಯ ಚಟುವಟಿಕೆಗಳನ್ನು ನಡೆಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ ಹಾಗೂ
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ಮಾನ್ಯವಾಗುತ್ತಿದೆ. ಆದ್ದರಿಂದ ತಾವುಗಳು ಸದರಿ ಪ್ಲಾಂಟ್‌ನ್ನು ಸ್ಥಗಿತಗೊಳಿಸ ಬೇಕೆಂದು ಮತ್ತು
ಕಾನೂನು ರೀತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ತಮ್ಮಲ್ಲಿ ಕಳಕಳಯಿಂದ ಕೇಳಿಕೊಳ್ಳುತ್ತೇವೆ.

ವಂದನೆಗಳೊಂದಿಗೆ
ಕೊಪ್ಪಳ ಸರ್ಕಾರಿ ಕೃಷಿ ವಿಜ್ಞಾನ ಕಾಲೇಜು
ಮುಖ್ಯ ಕ್ರಮಕ್ಕೆ ವಾಹಿನಿ,
ಸಹಕರ/ಲವರು



ಇಂತಿ ಗ್ರಾಮಸ್ಥರು

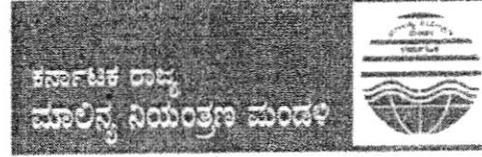
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Regional Office - Nelamangala
Karnataka State Pollution Control Board
1st Floor, Urban Eco Park
100Ft. Road, 3rd Phase
Peenya Industrial Area, Bangalore - 560 058.
Ph. : 080-28390499 Cell : 9845311465
e-mail : nelamangala@kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ನೆಲಮಂಗಲ
1ನೇ ಮಹಡಿ, ಅರ್ಬನ್ ಎಕೋ-ಪಾರ್ಕ್
100 ಅಡಿ ರಸ್ತೆ, 3ನೇ ಹಂತ,
ಪೀನ್ಯಾ ಕೈಗಾರಿಕಾ ಪ್ರದೇಶ
ಬೆಂಗಳೂರು - 560 058.



towards a cleaner Karnataka

NO. PCB/88/NEL/2018-19/ 797

DATE: 5 MAR 2019

To
Member Secretary,
Karnataka State Pollution Control board
"Parisara Bhavan" 5th floor, Church street
Bangalore -560001

DISPATCHED

Sir,

Kind Attn : Complaint and Enforcement cell

Sub: Forwarding the Inspection report of M/s. Arya Hot Mix Plant (SMH Groups),
Sy No 138, Gundenhalli, Thyamagondlu Hobli, Nelamangala Tq, Bangalore Rural
District - reg.

Ref: 1) Complaint received from Gundenahalli residents Dated 5/2/2019
2) This office Inspection on 13/2/2019

With reference to the above, please find herewith enclosing the detailed Inspection Report the undersigned with respect to complaint received against M/s. Arya Hot Mix Plant (SMH Groups), Sy No 138, Gundenhalli, Thyamagondlu Hobli, Nelamangala Tq, Bangalore Rural District It is recommended to issue closure directions under the provisions of Water Act and Air Act consent under Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981.

Yours faithfully,

ENVIRONMENTAL OFFICER
RO- NELAMANGALA

Encl:

- 1) Copy of Compliant
- 2) Inspection Report

**INSPECTION REPORT OF SRI.RAMESH.K.M, ENVIRONMENTAL OFFICER,
REGIONAL OFFICE, NELAMANGALA**

Officer Accompanied : Sri. Bhaskar.R AEO

**NAME & ADDRESS OF THE INDUSTRY : M/s. Arya Hot Mix Plant (SMH
Groups), Sy No 138, Gundenhalli ,
Thyamagondlu Hobli, Nelamangala Tq,
Bangalore Rural District**

DATE OF INSPECTION : 13/02/2019

CATEGORY : Orange as per the Board Notification

PERSON CONTACTED : Sri. M.D. Khadhar – Incharge

**COMPLAINANTS PRESENT : Sri. Manjunath
Smt. Puttamma
Smt. Narayanamma
Smt. Bhagyamma
Smt. Vanajakshi
Smt. Prema
Smt. Saraswathamma
Sri. Vasim**

PREVIOUS CONSENT STATUS : Not obtained consent from Board

TGRCA ZONE AS PER NOTIFICATION : ZONE-3 & 4 (Part of Gundenahalli village)

GPS Location : 13.21350 N, 77.319445E

Preamble:

The residents of Gundenahalli Village had submitted complaint to this office on 5/2/2019 and informed that there is one Hot Mixing plant is operating at Sy no 22/4 of Gundenahalli village and causing Air pollution and sound pollution and due to which surrounding environment is affected. In view of this the location was inspected and following observations are made;

- The industry was not operating at the time of inspection However they have established the hot mixing plant without obtaining consent under Water Act and Air Act from the Board.
- The industry is established in the agricultural land and surrounded by mango plantation and residential colony.
- The source of water is from Govt Water supply Borewell and tankers. The industry had made a residential colony for workers and the sewage is being discharged to soak pit.
- The industry is having one number bitumen tank, one number chute and 3 conveyors. There is no air pollution control equipments for the chimney attached to Hot Mixing chamber. They have provided chimney of about 12 mt AGL which is inadequate.
- The Industry is operated by the DG set of capacity 125 KVA for which chimney up to roof level is provided

R. K. M.

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- The Location of the industry falls under Zone-3 or Zone-4 as per TGRCA Notification Dated 18/11/2003. The Notification says parts of Gundenahalli village are Zone-3 and Zone -4, since no Sy Nos are mentioned it is difficult to say which zone the industry exists.
- There is no plantation within the premises of the industry and lot of dust deposition observed on the leaves of mango tree located adjacent to this unit.
- The photographs are taken are enclosed.

The residents of Gundenahalli village informed that the industry is operating in night time and causing Sound and Noise Pollution. The complainants are requested to take action against the industry in view of Air Pollution and sound pollution. It was found that there is one house at a distance of about 34 mtrs towards North-East and a residential colony exists at about distance of 200 mtrs towards South West (Google map is enclosed).

