

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE, CHENNAI
Appeal No. 34 of 2024 (SZ)**

BETWEEN

M/s Ananda Motors

...Appellant

AND

**Karnataka State Pollution
Control Board & Ors**

...Respondens

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Place: Bangalore

Date: 13.12.2024



Advocate for Respondent Board

A. Mahesh Chowdhary

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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OBJECTIONS ON BEHALF OF THE RESPONDENT BOARD

1. The Respondent Board denies and disputes all the averments, contentions and allegations raised by the Appellant, in the present Appeal and except what has been specifically admitted herein under, in writing, any omission on the part of the Respondent to deal with any specific averment, contention or allegation of the Appellant should not be construed as an admission on the part of the Respondent Board.
2. It is submitted that instead of para wise reply to the averments in the Appeal, it is prayed that, allow the instant objections constituting an overall response to the Appeal filed by the Appellant herein. Therefore, it is humbly prayed to read the same in totality for assessing the facts and nature of the case.
3. At the outset, Respondent submits that the above-mentioned Appeal is liable to be dismissed in limine as being misconceived and not maintainable in law and fact.
4. The present appeal has been filed by the Appellant against the Environment Compensation levied by the Respondent Board vide order dated 15.01.2024



(Annexure A/1) wherein an environmental compensation of Rs 50,15,625/- has been levied upon the Appellant by the Respondent Board.

Violations committed by the Appellant Industry

5. The Appellant is an existing two wheeler repair & service station, that had started **its operation without obtaining consent from the Respondent Board which gave** reasons for the Respondent Board to issue the closure order vide Annexure A/3 dated 08.05.2019.
6. It is relevant to state that on 14.08.2019 the Appellant industry was inspected wherein following observations were made :
 - i. The service station was established and operating without obtaining CFE and CFO under the Water and Air Act
 - ii. Service station was engaged in repairs, sales and servicing of two wheeler vehicles
 - iii. The effluent generated from washing of vehicles was directly discharged to the road side drain which were feeder of fresh water bodies.
 - iv. No ETP was provided to treat the waste water
 - v. Hazardous waste has been stored without providing storage area.
 - vi. No Log books have been maintained
 - vii. Service station is operating without obtaining authorization under Hazardous and other Waste Rules, 2016
 - viii. The discharge is being made in violation to the provisions of Water and Air Act.

It is crucial to state that due to the violations mentioned above, the Respondent Board had issued a notice of proposed direction to the Appellant dated 25.09.2018.



7. It is significant to state that despite the NPD being issue no substantive efforts were taken by the Appellant to meet the non-compliances. It is mandatory for the industries to obtain consent before establishing operating its unit and further to establish proper treatment system for discharge of effluent that the Appellant had failed to follow.
8. Due to the persistent non-compliance of the Appellant and operation of its unit without having a consent, the closure order dated 08.05.2019 vide Annexure A/3 I came to be issued against the Appellant unit.
9. It is significant to state that after the issuance of the closure order, on 03.07.2019, the Appellant had applied for consent for operation in perusance of which the Appellantt unit was inspected and it was observed tha few of the compliances were made such as :
 - i. The source water was bore well
 - ii. The sewage waste was disposed through Spetic Tank and Soak Pit
 - iii. Waste water was generated through new established ETP
 - iv. The only air pollution sources was provided with a chimney with acoustic enclosure.

It is relevant to state that in light of the afore-said observations, the RO had recommended to revoke the closure and hence the order dated 12.09.2019 vide Annexure A/4 came to be passed.

10. It is crucial to state that merely because the closure order was revoked, the Appellant cannot take the shelter that no violations have been committed. The Appellant for sufficient time has operated its unit without obtaining consent in violation of the provisions of the Water and Air Act and thereby causing serious damage to the environment.



The impugned order is valid in the eyes of law.

