

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONAL BENCH AT CHENNAI**

ORIGINAL APPLICATION NO. 52 OF 2024

IN THE MATTER OF:

NATIONAL ENVIRONMENT CARE FOUNDATION ...APPLICANT

VERSUS

MANGALURU SMART CITY LIMITED & OTHERS ...RESPONDENTS

Documents on behalf of the Applicant

INDEX

S. No.	Dated	Particulars	Documents	Page No.
1	07.10.2022	A Copy of the CRZ clearance dated 7 th October 2022	D-1	1-2
2	-	A Copy of the Form-I of the CRZ Application as submitted to CRZ Authority (KSCZMA)	D-2	3-12
3	14.02.2022	The relevant extract of the 32 nd minutes of the meeting held on 14 th February 2022 concerning the impugned project	D-3	13-14
4	14.03.2022	The relevant extract of the 33 rd minutes of the meeting held on 14 th March 2022 concerning the impugned project	D-4	15-17
5	-	A Compilation of Google Earth images and drone images of the project site depicting the before and after vegetation and land use of the project site	D-5	18-22
6	25.06.2022	The copy of the site inspection report conducted on 25 th June 2022 attached to the communication dated 27 th June 2022 from the office of RD (Environment), Mangalore to Member Secretary, KSCZMA	D-6	23-25

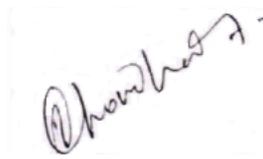
7	02.07.2022	A Copy of the relevant extract of the 36 th meeting of KSCZMA held on 2 nd July 2022	D-7	26-28
8	21.04.2023	A Copy of the letter dated 21 st April 2023 of RD (Environment) Mangalore addressed to the General Manager, Mangalore Smart City Ltd obtained under RTI originally in Kannada and a true typed English translated copy	D-8	29-30
9	06.06.2023	A Copy of the communication dated 6 th June 2023 addressed by RD (Environment) Mangalore to Principal secretary to Government, Forest Environment and Ecology Department, obtained under RTI, ORIGINALLY IN Kannada and a true typed English translated copy	D-9	31-34
10	03.04.2023	A Copy of the spot inspection report (Mahajar) with maps, inspection conducted on 3 rd April 2023 originally in Kannada and a true typed English translated copy	D-10	35-39
11	16.06.2023	A Copy of the communication dated 16 th June 2023 from the RD (Environment) Mangalore wrote to the General Manager, MSCL, originally in Kannada and a true translated typed English copy	D-11	40-42
12	07.11.2023	A Copy of the RTI response dated 07.11.2023	D-12	43
13	13.03.2024	Copy of Report submitted by R-2 Office of Regional Director (Environment), Mangalore	D-13	44-63

14	30.05.2025	Copy of Report National Centre for Coastal Research, Chennai Ministry of Earth Sciences	D-14	64-76
15	31.05.2024	Copy of Report Submitted by Respondent No.02	D-15	77-92
16	19.12.2024	Copy of Report Deputy Commissioner, Dakshin Kannada	D-16	93-116
17	-	Copy of IA No. 14 of 2025 on behalf of the Applicant	D-17	117-153
18	10.12.2024	Letter (along with translated copy) dated 10.12.2024 written by Forest, Environment and Ecology Department, Mangalore to Managing Director, Mangalore Smart City Ltd.	D-18	154-157
19	16.12.2024	Letter (along with translated copy) dated 16.12.2024 written by Forest, Environment and Ecology Department, Mangalore to Managing Director, Mangalore Smart City Ltd.	D-19	158-159

Through



Ritwick Dutta



Rahul Choudhary



G. Stanly Hebzon Singh



Itisha Awasthi

Advocates

Counsel for the Applicant

N-73, Lower Ground Floor, Greater Kailash-1

New Delhi-110048

Dated:- 08.12.2025

Email Id: Litigation@dclawchambers.com



KARNATAKA STATE COASTAL ZONE MANAGEMENT AUTHORITY

(Constituted by MoEF & C.C Government of India, under Sub-Section (1) & (3) of E(P) Act 1986)

No. FEE 17 CRZ 2022

dated: 07.10.2022.

Sir,

Sub:- CRZ clearance for water front Promenada Development on Nethravathi River Bank of Thota and Jappinamogaru Village, Mangalore by Smart city Ltd.,

Ref: 1. Regional Director (Env), Mangaluru letter No: CRZ/CR (896)/2020-21, dated: 28.01.2022.
2. Proceedings of 36th KSCZMA meeting held on 02.07.2022.

This has reference to the above subject, seeking CRZ clearance for water front Promenada Development on Nethravathi River Bank of Thota and Jappinamogaru Village, Mangalore by Smart city Ltd., The proposal was discussed KSCZMA meeting held on 14.02.2022, the Authority after discussion and deliberations decided to refer the proposal back to DCZMC for rescrutiny of the project since there is no clarity on location of the project proposed with regard to CZMP map, considering the impact of this project on river bank and seasonal flows.

Accordingly, the Chairman DCZMC & Deputy Commissioner, Mangalore has submitted a detailed report on 10.03.2022 as below:

The proposed area falls in CRZ- II. All the structures like toilet blocks, buggy sheds, food kiosks, Facility Management Office, Pavilion, Ticket Counters, Outdoor play & Gym Equipments etc. will be constructed on the landward side of existing building. The walkway parking area and cycle track will be proposed on landward side of HTL. The DC has reported that the sewage will be treated by proposed sewage treatment plant. Therefore river water will not be polluted. There will not be any effect on stability of river bank as there will not be any movement of heavy vehicles. The proposal however, lacked clarity on whether all the activities under the project satisfy the CRZ Criteria.

Further, the subject was placed in the Authority meeting held on 14.03.2022. The Authority after discussions and deliberations decided to defer the case with a direction to realign the proposal as it is near the water body.

Page 1 of 2

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Room No. 710, 7th Floor, 4th Gate, M.S. Building, Bengaluru - 560001. Phone : 080-22353961
E-mail : msksczma@gmail.com | Website : www.ksczma.karnataka.gov.in

In view of this, the Managing Director, of Smart City Limited had submitted the proposal with revised alignment. It has been stated that the proposed site belongs to Port & inland waterways dept. which has allotted land on lease basis to different users like tile factory, boat building etc. The lease period has expired. But the establishment over the site continues to exist as encroachments. As it is Govt. Project, this proposed project involves evicting such encroachment & converting the land for public utility. It has also been submitted that concrete structures will be avoided to the maximum possible extent while constructing the walking track & Cycle track. The proposed structures are aligned on the landward side of the old structures constructed prior to 1991. The walking track and Cycle track have been re aligned from close to the water (inter-tidal area) to the stable river bank (CRZ II area). The DCZMC in its meeting held on 30.06.2022 has recommended the proposal.

The Authority during the meeting held on 02.07.2022 after discussion and deliberations decided to issue NOC for proposed water front promenade development to Nethravathi river bank at Thota and Jappinamogaru village of Mangalore as per para 8 (a) II CRZ II (i) & (ii) of CRZ Notification, 2011, with the following conditions:-

1. No permanent structure/concrete structure should be constructed.
2. No sewage should be let in to nearby water body.
3. No dumping of solid wastes in to the water bodies and shall dispose of waste in scientific manner.
4. The work should be taken up as per the provisions of CRZ notification 2011.

INSTR. NO. 10110/2022
 DATE: 12.26 PM

Your's faithfully,

(R. Gokul)
 Member Secretary,

To:

The General Manager,
 Smart City Limited,
 2nd Floor, City Corporation, MG Road,
 Lalbagh, Mangaluru-575003.

Copy to:

Regional Director (Environment), 3rd Floor, Mangalore Urban Development Authority Building, Urva Store, Mangalore.