RECOMMENDATIONS: Since the industry is operating without valid consent of the Board and also causing Air pollution and Sound pollution to the surrounding environment, it is desirable to issue closure order to the industry under the provisions of Water Act and Air Act

R. M. S. 5/3/19
ENVIRONMENTAL OFFICER

(Signature)

✓ 2

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪೊಲೀಸ್ ಡಿವಿಷನ್

ಪ್ರಾಯಶಃ ಕೆ.ಎಂ.ಎ.

ಅಥವಾ ಇಂಪ್ರಿಮೇಂಟ್.

ಆಂಧ್ರಪ್ರದೇಶ - 560058

ಮಹೋದಯ:- ಒಂದು ಖಾಸಗಿ ನಿಯಂತ್ರಣದ ಬಗ್ಗೆ
ಶ್ರೀಮತಿ - ನಾಯಕಿಗಳು ತಿಳಿಸಿ ಕೊಟ್ಟಿರುವ ಮಾಹಿತಿಗಳನ್ನು

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ರವರ ಸಿಕ್ಕಿ ಸಿಕ್ಕಿ ಹಾಗೆ ಒಂದು ಮಾಹಿತಿ ಇದ್ದು
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ತೊಂದರೆಯಾಗಿದೆ. ಮತ್ತು ಪ್ರಾಂಶುಪಾಲಕರು ಕೂಡ
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ಶ್ರೀಮತಿ. ಗುಂಡಾನೆಡೆಯಲ್ಲಿ
ದಿನಾಂಕ- 03/02/2020



Prithala H. Anamara
Bhagya

03/02/2020
Complaint
Receipt

Handwritten text at the top center of the page, possibly a title or header.

Handwritten text in the top right corner, possibly a date or page number.





KARNATAKA STATE POLLUTION CONTROL BOARD

REGIONAL OFFICE: NELAMANGALA

Urban Eco-Park, 1ST Floor, 100 feet Road, 3rd Stage, Peenya Industrial Area, Bangalore -560058.E-mail: nelamangala@kspcb.gov.in

Ph: 080-28390499

Reminder-1

No. PCB/RO (NEL)/IND/2019-20/ 760

Date: 17 FEB 2020

// BY RPAD //

To,

Authorized Signatory,
M/s. Arya Hot Mix Plant (SMH Groups),
Sy.No.138, Gundenahalli,
Thyamagondlu Hobli, Nelamangala Taluk,
Bangalore Rural District-562 123.

Sir,

Sub: Statutory obligations under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981-Reg.

- Ref: 1. Public Complaint by the residents of Gundenahalli residents dated 05.02.2019.
2. Inspection of your industry by the undersigned of this office on: 13.02.2019.
3. Public Complaint by the residents of Gundenahalli residents dated 03.02.2020.
4. Inspection of your industry by the undersigned of this office on: 17.02.2020.

With reference to the above, it is to be informed that, the residents of Gundenahalli village, Tyamagondanahalli Hobli, Nelamangala Taluk had filed complaint against your Hot Mix Plant established and operating at Sy No 22/4 of Gundenahalli village, Tyamagondanahalli Hobli, Nelamangala Taluk, Bengaluru Rural District. The hot mix plant was inspected on 13-03-2019, by the officers of this office to verify the facts mentioned in the complaint. During the time of inspection following are the non-compliances were observed;

1. You have established and operating a hot mix plant at the aforementioned location and engaged in production of hot asphalt and jelly mixture with an installed capacity of 150 MT/hr, without obtaining mandatory consent of the Board.
2. The hot mix plant seems to be established and operating in an private patta land, which is not duly converted for industrial activity.
3. After verification of Thippagondanahalli Reservoir Catchment Area Notification No FEE 215ENV 2000 dated 18.11.2003., it is noted that the Hot Mix Plant is established in Gundenahalli village, Tyamagondanahalli Hobli, Nelamangala Taluk, which falls in Zone 1.
4. The hot mix plant is surrounded by agricultural land in all the four direction.
5. The chimney height provided to the asphalt heating tank is insufficient. Since asphalt heating tank is not provided with sufficient height chimney, smell nuisance during asphalt heating may be caused in and around the hot mix plant area. Also, you have not taken adequate measures to mitigate the odor emanating from the hot mix plant.
6. The height of the stack provided to the asphalt and jelly mixing drum is also not adequate and there are no suitable air pollution control equipments installed for the control of air emissions from the stack.
7. The raw material such as metal (jelly), asphalt (bitumen) were stored in the project site, the site is not provided with metteling or asphalt surface.
8. Required pollution control measures such as sheet metal barricade around the project site, regular water sprinkling on raw materials stock and site area for effective dust suppression is

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not being followed. Due to which the fugitive emissions discharged from the project site was deposited on the surrounding plants as well as on the agricultural crops in the adjacent agricultural land.

9. You have established and operating a DG set of 120 KVA capacity thereby discharging emissions without valid consent of the Board. Further, the chimney height provided to the DG set is not adequate.
10. The public road used by you for transportation of our raw material and finished product is not paved or not provided with water sprinkling measures to suppress fugitive emission. Deposition of dust was noticed all along the agricultural land adjacent to the road.

The above observations are in violation of the provisions contained under section 25 of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of the Air (Prevention & Control of Pollution) Act, 1981 which attracts penal provisions under Section 44 and Section 37 of the aforementioned Acts respectively.

The penal provisions of the aforementioned Acts are reproduced here below for your information.

Section 25 or Section 26:

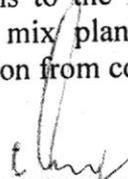
Whoever contravenes the provision of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than one year and six month] but which may extend to six years and with fine.

Section 21 or section 22:

“Whoever fails to comply with the provisions of Section 21 or Section 22 or directions issued under section 3 1 A, shall, in respect of each such failure, be punishable with imprisonment for a terms which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to five thousand rupees for every day during which such failure continues after the conviction for the first such failure”.

In view of the above non-compliances you are hereby called up on to Show Cause within 10 days as to why this office shall not be recommended to initiate further course of action as stated below.

