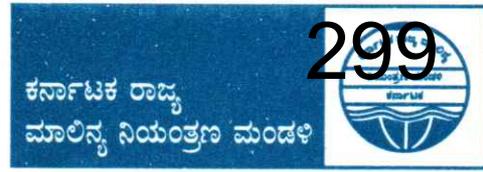


Karnataka State Pollution Control Board

Regional Office : Bangalore City East
"Nisarga Bhavan", 3rd Floor, 7th 'D' Main,
Thimmaiah Road, Shivanagar, Bangalore-560 010.
Tel.: 080-23224830
E-mail : bngcityeast@kspcb.gov.in

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ, 7ನೇ 'ಡಿ' ಮುಖ್ಯರಸ್ತೆ,
ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ, ಶಿವನಗರ, ಬೆಂಗಳೂರು-560 010.
ದೂ.: 080-23224830
E-mail : bngcityeast@kspcb.gov.in



towards a cleaner Karnataka

No: PCB/BCE/NGT OA No. 308 of 2022/2023-24/ 310

Date: 15 JUL 2023

To,
The Member Secretary
Karnataka State Pollution Control Board
'Parisara Bhavan' No.49,
Church Street, Bengaluru-560 001

Sir,

//Kind Attn: Law Officer, Legal Cell//

Sub : Submission of KSPCB action taken report w.r.t Hon'ble NGT OA No. 308 of 2022 in respect of construction of a massive multistoried building within the buffer zone of primary storm water drain, beside Halasuru Lake, adjacent to Conrad Hotel, by Gurudwara on Kensington Road, Bengaluru - reg.

Ref : 1. This office action taken report w.r.t Hon'ble NGT OA No. 308 of 2022 for the order 27.07.2022.
2. Hon'ble NGT OA No. 308 of 2022 order dated 10.11.2022
3. This office action taken report dated 17.02.2023.
4. Hon'ble NGT OA No. 308 of 2022 order dated 15.03.2023
5. This office action taken report dated 15.07.2023

In continuation with this office action taken report vide ref(3), the Hon'ble NGT has passed an order dated 15.03.2023 vide ref(4) and in the order, Hon'ble NGT directed KSPCB to take further remedial action by following due process of Law and informed to file its action taken report.

As per the directions of Hon'ble NGT order dated 15.03.2023. This office is herewith submitting the further action taken report along with supporting documents.

Yours faithfully

Environmental Officer (I/c)
RO, Bengaluru City East

Action taken report as per the direction of the Hon'ble NGT passed in OA No. 308 of 2022 relating to Gurudwara on Kensington Road, opposite to Shanthi Apartment, Halasuru, Bengaluru in respect of encroachment and also impact on functionality of storm drain and ecology of Halasuru Lake

Preamble:

Sri. Vivek, Secretary of the RWA-Shanthi Apartment, Gangadhara Chetty Road, Halasuru, Bangalore has filed a petition/application at Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi with regard to construction of a massive multistoried building within the buffer zone of primary storm water drain, beside Halasuru Lake, adjacent to Conrad Hotel, by Gurudwara on Kensington Road, Bengaluru, its alleged that the construction will damage Halasuru Lake as well as the storm water drain, though complaint have been made to the authority, they have not taken any action and hence the same has been admitted in Hon'ble NGT, Principal Bench in the name of Original Application No. 308/2022.

The Hon'ble NGT, Principal Bench had passed an order dated 06.05.2022 with respect to Original Application No. 308 of 2022 regarding massive multi-storeyed construction is being done within buffer zone of the primary storm water drain next to Halasuru Lake adjacent to Conrad Hotel, for the past few months in blatant violation of environmental norms by Gurudwara on Kensington road, opposite to Shanthi apartment. In the said order, Hon'ble NGT has appointed a Joint Committee comprising of Deputy Commissioner, Bangalore Urban District, Officer from State Wetland Authority, Commissioner, Bruhat Bengaluru Mahanagara Palike and Senior Environmental officer from KSPCB, Bangalore and directed the Joint Committee to inspect the area in question and to submit a factual as well as action taken report, if there is any violation found and also Karnataka State Pollution Control Board has been made as Nodal agency for co-ordination and for providing necessary logistics for this purpose.

In order to implement the Hon'ble NGT, Principal Bench order dated 06.05.2022, the Karnataka State Pollution Control Board(KSPCB) had passed an Office Memorandum(OM) vide No. PCB 10 Infra NGT 2022/1490, dated 26.05.2022, consists of the above mentioned Departments as per the Hon'ble NGT order.

The Gurudwara was inspected on 14.06.2022 and observed that Gurudwara authorities have taken up the construction activity and engaged in alternation/modification of the existing Gurudwara building of about 10,000 sq.mt with built up area and proposed to install sewage treatment plant of 50KLD and also the expansion activity is constructing on the bed of storm water drain and the construction is started without obtaining Consent for Establishment (CFE) from the Board. Hence, KSPCB, Regional office, Bengaluru City East has issued notice to Gurudwara on 15.06.2022 informing to apply for consent within 07 days from the date of receiving of this notice. But, they not neither applied for Consent nor replied to the KSPCB notice.

A preliminary meeting has been conducted under the Chairmanship of the Deputy Commissioner on 23.06.2022 at 1:00 pm by calling the above departments/authorities. As per the directions of

Hon'ble Deputy Commissioner, Joint inspection was carried out on 01.07.2022 and as per the observations made by the Joint committee, action taken report sent to Hon'ble NGT on 06.07.2022.

The Hon'ble NGT directed in the order dated 27.07.2022 considering the Joint Committee report. In the order dated 27.07.2022, Hon'ble NGT directed that, notices along with copies of the applications and report of the Joint Committee and documents enclosed therewith be also issued to the President M/s Gurudwara Sri Guru Singh Sabha, Kensington road, Ulsoor, Bangalore, Chairman, State Wetland Authority, Commissioner Bruhat Bengaluru Mahanagara Palike (BBMP) and Bangalore Water Supply and Sewerage Board (BWSSB) requiring them to file their response to observations/recommendations made in the report of Joint Committee.

The status of measures implemented by the concerned Departments as per the Hon'ble NGT order dated 27.07.2022 was submitted to Hon'ble NGT and the case was came up for hearing on 10.11.2022. On 10.11.2022, the Hon'ble NGT inter-alia passed the order and directed KSPCB to take further remedial action by following due process of law and file its action taken report.

Based on the directions of Hon'ble NGT the measures implemented were reported to Hon'ble NGT. Hon'ble NGT case was came up for hearing on 15.03.2023. The Hon'ble NGT inter-alia passed order dated 15.03.2023, stated that, learned council for KSPCB seek some more time for filing of action taken report and also granted 02 months time to KSPCB to file action taken report.