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Annexure-IVForm-I for seeking clearance for project attracting CRZ notification

Basic information:

Name of the Project:- *Waterfront Promenade Development.*Location or site alternatives under consideration:- *Nethravathi Bridge to Below Sea Level*Size of the project (in terms of total area) :- *55,000 Sqm.*

CRZ classification of the area :-

Expected cost of the project:- *49.47 Crore*Contact Information:- *General Manager (Technical) - MSCL***(II) Activity**

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, and the like)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)	No	
1.2	Details of CRZ classification as per the approved Coastal Zone Management Plan?		CRZ-II, IB & IV
1.3	Whether located in CRZ-I area?		CRZ-IB
1.4	The distance from the CRZ-I areas.		-NA-
1.5	Whether located within the hazard zone as mapped by Ministry of Environment and Forests/National Disaster Management Authority?	No	
1.6	Whether the area is prone to cyclone, tsunami, tidal surge, subduction, earthquake etc.?	No	
1.7	Whether the area is prone for saltwater ingress?	No	
1.8	Clearance of existing land, vegetation and buildings?	No	
1.9	Creation of new land uses?	No	
1.10	Pre-construction investigations e.g. bore hole, soil testing?	Yes	
1.11	Construction works?	Yes	Temporary Structures & Kiosk

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1.12	Demolition works?	No	
1.13	Temporary sites used for construction works or housing of construction workers?	No	
1.14	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations	Yes	
1.15	Underground works including mining or tunneling?	No	
1.16	Reclamation works?	Yes	
1.17	Dredging/reclamation/land filling/disposal of dredged material etc.?	Yes	
1.18	Offshore structures?	Yes	
1.19	Production and manufacturing processes?	No	
1.20	Facilities for storage of goods or materials?	No	
1.21	Facilities for treatment or disposal of solid waste or liquid effluents?	Yes	
1.22	Facilities for long term housing of operational workers?	No	
1.23	New road, rail or sea traffic during construction or operation?		
1.24	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.25	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?	No	
1.26	New or diverted transmission lines or pipelines?	No	
1.27	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	No	
1.28	Stream and river crossings?	No	
1.29	Abstraction or transfers of water form ground or surface waters?	No	
1.30	Changes in water bodies or the land surface affecting drainage or run-off?	No	
1.31	Transport of personnel or materials for construction, operation or decommissioning?	Yes	Construction Materials & Labour.
1.32	Long-term dismantling or decommissioning or restoration works?	No	
1.33	Ongoing activity during decommissioning which could have an impact on the environment?	No	
1.34	Influx of people to an area in either temporarily or permanently?	No	
1.35	Introduction of alien species?	No	
1.36	Loss of native species or genetic diversity?	No	
1.37	Any other actions?	No	

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2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S. No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)	No	
2.2	Water (expected source & competing users) unit: KLD	Yes	
2.3	Minerals (MT)	No	
2.4	Construction material – stone, aggregates, sand/soil (expected source – MT)	Yes	
2.5	Forests and timber (source – MT)	No	
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT); energy (MW)	Yes	1 MW
2.7	Any other natural resources (use appropriate standard units)	No	

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)	No	
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)	No	
3.3	Affect the welfare of people e.g. by changing living conditions?	No	
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,	No	
3.5	Any other causes, that would affect local communities, fisherfolk, their livelihood, dwelling units of traditional local communities etc	No	

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data

4.1	Spoil, overburden or mine wastes	No	
4.2	Municipal waste (domestic and or commercial wastes)	No	
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)	No	
4.4	Other industrial process wastes	No	
4.5	Surplus product	No	
4.6	Sewage sludge or other sludge from effluent treatment	No	
4.7	Construction or demolition wastes	Yes	30 lb reused/30 lb transported from site.
4.8	Redundant machinery or equipment	No	
4.9	Contaminated soils or other materials	No	
4.10	Agricultural wastes	No	
4.11	Other solid wastes	Yes	5 lb reused at site

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources	No	
5.2	Emissions from production processes	No	
5.3	Emissions from materials handling including storage or transport	No	
5.4	Emissions from construction activities including plant and equipment	No	
5.5	Dust or odours from handling of materials including construction materials, sewage and waste	No	
5.6	Emissions from incineration of waste	No	
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)	No	
5.8	Emissions from any other sources	No	

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers	No	
6.2	From industrial or similar processes	No	
6.3	From construction or demolition	No	
6.4	From blasting or piling	No	
6.5	From construction or operational traffic	No	
6.6	From lighting or cooling systems	No	

6.7	From any other sources	No	
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7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials	No	
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)	No	
7.3	By deposition of pollutants emitted to air into the land or into water	No	
7.4	From any other sources	No	
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?	No	

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances	No	
8.2	From any other causes	No	
8.3	Could the project be affected by natural disasters causing environmental damage (e.g., floods, earthquakes, landslides, cloudburst etc)?	No	

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/ No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.)	No	

	housing development extractive industries supply industries other	No	
9.2	Lead to after-use of the site, which could have an impact on the environment	No	
9.3	Set a precedent for later developments	No	
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects	No	

III. Environmental Sensitivity

S. No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

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Checklist for Submission of Application for prior CRZ Clearance under CRZ Notification 2011

SL. No.		Details	Yes/No	Page No.
1		Duly filled Form I as per annexure IV of CRZ Notification 2011		
2		Whether proposed project covered under EIA Notification, 2006		
	a	If yes, duly filled Form I & IA prescribed as per EIA notification, 2006		
3.		Executive Summary of the project		
4		CRZ Status		
	a	Whether the project site falls in CRZ I, II, III & IV		
	b	CRZ map indicating HTL & LTL demarcated by one of the Authorised agency in 1:4000 scale or on the Approved CZMP of the area showing the site under consideration		
	c	Project layout superimposed on the above map indicated at (b) above		
	d	CRZ map covering 7 km radius around the project site & indicating CRZ I, II, III & IV areas including other notified ecologically sensitive areas		
	e	If Project Site falls in CRZ I A/ CRZ I B, then submit the following		
	i	Distance of the project site from mangroves/ HTL		
	ii	Density of mangroves & extent of 50 meter buffer zone from project site		
	f	If Project Site falls in CRZ II		
	i	Whether project site is on landward side of the existing road /authorized structure constructed prior to 19.2.1991		
	ii	If yes, copy of the document to establish, the date of construction of the road/authorized structure.		
	iii	Whether project site is on seaward/ landward side of the Hazard line		
	g	If Project Site falls in CRZ III, distance of project site from HTL & mangroves, if any	NA	
5		Zoning, Landuse & Development Plan remarks from the Competent Authority indicating the following details:		
	i	Status of ownership of the land		
	ii	Copy of Khatha Extract/RTC		
	iii	Permissible height as per norms as on 19.2.1991		
	iv	Permissible height as per current prevailing norms		
	v	FSI calculations as per permissible norms existing on 19.2.1991 indicating eligible FSI in the proposed project		
	vi	Permissibility of proposed use as per development plan as on 19.2.1991		
	vii	Development plan of the area indicating site under reference, zoning, reservation etc.		
	viii	Land use change, if any, in the project		

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	ix	Designated reservations, if any, as per development plan/ Regional plan as on 19.2.1991 and as per current prevailing development plan of the area		
	x	Details of notified fishing settlement areas as per development plan existing as on 19.2.1991 from competent Authority		
	xi	Certificate from competent Authority indicating Fisher communities/ other local communities if proposal belongs to fishermen village.		
6		Details of Existing structure/ Infrastructure on site from Competent Authority indicating following details		
	i	Occupation certificate		
	ii	Commencement certificate		
	iii	Authorised plinth map from land records/ city survey office		
	iv	FSI consumed & approved building plan of the existing structure from Planning Authority		
	v	CESS/Dilapidated/dangerous/Unsafe building certificate		
	vi	Slum area declaration Notification along with list of eligible tenants		
	vii	Remarks indicating existing use of the structure		
	viii	Details of court cases/legal matters if any with respect to proposed matter		
	ix	Details of complaints, if any		
	x	If slum rehabilitation Scheme, whether Annexure II regarding eligibility of slum dwellers is issued?		
7		Introduction of the Project/Background information indicating following:		
	i	Identification of the project & project proponent, landownership indicating Khatha No./ Survey Nos. etc.		
	ii	Brief description of nature of the project		
	iii	Need for the project & its importance		
	iv	Demand supply gap or information on similar projects in the region		
8	i	Location of the project showing general location, specific location, Project boundary, project site approved layout with coordinates from competent Authority		
	ii	Details of the alternative sites considered from environmental point of view		
9		Site Analysis		
	i	Area of the project site (in Sq.m)		
	ii	Connectivity		
	iii	Land form, land use, Land ownership		
	iv	Topography (along with map)		
	v	Existing land use pattern (agriculture, non- agriculture, forest, water bodies shortest distances from the periphery of the project to periphery of the forest, national park, wild life sanctuary, ecosensitive area, water bodies (distance from the HFL of the river). In case of notified industrial area, a copy of the Gazzette notification should be given		
	vi	Social Infrastructure available		
10		Planning Brief		
	i	Planning concept (type of industries, facilities, transportation etc)		