11. The Hon'ble NGT in OA No. 1038/2018 vide its order dated 29.08.2022 had specifically directed the SPCB's to implement the order and impose the environment compensation upon the industries that have been polluting the environment and operating in violation. The said order has also been upheld by the NGT (PB) in OA No. 324/2021.
12. On 31.01.2020, a demand notice in compliance with the orders passed by the Hon'ble NGT was issued by the Respondent Board, however due to some oversight crept in while calculating the number of days the violation took place. A copy of the demand notice dated 31.01.2020 has been enclosed as **Annexure R2** for the kind perusal of this Hon'ble Court.
13. On 13.07.2023 vide Annexure A/5, an order imposing EC was issued, EC was calculated from 14.08.2019 to 08.05.2019 amounting to Rs 75,09, 375/-. However, the Appellant industry after further perusal of papers had issued the impugned order dated 05.01.2024 vide Annexure A/1, wherein the number of days violation took place was rectified to 14.08.2018 to 31.01.2020 (date of issuance of the demand notice) amounting to Rs 50,15,625/-
14. At this juncture, it is relevant to state that the Appellant having started the operation of its unit without obtaining consent had not only caused damaging effect to the environment but has made no efforts to rectify the damages.
15. The Appellant had not challenged the issuance of the first demand notice and subsequent compensation levied vide Annexure A/5. Instead the Appellant had maintained complete silence making no efforts to deposit the compensation amount.



16. It is relevant to state that the correct number of days of violation are from 14.08.2018 to 31.01.2020 (date of issuance of the demand notice) amounting to Rs 50,15,625/-. The Appellant has obtained its CFO on 11.02.2020. A copy of the CFO has been enclosed as **Annexure R2** for the kind perusal of this Hon'ble Court.
17. It is relevant to state that merely because the Closure order has been revoked and CFO has been granted does not discharge the Appellant of its liability under 'Polluter Pays' principle.
18. The environmental compensation value mentioned above has been calculated after careful consideration of the duration of the appellant industry's violations. Appellants at no point of time have ever denied the fact that, there was violation or there has been non compliance. Appellant has only maintained that, such non compliance has been cured and the is accepted by Respondent Board. It is the not the case of It is crucial to emphasize that mere compliance with the law at a later stage does not absolve industries from the responsibility of adhering to the principle of 'polluter pays'. Appellants argument that, since there is compliance, environmental compensation cannot be accepted as the same stands an anti-thesis to principle of 'polluter pays'
19. The rationale behind imposing environmental compensation on the Polluters is that the law violating the provisions of law needs to be punished. The objective is that punishment in terms of imposition of compensation and recover the for restoration. Keeping this in mind the Hon'ble National Green Tribunal decided to impose the environmental compensation on the Polluters. Therefore, the argument that, unless they are classified as a particular type of industry, compensation cannot be levied is not erroneous. In any event, the Appellant's industry is located in the CEPI location, which can be ascertained by the address in the impugned notice.



20. It is significant to state that reversing the imbalance caused to the ecology is part and parcel of the industrial process. Thus, the financial responsibility of taking prevention and controlling measures for the pollution caused should rest upon the industry which caused pollution. The principle of polluter pays has time and again been also upheld by the Hon'ble Apex Court and High Court in a plethora of judgements such as *Indian Council for Environment Legal v Union of India, 1996 SCC (3) 212, M.C Mehta v Kamal Nath (2000) 6 SCC 213 etc.*
21. The Respondents maintain that the Appellant had a opportunity to present its case and submit supporting documents during the response to the show-cause notice. The issuance of the demand notice is not arbitrary; rather, it is a culmination of a comprehensive review of the Appellant's responses, evidence, and the severity of the alleged violations. The quantum of compensation is calculated in consideration of the potential environmental impact, and the imposition is seen as a means to rectify and offset any harm caused to the environment.
22. This act of Respondent Board imposing Environmental Compensation is not an isolated event, but is a consequence of acts or pollutions caused over a period of time by any polluting industry. Therefore, the argument that, no opportunity was afforded is based on wrong understanding of principles of Natural Justice.
23. Respondent Board contends that the computation formula considers the period from the date of the first inspection (14.08.2018) to the date of issuance of first demand notice (31/01/2020) as the 'Number of days of the violation.' This period is crucial for assessing the duration during which potential violations were observed, and necessary corrective actions were not taken. The formula aligns with the need to deter non-compliance and ensure timely rectification. The computation formula used by Respondent Board reflects the preventive nature of environmental compensation. By considering the entire period from the first inspection to the issuance of the closure order, the formula incentivizes prompt



corrective actions and discourages prolonged non-compliance. This approach is aligned with the broader goal of the principle – ‘ polluter pays’.

