

**BEFORE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

O.A.No.33 of 2022

IN THE MATTER OF:

SUO MOTO

... .. APPLICANT

VERSUS

THE MEMBER SECRETARY AND OTHERS

... .. RESPONDENTS

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Dated at Chennai on this the 19th day of June, 2025



M.R. GOKUL KRISHNAN

COUNSEL FOR THE 4th and 5th RESPONDENT
(KSPCB)

**BEFORE NATIONAL GREEN TRIBUNAL
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MEMO FILED ON BEHALF OF THE 4TH AND 5TH RESPONDENT

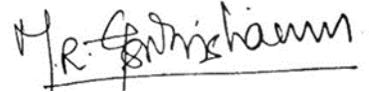
It is mostly respectfully showeth;

1. It is humbly submitted that this Hon'ble Tribunal in its order dated 23.01.2025 had directed the Karnataka SPCB to file a further action taken report on non-compliance mentioned in previous report filed by Karnataka SPCB.
2. It is humbly submitted that in view of Hon'ble Tribunal order dated 23.01.2025 and 17.03.2025, the Karnataka State Pollution Control Board inspected the Residential Apartment by M/s. DS Max Properties Pvt Ltd on 18.06.2025 and the inspection report is annexed to this memo. (Annexure I)
3. It is humbly submitted that the project authorities have provided two numbers of wet waste shredder machines and composing machines within the residential apartment premises, are now in working condition.

4. It is humbly submitted that treated sewage sample was collected on 15.03.2025 and it was found that the parameters of the samples are conforms to the stipulated standards of the board.

It is therefore humbly prayed that this Hon'ble Court may be pleased to accept the report and pass such order or orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice

Dated at Chennai on this the 19th day June 2025

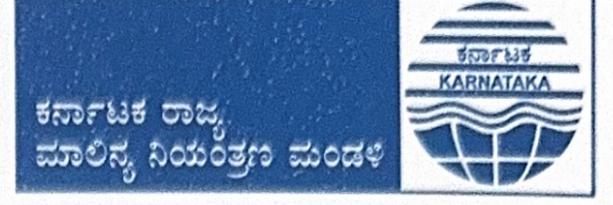
Handwritten signature of Mr. G. Srinivasan in black ink, written over a horizontal line.

Counsel for Respondent 4 & 5

3 ANNEXURE -1

Regional Office : Bengaluru - Mahadevapura
Karnataka State Pollution Control Board
"NISARGA BHAVAN", 3rd Floor, Thimmaiah Road,
7th 'D' Main, Shivahagar, Bengaluru - 560079.
Phone : 080-23224002
E-mail : bngmdpura@kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ
ಬೆಂಗಳೂರು - ಮಹಾದೇವಪುರ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
7ನೇ 'ಡಿ' ಮುಖ್ಯರಸ್ತೆ, ಶಿವನಗರ, ಬೆಂಗಳೂರು - 560 079.
ದೂ.: 080-23224002
ಇ-ಮೇಲ್: bngmdpura@kspcb.gov.in



towards a cleaner Karnataka

No. KSPCB/RO-MDP/2025-26/ 363

Date: 18 JUN 2025

To
The Member Secretary
KSPCB, Bengaluru-01

Kind Attention: Law Officer (Legal Section)

Sir,

Sub: Submission of Inspection report w.r.t Hon'ble National Green Tribunal, Southern Zone, Chennai - Original Application No.33 of 2022 filed by Sri. J.Jagan Kumar & IA No.88/2023-reg

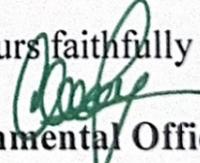
Ref: 1. Hon'ble NGT order's dated: 17/03/2025.
2. Inspection of the residential apartment building by the Undersigned on 18/06/2025.

With reference to the above subject & reference, pertaining to the above said Hon'ble NGT OA No.33 of 2022 w.r.t M/s. DS-Max Properties Private Limited, Multi-storied residential apartment project in the name of DS Max Sangam Grand at Sy.no. 92/3, 92/4, 92/5, 92/6, Seegehalli Village, Bidarahalli Hobli, Bengaluru East Taluk, Benagluru Urban District, which was inspected on 18/06/2025.

The main issue is related is that, the Builder/Developer is constructing apartment building, swimming pool and other permanent structure within the Stream/Water body Buffer zone by encroaching the Buffer Zone of Stream/Water Body for which BDA, Revenue/Karnataka State Panchayat Raj Department authority has to answer. Further, this office is herewith submitting the inspection report for further needful and to file it before Hon'ble NGT, since the case is coming on 20/06/2025.

This is for your kind information and further needful.