The latest status/Action taken report w.r.t the Hon'ble NGT order dated 15.03.2023 is as follows;

Sl. No.	Department/s	Status of Implementation
1	KSPCB	<p>As per the earlier Hon'ble NGT directions dated 27.07.2022, 10.11.2022 and 15.03.2023 the following actions were already issued.</p> <ol style="list-style-type: none"> 1. Notice issued to the Gurudwara on 15.06.2022. 2. Show cause notice issued to the Gurudwara on 03.10.2022 3. Reminder show cause notice issued to the Gurudwara on 28.10.2022 4. Notice of Proposed Directions issued to the Gurudwara on 31.10.2022 <p>Copies of the Notice, Show cause Notice, Reminder Show cause Notice and Notice of Proposed directions (NPD) are enclosed as Annexure-I, II, III, IV respectively.</p> <p>The above said notices were issued to the Gurudwara authority to apply for consent for establishment/Consent for Operation for operation of Sewage Treatment plant (STP) as per the notification No. FEE 316 EPC 2015, dated 19.01.2016 issued by Forest, Ecology and Environment Secretariat.</p> <p>On receipt of reminder show cause notice and NPD, the Gurudwara authority have submitted a reply to the reminder show cause notice and NPD along with building plan with BUA of 4272 sq.mt (45991 sft) and stated that, Gurudwara is built at the downstream of the Ulsoor Lake and the proposed expansion built up area is <5000 sq.mt. Further, they have also stated that, Gurudwara is non-</p>

		<p>profit organizations and we will not provide any Sewage Treatment Plant (STP). Accordingly, by considering the above letter, the above expansion activity is mainly a non-profit religious expansion and is not classified under CPCB re-categorization 2016 and also the religious temples are not covered under purview of KSPCB.</p> <p>As per the latest NGT order dated 15.03.2023 and to know the latest status, the Gurudwara was once again inspected on 12.07.2023 and observed that, the Gurudwara authorities have completed the expansion activity and is ready for inauguration.</p> <p>During inspection the following observations were made;</p> <ol style="list-style-type: none"> 1. The expansion of the building consist with configuration of Basement floor+ Ground floor + 03 upper floors is 4272 sq.mt, which is <5000 sq.mt. 2. The authorities have constructed the expansion part of the building on the storm water drain, during inspection, it was observed that, there was no obstacle for flow of water. The functionality of storm water drain is not affected, has the Gurudwara erected the retaining wall to height of about 4.5 mts on both side and also they have made the gradient slope for easy flow of water. Hence, there is no chance of stagnating the water and restriction of water flow. Further, Corporation of Bangalore city had executed a Registered Lease Deed on 11.01.1980 in favour of Guru Singh Sabha for the land measuring 8284 sft over the municipal drain behind the existing building, Kensington Road, Ulsoor, Bangalore for a period of 50 years from 01.01.1981 on lease on payment of Rs.200/- as lease amount per annum and permitted to use the schedule land only for its purpose by covering the drain with RCC. Copy of the Lease Deed is enclosed as Annexure-V. 3. In the expansion part, in the basement floor, they have established 50 KLD pre fabricated 50 KLD STP, DG set and parking space. 4. In the Ground floor there is an entry point to the Gurudwara and with office room. 5. In First floor, there is a langar and in the Second & third floor, they have provided facility for devotees/ staff accommodation. 6. In the Basement floor, they have established pre fabricated 50 KLD Sewage Treatment plant (STP) and is ready for operation. During the inspection, enquired about the reason for installation of STP, the person present informed that, there is sewer line issue in the catchment area and also due to scarcity of water for secondary purposes and to avoid the consumption of fresh water for secondary purposes, they have voluntarily decided to set up STP. Hence, they have provided 50 KLD
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pre fabricated STP and the treated water will be utilized for flushing, gardening and floor washing purposes.

7. He also informed that, the complete sewage generation from existing and expansion will take into this 50 KLD STP for treatment.
8. The authorities have installed 200 KVA DG set x 01 no. at the basement floor of the building.

(Photographs taken during inspection are enclosed as **Annexure-VI**).

9. It was enquired other statutory clearance obtained from the competitive authority such as BBMP, BWSSB, Fire & safety etc with respect to expansion activity, but, they have failed to submit the same.

As they have installed the STP then, the expansion activity is covered under purview of KSPCB. Hence, this office has issued one more notice to the Gurudawara and informed them to apply and obtain Consent under Water (Prevention & Control of Pollution) Act, 1974 and Air ((Prevention & Control of Pollution) Act, 1981 (**copy of the notice is enclosed as Annexure-VII**).

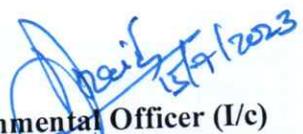
The person present during inspection informed that, the Gurudwara is a Sikh temple existing since 1941 and this is the only one Gurudwara in Karnataka and Gurudwara management is running a public school commencing from 1st to 10th standard particularly for backward and downtrodden students with free education and food and he also informed that Gurudwara is located downstream to the Halasuru Lake. The Halasuru Lake situated in the upstream and there are no chances of entering water into the lake.

The Halasuru Lake water quality is monitored every month under the National Water Quality Monitoring Programme (NWMP) by the Karnataka State Pollution Control Board (KSPCB) at 03 locations namely

1. Location 01- Halasuru Lake – near Gurudwara Temple
2. Location 01- Halasuru Lake – near Fishing Centre.
3. Location 01- Halasuru Lake – near Kalyani.

The analysis reports result shows that, the water quality of Halasuru Lake conforms to designated –best-use classification Class “D” i.e. water is fit for propagation of wildlife and fisheries and E-Irrigation, Industrial cooling, Controlled Waste Disposal.

It is respectfully submitted that, KSPCB will be oblige to provide any additional information if so required by this Hon’ble Tribunal and we hereby submit this report for kind consideration.


Environmental Officer (I/c)
RO, Bengaluru City East



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. OF 308 OF 2022

IN THE MATTER OF:

Sri. Vivek, Secretary of the RWA-Shanthi Apartment, Gangadhara Chetty Road, Halasuru, Bangalore on Gurudwara on Kensington Road, opposite to Shanthi Apartment, Halasuru, Bengaluru in respect of encroachment and also impact on functionality of storm drain and ecology of Halasuru Lake

..... **Applicant.**

V/s

Government of Karnataka

And others

...**Respondent(s).**

Index

Sl. No.	Subject	Annexure No.
1	Notice issued to the Gurudwara on 15.06.2022	Annexure –I
2	Show cause Notice issued to the Gurudwara on 03.10.2022	Annexure-II
3	Reminder Show cause Notice issued to the Gurudwara on 28.10.2022	Annexure-III
4	Notice of Proposed Directions issued to the Gurudwara on 31.10.2022	Annexure-IV
5	Registered Lease Deed on 11.01.1980	Annexure-V
6	Photographs taken during inspection of 12.07.2023	Annexure-VI
7	Notice issued to the Gurudwara on 15.07.2023	Annexure-VII

//BY RPAD//

No. PCB/BCE/Newly Identified/2022-23/382

DATE: 15 JUN 2022

To,

Annexure-I

The President,

M/s. Gurudwara Sri Guru Singh Sabha

Kensington road, Ulsoor, Bangalore-42

Sir,

Sub : Non compliance to the provisions of the Water (Prevention & Control Pollution) Act, 1974 and Air (Prevention & Control Pollution) Act, 1981 – Reg.