		Town & Country planning/ Development Authority Classification.		
	ii	Population projection		
	iii	Landuse planning (breakup along with green belt etc)		
	iv	Assessment of Infrastructure Demand (Physical & Social)		
	v	Amenities/ Facilities (existing & proposed)		
	vi	Proposed use		
	vii	FSI proposed to be consumed		
	viii	Whether lift, lobby, staircase etc. are claimed free of FSI & if so whether they are permissible (if so mention the provision)		
11		Proposed-Infrastructure		
	i	Industrial area (Processing Area)		
	ii	Residential Area (Non processing Area)		
	iii	Green Belt/Afforestation details		
	iv	Social Infrastructure		
	v	Connectivity (Traffic & Transportation Road/ Rail/ Metro/Water ways etc)		
	vi	Drinking Water Management (Source & supply of Water)		
	vii	Sewerage System		
	viii	Industrial Waste Management		
	ix	Solid Waste Management		
	x	Power requirement & Supply/ Source		
12		Rehabilitation & Resettlement (R& R) Plan		
	i	Policy to be adopted (central/ state) in respect of the project affected persons including home oustees, land oustees & landless laborers (a brief outline to be given)		
13		Project Schedule & Cost Estimates		
	i	Likely date of start of construction & likely date of completion (Time schedule for the project to be given)		
	ii	Estimated project cost along with analysis in terms of economic viability of the project		
	iii	Share holding of the developer		
	iv	Share holding of the state government		
14		Analysis of proposal (Final Recommendations)		
	i	Environmental cost benefit analysis including financial & social benefits with special emphasis on the benefit to the total people including tribal population, if any, in the area		
15	i	Rapid EIA report including marine & terrestrial component except for construction projects listed under 4 (c), 4(d) of CRZ Notification, 2011		
	ii	Comprehensive EIA with cumulative studies for projects in the stretches classified as low & medium eroding by MoEF based on scientific studies & in consultation with the State Governments and Union Territory Administration		
	iii	Disaster Management Report , Risk Assessment Report & Management Plan		
	iv	Public consultation Report		
	v	Photographs & Google images of the site indicating existing status & location of the site		

16		Undertaking of the Project proponent for the development through Slum Rehabilitation Scheme along with the state Government to ensure that all legally regularised tenants are provided houses in situ or as per norms laid down by the State Government in this regard		
17		18 Undertaking of the Project proponent to agree to be covered under the Right to Information Act 2005 as per the 8 (V) (c)(d) (v) of CRZ Notification 2011		
18		Any other information relevant to the proposal		

Note: Two sets of proposal along with soft copy should be submitted to the Authority

Declaration

I hereby declare that the information mentioned above is true to the best of my knowledge. I fully understand that any information furnished above, if proved incorrect or false will render me liable for any penal action or other consequences as may be prescribed in law or otherwise warranted. Further I hereby state that I will also submit half yearly compliance report in soft & hard format, on 1st June & 31st December of each calendar year to the CZMA as per the rule 4.2 (v) of the CRZ Notification, 2011 issued under the Environment Protection Act, 1986.

Date:


Signature of Applicant

Place:

General Manager - Tech
Mangaluru Smart City Ltd.
Mangaluru

Issued Under RTI Act. 2005

T/c
Sujib

32.4.8 Request of CRZ Clearance for water front promenade development to Nethravathi river bank of Mangalore Thota and Jappinamogaru village by Smart City Limited, Mangalore.

1.	Name of the Project	Proposed water front promenade development to Nethravathi river bank of Mangalore Thota and Jappinamogaru village.								
2.	Name of the Applicant	General Manager Smart City Limited, Mangalore.								
3.	Location of the Project Village/Town, Taluk, Dt.	Nethravathi river bank of Mangalore Thota and Jappinamogaru village. Mangaluru Taluk, Dakshina Kannada district. GPS Reading: <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>N 12.842594</td> <td>N 12.842595</td> </tr> <tr> <td>E 74.851749</td> <td>E 74.851883</td> </tr> <tr> <td>N 12.841223</td> <td>N 12.841536</td> </tr> <tr> <td>E 74.849084</td> <td>E 74.848763</td> </tr> </table>	N 12.842594	N 12.842595	E 74.851749	E 74.851883	N 12.841223	N 12.841536	E 74.849084	E 74.848763
N 12.842594	N 12.842595									
E 74.851749	E 74.851883									
N 12.841223	N 12.841536									
E 74.849084	E 74.848763									
4.	Sy. No.	-----								
5.	Extent of land	The details of the proposed activities under Promenade are given below. Promenade Structure Plan <ol style="list-style-type: none"> 1. Mangrove Park 2. Bird watching Area 3. Cycle Track 3m X 2.1 km 4. Walking Track 3m X 2.1 km 5. Parks at South Point, Jeppu Ferry, (Jeppina Mogaru Village) Bolar Sea Point and Bolar Sea Face of Mangalore Thota Village) in the Port land 								
6.	CRZ Classification	CRZ IB, CRZ II and CRZ IV.								
7.	Project Cost	Rs . 49.48 crores								
8.	Activities proposed	water front promenade development to Nethravathi river bank								
9.	Whether permitted activity as per CRZ Notification? If yes, specify the relevant rules									
10.	The details of recommendations of the	The DCZMC, meeting held on 30-09-2021 has recommended proposal to KSCZMA.								

	District Coastal Zone Management Authority (DCZMA)	
11.	Details of Processing fee	Processing fees: Paid Rs.6 lakhs, Chalan No. CR0122040600086828 Dated: 05-1-2022.
12	Whether issue of clearance is within the scope of SCZMA or NCZMA? Specify relevant rules.	
13	Any other details	

The Authority after discussion and deliberations decided to refer back the proposal to DCZMC for rescrutiny of the project since there is no clarity on location of the project proposed with regard to CRZ map and no proper recommendations on the activities proposed to be taken up.

T/c
Singh

33.2 Request for CRZ clearance for water front Promenada Development to Nethravathi River Bank of Mangalore Thota and Jappinamogaru Village by Smart city Ltd., (FEE CRZ 20)

1.	Name of the Project	Proposed water front promenade development to Nethravathi river bank of Mangalore Thota and Jappinamogaru village.	
2.	Name of the Applicant	General Manager Smart City Limited, Mangalore.	
3.	Location of the Project Village/Town, Taluk, Dt.	Nethravathi river bank of Mangalore Thota and Jappinamogaru village. Mangaluru Taluk, Dakshina Kannada district. GPS Reading:	
		N 12.842594 E 74.851749	N 12.842595 E 74.851883
		N 12.841223 E 74.849084	N 12.841536 E 74.848763



4.	Sy. No.	-----
5.	Extent of land	The details of the proposed activities under Promenade are given below. Promenade Structure Plan 1) Mangrove Park 2) Bird watching Area 3) Cycle Track 3m X 2.1 km 4) Walking Track 3m X 2.1 km 5) Parks at South Point, Jeppu Ferry, (Jeppina Mogaru Village) Bolar Sea Point and Bolar Sea Face of Mangalore Thota Village) in the Port land
6.	CRZ Classification	CRZ IB, CRZ II and CRZ IV.
7.	Project Cost	Rs. 49.48 crores
8.	Activities proposed	water front promenade development to Nethravathi river bank
9.	Whether permitted activity as per CRZ Notification? If yes, specify the relevant rules	Yes Para 3(i)a & (iv) & para 8 (a) II CRZ II (i) of CRZ Notification 2011.
10.	The details of recommendations of the District Coastal Zone Management Authority (DCZMA)	The DCZMC, meeting held on 30-09-2021 has recommended proposal to KSCZMA.
11.	Details of Processing fee	Processing fees: Paid Rs.6 lakhs, Chalan No. CR0122040600086828 Dated: 05-1-2022.
12.	Whether issue of clearance is within the scope of SCZMA or NCZMA? Specify relevant rules.	SCZMA Proposed activity is permissible under Para 3(i) a & (iv)b & para 8 (a) II CRZ II (i) of CRZ Notification 2011.
13.	Any other details	-

When the subject was placed in the KSCZMA meeting held on 14.02.2022, the Authority after discussion and deliberations decided to refer back the proposal to DCZMC for rescrutiny of the project since there is no clarity on location of the project proposed with regard to CZMP map, considering the impact of this project on river bank and seasonal flows.

The Chairman DCZMC & Deputy Commissioner, Mangalore has submitted a detailed report on 10.03.2022 as below:



The proposed area falls in CRZ- II & CRZ- IB. All the structures like toilets, buggy sheds, food kiosks, Facility Management Office, Pavilion, Ticket Counters, Outdoor play & Gym Equipments etc. will be constructed on the landward side of existing building. The walkway parking area and cycle track will be proposed on landward side of HTL. The DC has reported that the sewage will be treated by proposed sewage treatment plant. Therefore river water will not be polluted. There will not be any effect on stability of river bank as there will not be any movement of heavy vehicles. The proposal however, lacked clarity on whether all the activities under the project satisfy the CRZ Criteria.

The Authority after discussions and deliberations decided to defer the case with a direction to realign the proposal as it is near the water body.