Encl: As above

Yours faithfully

Environmental Officer
RO-Mahadevapura

**Inspection Report of Dr K M Raju, Environmental Officer, Regional Office –
Mahadevapura, KSPCB, Bengaluru**

Date of inspection	18/06/2025
Name and address of the project inspected	Residential Apartment by M/s. DS Max Properties Pvt. Ltd, at Sy. No. 92/3, 92/4, 92/5, 92/6 of Seegehalli Village, Bidarahalli Hobli, Bengaluru East Taluk, Bengaluru.
Representative of the project present	Sri. Rajappa-Maintenance Manager.

- Ref:
1. CFE issued by the BO vide no.CTE-314482 dated 28.08.2019
 2. CFO application forwarded to B.O vide no.1661 dated 28.02.2023
 3. Hon'ble NGT order dated 04.05.2023 w.r.t OA no.33/2022 (SZ)
 4. Inspection of apartment by the EO along with DEO of this office on 19.05.2023
 5. CFO issued by the BO vide no.W-337828 dated 26.05.2023
 6. Hon'ble NGT order dated 05.09.2023 w.r.t OA no.33/2022 (SZ)
 7. This office notice vide no.781 dated 11.09.2023
 8. Project authorities reply letter dated 26.09.2023
 9. Inspection of apartment by the EO of this office on 03.11.2023.
 10. This office notice vide no. 992, dated: 04.11.2023.
 11. Inspection of the apartment by the DEO of this office on 04.09.2024
 12. This office notice vide no. 836, dated: 24.09.2024.
 13. Inspection of apartment by the undersigned on 14.03.2025.
 14. Inspection report forwarded to Board Office vide no. 1324, dated: 13.01.2025.
 15. Board Office had issued a letter to the Zonal Commissioner, BBMP, Mahadevapura Zone, Bangalore vide no. 4355, dated: 22/01/2025.
 16. Board Office had issued a letter to the Commissioner, BDA vide no. 4356, dated: 22/01/2025.
 17. Inspection of the apartment by the DEO of this office on 15/03/2025
 18. Inspection report forwarded to Board Office vide no. 1664, dated: 15/03/2025
 19. Inspection of the apartment by the undersigned on 18/06/2025.

Preamble:

M/s. DS Max Properties Pvt Ltd, had obtained Consent for Establishment (CFE) order from the Board vide CFE order No. CTE-314482 dated 28.08.2019 for construction of Residential Apartment having 343 Flats having with TBUA of 26,448.54 sq. m and STP capacity of 210 KLD vide ref (1).

Further, the authorities have obtained Consent for Operation (CFO) from the Board for the operation of their Residential Apartment having 343 flats having TBUA of 26,448.54 sq. m and STP of capacity 210 KLD for the period up to 30/06/2027 vide no. W-337828, dated: 26/05/2023.

Earlier, in view of Hon'ble NGT order dated 04.05.2023 w.r.t OA no.33/2022 (SZ), the project was inspected by the officers of this office and forwarded the inspection reports and action taken report to the Board Office. Wherein as per the recommendation by this office based on the observations, the Board Office had addressed a letter to the Zonal Commissioner, BBMP, Mahadevapura Zone, Bangalore vide no. 4355, dated: 22/01/2025 & to the Commissioner, BDA vide no. 4356, dated: 22/01/2025 by requested them to look in to the activities viz., swimming pool and other two buildings such as party hall and Sitting area constructed by the builder/developer are as per the Building Byelaws/Guidelines/approved plan. In case of any Violation take action as per the provisions of Law.

Further, in view of Hon'ble NGT order dated 23/01/2025 w.r.t O A no.33/2022 (SZ), wherein, the KSPCB was directed to file a further action taken report, in this regard, the apartment project was inspected on 15/03/2025 and the inspection report has been communicated to the Board Office vide no. 1664, dated: 15/03/2025.

Based on the observations, this office had recommended to implead the departments viz., **Bangalore Development Authority** (Building plan approved by the BDA), **Revenue and Karnataka State Panchayat Raj Department authority** (In Bangalore, storm water drains within Panchayat limits, which are outside the Bruhath Bengaluru Mahanagara Palike (BBMP) area, are typically managed by the **Karnataka State Panchayat Raj Department**) as the Respondents for necessary action.

Further, in view of Hon'ble NGT order dated 17/03/2025 w.r.t O A no.33/2022 (SZ), wherein, there is no directions given to the KSPCB. However, the apartment building was inspected on 18/06/2025 to verify the compliance made w.r.t Solid waste i.e., both wet and dry wastes management and treated sewage from the STP and during inspection, the following observations were made:-

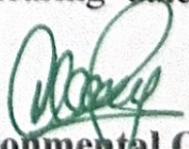
1. The STP was under operation.
2. They have provided two numbers of wet waste shredder machines and composting machines within the residential apartment premises. They are treating the wet waste in the composting machines & the dry waste is being handed over to BBMP authorized vendors. Photos are taken during inspection are as below:-



3. Earlier, the treated sewage sample was collected on 15/03/2025 for analysis purpose and as per the analysis report; it reveals that, all the parameters were conforms to the stipulated standards. Copy of the analysis report is herewith enclosed for your kind reference. Earlier, the same was communicated to the Legal Cell vide letter no. 65, dated: 19/04/2025.