Ref : Inspection of your location by the undersigned on 14.6.2022.

&&&&&&&

With reference to the above subject, it is to be informed that you have taken up the construction activity and engaged in alterations and modifications of the existing building of about 10000.00 sqmt built-up area and a sewage treatment plant of capacity of 50 KLD in the name & style of M/s. M/s. Gurudwara Sri Guru Singh Sabha located at Kensington road, Ulsoor, Bangalore-560 042. Your location was inspected by the undersigned on 14.6.2022.

During inspection the following non-compliances were observed;

1. You have taken up the construction activity and engaged in alterations and modifications of the existing building of about 10000.00 sqmt built-up area comprising basement+ longer floor + prayer halls.
2. During the inspection it was observed that, you have taken up the construction work on bed of Raj Kaluve, which is clear violation.
3. You have not obtained Consent for Establishment/ consent for operation under Water Act and Air Act for the proposed construction activity
4. You have not obtained NOC from BWSSB and plan approval from the BBMP and started the construction work..
5. You have proposed to provide STP of capacity 50 KLD and earmarked the area for providing the same for which you have not obtained approval from the Board.
6. You have installed 250 KVA DG Set as an alternative source of power supply and not provided with adequate chimney height and acoustics.
7. During inspection it was observed that, there is a drain passing adjacent to the compound wall of the Gurudwara Sri Guru Singh Sabha.

Further, it is brought to your notice that the Hon'ble National Green Tribunal has passed an order on 8.5.2013 in the application No.37/2013 & "directed to take suitable action against the units running without valid consent of the pollution control Board & function of all the illegally operating factories /industrial units shall immediately stopped.

The Water (Prevention and Control of Pollution) 1974, Act and the Air (Prevention and Control of Pollution) Act, 1981 have been enacted and notified by the Central Government.

The provisions of section 25 of Water Act and section 21 of the Air Act specify that "no person shall establish or take any steps to establish any industry, or operation or process, or any

treatment and disposal sewage and trade effluents into a stream or well or sewer or on land (such discharge being here in after in this section referred to as discharge of sewage) and "no person shall, without the previous Consent of the Board, establish or operate any industrial plant in an air pollution control area". The person or the concern carrying out the said activity shall have to file prescribed consent applications i.e., Form-XIII and Form-I as notified under the provisions of the said Acts to obtain consents of the Board for discharge of sewage effluents and air emissions into the specified place as notified from the Board and to discharge air emissions as per the standards notified from the Board.

The club was established, commissioned and being operated without valid consents of the Board which is violation on the part of industry authorities under Sec.25 and 21 of the above said Acts. Violation of the provision of Section 25 & 26 of water Act, 1974 is punishable under section 44 of the Water Act and violation of the provision of section 21 of the Air Act, is punishable under section 37 of the Air Act.

The details of the relevant provisions are as follows.

Section 44 of Water Act, 1974:

"Penalty for contravention of section 25 or section 26 ": Whoever contravenes the provisions of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Section 37 of Air Act, 1981.

"Penalty for contravention of section 21 ": Whoever contravenes the provisions of section 21 shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Section 33(A) of Water Act, 1974 & section 31(A) of Air Act, 1981:

Board may, in the exercise of its powers & performance of its functions under these Acts issue any direction in writing to any person, officer or authority shall be bound to comply with such directions.

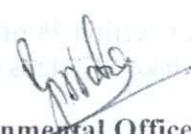
The power to issue directions under this section includes the power to direct:

- a) The closure, Prohibition or regulation of any industry operation or process, or
- b) The stoppage or regulation of supply of electricity, water or any other services.

Also to initiate criminal proceedings in the court of law under the provisions of said Acts. Hence, you are hereby informed to apply for consent of the Board within 7 days from the date of receiving this notice along with the following:-

1. Create separate user ID and password for your Club in XGN in Boards website www.kspsc.karnataka.gov.in.
2. Detailed project report on your institution.
3. Google map showing the location of the unit.
4. Audited Balance fees for the previous year/ Capital Investment certificate..
5. Details of Air Emission Sources installed along with control measures.
6. Solid waste Management details.
7. About institution, land details, list of directors etc.
8. STP report along with design details.
9. Complete water balance of the organization.

You are also informed to make the application only through XGN by creating ID and password. The receipt of this 'Notice' may please be acknowledged.


Environmental Officer
Bengaluru City East



PCB/BCE/NGT OA 308 of 2022 / 2022-23 / 891

Date: 03 OCT 2022

DISPATCHED

To,

The President

M/s Gurudwara Sri Guru Singh Sabha

Kensington Road, Ulsoor, Bengaluru

SHOW CAUSE NOTICE

Sir,

Subject: Non-compliance under the provision of Water (Prevention and Control of Pollution) Act by your Gurudwara M/s Guru Sri Singh Sabha, Kensington Road, Ulsoor, Bengaluru 1974-reg.

Reference:

1. Petition filed by Mr. Vivek, Secretary of RWA- Shanthi Apartment, Gangadhara Chetty Road, Bengaluru.
2. Honorable NGT Principal Bench Order dated 06.05.2022 in respect of OA No. 308 of 2022.
3. Board office Memorandum No. 1490, dated 26.05.2022.
4. Inspection of the Gurudwara by the officers of this office on 14.06.2022 & notice issued to the Gurudwara authorities on 15.06.2022.
5. Preliminary meeting held under the Chairmanship of Hon'ble DC, Bengaluru on 23.06.2022.
6. Joint Committee inspection held on 01.07.2022.
7. Action taken report sent to Hon'ble NGT on 06.07.2022.
8. Hon'ble NGT Interim Order dated 27.07.2022.
9. Inspection of the Gurudwara by the officers of this office on 04.08.2022.

Preamble:

Sri. Vivek, Secretary of the RWA-Shanthi Apartment, Gangadhara Chetty Road, Halasuru, Bangalore has filed a petition/application at Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi with regard to construction of a massive multistoried building within the buffer zone of primary storm water drain, beside Halasuru Lake, adjacent to Conrad Hotel, by Gurudwara on Kensington Road, Bengaluru, its alleged that the construction will damage Halasuru Lake as well as the storm water drain, though complaint have been made to the authority, they have not taken any action and hence the same has been admitted in Hon'ble NGT, Principal Bench in the name of Original Application No. 308/2022.

The Hon'ble NGT, Principal Bench had passed an order dated 06.05.2022 with respect to Original Application No. 308 of 2022 regarding massive multi-storeyed construction is being done within buffer zone of the primary storm water drain next to Halasuru Lake adjacent to Conrad Hotel, for the past few months in blatant violation of environmental norms by Gurudwara on Kensington road, opposite to Shanthi apartment. In the said order, Hon'ble NGT

Stamp: GURU SINGH SABHA, HALASURU, BANGALORE, INDIA. Date: 07/10/22

has appointed a Joint Committee comprising of Deputy Commissioner, Bangalore Urban District, Officer from State Wetland Authority, Commissioner, Bruhat Bengaluru Mahanagara Palike and Senior Environmental officer from KSPCB, Bangalore and directed the Joint Committee to inspect the area in question and to submit a factual as well as action taken report, if there is any violation found and also Karnataka State Pollution Control Board has been made as Nodal agency for co-ordination and for providing necessary logistics for this purpose.