TC

P



The above Google Earth Image dated 31-12-2021 was accessed on 14 June 2023



Drone Image depicting the present status of the Commonwealth Tile Factory area after work undertaken under the Smart City Project



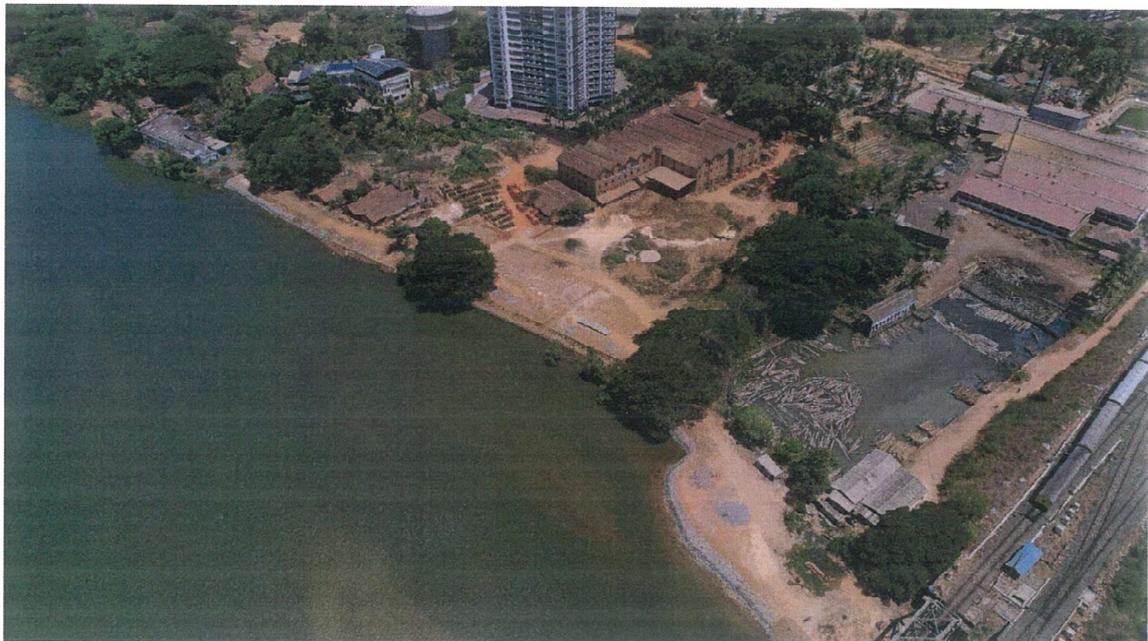
Drone Image depicting the present status of the Netravathi Railway Bridge area after work undertaken under the Smart City Project . Picture clicked on 23rd April 2023



The above Drone Image dated 28/08/2020



The above Google Earth Image dated 31/12/2021 was accessed on 14 June 2023. Picture clicked on 23rd April 2023



Drone Image depicting the present status of the Netravathi Railway Bridge – Kanara Wood area after work undertaken under the Smart City Project. Picture clicked on 23rd April 2023



Google Earth Image depicting the **present status** of the Mangalore Tile Company – Ice Federation area after work undertaken under the Smart City Project



The above Google Earth Image dated 31/12/2021 was accessed on 14 June 2023

T/C
Sujit

Government of Karnataka



Telephone No: 0824-2450250
Email: rdenvironment@gmail.com

Department of Forest, Environment & Ecology

Office of the Regional Director (Environment), 3rd Floor, MUDA building, Urwastore, Mangalore 6

No. CRZ/CR(896) /2020-21

Date : 27-06-2022

To

The Member Secretary KSCZMA and
APCCF & Commissioner,
Technical Cell,
Department of Forest, Ecology and Environment,
Government of Karnataka,
Bangalore.



Sir,

Sub CRZ Clearance for Water front promenade development on the bank of Netravathi River in Jeppina Mogaru and Mangalore thota village by Mangalore Smart City Limited.

- Ref: 1. This office letter even number dated 28/01/2022.
2. Letter Number CRZ /2021-22 dated 10/03/2022 of Deputy Commissioner of Mangalore.
3. Proceeding No 33.2 of the 33rd KSCMA Meeting held on 14/03/2022.
4. Spot inspection of Commissioner & APCCF, Department of Forest, Ecology and Environment, Government of Karnataka on 25/06/2022.

With reference to the above subject, regarding CRZ Clearance for Water front promenade development on the bank of Netravathi River in Jeppinamogaru and Mangalore thota village by Mangalore Smart City Limited, the authority in the 33rd KSCZMA meeting held on 14/03/2022 as per reference (3) above, directed the Mangalore Smart City Limited to realign the proposal as it is near the water body. In view of this, the Smart City Limited submitted the proposal with revised alignment. Accordingly, the project site has been inspected by the Member Secretary, KSCZMA and Commissioner & APCCF, Department of Forest, Ecology and Environment, Government of Karnataka on 25/06/2022. During the site inspection, following issues have been observed.

- 1) Proposed site belongs to Port and inland waterways department which has allotted land on lease basis to different users like tile factory, boat building etc. The lease period of has been expired. But the establishments over the site continue to exist as encroachments. As it is Government Project, this proposed

- 1) project involves evicting such encroachments and converting the land for public utility. Here KSCZM Authority may impose conditions to restore encroached land and create public utility as proposed without cutting the existing natural vegetation.
- 2) All the proposed structures like toilet blocks, food kiosks, buggy sheds, ticket counter etc. are aligned on the landward side of the old structures constructed prior to the 1991.
- 3) The walking track and Cycle track have been re aligned from close to the water (intertidal area) to the stable river bank (CRZ II area).

During site inspection, the Managing Director of Smart City submitted that, during implementation of the project, especially while constructing the walking track and cycle track, concrete structures will be avoided to the maximum possible extent. Therefore he requested the Member Secretary, KSCZMA to consider the application and grant CRZ clearance for the project.

After deliberations, the Member Secretary, KSCZMA directed the project proponent to submit the report with valid justification through Regional Director (Environment) to the Karnataka State Coastal Zone Management Authority for placing in coming meeting of the Authority. Accordingly, the report submitted by the Mangalore Smart City Ltd; has been submitted with this letter for your kind perusal.

Thanking you,

Yours faithfully,


Regional Director (Environment)
Department of Forest, Ecology and Environment
Mangalore

Issued Under RTI Act. 2005

Site Inspection Report

Preamble:

In accordance to the CRZ Clearance for Water front promenade development on the bank of Netravathi River by Mangalore Smart City Limited, the authority in the 33rd KSCZMA meeting held on 14-03-2022 directed the Mangalore Smart City Limited to realign the proposal as it is near the water body. In view of this, the Smart City Limited submitted the proposal with revised alignment. Accordingly, the project site has been inspected by the Commissioner & APCCF, Department of Forest, Ecology and Environment, Government of Karnataka on 25-06-2022. During the site inspection, following parameters have been observed.

Observation:

- 1) All the proposed structures like toilet blocks, food kiosks, buggy sheds, ticket counter etc. are aligned on the landward side of the old structures constructed prior to the 1991.
- 2) The walking track and Cycle track have been re aligned to CRZ II from CRZ IB.
- 3) The project site mainly fall in the Port land which does not have any survey numbers. These lands are in use by constructing building or blockages at multiple locations and not easily accessible for the public use at most of the location. The proposed promenade development work will help in claiming back some of the land which is being not used as per authorisation. This will help in making available the area along Netravathi river front for public use.

Date: 27-06-2022


Managing Director

M. H.
Mangaluru Smart City Limited

Issued Under RTI Act. 2005

36.2.20 Request for CRZ clearance for water front Promenada Development on Nethravathi River Bank of Thota and Jappinamogaru Village, Mangalore by Smart city Ltd., (FEE 17 CRZ 2022)

1.	Name of the Project	Proposed water front promenade development to Nethravathi river bank at Thota and Jappinamogaru village of Mangalore.
2.	Name of the Applicant	General Manager Smart City Limited, Mangalore.
3.	Location of the Project Village/Town, Taluk, Dt.	Nethravathi river bank of Mangalore Thota and Jappinamogaru village Mangaluru Taluk, Dakshina Kannada district.
4.	Sy. No.	-----
5.	Extent of land	The details of the activities proposed as per revised project.