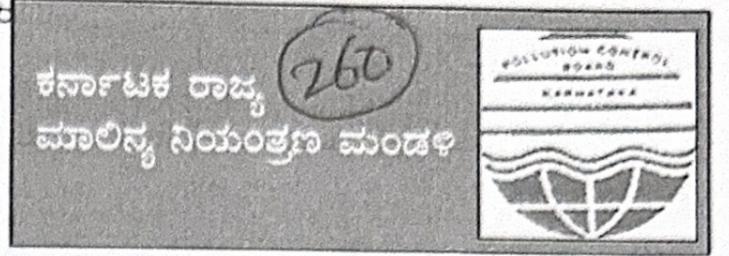
Recommendations:-

The hearing before the Hon'ble NGT is on 20/06/2025 w.r.t Sri. Jagan Kumar. J submitted application before the Hon'ble NGT registered with O.A No. 33 of 2022. Hence, it is herewith recommended to submit the inspection report to the Hon'ble NGT before hearing date i.e., on **20/06/2025**.


Environmental Officer
RO-Mahadevapura
KSPCB, Bangalore

Regional Office: Bengaluru - Mahadevapura
Karnataka State Pollution Control Board
Telefax : 2322 4002
"NISARGA BHAVAN" 3rd Floor
Thimmaiah Road, 7th 'D' Main, Shivanagar,
Opp. Pushpanjali Theatre, Bengaluru -560 079.

ಪ್ರಾದೇಶಿಕ ಆಧೀನ: ಬೆಂಗಳೂರು - ಮಹದೇವಪುರ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
"ನಿಸರ್ಗ ಭವನ". ೩ನೇ ಅಂತಸ್ತು, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
೭ನೇ 'ಡಿ' ಮುಖ್ಯ ರಸ್ತೆ, ಶಿವನಗರ
ಪುಷ್ಪಾಂಜಲಿ ಥಿಯೇಟರ್‌ನ ಎದುರು,
ಬೆಂಗಳೂರು -560 079.



towards a cleaner Karnataka

No: KSPCB/RO-MDP/Analysis Report/2025-26/65

Date:

19 APR 2025

DESPATCHED

To,
The Member Secretary
Karnataka State Pollution Control Board
No.49, Parisara Bhavana, Church Street,
Bengaluru-560001

"KIND ATTENTION: Legal Cell"

Sri,

Sub: Forwarding of Analysis Report w.r.t. to M/s. M/s. DS Max Properties Private Limited -reg.,

Ref: (1) Analysis Report received at this office dated: 03.04.2025.

With reference to the above subject & reference please find herewith enclosed the analysis report w.r.t M/s. DS Max Properties Private Limited, (DS Max Sangam Grand), Sy No 92/3, 92/4, 92/5, 92/6, Seegehalli Village, Bidarahalli Hobli, Bengaluru East Taluk. Bangalore.

This is for your kind Information & further needful

Your faithfully,

Environmental Officer
Regional Office – Mahadevapura



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Email: centrallab@kspcb.gov.in
 Website: <http://kspcb.karnataka.gov.in>
 ಕ.ರಾ.ಪ್ರಾ.ನಿ.ಮಂ., "ನಿಸರ್ಗ ಭವನ",
 7 ನೇ 'ಡಿ' ಅಡ್ಡರಸ್ತೆ, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
 ಶಿವನಗರ, ಬೆಂಗಳೂರು-560079
 K.S.P.C.B., "Nisarga Bhavana"
 7th D Cross, Thimmaiah Road,
 Shivanagar, Bengaluru-560079

**KARNATAKA STATE POLLUTION CONTROL BOARD
 CENTRAL ENVIRONMENTAL LABORATORY**

MoEF RECOGNISED ENVIRONMENTAL LABORATORY
 ISO/IEC 17025:2017 accredited Testing Laboratory by NABL vide Certificate Number TC-5487
 ISO 45001:2018 CERTIFIED LABORATORY

ANALYSIS REPORT (ACCREDITED PARAMETERS)