1. To recommend the Board for issue of Notice of proposed directions under Section 33 (A) of the Water Act, 1974 and Section 31 (A) of the Air Act, 1981 for closure of industry.
2. To recommend the Board for issue of authorization to the officer of this office to file a criminal case under the provisions of the Water Act, 1974 and Air Act, 1981.
3. To issue necessary directions to the departments such as BESCO, Water supply departments for disconnection of power and/or water supply connection provided to the unit and direction to Chief Electrical inspector for seizure of DG set.
4. To recommend the Board for issue of necessary directions to the Deputy Commissioner, Bengaluru Rural District, Bengaluru for seizure of hot mix plant for establishing and operating the hot mix plant with out obtaining Land conversion from concerned department.


**ENVIRONMENTAL OFFICER
REGIONAL OFFICE, NELAMANGALA**

Date: 19.02.2020

From,

Arya Hot Mix Plant (SMH Enterprises)
 Sy. No.22/4, Gundenahalli,
 Thyamagondlu Hobli,
 Nelamangala Taluk,
 Bangalore Rural District -562123

To,

THE ENVIRONMENTAL OFFICER
 K S P C B
 Regional Office - Nelamangala
 Urban Eco Park, 100 ft. Road
 III Phase, Peenya Industrial Area,
 Bangalore -560 058

Sir,

Sub: Compliance under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981

Ref: Y.O. Letter # PCB/RO(NEL)/IND/2019-20/760 Date:-17.02.2020

In continuation to the receipt of your office letter vide reference above, we hereby submit the point wise compliance to the issues raised in your letter;

Sl. No.	Observations	Compliance
1	You have established and operating a hot mix plant at the aforementioned location and engaged in production of hot asphalt and jelly mixture with an installed capacity of 150MT/hr, without obtaining mandatory consent of the Board.	We have established a hot mix plant of capacity 200MT/day for public works department road works. We have started the process of filing the consent application in online XGN software.
2	The hot mix plant seems to be established and operating in an private patta land, which is not	The land has been converted for Industrial purpose. A copy of conversion order is here with



A/c

	duly converted for industrial activity.	enclosed.
3	After verification of Thippagondanahalli Reservoir Catchment Area Notification No. FEE 215ENV 2000 dated 18.11.2003., it is noted that Hot Mix plant is established in Gundenahalli village, Tyamagondanahalli Hobli, Nelamangala Taluk, which falls in Zone 1.	Yes, agreed.
4	The hot mix plant is surrounded by agriculture land in all the four direction.	Yes, agreed. However the project location is converted for industrial purpose.
5	The chimney height provided to the asphalt heating tank is insufficient. Since asphalt heating tank is not provided with sufficient height chimney, smell nuisance during asphalt heating may be caused in and around the hot mix plant area. Also, you have not taken adequate measures to mitigate the odor emanating from the hot mix plant.	We are using diesel as the source of fuel. Hence the odour nuisance is very minimal. However the chimney height is also increased upon your direction during the inspection and a photograph is enclosed.
6	The height of the stack provided to the asphalt and jelly mixing drum is also not adequate and there are no suitable air pollution control equipment's installed for the	A photograph of asphalt and jelly mixing drum having provided with the required chimney is enclosed.

A 19/6

	control of air emissions from the stack.	
7	The raw material such as metal (jelly), asphalt (bitumen) were stored in the project site, the site is not provided with metteling or asphalt surface.	The project site is metalled and the asphaltting will be done in due course of time.
8	Required pollution control measures such as sheet metal barricade around the project site, regular water sprinkling on raw material stock and site area for effective dust suppression is not being followed. Due to which the fugitive emissions discharged from the project site was deposited on the surrounding plants as well as on the agricultural crops in the adjacent agriculture land.	We are regularly carrying out the water sprinkling on dust causing area. However barricading will be taken up within a month's time and the photographic evidence will be submitted to your good office.
9	You have established and operating a DG set of 120KVA capacity thereby discharging emission without valid consent of the Board. Further, the chimney height provided to the DG set is not adequate.	The work of increasing the height of the DG set chimney is in progress. Also in the online consent application the DG set has been included as an air pollution source.
10	The public road used by you for transporting of our raw material and finished product is not paved or not provided with water sprinkling measures to suppress	Water sprinkling activity is in process. However asphaltting of the same road will be taken up in the due course of time and the completion status will be reported

A-122

fugitive emission. Deposition of dust was noticed all among the agricultural land adjacent to the road.	to your good office.
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With all the above said compliances we request your good office not to initiate any such actions against our industry and grant us the consent for operation at the earliest.

Kindly accept and acknowledge the receipt of this letter.

Thanking You

Yours faithfully

for **Arya Hot Mix Plant (SMH** ^{Enterprises})

A. Verma

Authorized Signatory

Forwarding & Undertaking Letter from Industry

Application for consent for establishing / operation the industrial plant / plants under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981

Important This Document or its copy does "NOT" serve as a Supporting Document Proof of Industry's Submission of an Application for a CFE / CFO. This Letter does "NOT" ensure that the Application FEES has been paid.

Application Purpose : Dear Sir. This application is for the purpose of consent for operation - fresh. We are applying directly for CFO-fresh along with the CFE - fresh fees. The consent fees is calculated for investment of Rs.0.98 Crores and the consent fees under Small Orange category is Rs.5,000.00 under water act & Rs.5000.00 under air act. The total consent fees for 10 years is 10,000.00 X 6 i.e 60,000.00 and CFE fees of Rs.5,000.00. The total consent fees is Rs.65,000.00. Kindly accept the application and do the needful.

From : Smh Enterprises, Category: ORANGE / SMALL
PLOT NO: Sy. No. 22/4,
 sy. no. 22/4, no. 2b, hanumanthegowdana palya, sy. no. 22/4, no. 2b,
 hanumanthegowdana palya, kalatugatta post, gundenahalli vi,
 Gundenahalli - 562123
Contact Person: Arun Kumar K, Mob:9740440444, Ph:9740440444
DIST: Bangalore Rural, TAL: Nelmangala, SIDC: Not In I.A

Print Date: 02/03/2020

PCB-ID : 85975
 INWARD : 90661
 Dt:19/02/2020

To,

Scrutinized By: BHEEM SINGH GOWGI SK
 (1074)

The Member Secretary,
 Karnataka State Pollution Control Board
 Parisara Bhavan, #49,4th & 5th Floor,
 Church Street, Bangalore-560001

I / We here by Submit application for CCA ,Inward No : 90661, Date : 19/02/2020 for CFO(CFO-Fresh) under Water (Prevention & Control of Pollution) Act, 1974 / Air (Prevention & Control of Pollution) Act, 1981 / Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 and enclosed Consent fee Payment details are given below as the Capital investment is 0.98 Crs