In order to implement the Hon'ble NGT, Principal Bench order dated 06.05.2022, the Karnataka State Pollution Control Board had passed an Office Memorandum(OM) vide No. PCB 10 Infra NGT 2022/1490, dated 26.05.2022, consists of the following Departments as per the Hon'ble NGT order.

In view of the above, the Gurudwara was inspected on 14.06.2022 and observed that you have taken up the construction activity and engaged in alternation/modification of the existing Gurudwara building of about 10,000 sq.mt built up area and proposed to install sewage treatment plant of 50KLD and also the expansion activity is constructing on the bed of storm water drain and the construction is started without obtaining Consent for Establishment (CFE) from the Board. Hence, this office has issued notice to your Gurudwara on 15.06.2022 informing to apply for Consent for Establishment (CFE) within 07 days from the date of receiving of this notice. But, till date you have neither applied for CFE nor replied to this office notice.

A preliminary meeting has been conducted under the Chairmanship of the Deputy Commissioner on 23.06.2022 at 1:00 pm by calling the above departments/authorities. As per the directions of Hon'ble Deputy Commissioner, Joint inspection was carried out on 01.07.2022 and as per the observations made by the Joint committee, action taken report sent to Hon'ble NGT on 06.07.2022.

The case was there for hearing on 27.07.2022. Based on the action taken report, Hon'ble NGT has passed an Interim Order on 27.07.2022. In the order, Hon'ble NGT directed to issue notices along with copies of application and report of the Joint Committee (copy of the action taken report and Hon'ble NGT Interim order dated 27.07.2022 is enclosed).

To Know the latest status, your Gurudwara was again inspected by the officers of this office on 04.08.2022 and observed that you are continuing the expansion of the building with BUA of >5000 sq.mt and with a proposal to construct STP. The above expansion activity with built up area >5000 sq.mt comes under the purview of the Board considering this as an educational institute, as per the notification No. FEE 316 EPC 2015, dated 19.01.2016 issued by Forest, Ecology and Environment Secretariat.

As per the Provisions of Section 25 of Water (Prevention and Control of Pollution) Act, 1974 no person shall, without the previous consent of the State Board:

- Establish or take any steps or establish any industry, operation or process or any treatment and disposal system or an extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or
- Bring into use new or altered outlets for the discharge of sewage or
- Bring to make any new discharge of sewage

The building was established, commissioned without valid consents of the Board which is violation on the part of Establishment authorities under Sec.25 and 21 of the above said Acts. Violation of the provision of Section 25 & 26 of water Act, 1974 is punishable under section 44 of the Water Act and violation of the provision of section 21 of the Air Act, is punishable under section 37 of the Air Act.

The details of the relevant provisions are as follows.

Section 44 of Water Act, 1974:

"Penalty for contravention of section 25 or section 26 ": Whoever contravenes the provisions of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Section 37 of Air Act, 1981.

"Penalty for contravention of section 21 ": Whoever contravenes the provisions of section 21 shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Section 33(A) of Water Act, 1974 & section 31(A) of Air Act, 1981:

Board may, in the exercise of its powers & performance of its functions under these Acts issue any direction in writing to any person, officer or authority shall be bound to comply with such directions.

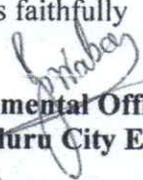
The power to issue directions under this section includes the power to direct:

1. The closure, Prohibition or regulation of any building or process,
- or
2. The stoppage or regulation of supply of electricity from BESCO, Water supply from BWSSB or any other services.
3. Also to initiate criminal proceedings in the court of law under the provisions of said Acts.

In view of the above, you are hereby directed to file your response to observations/recommendations made in the report of Joint Committee within 07 days from the date of receipt of this letter and to apply for Consent for Establishment (CFE) immediately to ensure the implementation of notification No. FEE 316 EPC 2015, dated 19.01.2016, failing which action deemed fit shall be initiated as per the provision of Water (Prevention and Control of Pollution) Act, 1977 and Air (Prevention and Control of Pollution) Act, 1981.

Acknowledge the receipt of the notice.

Yours faithfully


Environmental Officer
Bengaluru City East



towards a cleaner Karnataka

PCB/BCE/NGT OA 308 of 2022 / 2022-23 / 955

Date: 27 OCT 2022

To,
The President
M/s Gurudwara Sri Guru Singh Sabha
Kensington Road, Ulsoor, Bengaluru

DISPATCHED

REMINDER SHOW CAUSE NOTICE

Sir,

Sub : Non-compliance under the provision of Water (Prevention and Control of Pollution) Act by your Gurudwara M/s Guru Sri Singh Sabha, Kensington Road, Ulsoor, Bengaluru 1974-reg.

- Ref** :
1. Petition filed by Mr. Vivek, Secretary of RWA- Shanthi Apartment, Gangadhara Chetty Road, Bengaluru.
 2. Honorable NGT Principal Bench Order dated 06.05.2022 in respect of OA No. 308 of 2022.
 3. Board office Memorandum No. 1490, dated 26.05.2022.
 4. Inspection of the Gurudwara by the officers of this office on 14.06.2022 & notice issued to the Gurudwara authorities on 15.06.2022.
 5. Preliminary meeting held under the Chairmanship of Hon'ble DC, Bengaluru on 23.06.2022.
 6. Joint Committee inspection held on 01.07.2022.
 7. Action taken report sent to Hon'ble NGT on 06.07.2022.
 8. Hon'ble NGT Interim Order dated 27.07.2022.
 9. Inspection of the Gurudwara by the officers of this office on 04.08.2022.
 10. This office Show cause notice vide No. PCB/BCE/NGT OA No. 308 of 2022/2022-23/891. dated 03.10.2022.

In continuation of this office Show Cause Notice on 03.10.2022 vide ref(10), it was informed to file your response to observations/recommendations made in the report of Joint Committee within 07 days from the date of receipt of this notice and to apply for Consent for Establishment (CFE) immediately to ensure the implementation of notification No. FEE 316 EPC 2015, dated 19.01.2016 on 03.10.2022. But, till date you have neither submitted your response to observations/recommendations made in the Joint Committee nor applied for CFE.

Hence, it is once again informed to submit your response to observations/recommendations made in the Joint Committee within 03 days and apply for CFE immediately. As KSPCB being the Nodal agency, the reply should be submitted to Hon'ble NGT before 04th November 2022.

Acknowledge the receipt of the notice.