24. The violations committed by the Appellant are an admitted fact and hence warrant no interference by this Hon’ble Tribunal as the prayer made by the Appellant is based on suppression of facts and liable to be dismissed for not being maintainable either in law or in facts.
25. In light of the aforesaid, it is relevant to state that the impugned environmental compensation levied by the Respondent Board upon the Appellant industry amounting vide Annexure A1 is valid and legal.
26. The present appeal is filed by the Appellant only to escape from its liability by misleading this Hon’ble Tribunal and hence, requires to be dismissed for not being maintainable either in law or in facts and circumstances of the case in the interest of justice and equity.

Place: Bangalore

Date: 13.12.2024



Advocate for Respondent Board

A. Mahesh Chowdhary

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SOUTH ZONE, CHENNAI

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BETWEEN

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VERIFYING AFFIDAVIT

I, Dr. . H. R. Puttaraju S/o H. S. Ramegowda Aged 54, years the representative of the Karnataka State Pollution Control Board,, Nisarga, Bhavan, Shivannahli Bengaluru – 560010 the Respondent in the instant petition do hereby solemnly affirm and state on oath as follows:

1. I am the authorized representative Respondent No. 1 and 2 in the instant petition. I know the facts of the case and hence swear to this affidavit.
2. I submit that, the averments made in para-No. 1 to 26 of objection are true and correct to the best of my knowledge, information and belief.
3. I state that the Annexure R-1 to 3 to produced, include certified copies and true copies of the originals.

I swear that the contents made out in the above paragraph 1 to 3 are true and correct to the best of my knowledge, information, and belief.

Identified by
SWORN TO BEFORE ME


DEPONENT

Advocate.

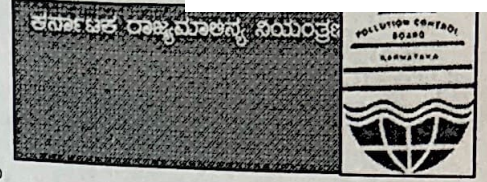
Place:

Date:

Office of the Regional
Karnataka State
Bengaluru Sarj
"NISARGA BHARATI"

Board

ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು ಸರ್ಕಾರಿ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಅಂತಸ್ತು, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
7ನೇ 'ಕ' ಮುಖ್ಯ ರಸ್ತೆ, ಶಿವನಗರ
ಪುಷ್ಪಾಂಜಲಿ ಥಿಯೇಟರ್ ಎದುರು, ಬೆಂಗಳೂರು -560 010
ದೂರವಾಣಿ: 080- 23230153



Thimmaiah Road, 7th 'D' Main, Shivnagar,
Opp. Pushpanjali Theatre, Bengaluru -560 010
Phone : (O) 080 -23230153

towards a cleaner Karnataka

//RPAD//
DEMAND NOTICE

NO. KSPCB/RO-SRJ/CEPI/Env. Compensation/2019-20/925

Date: 31 JAN 2020
DESPATCHED

To,

The Occupier,
M/s Ananda Motors
No. 55, Opp. SKF,
Hebbagodi, MBT Compound,
Bommasandra Industrial Area
Anekal Taluk, Attibele Hobli,
Bengaluru

Sir,

Sub: Imposing Environmental Compensation (EC) for the non-compliances under the provision of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act, 1981 and Environment(Protection) Act, 1986.

- Ref: 1. This office Notice issued No. 457 dated: 23.08.2018.
2. NPD issued by RSEO, Bng South vide No. 91/PCB/ZSEO/Bng-South/NPD/Water Act/2018-19/340, Dated: 25.09.2018.
3. Closure Direction issued by Board office Vide No. 08.05.2019
4. Revocation of closure direction issued by Board Office vide No. PCB/03/Enf/SEO(NEIA)/Revokation Order (WPC) /2019-20/695 Dated: 12.09.2019.
5. Combined consent order No. AW- AW-317105 dated: 11/02/2020.
6. Directions of Hon'ble NGT in the matter of OA No. 1038/2018 dated 10.07.2019 & 14.11.2019 (corrected on 19.11.2019).
7. Board Office Memo vide no. PCB/CEO-2(NEIA-BNG)/CEPI/Env. Compensation/2019-20/5749, dated: 31/01/2020.