Query / Reply	Bank Transaction Id	Amount in Rupees
	RHMP8577430967	65000.00
	Total	65000.00

Submit compliance to CFE conditions [19/02/2020-1074]~[20/02/2020-1074] *** Reply: Dear sir, since our industry is an existing industry, we directly applied for CFO-fresh application along with the CFE-fresh fees. Kindly accept the application and do the needful [19/02/2020]~Dear Sir, E-sign has been done. Kindly approve the E-sign for further processing.
 02/03/2020]

I / We have Uploaded the following PDFs	Date	# Files	Size(kb)	#Page
1 000 - Project report indicating location, extent of land, water source, raw materials, products and by-products, water consumption details, waste water generation & Air Pollution Sources, Estimated/Proposed investment on Project & Pollution Control Measures (CFE/CFExp)	20/02/20	1	1098	7
2 DC2 - Document2	19/02/20	1	2749	14
3 TFS - Land/premises Details - To set up in "other than industrial area", Land Conversion Certificate, Land Possession Certificate along with the sale deed (registered) (CFE/CFExp)	19/02/20	1	601	2
4 DC1 - Document1	19/02/20	1	463	4
5 ANR - Copy of proprietorship/ partnership /company deed (CFE/CFO-1st)	19/02/20	1	122	4
6 PLL - Layout Plan showing the location of manufacturing area, ETP/APC and Solid/Haz.waste storage & collection points (CFE)	19/02/20	1	75	1
7 ACA - Audited Balance sheet along with schedule of fixed assets indicating Gross block of fixed assets.(CFO-1st/CFO Renewal)	19/02/20	1	122	2

Company's SEAL

1 (Through XGN)

N I C

I, the applicant declare that I have submitted full and complete documents and information in conformity to the applicable Acts / Rules. I am aware that, any delay / rejection in the processing of application on account of incorrect / incomplete information shall be my responsibility.

Signature By
(Arun Kumar K)

Note: I am hereby enclosing Form-I(AIR),Form-XIII(WATER) printed through XGN Software along with above enclosures.

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Karnataka State Pollution Control Board
Parisara Bhavan, #49, 4th & 5th Floor, Church Street, Bangalore-560001
FORM - I

[See Rule 20]
(To be submitted in triplicate)

9740440444

Authentic Signature

Yours faithfully

Accompaniments :

	I / We have Uploaded the following PDFs	Date	# Files	Size(kb)	#Page
1	000 - Project report indicating location, extent of land, water source, raw materials, products and by-products, water consumption details, waste water generation & Air Pollution Sources. Estimated/Proposed investment on Project & Pollution Control Measures (CFE/CFExp)	20/02/20	1	1098	7
2	DC2 - Document2	19/02/20	1	2749	14
3	TFS - Land/premises Details - To set up in "other than industrial area". Land Conversion Certificate, Land Possession Certificate along with the sale deed (registered) (CFE/CFExp)	19/02/20	1	601	2
4	DC1 - Document1	19/02/20	1	463	4
5	ANR - Copy of proprietorship/ partnership /company deed (CFE/CFO-1st)	19/02/20	1	122	4
6	PLL - Layout Plan showing the location of manufacturing area, ETP/APC and Solid/Haz.waste storage & collection points (CFE)	19/02/20	1	75	1
7	ACA - Audited Balance sheet along with schedule of fixed assets indicating Gross block of fixed assets.(CFO-1st/CFO Renewal)	19/02/20	1	122	2

Signature valid

Digitally signed by
Date: 2020.03.02 09:11:57
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Karnataka State Pollution Control Board

Parisara Bhavan, #49, 4th & 5th Floor, Church Street, Bangalore-56001

FORM - I

[See Rule 20]

(To be submitted in triplicate)

Sr	Stack attached to	Mts	Remark	Details of APCM	Probable Pollutants.
1	D.G. Sets	5	120kva- 5m arl chimney	AEC	0,0,0



Karnataka State Pollution Control Board
Parisara Bhavan, #49,4th & 5th Floor, Church Street, Bangalore-560001

FORM - I

[See Rule 20]
(To be submitted in triplicate)

7. List of Raw materials with monthly consumption rate (MT/month)

Sr	Raw Material Name	Capacity - Unit / Month
1	12mm jelly	1800.0000 - M.T
2	20mm jelly	2100.0000 - M.T
3	bituminous	600.0000 - M.T
4	boulders dust	1500.0000 - M.T

7A. List of Products with monthly production rate (MT/month)

Sr	Product Name	CFE Qty	CFO Qty	Applied Qty
1	hot mix (asphalt)	6000.0000	6000.0000 - M.T	6000.0000

7B. Brief description of the manufacturing process together with a flow diagram and layout plan showing location of all vents, stacks and any other emission points. As per the PDF attached

8 & 9. Details of Boilers / Heaters / Furnaces / Generators installed in the plant.

Sr	Stack attached to	Mts	Remark	APCM	Fuel	Consp-Unit	SMF
1	Any Other	5	Hot mix plant (Tar Plant)	SCR	Diesel		N.A
2	D.G. Sets	5	120KVA- 5m ARL chimney	AEC	Diesel		N.A

Process emissions

10. Details of air Pollution control equipment for the control of Pollution resulting from emission of pollutants from process plant and combustion equipment.

Accoustic Enclosures, Scrubber

Boilers=0 , DG Sets=1 , Borewells = 0 , Tubewells: 0 , Capacity of All =

12. I/We further declare that information furnished through this application is correct to the best of my / our knowledge.

13. Declaration

(i) I/We hereby submit that in case of any change relating to manufacturing process / product, fuel emission rate pollution control equipment, capacity of the plant etc. fresh application for consent shall be made and until such Consent is granted, no change will be implemented.

(ii) I/We undertake to furnish any other information within one month of such intimation received from the Board.

(iii) I/We enclose here with Bank Draft No.
& date : 19/02/2020 for Rs :65000 (In words : Sixty Five Thousand Rupees Only)

14. I/We hereby agree to submit to the Board, application for renewal of Consent atleast one month prior to the date of expiry of the present consent period.

Pay Remark :

In favour of the Karnataka State Pollution Control Board Parisara Bhavan, #49,4th & 5th Floor, Church Street, Bangalore-560001 as fees payable under section 25 of the Act.