Handwritten signature and date: 23/10/22, 080-25553461

Yours faithfully

Sd/-

**Environmental Officer
Bengaluru City East**

Copy to:

1. RSEO, Bengaluru City, 3rd floor, Nisarga Bhavan, KSPCB, Shivanagar, Bengaluru 560 079 for kind information.
2. Case file

17

//BY RPAD//

10 OCT 2022

NO: KSPCB/RSEO/BNG-CITY/NPD/2022-23/ 257

Date:

NOTICE OF PROPOSED DIRECTIONS UNDER SECTION 33(A) OF WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974, READ WITH RULE 34 OF KARNATAKA STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION OF BUSINESS) AND THE WATER (PREVENTION AND CONTROL OF POLLUTION) RULES, 1976

Sub : Non compliance under the Provisions of the Water (Prevention and Control pollution) Act, 1974 by M/s. Gurudwara Sri Guru Singh Sabha , Kensington Road, Ulsoor, Bengaluru 560 042-reg.

- Ref :**
1. Petition filed by Mr. Vivek, Secretary of RWA- Shanthi Apartment, Gangadhara Chetty Road, Bengaluru.
 2. Honorable NGT Principal Bench Order dated 06.05.2022 in respect of OA No. 308 of 2022.
 3. Board office Memorandum No. 1490, dated 26.05.2022.
 4. Preliminary meeting held under the Chairmanship of Hon'ble DC, Bengaluru on 01.07.2022.
 5. Joint Committee inspection held on 01.07.2022.
 6. Action taken report sent to Hon'ble NGT on 05.07.2022.
 7. Interim Order from Hon'ble NGT, Principal Bench on 27.07.2022.
 8. Inspection of the Gurudwara by the officers of this office on 04.08.2022.
 9. Show Cause Notice issued by RO, Bengaluru City East on 03.10.2022
 10. Reminder Show Cause Notice issued by RO, Bengaluru City East on 28.10.2022
 11. Letter from RO, Bengaluru City East on 28.10.2022.

Preamble:

Sri. Vivek, Secretary of the RWA-Shanthi Apartment, Gangadhara Chetty Road, Halasuru, Bangalore has filed a petition/application at Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi with regard to construction of a massive multistoried building within the buffer zone of primary storm water drain, beside Halasuru Lake, adjacent to Conrad Hotel, by Gurudwara on Kensington Road, Bengaluru, its alleged that the construction will damage Halasuru Lake as well as the storm water drain, though complaint have been made to the authority, they have not taken any action and hence the same has been admitted in Hon'ble NGT, Principal Bench in the name of Original Application No. 308/2022.

The Hon'ble NGT, Principal Bench had passed an order dated 06.05.2022 with respect to Original Application No. 308 of 2022 regarding massive multi-storeyed construction is being done within buffer zone of the primary storm water drain next to Halasuru Lake adjacent to Conrad Hotel, for the past few months in blatant violation of environmental norms by Gurudwara on Kensington road, opposite to Shanthi apartment. In the said order, Hon'ble NGT has appointed a Joint Committee comprising of Deputy Commissioner, Bangalore Urban District, Officer from State Wetland Authority, Commissioner, Bruhat Bengaluru Mahanagara Palike and Senior Environmental officer from KSPCB, Bangalore and directed the Joint Committee to inspect the area in question and to submit a factual as well as action taken report, if there is any violation found and also Karnataka State Pollution Control Board has been made as Nodal agency for co-ordination and for providing necessary logistics for this purpose.

In order to implement, the Hon'ble NGT, Principal Bench order dated 06.05.2022, the Karnataka State Pollution Control Board had passed an Office Memorandum(OM) vide No. PCB 10 Infra NGT 2022/1490, dated 26.05.2022, consists of the above Departments as per the Hon'ble NGT order.

In view of the above, the Gurudwara was inspected by the Officers of the Board who is working at Bengaluru City East on 14.06.2022 and observed that, construction/alternation/modification of the existing Gurudwara building have taken up and proposed to install sewage treatment plant of 50KLD and also the expansion activity is constructing on the bed of storm water drain and the construction is started without obtaining Consent for Establishment (CFE) from the Board. Hence, RO, Bengaluru City East has issued notice to Gurudwara on 15.06.2022 informing to apply for CFE within 07 days from the date of receiving of notice. But, authority of Gurudwara have not applied for CFE and not replied to the notice.

A preliminary meeting has been conducted under the Chairmanship of the Deputy Commissioner on 23.06.2022 at 1:00 pm by calling the above departments/authorities. As per the directions of Hon'ble Deputy Commissioner, Joint inspection was carried out on 01.07.2022 and as per the observations made by the Joint committee, action taken report sent to Hon'ble NGT on 06.07.2022.

The case was there for hearing on 27.07.2022. Based on the action taken report, Hon'ble NGT has passed an Interim Order on 27.07.2022. In the order, Hon'ble NGT directed to issue notices along with copies of application and report of the Joint Committee and documents to the President, M/s Gurudwara Sri Guru Singh Sabha, Kensington road, Ulsoor, Bengaluru to file their response to observations/recommendations made in the report of the Joint Committee.

To Know the latest status, the Gurudwara was again inspected by the officers of this office on 04.08.2022 and observed that continuing the expansion of the building with BUA of >5000 sq.mt and with a proposal to construct STP and earmarked the place for establishment of STP. The above expansion activity with built up area >5000 sq.mt comes under the purview of the Board, as per the notification No. FEE 316 EPC 2015, dated 19.01.2016 issued by Forest, Ecology and Environment Secretariat. During the inspection the mahazar was drawn.

As per the Hon'ble NGT Interim order and observations made during inspection a show cause notice was issued by RO, Bengaluru City East to the President of M/s Gurudwara Sri Guru Singh Sabha, Kensington road on 03.10.2022 to file response to observations/recommendations made in the report of the joint committee within 07 days and to apply for CFE immediately. But, till today Gurudwara authorities have neither replied to the show cause notice nor applied for CFE.

Further, RO, Bengaluru City East has issued reminder show cause notice on 27.10.2022 and informed to submit the reply within 03 days and to apply for CFE immediately. But, Gurudwara authorities have also not replied to the reminder show cause notice also.

The above reported observations clearly shows that negligence attitude of the Gurudwara towards the environment and pollution control laws. Therefore the Board is constrained to issue Notice of Proposed directions under Section 33 (A) of Water (Prevention & Control of Pollution) Act 1974.

In view of the above, the Environmental Officer, Regional Office, Bangalore City East, has recommended to issue Notice of Proposed directions under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974.

Construction of the building with more than 5000 Sq.mt and STP of 50 KLD without obtaining Consent of the Board, thereby violating the provisions of Section 25 of Water (Prevention and Control of Pollution) Act, 1974. Therefore, the Board is proposed to initiate action under Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 read with rule 34 of the Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention and Control of Pollution) Rules, 1976 by issuing the following proposed directions;

PROPOSED DIRECTIONS

In exercise of the powers conferred under Section 33 (A) of Water (Prevention & Control of Pollution) Act 1974, the Karnataka State Pollution Control Board, represented by the Senior Environmental Officer, Bengaluru City intends to give the following proposed directions.