		1) Mangrove Park 2) Bird watching Area 3) Cycle Track 3m X 2.1 km 4) WalkingTrack 3m X 2.1 km 5) Parks at South Point, Jeppu Ferry,(Jeppina Mogaru Village) Bolar Sea Point and Bolar Sea Face of Mangalore Thota Village) in the Port land
6.	CRZ Classification	CRZ II
7.	Project Cost	Rs . 49.48 crores
8.	Activities proposed	water front promenade development to Nethravathi river bank
9.	Whether permitted activity as per CRZ Notification? If yes, specify the relevant rules	Yes Para 8 (a) II CRZ II (i) & (ii)of CRZ Notification 2011.
10.	The details of recommendations of the District Coastal Zone Management Authority (DCZMA)	The DCZMC, meeting held on 30-09-2021 & recommended the proposal to KSCZMA under para 8 (a) II CRZ II (i) & (ii)of CRZ Notification 2011.
11.	Details of Processing fee	Processing fees: Paid Rs.6 lakhs, Chalan No. CR0122040600086828 Dated: 05-1-2022.
12.	Whether issue of clearance is within the scope of SCZMA or NCZMA? Specify relevant rules.	SCZMA Proposed activity is permissible under para 8 (a) II CRZ II (i) & (ii) of CRZ Notification 2011.
13.	Any other details	-

When the subject was placed in the KSCZMA meeting held on 14.02.2022, the Authority after discussion and deliberations decided to refer the proposal back to DCZMC for rescrutiny of the project since there is no clarity on location of the project proposed with regard to CZMP map, considering the impact of this project on river bank and seasonal flows.

The Chairman DCZMC & Deputy Commissioner, Mangalore has submitted a detailed report on 10.03.2022 as below:

The proposed area falls in CRZ- II. All the structures like toilet blocks, buggy sheds, food kiosks, Facility Management Office, Pavilion, Ticket Counters, Outdoor play & Gym Equipments etc. will be constructed on the landward side of existing building. The walkway parking area and cycle track will be proposed on landward side of HTL. The DC has reported that the sewage will be treated by proposed sewage treatment plant. Therefore river water will not be polluted. There will not be any effect on stability of river bank as there will not be any movement of heavy vehicles. The proposal however, lacked clarity on whether all the activities under the project satisfy the CRZ Criteria. **The subject was placed in the Authority meeting held on 14.03.2022.** The Authority after discussions and deliberations decided to defer the case with a direction to realign the proposal as it is near the water body.

In view of this, the Managing Director, of Smart City Limited has submitted the proposal with revised alignment. He has stated that the proposed site belongs to Port & inland waterways dept. which has allotted land on lease basis to different users like tile factory, boat building etc. The lease period has been expired. But the establishment over the site continue to exist as encroachments. As it is Govt. Project, this proposed project involves evicting such encroachment & converting the land for public utility. He also submitted that concrete structures will be avoided to the maximum possible extent while constructing the walking track & Cycle track. The proposed structures are aligned on the landward side of the old structures constructed prior to 1991. The walking track and Cycle track have been re aligned from close to the water (intertidal area) to the stable river bank (CRZ II area). The DCZMC in its meeting held on 30.06.2022 has recommended the proposal.

The Authority after discussion and deliberations decided to issue NOC for Proposed water front promenade development to Nethravathi river bank at Thota and Jappinamogaru village of Mangalore as per para 8 (a) II CRZ II (i) & (ii) of CRZ Notification, 2011, with the following conditions:-

1. No permanent structure/concrete structure should be constructed.
2. No sewage should be let in to nearby water body.
3. No dumping of solid wastes in to the water bodies and shall dispose of waste in scientific manner.
4. The Work should be taken up as per the provisions of CRZ notification 2011.




ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕಛೇರಿ: 0824-2450250

ಈ-ಮೈಲ್: rdenvironment@gmail.com

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಯುಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 21/4/2023

ಇವರಿಗೆ,

ಜನರಲ್ ಮ್ಯಾನೇಜರ್
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಭಾಗ್, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

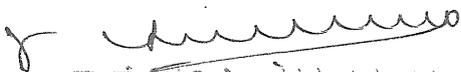
- ವಿಷಯ : ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಹಾಗೂ ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ನಡೆಸಿರುವ ಕುರಿತು ಸ್ಪಷ್ಟೀಕರಣ ನೀಡುವ ಬಗ್ಗೆ.
- ಉಲ್ಲೇಖ : 1. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ದೂರು ಅರ್ಜಿ ಸ್ವೀಕೃತ ದಿನಾಂಕ : 28-3-2023.
2. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ಸಂಖ್ಯೆ: FEE 17 CRZ 2022 ದಿನಾಂಕ: 7-10-2022.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತೋಟ ಹಾಗೂ ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಕಾಂಡ್ ಗಿಡಗಳನ್ನು ಹಾನಿಗೊಳಿಸಿ ಬಂಡೆ ಕಲ್ಲುಗಳನ್ನು ಹಾಕಿ, ಮಣ್ಣು ತುಂಬಿಸಿ ರಸ್ತೆ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ ಉಲ್ಲೇಖ(1)ರಲ್ಲಿ ದೂರು ಸ್ವೀಕೃತವಾಗಿರುತ್ತದೆ. ಅದರಂತೆ ತಮ್ಮ ಅಧಿಕಾರಿಯವರೊಂದಿಗೆ ಸದ್ರಿ ಸ್ಥಳವನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿದೆ.

ಪರಿಶೀಲನೆ ಸಮಯದಲ್ಲಿ ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು, ವತಿಯಿಂದ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿಯು ಪ್ರಗತಿಯಲ್ಲಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಸದ್ರಿ ಯೋಜನೆಗೆ ಉಲ್ಲೇಖ(2)ರಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರವನ್ನು ನೀಡಲಾಗಿರುತ್ತದೆ. ಆದರೆ ಸದ್ರಿ ಸ್ಥಳದಲ್ಲಿ ಗಿಡ-ಪೊದೆಗಳನ್ನು ತೆಗೆದಿದ್ದು, ಸ್ಥಳವನ್ನು ಸಮತಟ್ಟು ಮಾಡಿ ನದಿ ದಂಡೆಗೆ ಕಲ್ಲುಗಳಿಂದ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ಮಾಡಲಾಗಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಇದು ಸದರಿ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿರುತ್ತದೆ.

ಆದ್ದರಿಂದ ಈ ಪತ್ರ ತಲುಪಿದ 10 ದಿವಸಗಳೊಳಗೆ ಈ ಬಗ್ಗೆ ಸೂಕ್ತ ಸ್ಪಷ್ಟೀಕರಣ ನೀಡುವುದು. ತಪ್ಪಿದ್ದಲ್ಲಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆಯ ಉಲ್ಲಂಘನೆ ಎಂದು ಪರಿಗಣಿಸಿ ಸೂಕ್ತಕಾನೂನು ಕ್ರಮಕೈಗೊಳ್ಳುವ ಬಗ್ಗೆ ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ಸಲ್ಲಿಸಲಾಗುವುದು.

ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ


ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)
ಮಂಗಳೂರು

ತಮ್ಮ ವಿಶ್ವಾಸಿ,


ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ), ಅರಣ್ಯ
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

T/C
21/4/23

TRANSLATED COPY - [ANNEXURE-12]

Ref no. CRZ/Violation/2023-24

Dated: 21/04/2023

To,

The General Manager

Mangalore Smart City Ltd

Lalbagh, Mangalore

Respected Sir,

Sub: Clarifications regarding pitching works carried out at Netravathi river bank at Mangaluru Taluk Thota and Jepinamogaru village panchayat

Ref:

1. Receipt of National Environment Care Federation complaint dated 28.03.2023
2. Karnataka State Coastal Zone Monitoring Authority letter no. FEE 17CRZ 2022 dated 07.10. 2022

In reference to the above subject, the complaint has been received as per ref (1) regarding damage to Mangroves, and construction of the road by filling of soil and rock stones at the Netravathi river bank of Mangaluru Thota and Jeppinamogaru Village. Accordingly, spot inspection has been conducted along with your officials.

During the spot inspection, it has been found that Waterfront Promenade Development project work is in progress by Mangaluru Smart City Ltd . As mentioned in Ref (2), the aforesaid project has been granted NOC/ conditional CRZ approval from the Karnataka State Coastal Zone Monitoring Authority. However, at the mentioned site it is observed that the plants are cut, the land has been levelled, and pitching work has been done with rock stones. This amounts to the violation of conditions in the CRZ approval.

Hence, you are required to give appropriate clarifications within 10 days of receipt of this letter, failing which it will be considered a violation of CRZ norms and will be reported to the government for suitable actions.