Inward Purpose :

Dear Sir, This application is for the purpose of consent for operation - fresh. We are applying directly for CFO-fresh along with the CFE - fresh fees. The consent fees is calculated for investment of Rs.0.98 Crores and the consent fees under Small Orange category is Rs.5,000.00 under water act & Rs.5000.00 under air act. The total consent fees for 10 years is 10,000.00 X 6 i.e 60,000.00 and CFE fees of Rs.5,000.00. The total consent fees is Rs.65,000.00. Kindly accept the application and do the needful.

Other Information :

(Please refer to Schedule 1 for the rate of consent fees.)

Details of Applicant :

Arun Kumar K
PLOT/PHASE No. Sy. No. 22/4,
Sy. No. 22/4, No. 2B, Hanumanthegowdana palya Sy. No.
22/4, No. 2B, Hanumanthegowdana palya, Kalalugatta Post,
Gundenahalli Vi,
Gundenahalli - 562123
DIST : Bangalore Rural, TAL : Nelmangala, SIDC : Not In
I.A



Karnataka State Pollution Control Board
Parisara Bhavan, #49,4th & 5th Floor, Church Street, Bangalore-560001
FORM - I

[See Rule 20]
(To be submitted in triplicate)

CFO-Fresh - 90661

Application for consent for establishing / operation the industrial plant / plants under Section 21 of the
Air (prevention & Control of Pollution) Act, 1981

Date : 02/03/2020

PCB-ID : 85975

From : Smh Enterprises

**PLOT/PHASE No. Sy. No. 22/4,
Sy. No. 22/4, No. 2B, Hanumanthegowdana palya Sy. No. 22/4, No. 2B,
Hanumanthegowdana palya, Kalalugatta Post, Gundenahalli Vi,
Gundenahalli - 562123
DIST : Bangalore Rural, TAL : Nelamangala, SIDC : Not In I.A**

To,
The Member Secretary,
Karnataka State Pollution Control Board
Parisara Bhavan, #49,4th & 5th Floor,
Church Street, Bangalore-560001

I/we hereby apply for consent / renewal of consent under Section 21 of the Air (Prevention & Control of Pollution) Act.
1981 to establish / operate / the industrial plant / plants owned by Smh Enterprises

to be located / located at

**PLOT/PHASE No. Sy. No. 22/4, Sy. No. 22/4, No. 2B, Hanumanthegowdana palya Sy. No. 22/4,
No. 2B, Hanumanthegowdana palya, Kalalugatta Post, Gundenahalli Vi, Gundenahalli -
562123 DIST : Bangalore Rural, TAL : Nelamangala, SIDC : Not In I.A**

The relevant details are as under :

1. Full name of the applicant with designation and address and Telephone /Telex number / Fax No. : **Arun Kumar K**
2. Names of full time directors / partners / owners with address and telephone nos. : **As per Annexure 85975_dir**
3. Full address of the factory / industrial plant/s (Survey No. Village plot No. location premises etc.) with telephone / telex Nos/ Fax No. : **Smh Enterprises,
PLOT/PHASE No. Sy. No. 22/4,
Sy. No. 22/4, No. 2B, Hanumanthegowdana palya Sy. No.
22/4, No. 2B, Hanumanthegowdana palya, Kalalugatta Post,
Gundenahalli Vi,
Gundenahalli - 562123
DIST : Bangalore Rural, TAL : Nelamangala, GIDC : Not In
I.A**
4. Date of commission of industrial plant/s or proposed date of commissioning : **10/01/2019**
5. Plant/ project cost (Rs. in lakhs) : **98**
- 5A. Specify whether small, medium or large scale. : **Orange - Small**
6. Total number of employees : **10**



Karnataka State Pollution Control Board

Parisara Bhavan, #49,4th & 5th Floor, Church Street,
Bangalore-560001

FORM-XIII

[See Rule 32]

CfO-Fresh - 90661

Application for consent to establish or take any step to establish any Industry, operation process or any treatment and disposal system for discharge, under section 25 or continuation or discharge under section 26 of the Water (Prevention and Control of Pollution) Act. 1974.

From : **Smh Enterprises**

Date : 02/03/2020

PLOT/PHASE No. Sy. No. 22/4,

PCB-ID : 85975

**Sy. No. 22/4, No. 2B, Hanumanthegowdana palya Sy. No. 22/4, No. 2B,
Hanumanthegowdana palya, Kalalugatta Post, Gundenahalli Vi,**

Gundenahalli - 562123

DIST : Bangalore Rural, TAL : Nelmangala, SIDC : Not In I.A

I/We hereby apply for consent/renewal of consent under section 25 of the Water (Prevention and Control of Pollution) Act.1974 (6 of 1974) to establish or take any step to establish any Industry or operation or process or a treatment and disposal system or any extension or addition to bring into use any new altered outlet for discharge of sewage/trade effluent* to continue to discharge sewage/trade effluent* from land/premises owned by

Karnataka State Pollution Control Board
Parisara Bhavan, #49,4th & 5th Floor,
Church Street, Bangalore-560001

1. Full name of the applicant : **Arun Kumar K**
2. Nationality of the applicant : **INDIAN**
3. Constitution Type : **Proprietary**
4. Names, Address and Telephone Nos of Applicant : **Arun Kumar K (9740440444)**
5. Address of the industry. : **Smh Enterprises,
PLOT/PHASE No. Sy. No. 22/4,
Sy. No. 22/4, No. 2B, Hanumanthegowdana palya Sy. No. 22/4, No. 2B,
Hanumanthegowdana palya, Kalalugatta Post, Gundenahalli Vi,
Gundenahalli - 562123
DIST : Bangalore Rural, TAL : Nelmangala, GIDC : Not In I.A**
6. Details of Commissioning etc : **10/01/2019**
7. Total number of employee expected to be employed. : **10**
8. Details of license, if any obtained under the provisions of Industrial Development Regulation Act., 1951 : **Arun Kumar K**

*Strike out which is not relevant.

Water

1 - Through XGN

N I C



Karnataka State Pollution Control Board

Parisara Bhavan, #49,4th & 5th Floor, Church Street,
Bangalore - 560001

FORM-XIII

[See Rule 32]

9. Name of the person authorised to sign this form (the original authorization except in the case of individual proprietor concern is to be enclosed.)