1. Why not direct, **The President, M/s Gurudwara Sri Guru Singh Sabha, Kensington Road, Ulsoor, Bengaluru** to Stop the construction of the building forthwith and until further orders.
2. Why not to direct the **Managing Director, BESCOM, K.R Circle, Bangalore-560 009** to issue necessary directions to the concerned Executive Engineer, BESCOM to stop/cut off power supply to the said building forthwith and until further orders.
3. Why not direct the **Chairman, Bangalore Water supply and sewerage Board, Cauvery Bahavan, K. G. Road, Bangalore** to issue necessary directions to the concerned Officer, BWSSB to stop/cut off water supply to the said building forthwith and until further orders.

Further, **The President, M/s Gurudwara Sri Guru Singh Sabha** is hereby called upon to **Show Cause within 15 days** from the date of issue of this Proposed Directions and to submit compliance report. If no objections are received **within 15 days** actions as at (1) and/or (2) & (3) will be confirmed.

**For And On Behalf Of The
Karnataka State Pollution Control Board
Bengaluru**

Sd/-

**Designated Officer
Senior Environmental Officer
Bengaluru City**

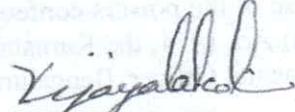
**To,
The President
M/s Gurudwara Sri Guru Singh Sabha,
Kensington Road, Ulsoor, Bengaluru**

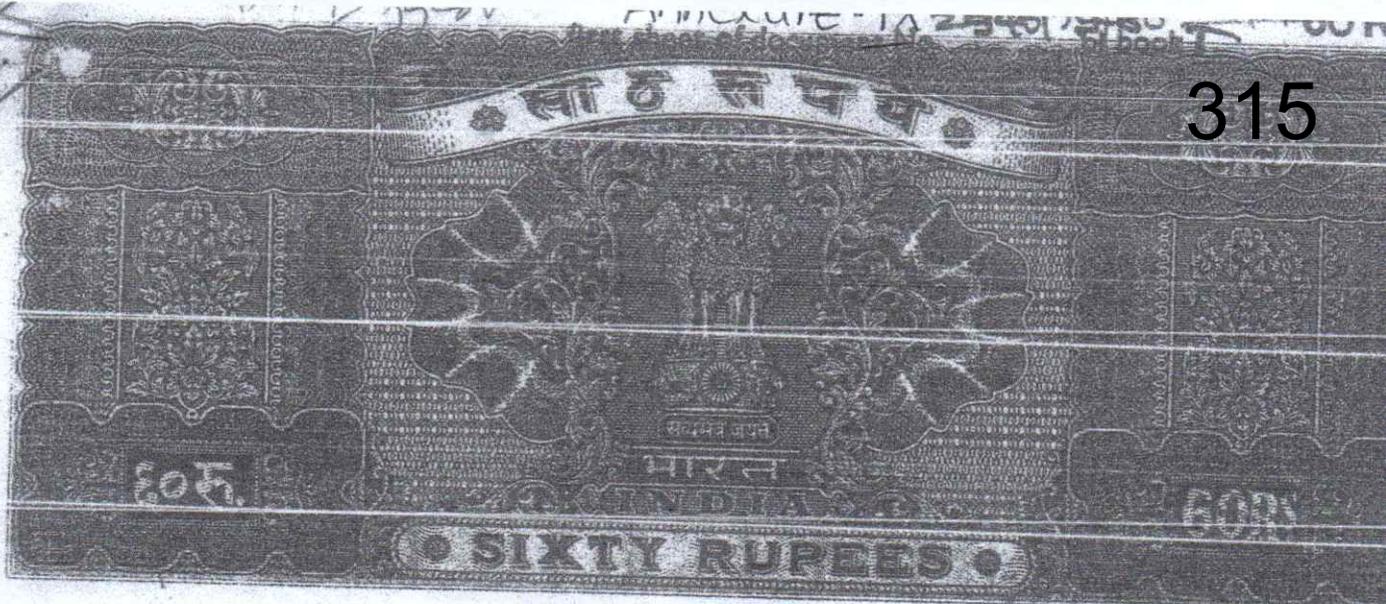
Copy submitted to:

1. The Member Secretary, KSPCB, Bengaluru (kind attention: SEO- Infrastructure Cell) for kind information.

Copy to:

1. The Environmental Officer, Regional Office, Bengaluru City East, Nisarga Bhavan, Bengaluru, for information and necessary action
2. Case File.


**SENIOR ENVIRONMENTAL OFFICER
BENGALURU CITY**



Annexure-V

THIS DEED of lease is executed on the//15 day of January 1980 between Corporation of the City of Bangalore, represented by its Deputy Commissioner (R) Sri.K.P. Narayan, B.Sc., Corporation Offices, Bangalore, hereinafter called the Lessor which term shall mean and include its successors and assigns of the one part and Sri Guru Singh Sabha, Kensington Road, Ulsoor represented by its President Sri.Dharshan Singh Sethi hereinafter called the Lessee which terms shall mean and include its successors and assigns of the other part:

Whereas at the request of the Lessee, the Administrator in his Proceedings dated 5-9-76 subject No.149 exercising the powers of the standing committee (Town Planning and improvement) and corporation resolved to grant the land measuring 8284 square feet adjacent to Gurudwara over the Municipal drain behind the existing building, Kensington Road, Ulsoor Bangalore on lease to the Lessee a period of 50 years on a lease amount of Rs.200/- per annum.

Whereas the Government of Karnataka in their order No.HMA 524 MNG 76 dated 5-7-79 accorded sanction to the said proceedings of the administrator vide subject No.149 dated

8 JAN 1980

873-75 Rs 60.00

316

No. Smt/Sri SRI GURU SINGH SABHA

Date 8.1.80

H. K. VASUDEVA

STAMP VENDOR

No. 69, 1st Main;

Seshadripuram, B'lore-20.

- 2 -

lease amount is fixed at Rs.200/- (Rupees two hundred only) per annum.

Whereas the Lessee has deposited with the Lessor a sum of Rs.600/- vide receipt No.6286 dated 27.11.79 equivalent to the lease amount for three years ~~tax~~ and has paid to the Lessor a sum of Rs.200/- (Rupees two hundred only) being the lease amount for one year in advance vide receipt No.6287 dated 27-11-79.

Now, the terms and conditions of the lease agreed between the Lessor and the Lessee are as follows:

1. The Lessor hereby grants to the lessee, Corporation land measuring 8284 sq. feet adjacent to gurudwara over the Municipal drain behind the existing building at Kensington Road, Ulsoor, Bangalore more fully described in schedule hereby below and marked as Red in the Sketch annexed hereto for a period of 50 years from this day on a lease amount of Rs.200/- per

annum
For SRI GURU SINGH SABHA

[Signature]

Contd...3.

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2. The Lessee shall pay to the Lessor the said lease amount of Rs.200/- (Rupees two hundred only) per annum every year in advance by the end of October commencing from January 1981, the lease amount for the current year having already been paid in advance as aforesaid.

3. The Lessee shall use the schedule land only for its purpose by covering the drain with R.C.C. subject to the designing of Pillars and slabs being approved by the chief Engineer of the corporation.