Your sincerely

Regional Director (Environment)

Mangalore

T/C
Sujit

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕಛೇರಿ: 0824-2450250

ಈ-ಮೈಲ್: rdenvironment@gmail.com

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಝಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 06/6/2023

ಇವರಿಗೆ,

ಮಾನ್ಯ ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು
(ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ)
ಅರಣ್ಯ, ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆ
ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

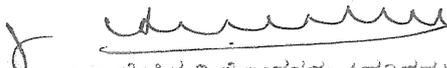
- ವಿಷಯ : ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್ ಇವರಿಗೆ CRZ ಅನುಮತಿ ನೀಡಿರುವ ಬಗ್ಗೆ.
- ಉಲ್ಲೇಖ : 1. ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ : ಅಪಜೀ 17 ಸಿಆರ್‌ಝಡ್ 2022 ಬೆಂಗಳೂರು ದಿನಾಂಕ : 22-5-2023.
2. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ಪತ್ರ ದಿನಾಂಕ : 28-3-2023.
3. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ಸಂಖ್ಯೆ: FEE 17 CRZ 2022 ದಿನಾಂಕ: 7-10-2022.
4. ಈ ಕಛೇರಿಯಿಂದ ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು, ಇವರಿಗೆ ಬರೆದ ಪತ್ರ ಸಂಖ್ಯೆ: ಸಿಆರ್ ಝಡ್/ಉಲ್ಲಂಘನೆ/2022-23 ದಿನಾಂಕ: 21-4-2023.
5. ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ: ಮ:ಸಾ.ಸಿ.ಲಿ/ತಾಂತ್ರಿಕ/EE-1/AEE-2/AE-8/CR-86/2023-24/109 ದಿನಾಂಕ: 05-5-2023.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖ(1)ರ ಸರ್ಕಾರಿ ಪತ್ರದಲ್ಲಿ ಉಲ್ಲೇಖ(2)ರ ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ) ಇವರು ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು, ಇವರ Waterfront Promenade Development ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸಲ್ಲಿಸಿರುವ ಮನವಿಯ ಬಗ್ಗೆ ಪರಿಶೀಲಿಸಿ ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

ಉಲ್ಲೇಖ(3)ರಂತೆ ಸದರಿ ಯೋಜನೆಗೆ ನಿರ್ದಿಷ್ಟ ನಿಯಮ ಹಾಗೂ ಷರತ್ತುಗಳೊಂದಿಗೆ ಯೋಜನೆಯ ಅನುಷ್ಠಾನಕ್ಕಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ನೀಡಲಾಗಿರುತ್ತದೆ. ಕಾಮಗಾರಿಯು ಪ್ರಗತಿಯಲ್ಲಿದ್ದು, ನದಿ ತೀರದಲ್ಲಿ ಕಾಂಡ್ಲ ಗಿಡಗಳನ್ನು ಹಾನಿಗೊಳಿಸಿ, ಬಂಡೆ ಕಲ್ಲುಗಳನ್ನು ಹಾಕಿ, ಮಣ್ಣು ತುಂಬಿಸಿ ರಸ್ತೆ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವುದಾಗಿ ಉಲ್ಲೇಖ(2)ರ ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ) ಇವರ ಮನವಿಯಂತೆ ದಿನಾಂಕ:03-04-2023 ರಂದು ಸ್ಥಳವನ್ನು ಪರಿಶೀಲಿಸಿ ಮಹಜರು ನಡೆಸಲಾಗಿರುತ್ತದೆ. (ಮಹಜರಿನ ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ).

ಪ್ರಾಥಮಿಕ ಪಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ

.....2


ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)
ಮಂಗಳೂರು

ಪರಿಶೀಲನೆ ಸಮಯದಲ್ಲಿ ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು, ವತಿಯಿಂದ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿಯು ಪ್ರಗತಿಯಲ್ಲಿದ್ದು, ಸದ್ರಿ ಸ್ಥಳದಲ್ಲಿದ್ದ ಗಿಡ-ಪೊದೆಗಳನ್ನು ತೆಗೆದಿದ್ದು, ಸ್ಥಳವನ್ನು ಸಮತಟ್ಟು ಮಾಡಿ ನದಿ ದಂಡೆಗೆ ಕಲ್ಲುಗಳಿಂದ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ಮಾಡಲಾಗಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಇದು ಸದರಿ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿರುತ್ತದೆ ಎಂದು ಈ ಬಗ್ಗೆ ಸೂಕ್ತ ಸ್ಪಷ್ಟೀಕರಣ ನೀಡುವಂತೆ ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್ ಇವರಿಗೆ ಉಲ್ಲೇಖ(4)ರ ಪತ್ರದಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

ಉಲ್ಲೇಖ(5)ರ ಪತ್ರದಲ್ಲಿ ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು ಇವರು ಕಾಮಗಾರಿ ಪ್ರಾರಂಭಿಸುವ ಮೊದಲು ಗಿಡ ಪೊದೆಗಳನ್ನು ತೆರವುಗೊಳಿಸಿದ್ದು ಹಾಗೂ ಸ್ಥಳವನ್ನು ಅಲ್ಲಲ್ಲಿ ಮಾತ್ರ ಸಮತಟ್ಟು ಮಾಡಿ ಶಿಥಿಲ ಹಾಗೂ ಜೀರ್ಣಾವಸ್ಥೆಯಲ್ಲಿದ್ದ ದಂಡೆಕಲ್ಲುಗಳನ್ನು ದಂಡೆಗೆ ಹಾನಿಯಾಗದಂತೆ ಪುನರುತ್ಥಾನ ಪಡಿಸಲಾಗಿರುತ್ತದೆ, ಹಾಗೂ ಕೊಟ್ಟಿರುವ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳಂತೆ ಕಾರ್ಯ ನಿರ್ವಹಿಸಲು ಕಾಳಜಿ ವಹಿಸಲಾಗಿರುತ್ತದೆ. Slope protection ನಿರ್ವಹಿಸಲು ಸ್ಥಳೀಯವಾಗಿ ಲಭ್ಯವಿರುವ ಕಲ್ಲುಗಳನ್ನು ಉಪಯೋಗಿಸಿ ಪಿಚ್ಚಿಂಗ್ ಕಾರ್ಯ ಮಾಡುತ್ತಿದ್ದು, ಎಲ್ಲಾ ಕಾಂಕ್ರೀಟ್ ಕಾಮಗಾರಿ ನಡೆಸಿರುವುದಿಲ್ಲವೆಂದು, ಯಾವುದೇ ಕಾಮಗಾರಿಯನ್ನು ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ವ್ಯತಿರಿಕ್ತವಾಗಿ ನಿರ್ವಹಿಸಿಲ್ಲ ಎಂದು ಸ್ಪಷ್ಟೀಕರಣ ನೀಡಿರುತ್ತಾರೆ. ಸದ್ರಿ ಪತ್ರದ ಯಥಾ ಪ್ರತಿಯನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ವರದಿಯನ್ನು ತಮ್ಮ ಅವಗಾಹನೆಗೆ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ವಂದನೆಗಳೊಂದಿಗೆ,

ತಮ್ಮ ನಂಬುಗೆಯ,

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ),
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ಅಡಕಗಳು: 1. ಸ್ಥಳ ಮಹಜರು.

2. ಉಲ್ಲೇಖ(4) ಮತ್ತು (5)ರ ಪತ್ರ.

ಮೂಹುತಿ ಹಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ


ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)
ಮಂಗಳೂರು

T/c
S/S

TRANSLATED COPY - [ANNEXURE - 13]

True translated copy

Ref no. CRZ/ullanagane/2023-24

Dated: 06/06/2023

To,

Principal Secretary to Government (Ecology and Environment)

Forest, Environment & Ecology Department

Bangalore

Sir,

Sub: Granting of CRZ Clearance to Mangaluru Smart City Ltd regarding

Ref:

1. Government letter: apag 17 CRZ 2022 Bangalore dated 22.05.2023
2. National Environment Care Federation letter dated 28.03.2023
3. Karnataka State Coastal Zone Management Authority letter no. FEE 17CRZ 2022 dated 07.10. 2022
4. Letter from Regional Director (Environment), Mangaluru addressed to Mangaluru Smart City Limited letter no. CRZ / ullangane/2022-23 dated 21.04.2022
5. Mangaluru Smart City Ltd letter no. MSCL /tech/EE-1/AEE-2 /AE-8/CR-86/2023-24/109 dated 05.05.2023

In reference to the above subject, Government letter Ref (1) had instructed to inspect and report on Mangaluru Smart City Ltd. Water front promenade development project as per the petition by National Environment Care Federation (Regd) letter Ref(2)

As per Ref(3) the above-stated project is granted conditional CRZ approval by the Karnataka State Coastal Zone Management Authority by imposing certain norms and conditions. The spot inspection was conducted on 03.04.2023 as per National Environment Care Federation (Regd) letter Ref(2) that stated the project is in progress at the river banks wherein mangroves are destroyed, rock stones are filled and soil is filled for construction of roads (The copy of spot inspection report (mahajar) is enclosed).

During the inspection it was found that the Mangaluru Smart City Ltd. Water front promenade development project is in progress, at the site plants –bushes are removed and land is levelled, and rock stones are filled at the riverbanks for pitching works. This is a clear violation of norms and conditions imposed in the CRZ approval and a letter Ref(4) has been communicated to Mangaluru Smart City Ltd for clarification regarding the aforesaid matter.