The Central Pollution Control Board (CPCB) in exercise of its statutory functions under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 has carried out the physical study of the industrial clusters in the country with reference to the Comprehensive Environmental Pollution Index (CEPI). On the basis of the study and based on CEPI -2016 criteria, CPCB has identified 100 polluted industrial clusters. Wherein, KIADB Industrial Area, Jigani, Anekal, Bangalore; Peenya are identified as Critically Polluted Industrial Area (CPA) with a CEPI score of 70.99 and 78.12 respectively and identified Bidar as Severely Polluted Industrial Area (SPA) with a CEPI score of 65.64.

The Hon'ble NGT, Principle Bench, New Delhi, in its order dated: 10.7.2019 in Original Application No. 1038/2018, has directed that the Central Pollution Control Board (CPCB) in coordination with all the State Pollution Control Boards (SPCBs) to take steps by exercising statutory powers under the Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 or any other law to prohibit operation of polluting activities in the said Critically Polluted Areas and Severely Polluted Area within three months and to furnish compliance report.

Hon'ble NGT, further, directed to make assessment of compensation to be recovered from the said polluting units for the period of last 5 years taking into account the cost of restoration and cost of damage to the public health and environment and the deterrence element. The scale of deterrence may be related to the period and the frequency of defaults and such other factors as may be found relevant may also be taken into account. The Tribunal has directed that Pending assessment of compensation, **interim compensation** be recovered at the scale adopted by the Tribunal in case of Vapi Industrial Area (in case of Aryavart Foundation Vs. M/s. Vapi Green Enviro Ltd. & Ors.) as mentioned below:

1. Large Industries - Rs. 1 Crore each industry
2. Medium Industries - Rs. 50 Lakhs each industry
3. Small Industries - Rs. 25 Lakhs each industry

Subsequently, the Tribunal in its Order dated 14.11.2019 (corrected on 19.11.2019) in the matter of OA No.1038/2018, has stated that, while remedial action may certainly be planned, current violation of law could not be ignored and was actionable by way of stopping polluting activities, initiating prosecution and recovering compensation on 'Polluter Pays' principle. The statutory authority are accountable and hence has directed that meaningful action has to be taken by the State PCB's/PCC's as already directed against the polluters in the Critically Polluted Industrial (CPA) area.

Your industry is located in Critically Polluted Area and the industry was inspected by the Officers of the Board viz., EO/DEO/AEO on several occasions and observed the following violations in the last 5 years as below;

Sl No	Date of Inspection	Violations Observed
1	14.08.2018	<p>1. The unit was established and engaged in the Sales and Servicing of Two wheelers without obtaining the Consent for Establishment (CFE) and Consent for Operation (CFO) of the Board. It is clear violation of Section 25 of Water Act, 1974 and Section 21 of Air Act, 1981, which is punishable under Section 44, Section 37, Section 33(A) and Section 31(A) of the above said Acts.</p> <p>2. The effluent generated from the washing of vehicles is being directly discharging to the road side drain, these drains are feeder for the fresh water bodies. The untreated/partially treated effluents are finally joining to the nearby lake and causing water pollution in vicinity, which is also a violation under Section 25 of Water (P&CP) Act, 1974. Hence, they have been directed to plug the discharge of effluent to outside drain immediately.</p>

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3. The unit has not provided the Effluent Treatment Plant (ETP) to treat the waste water generated from the washing of two wheeler as a result the waste water generated from washing activity is being directly discharging to outside the premises.
4. The Hazardous waste such as oil soaked cotton waste, used/spent oil and filters have been stored haphazardly without providing proper storage area with impervious floor.
5. They have not maintained log books regarding generation and disposal of hazardous waste and solid waste.
6. The unit was operating without obtaining authorization under Hazardous and Other Waste (Management and Transboundry Movement) Rules, 2016 and they have not maintained records of monthly generation of hazardous waste. During inspection, it was observed that, lot of oil soaked cotton waste, oil filters, discarded containers have been mixed with solid waste and disposing to the unauthorized persons illegally. This action is a clear violation under Hazardous Waste Rules and attracts penal action under relevant provisions of Environment (Protection) Act, 1986.