4. The Lessee shall not sub lease or part with possession of the Schedule land or any portion thereof in any manner what so ever.

5. On breach of any of the foregoing terms and conditions required to be complied with by the lessee, the Lessor shall be entitled to terminate the lease by issue of a notice and resume possession of the Schedule land with the building if any put up thereon

For SRI GURU SINGH SABHA

[Handwritten signature]

[Handwritten mark]

President

Contd...4.



873-75 6000
No.

Smt/Sri. Sri Guru Singh Sabha

Date. 8.1.80

H. K. Vasudev

H. K. VASUDEV

STAMP VENDOR

No. 69, 1st Main,

Seshadripuram, B'lore-20.

- 4 -

without liability to pay any compensation thereof notwithstanding the unexpired period of the lease.

6. On the Expiry of the period of lease of 50 years, the Lessee shall surrender possession of the Schedule land with the building standing thereon without claiming any compensation thereof, failing which the lessor shall be entitled to re-enter and take possession thereof without recourse to a court of law.

7. On the expiry of the said period of lease of 50 years and the Lessee surrender possession of the land to the Lessor and aforesaid, and latter shall refund to the former the said deposit of Rs.600/- (Rupees six hundred only) without interest.

8. With the consent of the Lessor, the Lease shall however liable to be renewed for a further period on such terms and conditions as may be mutually agreed to between the parties.

For SRI GURU SINGH SABHA

H. K. Vasudev

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- 5 -

Corporation land: measuring 8284 sq. feet adjacent to Gurudwara over the Municipal drain behind the existing building, Kensington Road, Ulsoor, Bangalore bounded on:

- East by : Drain
- West by : Kensington Main Road
- North by : Private property
- South by : Drain

In witness whereof the parties hereto have signed this deed of lease on the day, month and year first above written.

Witnesses:

1. Antan Singh
 C/O MANJOG
 85-K.H.Rd
 Bangalore-27

[Signature]
 Deputy Commissioner
 For B.S. GURU SINGH SABHA
 Corporation

2. H. T. ...
 No. 1073/2 ...
 12th Cross
 Bangalore-3.

[Signature]
 LESSEE
 President

I A. M. H.

Bruhat Bengaluru Mahanagara Palike
Office of Assistant Revenue Officer Shivajinagar East Zone

321

Receipt
(General Purpose)
[para 22(1)]

Receipt Number : RE-ifms064-Misc / 000023 DDO : ddo064 Assistant Revenue Officer Shivajinagar East Zone
Receipt Date : 01-Oct-2020 Ward : 090 Halsoor
Reference : / 01-Oct-2020 Credited : Canara Bank, Bangalore City Corpn. E.C. (Cor)
to : (CNRB0008401) - 8401132000019 (Misc)

Received the sum of Rs. 1180.00 (One Thousand One Hundred Eighty) from

Mri/Smt Secretary Guru Singh Saba
to 31, Kensington Road, Uisoor, Bangalore
Bengaluru

towards the following -
Lease Amount for the Year 2016-17 to 2020-21 Total 5 Years (Per Year 200 x 5 = 1000)

Sl No	Name	Misc.	Amount	Remarks
	R0172 Rent from Lease of Properties		1180.00	

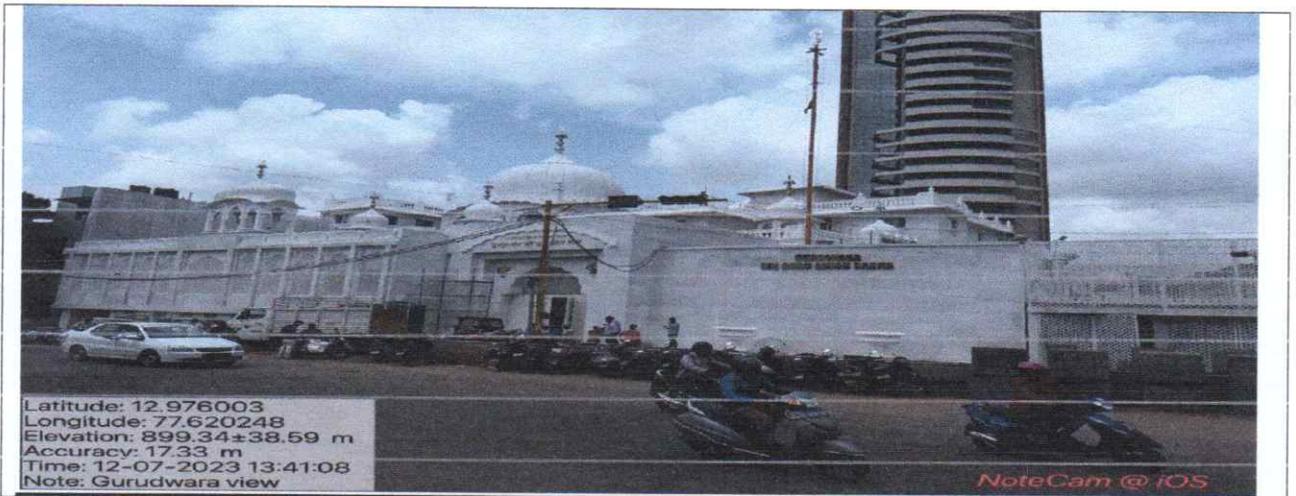
Amount received as :

Sl No	Type	Bank	Chq/DD No.	Chq/DD Dt.	Amount
	Cash	-			180.00
	DD	Punjab And Sind Bank, Punjab And Sind Bank (Psb)	211912	03-Sep-2020	1000.00
Total					1180

Tax Invoice : IN-ifms064-Misc/000001/01-Oct-2020


for Bruhat Bengaluru Mahanagara Palike
Assistant Revenue Officer
Shivajinagar East Zone

PHOTOGRAPHS TAKEN DURING INSPECTION OF GURUDWARA, SRI GURUSINGH SABHA, KENSINGTON ROAD, OPPOSITE TO SHANTHI APARTMENT, HALASURU, BENGALURU ON 12.07.2023 WRT HON'BLE NGT OA NO. 308 of 2022.



Karnataka State Pollution Control Board

Regional Office : Bangalore City East

"Nisarga Bhavan", 3rd Floor, 7th 'D' Main,

Thimmaiah Road, Shivanagar, Bangalore-560 010.

Tel.: 080-23224830

E-mail : bngcityeast@kspcb.gov.in

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ

"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ, 7ನೇ 'ಡಿ' ಮುಖ್ಯರಸ್ತೆ,

ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ, ಶಿವನಗರ, ಬೆಂಗಳೂರು-560 010.

ದೂ.: 080-23224830

E-mail : bngcityeast@kspcb.gov.in



towards a cleaner Karnataka

No. PCB/BCE/Gurudwara/NGT OA No. 308 of 2022/2023-24/309 Date: 15 JUL 2023

To,
The President
M/s Gurudwara, Sri Guru Singh Sabha
Kensington Road, Ulsoor, Bengaluru 560 042

Sir,

Sub : Non compliance under the provisions of the Water (Prevention & Control Pollution) Act, 1974 and Air (Prevention & Control Pollution) Act, 1981 – Reg.