10.(a) List of Raw materials with monthly consumption rate (Monthly Data)

Sr	Raw Material Name	Capacity - Unit / Month
1	12mm jelly	1800.0000 - M.T
2	20mm jelly	2100.0000 - M.T
3	bituminous	600.0000 - M.T
4	boulders dust	1500.0000 - M.T

(b) List of Products with monthly production rate (Monthly Data)

Sr	Product Name	CFE Qty	CFO Qty	Applied Qty
1	hot mix (asphalt)	6000.0000	6000.0000 - M.T	6000.0000

(c) Licence or Annual Capacity of the industry , operation or process etc.

11. State daily quantity of water in kilolitres utilized and its source (domestic / industrial process boiler Cooling others)

Sr	Water Code	WC(KLD)	WWG(KLD)	Remark
1	Domestic Purpose	0.350	0.280	The sewage is lead in to septic tank followed by soak pit.
2	Others	0.010	0.000	for scrubber - top up

12.(a) State the daily maximum quantity of effluents , quantity and mode of disposal (sewer or drain or river of land or lake / pond / or estary / tidal waters / sea water / Off share) Also attach analysis report of the effluent.
Type of effluent, quantity in kiloliters, Mode of disposal.

(i) Domestic : Water Consumption : 0.350 Kls/Day , Waste Water Generation : 0.280 Kls/Day

(ii) Industrial : Water Consumption : 0.010 Kls/Day , Waste Water Generation : 0.000 Kls/Day

Mode of Disposal : Industrial : Not Specified , Domestic : Septic tank followed by soak pit

Ultimate Receiving Body : Septic Tank & Soak Pit

Waste Wtr Discharge Pt : Septic Tank & Soak Pit

Source of water Supply & permission obtained/Applied for : Tanker supply

(b) Quality of effluent Currently Discharged or expected to be discharged

(c) what monitoring arrangement is currently provided or Proposed.

13.State whether you have any treatment plant for industrial , domestic or combined effluents.

Whether Industry is a member of CETP ? NOT

Boilers=0 , DG Sets=1 , Borewells = 0 , Tubewells: 0 , Capacity of All =

14. If yes, attach the description of the process of treatment in brief. Attach information on the quality of treated effluent vis-a vis the standards. State Details of solid wastes generated in the process or during waste treatment.

Sr	Source of Hazardous Waste	Catg	Qty/Year	HW Disposal Management
1	Used Spent Oil	1 -5.1	0.050-KLT	RRE
2	Wastes Residues Containing Oil	1 -5.2	0.010-M.T	DSI

15. I/We further declare that the information furnished above is correct to the best of my / our knowledge.

16. I/We hereby submit that in case of change either of the point of discharge or the quantity of discharge or its quality, a fresh application for CONSENT shall be made and until such CONSENT is granted no change shall be brought into use.

17. I/We hereby agree to submit to the Pollution Control Board an application for renewal of consent one month in advance of the date of expiry of the consented period for outlet / discharge if, to be continued thereafter.

*Strike out which is not relevant.

Water

2 - Through XGN

N I C

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Karnataka State Pollution Control Board

Parisara Bhavan, #49,4th & 5th Floor, Church Street,
Bangalore-560001

FORM-XIII

[See Rule 32]

18. I/We undertake to furnish any other information within one month of its being called for by the Karnataka State Pollution Control Board

19. I/We, enclose herewith Cash Receipt No./Bank Draft No.
& date : 19/02/2020 for Rs :65000 (In words : Sixty Five Thousand Rupees Only)

Pay Remark :

In favour of the Karnataka State Pollution Control Board Parisara Bhavan, #49,4th & 5th Floor, Church Street,
Bangalore-560001 as fees payable under section 25 of the Act.

Inward Purpose :

Dear Sir, This application is for the purpose of consent for operation - fresh. We are applying directly for CFO-fresh along with the CFE - fresh fees. The consent fees is calculated for investment of Rs.0.98 Crores and the consent fees under Small Orange category is Rs.5,000.00 under water act & Rs.5000.00 under air act. The total consent fees for 10 years is 10,000.00 X 6 i.e 60,000.00 and CFE fees Rs.5,000.00. The total consent fees is Rs.65,000.00. Kindly accept the application and do the needful.

Other information :

Signature of the Applicant
(Arun Kumar K)

Signature valid

Digitally signed by
Date: 2020.08.02 09:10:29
+05:30

*Strike out which is not relevant.

Water

3 - Through XGN

N I C



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

"ಪರಿಸರಭವನ", 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ.49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ, ಭಾರತ
"Parisara Bhavana", 1st to 5th Floor, # 49, Church Street, Bengaluru - 560 001, Karnataka, INDIA

No. PCB/726/COC/2015 5720

Dated: 24 FEB 2015

CIRCULAR

Sub: Details require for processing of Consent applications.

Ref: Board Office Memorandum KSPCB/DEO/CFE-CELL/
AEO-2/CFE/2002-2003/1725, dated 27-08-2009.

In the above cited Memorandum (copy enclosed) the Board has indicated the essential details which are to be secured to process the CFE applications. It has come to the notice of the undersigned that, the officers are insisting for variety of details/information's which are redundant from pollution aspect and are not in consistent with the requirement to process application made under Section 25 of the Water Act 1974 and Section 21 of Air Act 1981. Further calling for document/information and imposing conditions etc were deliberated extensively in the CPCB constituted working group meeting held on 04-02-2015 at Delhi. The consolidated opinion of the working group is as under quote;

- (a) *The Working Group observed that for good governance, expeditious disposal of application and uniformity on decision making, the SPCBs/PCCs shall restrict its functions conferred upon it under the provisions of the statutory requirements only. It shall not call for such documents and secure the compliances of the provisions of any other law being enforced by the other*

consent conditions such effect which are redundant from pollution control aspects. While processing the applications for consents, due weightage/ thoughts shall be given to the pollution control issues only. The documents like partnership deeds, land conversions/diversion issues shall not be called for.

In view of the above, the officers are hereby instructed to strictly adhere to instructions given in Office Memorandum cited in the reference while processing the consent applications.