The above observations noticed from last 5 years are the violations under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Rules framed under Environment(Protection) Act, 1986 and contributing to the pollution of the surrounding environment viz. Water, Air, Soil.

In view of the above facts, you are hereby liable to pay **interim Environmental Compensation of Rs. 25,00,000/- (Rupees Twenty Five Lakhs Only)** as your industry falls under Small Orange category as per Hon'ble NGT order cited at ref (6) , in the form of demand draft (DD) drawn in favor of Member Secretary, KSPCB, Bengaluru within 15 days from the dare of service of this notice, failing which action as deemed fit under the provision of Law, will be initiated.

The receipt of this notice may please be acknowledged.

Yours faithfully,

Sd/

Environmental Officer
RO, Sarjapura

Copy To:

1. The Member Secretary, KSPCB for kind information.
2. The Zonal SEO, Bangalore South for kind information.

S. S. Srinivas
Environmental Officer
RO, Sarjapura



Consent For Operation (CFO-Air,Water)

Karnataka State Pollution Control Board
Zonal Office : Bangalore South,
Nisarga Bhavan 3rd Floor, Thimmaiah Road, 7th D Cross,
Shivanagar, Bangalore-560010
Tele : 080-23228862

Industry Colour:
ORANGE

Industry Scale: SMALL

(This document contains 8 pages including annexure & excluding additional conditions)

Combined Consent Order No: AW-317105

PCB ID:

80106

Date: 11/02/2020

Combined consent for discharge of effluents under the Water (Prevention and Control of Pollution) Act, 1974 and emission under Air (Prevention and Control of Pollution) Act, 1981

- Ref: 1. Application filed by the industry / organization on 04/07/2019
2. Inspection of the Industry/organization/by RO, on 27/01/2020

Consent is hereby granted under Section 25(4) of the Water (Prevention & Control of Pollution) Act, 1974 (herein referred to as the Water Act) & Section 21 of Air (Prevention & Control of Pollution) Act, 1981, (here in referred to as the Air Act) and the Rules and Orders made there under and subject to the terms and conditions as detailed in the Schedule Annexed to this order.

The Occupier is authorized to operate /carryout industry/activity & to make discharge of the effluents & emissions confirming to the stipulated standards from the premises mentioned below:

Location:

Name of the Industry: Ananda Motors

Address: No 55, Opposite SKF, Hebbagodi, anekal

Industrial Area: Not In I.A, Hebbagodi,

Taluk: Anekal-Sarjapura Hobli, District: Bangalore Urban

Discharge of effluents under the Water Act:

Sr	Water Code	WC(KLD)	WWG(KLD)	Remark
1	Domestic Purpose	1.000	0.800	Discharged into Septic Tank & Soak pit
2	Others	3.000	2.800	treated in ETP of capacity 3 KLD

Discharge of Air emissions under the Air Act from the following stacks etc.

Sl. No. Description of chimney/outlet Limits specified refer schedule

The details of Sources, control equipments and its specification, type of fuel, rate of emissions, constituents to be controlled in emissions etc. are detailed in Annexure-I.

The consent for operation is granted considering the following activities/Products;

Sr	Product Name	Applied Qty/Month	Unit
1	Sales, Servicing and repairing of two wheelers	670.0000	NOS

This consent is valid for the period from 24/01/2020 to 30/09/2028

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Consent For Operation (CFO-Air, Water)

Industry Colour:
ORANGE

Industry Scale: SMALL

Karnataka State Pollution Control Board
Zonal Office : Bangalore South,
Nisarga Bhavan 3rd Floor, Thimmaiah Road, 7th D Cross,
Shivanagar, Bangalore-560010
Tele : 080-23228862

(This document contains 8 pages including annexure & excluding additional conditions)

To,

Ananda Motors

MBT compound, 7th mile,
roopena agrahara,
bommanahalli, near silk
board, Bang

NOTE:

The following Conditions mentioned above are not applicable.