Mangaluru Smart City Ltd. in Letter Ref(5) has clarified that prior to the commencement of work plants –and bushes are cleared and wherever needed land is levelled and weaker parts of the river banks are filled with rock stones and care have been taken adhere to the norms and conditions imposed by CRZ approval . Slope protection is done with

locally available stones for pitching works, concrete is not used in the work, and no other works have been carried out violating the CRZ approval. The copy of their letter is enclosed for your reference

Thank you

yours sincerely

Regional Director (environment)

Forest, Environment & Ecology dept, Mangaluru

Enclosure

1. Spot inspection report
2. Reference (4) and Ref (5) letters

T/c
Sujs-

ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತ್ರೈಕುಷ್ಣ ಹಾಗೂ ಜಿಲ್ಲೆಯವರಿಗೆ ಗ್ರಾಮದ ನೈಋತ್ಯವಲಿ ನದಿ ತೀರದಲ್ಲಿ ಮಂಗಳೂರು ಸ್ಟಾರ್ಟ್ ಟೌನ್, ಮಂಗಳೂರು ಖಿಲಾಫೆ 'Waterfront Promenade Development' ರೂರಲು ನಿರೀಕ್ಷಿಸಿ ನಿಯಂತ್ರಣ ಹಾಗೂ ಘರತುಗಳೊಂದಿಗೆ ಯೋಜನೆ ಅನುಷ್ಠಾನಕ್ಕಾಗಿ ನಿರೀಕ್ಷಿಸಿ ಪತ್ರ ಸಿದ್ಧವಾಗಿ ನದಿ ಐದು ಗಾಠಿಯು ಪ್ರಗತಿಯಲ್ಲಿದ್ದು, ನದಿ ತೀರದಲ್ಲಿ ಐಂದ್ಲ ಗಿಡಗಳನ್ನು ಹಾಗೂ ಮರಗಳನ್ನು ಹಾನಿಗೊಳಿಸಿ ಬಂದೆ ಕಲ್ಲುಗಳನ್ನು ಹಾಕಿ ಮಣ್ಣು ತುಂಬಿಸಿ ರಸ್ತೆಯ ಐದು ಗಾಠಿ ನಡೆಸಿರುವುದಾಗಿ ಶಾಶ್ವತಿಯ ಪಾಲನರ ನೆರವುಗಾಗಿ 'ಮೈಟಿ (೦) ಇವರ ದೂರಿನ ಮೈಟಿಗೆ ನದಿ ಐದು ಗಾಠಿ ಸ್ಥಳಗಳನ್ನು ಮಂಗಳೂರು ಸ್ಟಾರ್ಟ್ ಟೌನ್, ಮಂಗಳ ಕರ್ನಾಟಕಿಯ ಸಹಾಯಕ ಅಭಿಯಂತರರುಗಳಾದ ಶಿವುತಿ ದೀಪ್ತಿ ರೈ ಮುತ್ತು ಶ್ರೀಪ ಅಚಲಾ ಸುದೈಶ ಹಾಗೂ ಪ್ರಾದ್ಯಶಿತ ನದೀಶರರು (ಪಾಲನರ) ಇಲಾಖೆಯ ಐವನದಿ ದಿ:03.04.2023 ರಂದು ಪೂರ್ವಾಪ್ನು 10.30 ಗಂಟೆಗೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಡೆಸಲು ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಮಯದಲ್ಲಿ ಅಧಿರೂಗಗಳ ಜೊತೆಗೆ ಎರಡು ಕರ್ನಾಟಕ ಸಿಬ್ಬಂದಿ ಹಾಜರಿದ್ದರು.

ನದಿ ಪರಿಶೀಲನೆ ನಮಯದಲ್ಲಿ ಪ್ರಥಮವಾಗಿ 'ಐದು ನಾವೆಲ್' ಟೈಲು ಪ್ಯಾಕ್ಟಿ ಹಿಂದಿ ರೈಲು ನೈಋತ್ಯವಲಿ ನಮಯದ ಚಿತ್ರ ಗುರುತು 'ಎ' ಭಾಗವನ್ನು ಪರಿಶೀಲಿಸಲು ಸ್ಥಳದ ಜಿ.ಓ.ಎನ್. ಮಹಿತಿ ಈ ಕೆಳಗಿನಂತಿದೆ.

N - 12.84326	N - 12.84320	N - 12.84340	N - 12.84300	N - 12.8
E - 74.85532	E - 74.8558	E - 74.85582	E - 74.85582	E - 74.8

ನದಿ ಸ್ಥಳವು ಕ್ರೋಮನ್ಯದ ನಿರೀಕ್ಷಾ ಹಾಗೂ ವೆಕ್ಸಿ ಪ್ಯಾಕ್ಟಿಗಾಗಿ ನಿಯಂತ್ರಿಸಿ ಸ್ಥಳ ಬಂದು ಸ್ಟಾರ್ಟ್ ಟೌನ್ ಅಧಿರೂಗಳು ತಿಳಿಸಿದರು. ಈ ಸ್ಥಳದಲ್ಲಿ ಗಿಡ-ಗಾ ಮುತ್ತು ಪೊದೆಗಳನ್ನು ತೆಗೆದಿದ್ದು, ಸ್ಥಳವನ್ನು ನಮವಟ್ಟು ಮಾಡಿ ನದಿ ದಂದೆಯ ಮಣ್ಣನ್ನು ಭದ್ರಗೊಳಿಸಲು ಕಲ್ಲುಗಳಿಂದ ಎಚ್ಚರಿಕೆ ಮಾಡಲಾಗಿತ್ತು.

ನದಿ ಸ್ಥಳದ ವಶ್ಚಿಮೈಶ್ಚಿ - ಚಿತ್ರ ಗುರುತು 'ಬಿ' ಭಾಗದಲ್ಲಿ ನದಿ ದಂದೆ ವಲಿಯ ತಡೆಗಟ್ಟಿದೆ ಇರುವುದು ಕಂಡು ಬಂದಿದೆ. ಇದರ ನಮಯದ ಪ್ರದ್ಯಶದಲ್ಲಿ ಗಿಡ-ಗಂಟೆ ಹಾಗೂ ಪೊದೆಗಳನ್ನು ತೆರವುಗೊಳಿಸಿ ನಮವಟ್ಟು ಮಾಡಲಾಗಿದೆ. ಈ ಪ್ರದ್ಯಶದಲ್ಲಿ 2-3 ಕಂಡ್ಲ ಗಿಡಗಳು ಹಾಗೂ ಒಂದು ಪ್ಲಾಹಾ ಮರ ಇರುವುದು ಕಂಡು ಬಂದಿದೆ. ನದಿ ಸ್ಥಳದ ಜಿ.ಓ.ಎನ್. ಮಹಿತಿ ಈ ಕೆಳಗಿನಂತಿದೆ.

N - 12.84326	N - 12.84307	N - 12.84287
E - 74.85528	E - 74.85774	E - 74.85921

ಇಲ್ಲದಂತೆ ಐಂದ್ಲ ಗಿಡಗಳನ್ನು ಹಾಗೂ ಭೃಹತ್ ಮರಕ್ಕೆ ಯಾವುದೇ ಲೀತಿಯು ಮಾಡಲಾಗದಂತೆ. ಅಚಲಾ ದೇವಶರು, ಪ್ರಾದ್ಯಶಿತ ನದೀಶರರು ಕರ್ನಾಟಕ, ಮಂಗಳೂರು ರವರು ತಿಳಿಸಿದರು.

ಪ್ರಾದ್ಯಶಿತ ನಿರೀಕ್ಷಕರು (ಪಾಲನರ)
 ಮಂಗಳೂರು

ಮೈಲನ ಸ್ಥಳದ ಪಶ್ಚಿಮ ದಿಕ್ಕಿಗೆ ಮುಂದಕ್ಕೆ ಚಿತ್ರಗುರುತು 'ಎ' ಪ್ರದೇಶದಲ್ಲಯೂ ಸಹ ಗಿಡ-ಗಂಟೆ ಮತ್ತು ಪೊದೆಗಳನ್ನು ತೆಗೆದು ಸಮತಟ್ಟು ಮಾಡಲಾಗಿದೆ. ಇಲ್ಲ ನದಿ ದಂಡೆಯನ್ನು ಕಲ್ಲಿನಿಂದ ಎಚ್ಚರಿಕೆ ಮಾಡಿರುತ್ತಾರೆ. ಹಾಗೂ ಕಲ್ಲುಗಳ ಶಾಖೆಯನ್ನು ನದಿ ದಂಡೆ ಬದಿಯಲ್ಲಿ ಹಾಕಿರುವುದು ಕಂಡು ಬಂದಿದೆ. ಸಲ್ಲಿ ಸ್ಥಳದ ಜಿ.ಪಿ.ಎನ್. ಮೂರ್ತಿ ಈ ಕೆಳಗಿನಂತಿದೆ.