Encl. as above


CHAIRMAN

To,

1. Chief Environmental Officer-1.
2. Chief Environmental Officer-2.
3. Chief Environmental Officer-3, Nisarga Bhavan.
4. Chief Scientific Officer-1, Head Office.
5. Chief Scientific Officer-2, Central Environmental Laboratory, Nisarga Bhavan.
6. SEO (Enforcement & Complaint Cell), SEO (Waste Management Cell), SEO (17 Category Cell), SEO (Mines, Steel & Stone Crusher Cell), SEO (Infrastructure Cell), SEO (Technical Officer to Chairman) and SEO (Inspection & Monitoring Cell).
7. SEO (Bangalore City), SEO (Bangalore East), SEO (Bangalore South), SEO (Bangalore North), SEO (Mysore), SEO (Mangalore), SEO (Dharwad), SEO (Bellary) and SEO (Chitradurga).
8. All Regional Officers, Regional Office: (1) Bangalore City-East, (2) Bangalore City-Peenya, (3) Bangalore City-South, (4) Bangalore City-West, (5) Dasarahalli, (6) Doddaballapura, (7) Nelamangala, (8) Yelahanka, (9) Anekal, (10) Rommanahalli, (11) Rajarajeshwarinagara, (12) Ramnagar, (13) Sarjapura, (14) Chikkaballapur, (15) Hosakote, (16) Mahadevpura, (17) Mysore-1, (18) Mysore-2, (19) Mandya, (20) Chamarajnagar, (21) Tumkur, (22) Chitradurga, (23) Davangere, (24) Kolar, (25) Shimoga, (26) Dharwad, (27) Gadag (28) Belgaum-1, (29) Belgaum-2 (Chikkodi Centre), (30) Bagalkot, (31) Vijayapura, (32) Bellary, (33) Raichur, (34) Koppal, (35) Bidar, (36) Kalaburagi, (37) Udupi, (38) Mangalore, (39) Hassan, (40) Chikmagalur, (41) Karwar, (42) Kodagu (43) Haveri, (44) Yadgiri.

KARNATAKA STATE POLLUTION CONTROL BOARD**Regional Office: Nelamangala**1st Floor, Urban Eco Park, 100 Feet Road, 3rd Phase,
Peenya Industrial Area, Bengaluru - 560 058.**Email-nelamangala@kspcb.gov.in**, Tel. No.28390499

NO. PCB/RO-NEL/SO/2019-20 873

DATE: 3 MAR 2020

To

The Regional Senior Environmental Officer,
Karnataka State Pollution Control Board
"Urban Eco Park", 1st floor, Peenya 3rd Phase,
Bangalore -560001

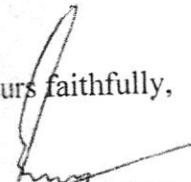
Sir,

Sub: Forwarding the Inspection report of **M/s. SMH Enterprises**,
located at Sy. No- 22/4, Gundenahalli Village, Thyamagondlu Hobli,
Nelamangala Tq, Bangalore Rural Dist - reg

- Ref: 1. Public Complaint by the residents of Gundenahalli residents dated 05.02.2019.
2. Inspection of the industry by the undersigned of this office on: 13.02.2019.
3. Public Complaint by the residents of Gundenahalli residents dated 03.02.2020.
4. Inspection of your industry by the undersigned of this office on: 17.02.2020.
5. This Office Notice issued to the industry No. 760 dated: 17-02-2020.
6. Consnet application filed by the industry dated: 02-03-2020
7. Inspection of the industry by this Office on 29-02-2020.

With reference to the above, **M/s. SMH Enterprises** has sought Consent for Operation of the Board and submitted application for the operation of the industry at Sy. No- 22/4, **Gundenahalli Village, Thyamagondlu Hobli, Nelamangala Tq, Bangalore Rural Dist.** The industry was inspected by the officer of this office on 29-02-2020 and the inspection report along with 'Recommendation to issue conditional Consent for Operation' under Water Act and Air Act is herewith enclosed.

Yours faithfully,


Environmental Officer
RO, Nelamangala

HVT

encl:

- 1) Application Form
- 2) Inspection Report

5-11-19

10/10/19

C

10/10/19

C

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No. KSPCB/RO(NMG)/SO/2019-20 /

dated:

**Inspection Report of Sri. Bheem Singh Gowgi. S. K, Environmental Officer,
KSPCB, Regional Office, Nelamangala**

Name and Address of the industry : M/s. SMH Enterprises,
Sy. No- 22/4, Gundenahalli Village,
Thyamagaondlu Hobli, Nelamangala Tq,
Bangalore Rural Dist.

Date of inspection : 29-02-2020

Category : Small- Orange

Person contacted : Smt. M. D. Khader, Plant Incharge.

Capital investment : Rs. 0.98 Crores as per the CA Certificate.

Consent Status : Applied for CFO for the first time.

Activity for which consent is sought : Hot Mix plant

Inview of the complaint filed by the residents of Gundenahalli village, Tyamagondanahalli Hobli, Nelamangala Taluk against your Hot Mix Plant established and operating at Sy No 22/4 of Gundenahalli village, Tyamagondanahalli Hobli, Nelamangala Taluk, Bengaluru Rural District. The hot mix plant was inspected on 13-03-2019, by the officers of this office to verify the facts mentioned in the complaint. Copy of the Complaint letter is enclosed as **Annexure- I** for reference.

During the time of inspection, it was observed that the hot mix plant is being established and operating at the aforementioned location and engaged in production of hot asphalt and jelly mixture with an installed capacity of 150 MT/hr, without obtaining mandatory Consent of the Board under the provisions of water Act and Air Act. Hence, Notice was issued to the Hot Mix Plant on 17-02-2020 to apply and obtain consent of the Board. Copy of the notice is enclosed as **Annexure- II** for reference.

The Hot mix plant authorities has submitted compliance letter to this office on 19-02-2020. Copy of the letter submitted by the industry is enclosed as **Annexure- III** for reference.

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Now, the hot mix plant has filed prescribed application seeking Consent for Operation of the industry on 02-03-2019 along with the following documents;

1. Copy of RTC of land
2. Project report
3. Certificate of Capital Investment
4. Govt. Work Order issued by PWD, Bangalore
5. Copy of Land Conversion certificate.

Consent Fees: The industry has paid CFE fee of Rs. 5, 000/- and CFO fees of Rs. 60, 000/- for 6 years under Water Act and Air Act (Rs. 5000/- under each Act) under Orange category towards the capital investment of Rs. 0.98 crores. The fee paid is adequate under orange category.