Additional Conditions:

1. This CFO is issued on the basis of information provided by applicant in the affidavit as well as on the basis of I/R and recommendation of RO. In case of any false information/violations, this consent will be withdrawn without any further intimation. 2. The industry shall apply and obtain authorization under HW & OW Rules 2016 immediately. 3. This consent is issued after closure order is revoked by the Board. No.PCB/ENF/SEO/NEIA/Revocation order(WPC)/2029-20/695 dt:12.09.2019.

COPY TO:

1. The Regional Officer, **Bangalore Sarjapura** for information and necessary action.
2. Master Register.
3. Case file.

Consent Fee paid : Rs. 30000

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Board
South,
Cross,
50010
8862



**Consent For Operation
(CFO-Air,Water)**

Karnataka State Pollution Control Board
Zonal Office : Bangalore South,
Nisarga Bhavan 3rd Floor, Thimmaiah Road, 7th D Cross,
Shivanagar, Bangalore-560010
Tele : 080-23228862

Industry Colour:
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Industry Scale: SMALL

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**Consent For Operation
 (CFO-Air, Water)**

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SCHEDULE

TERMS AND CONDITIONS

A. TREATMENT AND DISPOSAL OF EFFLUENTS UNDER THE WATER ACT.

1. The discharge from the premises of the occupier shall pass through the terminal manhole/manholes where from the Board shall be free to collect samples in accordance with the provisions of the Act/Rules made there under.
- 2(a). The sewage/domestic effluent shall be treated in septic tank and with soak pit. No overflow from the soak pit is allowed. The septic tank and soak pit shall be as per IS 2470 Part-I & Part-II.
- 2(b). The treated sewage effluent discharged shall conform to the standards specified in Annexure-I.
- 3(a). The trade effluent generated in the industry shall be treated in the ETP and treated effluent shall conform to the standards stipulated by the Board in Annexure-1
- 3(b). The trade effluent shall be handed over to CETP and maintain logbook of effluent generated & sent every day.
4. The occupier shall install flow measuring/recording devices to record the discharge quantity and maintain the record.
5. The occupier shall not change or alter either the quality or the quantity or the place of discharge or temperature or the point of discharge without the previous consent/ permission of the Board.
6. The Occupier shall not allow the discharge from the other premises to mix with the discharge from his premises. Storm water shall not be allowed to mix with the effluents on the upstream of the terminal manhole where the flow measuring devices are installed.

B. EMISSIONS:

1. The discharge of emissions from the premises of the applicant shall pass through the air pollution control equipment and discharged through stacks/chimneys mentioned in **Annexure-II** where from the Board shall be free to collect the samples at any time in accordance with the provisions of the Act and Rules made there under.
2. The occupier shall provide port holes for sampling of emission, access platforms for carrying out stack sampling, electrical points and all other necessary arrangements including ladder as indicated in Annexure-II.
3. The Occupier shall upgrade/modify/replace the control equipment with prior permission of the Board.

C. MONITORING & REPORTING:

1. The occupier shall get the samples of effluents & emissions collected and get them analyzed **once a month/ Indicated in Annexure** for the parameters.

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Consent For Operation (CFO-Air, Water)

Industry Colour:
ORANGE

Industry Scale: SMALL

Karnataka State Pollution Control Board
Zonal Office : Bangalore South,
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Tele : 080-23228862

(This document contains 8 pages including annexure & excluding additional conditions)

D. SOLID WASTE (OTHER THAN HAZARDOUS WASTE) DISPOSAL:

1. The Occupier shall segregate solid waste from Hazardous Waste, Municipal Solid Waste and store it properly till treatment/disposal without causing pollution to the surrounding Environment.
2. The solid waste generated shall be handled & disposed by scientific method without causing eye sore to the general public and to the surrounding environment.

E. NOISE POLLUTION CONTROL:

1. The industry shall ensure that the ambient noise levels within its premises shall not exceed the limits i.e 75 dB(A) Leq during day time and 70 dB(A) Leq during night time as specified in the Environment (Protection) Rules.

