

**BEFORE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI.**

**O.A.No.49 OF 2023 (SZ)**

Dinesh Kalahalli

...Applicant

-Vs-

Prashanth Prakash and Ors

...Respondents

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Dated at Chennai on this the 5<sup>th</sup> day of September, 2023



COUNSEL FOR 5<sup>th</sup> & 6<sup>th</sup> RESPONDENT

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI

Original Application No. 49 of 2023 (SZ)

IN THE MATTER OF:

Dinesh Kalahalli

....Applicant

Versus

Prasanth Prakash & others.

.....Respondents

**REPLY AFFIDAVIT OF THE 5th RESPONDENT**

I, K. L. Savitha, Environmental Officer, Karnataka State Pollution Control Board, Regional Office- 2, Mysore (Rural), Hebbal Industrial Area, K. R. S Road, Metagalli, Mysore do hereby solemnly affirm and state on oath as follows:

- 1) I submit that, the SEO, Zonal Office, KSPCB, Mysore and Member Secretary of KSPCB are respondent No. 5 and 6 respectively. I have been authorized to conduct litigation.
- 2) I submit that, the Applicant in the above case has made allegation against the Board that, "the Discovery Village resort does not have mandatory consent from 6th respondent KSPCB. The DEO of Regional Office-2, Mysore (Rural) had inspected the resort of the 1st and 2nd Respondents and had noticed that the resort is operating and discharging Domestic effluent to the STP without consent for operation of the Board under Water Act, 1974 & Air Act, 1981. In that regard, the EO of Regional Office-2, Mysore (Rural) had recommended to 5th Respondent to issue Notice of proposed direction under Sec. 33(A) of Water Act, 1974, in this regard the 5th Respondent had issued NPD on 31-12-2022 & recommended to the 6th respondent that action should be initiated against the said Resort under

Section 33 (A) of the Water (Prevention and Control of Pollution) Act,



*[Handwritten signature]*

No. of Corrections *[Handwritten '1']*

3) I further submitted that, on receipt of said recommendation, the 6th respondent Board examined it and arrived at a conclusion that, the Discovery Village resort does not fall under any of the categories of Industries/project as per the CPCB Notification 2016 for Classification of industry/Project to cover it under a consent mechanism. As per the CPCB Notification 2016 for Classification of industry/Project at serial No 1593 any hotels/ resorts having less than 20 rooms and overall waste water generation less than 10 KLD does not require to obtain consent from KSPCB. But in the resort in question there are only 13 rooms and waste water generation is 6.5 KLD and same is treated and utilized for landscaping and gardening within the Resort premises and not discharging any treated or un-treated domestic effluent to the river or river body. And hence Board office directed me to issue suitable endorsement to respondent No. 1 and 2 quoting that the activity is exempted from obtaining consent from the Board in view of CPCB Notification. And I have further Notified the authorities that in the event of the Resort Authorities are going in for expansion exceeding the exempted limit, they have to obtain prior consent from the Board.

I swear accordingly.



DEPONENT

*[Signature]*  
at  
Mysore District Court  
Mysore Office - Mysore (Rm 10)

No. of Corrections: *mi*

Solemnly Affirmed & Declared  
Before me **4 SEP 2023**

*[Signature]*  
NOTARY, MYSORE

**BEFORE NATIONAL  
GREEN TRIBUNAL**

**SOUTHERN ZONE,  
CHENNAI.**

**O.A.No.49 OF 2023**

Dinesh kalahalli

...Applicant

-Vs-

Prakash Prashanth  
& others

...Respondents

**REPLY FILED ON BEHALF OF THE**  
**5<sup>TH</sup>RESPONDENT**

**COUNSEL FOR 5<sup>TH</sup> & 6<sup>TH</sup> RESPONDENT**