Date: 03.04.2025

NAME OF THE INDUSTRY :	M/s. DS Max Properties Private Limited (DS Max Sangam Grand), Sy No 92/3, 92/4, 92/5, 92/6, Seegehalli Village, Bidarahalli Hobli, Bengaluru East Taluk.	Page 1 of 1
SAMPLE COLLECTED BY :	Smt. Veena Kona, DEO RO: Mahadevapura	DATE OF COMMENCEMENT OF TEST : 15.03.2025
DATE OF COLLECTION :	15.03.2025	DATE OF COMPLETION OF TEST : 19.03.2025
DATE OF RECEIPT :	15.03.2025	REPORT NO: WWR-3153
PARTICULARS:	Treated sewage sample	SAMPLE NO : WW-3153

Sl No	Parameters	Unit	Standard	Result	Test Method
1	pH	-	6.5 - 9.0	8.5	IS 3025 (Part 11): 2022
2	Biochemical Oxygen Demand @ 27°C for 3 days	mg/L	Not more than 10	5.0	IS 3025 (Part 44): 2019
3	Chemical Oxygen Demand	mg/L	Not more than 50	48	IS 3025 (Part 58) :2017
4	Total Suspended Solids	mg/L	Not more than 20	16	IS 3025 (Part 17): 2012
5	Ammonical Nitrogen as N	mg/L	Not more than 5	1.0	IS 3025(Part 34): 2019
6	Total Nitrogen	mg/L	Not more than 10	7.0	APHA 23 rd edition; 4500-NO ₃ -D: 2017
7	Fecal coliform	MPN/100ml	Less than 100	13	APHA 23 rd edition (9221 E): 2017
INFERENCE		Conforms to prescribed standards			

- Note: 1. The above results pertain only to the sample tested.
 2. The report shall not be reproduced without the written approval of the laboratory.
 3. Samples will be stored for a period of 15 days from the date of issue of report.

Radha M.N.

Authorized Signatory (Biological)
 (Radha M.N)
 Assistant Scientific Officer

Dr. B.M. Sreedhara Nayaka
 Authorized Signatory (Chemical)
 (Dr. B.M. Sreedhara Nayaka)
 Scientific Officer

---End of Report---



TC-5487



KARNATAKA STATE POLLUTION CONTROL BOARD
CENTRAL ENVIRONMENTAL LABORATORY

MoEF RECOGNISED ENVIRONMENTAL LABORATORY
ISO/IEC 17025:2017 accredited Testing Laboratory by NABL vide Certificate Number TC-5487
ISO 45001:2018 CERTIFIED LABORATORY

ANALYSIS REPORT (ACCREDITED PARAMETERS)

Date: 03.04.2025

NAME OF THE INDUSTRY :	M/s. DS Max Properties Private Limited (DS Max Sangam Grand), Sy No 92/3, 92/4, 92/5, 92/6, Seegehalli Village, Bidarahalli Hobli, Bengaluru East Taluk.	Page 1 of 1
SAMPLE COLLECTED BY :	Smt. Veena Kona, DEO RO: Mahadevapura	DATE OF COMMENCEMENT OF TEST : 15.03.2025
DATE OF COLLECTION :	14.03.2025	DATE OF COMPLETION OF TEST : 19.03.2025
DATE OF RECEIPT :	15.03.2025	REPORT NO: WWR-3151
PARTICULARS:	Treated sewage sample	SAMPLE NO : WW-3151

Sl No	Parameters	Unit	Standard	Result	Test Method
1	pH	-	6.5 - 9.0	8.1	IS 3025 (Part 11): 2022
2	Biochemical Oxygen Demand @ 27°C for 3 days	mg/L	Not more than 10	5	IS 3025 (Part 44): 2019
3	Chemical Oxygen Demand	mg/L	Not more than 50	48	IS 3025 (Part 58) :2017
4	Total Suspended Solids	mg/L	Not more than 20	18	IS 3025 (Part 17): 2012
5	Ammonical Nitrogen as N	mg/L	Not more than 5	2.0	IS 3025(Part 34): 2019
6	Total Nitrogen	mg/L	Not more than 10	10	APHA 23 rd edition; 4500-NO ₃ -D: 2017
7	Fecal coliform	MPN/100ml	Less than 100	70	APHA 23 rd edition (9221 E): 2017
INFERENCE		Conforms to prescribed standards			

- Note: 1. The above results pertain only to the sample tested.
2. The report shall not be reproduced without the written approval of the laboratory.
3. Samples will be stored for a period of 15 days from the date of issue of report.

Authorized Signatory (Biological)
(Radha M.N)
Assistant Scientific Officer

Authorized Signatory (Chemical)
(Dr. B.M. Sreedhara Nayaka)
Scientific Officer

---End of Report---

**BEFORE NATIONAL GREEN
TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

O.A.No.33 of 2022

IN THE MATTER OF:

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INSPECTION REPORT

M.R.GOKUL KRISHNAN

Karnataka State Pollution Control
Board

**COUNSEL FOR 4th & 5th
RESPONDENT**