Location:

The hot mix plant is located at Sy. No- 138, Gundenahalli Village, Thyamagaondlu Hobli, Nelamangala Tq, Bangalore Rural Dist. As per the prevailing TGRCA Notification dated 18-11-2003, the entire Sy's No of Gundenahalli village, Nelamangala Taluk, Bengaluru Rural District falls under Zone-1. But as per the Environmental clearance issued to KIADB by state level appraisal committee only Orange and Green category industry is allowed. Hence, this industry can be permitted.

1. The GPS co-ordinates of the land is; 13 21350 N 77.319445 E.
2. The proposed land is surrounded by;
 - East – Vacant land
 - West – Labor quarters and residential houses
 - North – Residential houses
 - South - Vacant land, plantations and residential houses

Water Pollution Control:

1. The source of water is through tankers.
2. The consumption for domestic purpose is 0.350 KLD and discharge is 0.280 KLD. The industry has provided septic tank and soak pit for the disposal of domestic sewage.
3. The water is used for scrubber. About 0.1 KLD of water is used and the same will be recycled back for the process.
4. The industry has provided partitioned settling tanks for the collection and recycling of scrubbed liquid.

Air Pollution control: The details of proposed sources of air pollution and control measures are as follows;

Sl. No	Chimney attached to	Fuel used	APC measure provided	Remarks
1	D. G. Set of 125 KVA capacity	Diesel	5.0 ARL chimney with Acoustic enclosure	complied

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Hot Mix Plant	Diesel	Cyclone dust collector followed by scrubber and chimney of height 12 m AGL	Conditions to be imposed.
---------------	--------	--	---------------------------

Solid Waste: The details of solid waste generation in the unit are slurry from the settling tanks provided for recycling of scrubbed liquid and general waste. The industry has earmarked area inside the premises and informed that the same will be handed over to the authorized vendors.

Recommendations: - In view of the above the issue of Consent for Operation may be considered by imposing the following conditions;

1. To close down the industry if there is any complaints of causing pollution in the surrounding area from the public.
2. To practice water sprinkling regularly inside the plant premises and along the roads for dust suppression.
3. The applicant shall develop greenery in the form of garden/Lawn/periphery tall growing plantation etc., within the site.
4. To provide rain water harvesting system with ground water recharge pits as required under the TGRCA Notification dated 18-11-2003.

Environmental Officer
RO, Nelamangala

AUP



KSPCB/Projects/GIS/TGR/2005-06/84

Bangalore
21/04/2005

To
The Secretary to Government,
Ecology & Environment,
Department of Forest, Ecology & Environment,
7th floor, M.S Building,
BANGALORE

Sir,

Sub: GIS mapping of Thippagondanahalli reservoir catchment area.

**Ref: 1) Notification No FEE 215 ENV 2000 dated 18/11/2003 of GOK .
2) Govt., Order No FEE 215 ENV 2000 dated 12/01/2004**

The GIS cell of KSPCB has carried out GIS based spatial analysis study to delineate various Zones of Thippagondanahalli Reservoir catchment notified vide referred orders of the GOK, in to Villages & survey numbers to facilitate easy interpretation of the zonation in the field.

Background to the study:

Thippagondanahalli Reservoir catchment is divided into four zones for the purpose of environmental protection vide GO No FEE 215 ENV 2000, dated 12/01/2004. The following are the zones:

- Zone-1: Entire Thippagondanahalli Reservoir (TGR) catchment area, however in this report for the purpose of clarity Zone 1 is considered as catchment area excluding zone 2, 3 & 4.
- Zone-2: Area covered within two kilometres from the TG Halli reservoir boundary.
- Zone-3: Area covered within 1 km distance from the river banks of Arakavathy (only up to Hesarghatta tank from TGR) and Kumdvati.
- Zone-4: Area covered within 1 km to 2km distance from the river banks of Arakavathi and (only upto Hesarghatta tank from TGR) and Kumdvati (excluding the areas falling within Zone -2)

Monitoring the provisions of the GO appeared to be difficult in the field because of the zoning based on kilometers from the reservoir boundary or from the banks of Kumdvati and Arakavathi rivers. To overcome this problem it was decided to classify the catchment into various zones Village-wise and Survey number wise, in case respective village falls in more than one Zone.

Sources of data:

- Themes like roads, reservoir and tanks, drainage, village boundary are from the vectorised data provided by Karnataka State Remotesensing Application Centre (KSRAC) to KSPCB under the erstwhile Industrial Pollution Prevention Project (IPPP).
- Villagewise and Survey number wise theme is from BMRDA under the BMRDA - ISRO project (2000)
- GIS cell digitized certain village maps (those not available from BMRDA theme) and incorporated the same into BMRDA theme as far as those villages which come under Zones 2,3,4.

Imp.
Information not available: In case of Aralidibba & Gundenahalli villages of Nelamangala and Dombarahalli, Harokyathahalli & Shivanapura villages of Bangalore North, we could not provide survey number wise details even though they fall in more than one zone of TG Halli reservoir catchment. These details can be added as and when we get the respective village maps. In case on Motagondanahalli village of Magadi taluk, as all the survey numbers are not available in the theme from BMRDA we have excluded this village as of now and the zones in to which it falls is indicated without survey numbers.

Methodology: GIS cell of KSPCB using the above thematic layers has buffered various Zones meant for environmental protection following and arrived at the villages falling in each zone and survey number & village wise details in case of the villages falling in more than one zone.

Limitations: Survey of India (SOI) toposheet in 1:50000 scale has no village boundaries. KSRAC used taluk maps for deriving the village boundary while ISRC-INRIMT study had mosaiced the digitized cadastral village maps. There is a built in error in the methodology when we transfer cadastral map details on to a topo-map. Notwithstanding these limitations, the quality of this GIS generated data is next only to a field survey to be carried out for the purpose and will suffice to meet the purpose of monitoring environmental regulations in case of Thippagondanahalli catchment area.

Outputs:

Annexure :Village wise & Survey number wise details for various zones of Thippagondanahalli reservoir catchment area (Taluk wise).

Maps: Maps of AO size (4 maps).

This is for your kind perusal.

Yours faithfully,

Director (Projects),
Karnataka State Pollution Control Board.

✓ Copy to HS for information and necessary action.