F. GENERAL CONDITIONS:

1. The Board reserves the right to review, impose additional conditions, revoke, change or alter terms and conditions of this consent.
2. The Occupier shall forthwith keep the Board informed of any accidental discharge of emissions/effluents into the atmosphere in excess of the standards laid down by the Board. The applicant shall also take corrective steps to mitigate the impact.
3. The Occupier shall provide alternative power supply sufficient to operate all Pollution control equipments.
4. The entire premises shall always be kept clean. The effluent holding area, inspection chambers, outlets, flow measuring points should made easily approachable.
5. The Occupier shall display the consent granted in a prominent place for perusal of the inspecting officers of the Board.
6. The Occupier his heirs, legal representatives or assigns shall have no claims what so ever to the continuation or renewal of this consent after expiry of the validity of consent.
7. The Occupier shall make an application for consent at least 45 days before expiry of this consent.
8. The occupier shall maintain register recording the ambient air quality and stack monitoring. The register shall be open for inspection by the Board Officers at all time.

Note: All efforts should be made to remove colour and unpleasant odour as far as practicable.

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Consent For Operation (CFO-Air, Water)

Karnataka State Pollution Control Board
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Annexure-II

Chim. No.	Chimney attached to	KVA Rating/ Capacity	Minimum chimney height to be provided above ground level (in Mtr)	Constituents to be controlled in the emission	Tolerance limits mg/NM3	Air pollution Control equipment to be installed, in addition to chimney height as per col.(4)	Date on which air pollution control equipments shall be provided to achieve the stipulated tolerance limits and chimney heights conforming to stipulated heights.
	I D.G. Sets	40 KVA		3 PM(mg/NM3), SO2(PPM), NOx (PPM)	0,0,0	AEC	---

Note:

AEC : Acoustic Enclosures

Note:

- The Noise levels within the premises shall not exceed 75 dB (A) leq during day time and 70 dB(A) leq during night time respectively.
- The DG set shall be provided with acoustic measures as per SI.No.94 in Schedule-I of Environment (Protection) Rules.
- There shall be no smell or odour nuisance from the industry.



Consent For Operation (CFO-Air,Water)

Karnataka State Pollution Control Board
Zonal Office : Bangalore South,
Nisarga Bhavan 3rd Floor, Thimmaiah Road, 7th D Cross,
Shivanagar, Bangalore-560010
Tele : 080-23228862

Industry Colour:
ORANGE

Industry Scale: SMALL

(This document contains 8 pages including annexure & excluding additional conditions)

LOCATION OF SAMPLING PORTHOLES, THE PLATFORMS, THE ELECTRICAL OUTLET.

1. Location of Portholes and approach platform:

Portholes shall be provided for all chimneys, stacks and other sources of emission. These shall serve as the sampling points. The sampling point should be located at a distance equal to atleast eight times the stack or duct diameters downstream and two diameters upstream from source of low disturbance such as a Bend, Expansion, Construction Valve, Fitting or Visible Flame for rectangular stacks, the equivalent diameter can be calculated from the following equation.

$$\text{Equivalent Diameter} = \frac{2 (\text{Length} \times \text{Width})}{(\text{Length} + \text{Width})}$$

2. The diameter of the sampling port should not be less than 3". Arrangements should be made so that the porthole is closed firmly during the period when it is not used for sampling.
3. An easily accessible platform to accommodate 3 to 4 persons to conveniently monitor the stack emission from the portholes shall be provided. Arrangements for an Electric Outlet Point off 230 V 15 A with suitable switch control and 3 Pin Point shall be provided at the Porthole location.

For and on behalf of the
Karnataka State Pollution Control
Board

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Industry Colour:
ORANGE

Consent For Operation
(CFO-Air, Water)

Industry Scale: SMALL

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[Objections] Appeal No 34/2024
between Anand Motors v KSPCB



Precinct Legal

Today, 9:57 AM • Sent

to [ekkumaresa...com](#) & 2 Others

Sir

Please find the copy of the objections on behalf of
KSPCB in the aforesaid matter.

Rashi Singh
Associate

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Attachments - 1



PDF

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