- Ref :
1. Hon'ble NGT OA No. 308/2022 dated 06.05.2022
 2. Inspection of your location by the officers of this office on 14.6.2022.
 3. Notice issued by this office vide No. 382, dated 15.06.2022.
 4. Inspection of the Gurudwara by the officers of this office on 04.08.2022.
 5. Show cause notice issued dated 03.10.2022
 6. Reminder Show cause notice issued dated 28.10.2022
 7. Notice of Proposed Directions issued on 31.10.2022
 8. Inspection of the Gurudwara by the officers of this office on 12.07.2023.

&&&&&&

Sri. Vivek, Secretary of the RWA-Shanthi Apartment, Gangadhara Chetty Road, Halasuru, Bangalore has filed a petition/application at Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi with regard to construction of a massive multistoried building within the buffer zone of primary storm water drain, beside Halasuru Lake, adjacent to Conrad Hotel, by Gurudwara on Kensington Road, Bengaluru, its alleged that the construction will damage Halasuru Lake as well as the storm water drain, though complaint have been made to the authority, they have not taken any action and hence the same has been admitted in Hon'ble NGT, Principal Bench in the name of Original Application No. 308/2022.

The Hon'ble NGT, Principal Bench had passed an order dated 06.05.2022 with respect to Original Application No. 308 of 2022 regarding massive multi-storeyed construction is being done within buffer zone of the primary storm water drain next to Halasuru Lake adjacent to Conrad Hotel, for the past few months in blatant violation of environmental norms by Gurudwara on Kensington road, opposite to Shanthi apartment.

In order to implement the Hon'ble NGT, Principal Bench order dated 06.05.2022, the KSPCB had passed an order dated 26.05.2022 constituted the members with Deputy Commissioner, Bengaluru Urban District as a Presiding officer.

The Gurudwara was inspected on 14.06.2022 and observed that you have taken up the construction activity and engaged in alternation/modification of the existing Gurudwara building with a proposal to install 50 KLD STP . Based on the observations made, notice was issued vide

supporting documents, but, you have not applied for CFE.

Further as per the directions of Hon'ble NGT, Gurudwara was inspected on 04.08.2022 vide ref(4) and observed that, you have continuing the construction without obtaining CFE from the Board.

Based on the non-compliances observed during inspection, show cause notice was issued and informed to apply for CFE. But, you have neither applied to show cause notice nor applied for CFE. Hence, reminder show cause notice followed by Notice of proposed Directions issued vide ref(5), (6) & (7) informing you to apply for consent immediately.

On receipt of the reminder Show cause Notice and NPD, you have given reply, stating that, Gurudwara is registered under Sikh Gurudwara Act, 1925, this Gurusingh Sabha is existing since 1971 and is established for convenience of devotees and school students and total built up area of the Gurudwara which is getting renovated is <5000 sq.mt & STP is not required as per the norms and we will not provide any sewage treatment plant and we have full pledge underground sewage-system. Our place of worship is downstream of the Ulsoor Lake and water flow will not affect the flow of the lake in the storm water drain during rainy season. You have also intimated that, floating devotees come and pay respect for a short period and leave the premises. Only few staff to look after the premises stays.

As per the Hon'ble NGT directions, the Gurudwara is once again inspected on 12.07.2023 observed the following:

1. The expansion of the building consist with configuration of Basement floor+ Ground floor + 03 upper floors is 4272 sq.mt, which is <5000 sq.mt.
2. In the expansion part, in the basement floor, you have established 50 KLD pre fabricated 50 KLD STP, DG set and parking space.
3. In the Ground floor there is an entry point to the Gurudwara with office room.
4. In First floor, there is a langar and in the Second & third floor, you have provided facility for staff accommodation.
5. You have installed 200 KVA DG set x 01 no. at the basement floor of the building.
6. It was enquired about other statutory clearance obtained from the competitive authority such as BBMP, BWSSB, Fire & safety etc with respect to expansion activity, but, the person present, have failed to submit the same.

Further, it is brought to your notice that the Hon'ble National Green Tribunal has passed an order on 8.5.2013 in the application No.37/2013 & "directed to take suitable action against the units running without valid consent of the pollution control Board & function of all the illegally operating factories /industrial units shall immediately stopped.

The Water (Prevention and Control of Pollution) 1974, Act and the Air (Prevention and Control of Pollution) Act, 1981 have been enacted and notified by the Central Government.

The provisions of section 25 of Water Act and section 21 of the Air Act specify that "no person shall establish or take any steps to establish any industry, or operation or process, or any treatment and disposal sewage and trade effluents into a stream or well or sewer or on land (such discharge being here in after in this section referred to as discharge of sewage) and "no person

file prescribed consent applications i.e., Form-XIII and Form-I as notified under the provisions of the said Acts to obtain consents of the Board for discharge of sewage effluents and air emissions into the specified place as notified from the Board and to discharge air emissions as per the standards notified from the Board.

The STP was established, commissioned and being operated without valid consents of the Board which is violation on the part of unit authorities under Sec.25 and 21 of the above said Acts. Violation of the provision of Section 25 & 26 of water Act, 1974 is punishable under section 44 of the Water Act and violation of the provision of section 21 of the Air Act, is punishable under section 37 of the Air Act.

The details of the relevant provisions are as follows.

Section 44 of Water Act, 1974:

"Penalty for contravention of section 25 or section 26 ": Whoever contravenes the provisions of section 25 or section 26 shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Section 37 of Air Act, 1981.

"Penalty for contravention of section 21 ": Whoever contravenes the provisions of section 21 shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine.

Section 33(A) of Water Act, 1974 & section 31(A) of Air Act, 1981:

Board may, in the exercise of its powers & performance of its functions under these Acts issue any direction in writing to any person, officer or authority shall be bound to comply with such directions.

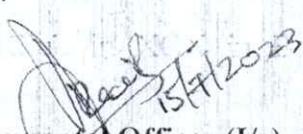
The power to issue directions under this section includes the power to direct:

- a) The closure, Prohibition or regulation of any industry, operation or process, or
- b) The stoppage or regulation of supply of electricity, water or any other services.

Also to initiate criminal proceedings in the court of law under the provisions of said Acts. Hence, you are hereby informed to apply for consent of the Board within 7 days from the date of receiving this notice along with the following:-

1. Create separate user ID and password for your Club in XGN in Boards website www.kspscb.karnataka.gov.in .
2. Detailed project report on your institution.
3. Google map showing the location of the unit.
4. Audited Balance fees for the previous year/ Capital Investment certificate..
5. Details of Air Emission Sources installed along with control measures.
6. Solid waste Management details.
7. About institution, land details, list of directors etc.
8. STP report along with design details.
9. BBMP approved plan
10. NoC obtained from BWSSB.
11. Complete water balance of the organization.

You are also informed to make the application only through XGN by creating ID and password. The receipt of this '**NOTICE**' may please be acknowledged.


Environmental Officer (I/c)
R.O. Bengaluru City East