N - 12.84284 N - 12.84280 N - 12.84270
E - 74.85416 E - 74.85382 E - 74.85350

ಇಲ್ಲಿಂದ ಮುಂದಕ್ಕೆ ಪಶ್ಚಿಮದ ಕಡೆಗೆ 'ಜಿ.ಪಿ.ಎನ್. ಎಕ್ಸೆಯಲ್' ಪಶ್ಚಿಮದ ಬಳಿಯ ಪ್ರದೇಶ ಚಿತ್ರಗುರುತು 'ಆ' ಭಾಗವನ್ನು ಪರಿಶೀಲಿಸಲಾಯಿತು. ಇಲ್ಲಿ ಪ್ರದೇಶದಲ್ಲ ನದಿ ದಂಡೆಯಲ್ಲಿ ಒಂದು ಗಿಡಗಳು ಇದ್ದವು ಹಾಗೂ ಭೂಭಾಗದ ಕಡೆಗೆ ಕೆಲವೊಂದು ಮರಗಳಿದ್ದವು. ಸಲ್ಲಿ ಸ್ಥಳದ ಜಿ.ಪಿ.ಎನ್. ಮೂರ್ತಿ ಹೀಗಿದೆ.

N - 12.84206 N - 12.84196 N - 12.84202
E - 74.85171 E - 74.85149 E - 74.85134

ಇಲ್ಲಿ ಸಹ ಪೊದೆಗಳನ್ನು ತೆಗೆದಿರುತ್ತಾರೆ. ಇಲ್ಲಿ ಇರುವ ಒಂದು ಗಿಡಗಳನ್ನು ಸುರಕ್ಷಿಸುವಂತೆ ಹಾಗೂ ಮರಗಳಿಗೆ ಹಾನಿ ಮಾಡಬಾರದು ಎಂದು ಪ್ರದೇಶದ ಅಧಿಕಾರಿಗಳು (ಪರಿವರ) ಸವಿಯಲು ಅವನಿಧೇಯರಾಗಿ ನೋಡಲು ಲಭಿಸಿರುವಂತೆ ತಿಳಿಸಿದರು. ಇಲ್ಲಿ ನದಿಯ ದಂಡೆ/ಬದಿಯಲ್ಲಿ ಕಳೆಯು ತಡೆಗಟ್ಟಿದೆ ಇದ್ದು, ಕೆಲವು ಭಾಗದಲ್ಲಿ ಕಲ್ಲುಗಳು ಬಿದ್ದುಕೊಂಡಿರುವುದು ಕಂಡು ಬಂದಿದೆ. ನಿಲವನ್ನು ಸಮತಟ್ಟು ಮಾಡಿದ್ದು, ಇತರ ಯಾವುದೇ ವಿಷಯಗಳಿಗೂ ಸಂಬಂಧವಿಲ್ಲ.

ತದನಂತರ ದ.ಕ. 4 ಬಡುವಿ ಜಿಲ್ಲಾ ಮೈನು ಮೂಲದ ಮುಖಾಂತರಿಯ (ಮುಖಾಂತರ) ಹಿಂಬದಿಯ ಪ್ರದೇಶಕ್ಕೆ ಭೇಟಿ ನೀಡಿ ಪರಿಶೀಲಿಸಿ ನಡೆಸಲಾಯಿತು. ಇಲ್ಲಿ ನಗರ ಪ್ರದೇಶದಿಂದ ನದಿ ನೈರುವ ದಿಕ್ಕಿನ ಕಿರುಬಾವುಗಳನ್ನು ನಿರೂಪಿಸಲಾಗುತ್ತದೆ. ಸಲ್ಲಿ ಸ್ಥಳದ ಜಿ.ಪಿ.ಎನ್. ಮೂರ್ತಿ ಈ ಕೆಳಗಿನಂತಿದೆ : (ಚಿತ್ರಗುರುತು 'ಬಿ').

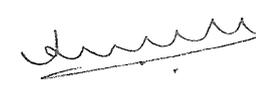
N - 12.84140 N - 12.84161
E - 74.84712 E - 74.84716

ಸಲ್ಲಿ ಕಿರುಬಾವುಗಳ ಭಾಗದಲ್ಲಿ ಕಳೆಯು ತಡೆಗಟ್ಟಿದೆ ಇರುವುದು ಕಂಡು ಬಂದಿದೆ ಹಾಗೂ ಇದು ಲಲ್ಲು ಶಿಥಿಲಗೊಂಡು ಬಿದ್ದಿರುತ್ತದೆ. ಕಿರುಬಾವು ಪಶ್ಚಿಮ ಭಾಗದಲ್ಲಿ ತಡೆಗಟ್ಟಿದೆಯನ್ನು ನಿರೂಪಿಸಲಾಗುತ್ತದೆ. ಹಾಗೂ ಇಲ್ಲಿ ಭೂಭಾಗದ ಕಡೆಗೆ ಕೆಲವೊಂದು ಮರಗಳು ಇದ್ದವು. ಸಲ್ಲಿ ಮರಗಳನ್ನು ಹಾಗೆಯೇ ಲಳಿಸುವಂತೆ ಹಾಗೂ ನದಿಯ ದಂಡೆಯಲ್ಲಿ ಯಾವುದೇ ರೀತಿಯ

ಪ್ರಾದೇಶಿಕ ನಿರೀಕ್ಷಕರು (ಪರಿವರ) ಮಂಗಳೂರು
 ಮೂಲತಃ ಪಕ್ಕಾ ಕಟ್ಟಡ 2005ರ ಮೇಲೆ ನಿರೀಕ್ಷಿಸಲಾಗಿದೆ

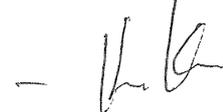
- ಹೊಸ ಕಾಮಗಾರಿ ನಡೆಸದಂತೆ ಮತ್ತು ಐಂಟ್ ಗಡಗಳನ್ನು ಸಂರಕ್ಷಿಸಿ ಮತ್ತು ಬೆಳೆಸುವಂತೆ ಅವನಿರ್ದೇಶಕರು, ಪ್ರಾವೀಣ ನಿರ್ದೇಶಕರು (ಪಂಪರ) ಕಚೇರಿ - ಯವರು ಸ್ನಾರ್ಚನಿ ನೀಡಿ ಅಭಿವಿಂಗಲಗೆ ಮತ್ತು ಈ ಸಮಯ ಸ್ಥಳಕ್ಕೆ ಬಂದ ಗುತ್ತಿಗೆದಾರ ಶ್ರೀ ಜೈನೇಶ್ ರವರಿಗೆ ನುಗುಣಿಸಿದರು.

ಸಲ್ಲಿ ಮತುಜರನ್ನು ಲಿಖಿ ದೃಢೀಕರಿಸಿ, ಸ್ಥಳ ವಲಿಶಿಲನೆ ನಮಯದ ಪಾಜಲದ್ದವರ ಸಹಿ ಈ ಕೆಳಗೆಷಂತ್ರಿದೆ.

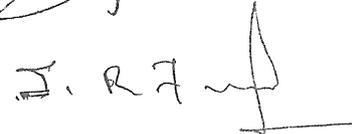
೧) ಡಾ. ನುಶೇಶಾ ರಾವ್, ಅವನಿರ್ದೇಶಕರು, ಪ್ರಾ.ನಿ.(ಪಂಪರ) - 
ಕಚೇರಿ, ಮಂಗಳೂರು

೨) ಶ್ರೀಮತಿ ದಿಲ್ವಿ ರೈ, ಸಹಾಯಕ ಅಭಯಂತರರು, - 
ಸ್ನಾರ್ಚನಿ ನೀಡಿ, ಮಂಗಳೂರು

೩) ಶ್ರೀಮತಿ ಅರ್ಪನಾ ನುಶೇಶಾ, ಸಹಾಯಕ ಅಭಯಂತರರು, - 
ಸ್ನಾರ್ಚನಿ ನೀಡಿ, ಮಂಗಳೂರು

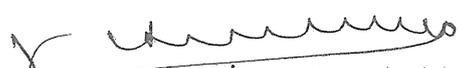
೪) ಶ್ರೀ ಕಿಶೋರ್, ನಿಬ್ಬಂದಿ, ಪ್ರಾ.ನಿ.(ಪಂಪರ) - 
ಕಚೇರಿ, ಮಂಗಳೂರು

೫) ಶ್ರೀ ಶ್ರೀಯುತ್, ಗುತ್ತಿಗೆದಾರರು, - 
ಸ್ನಾರ್ಚನಿ ನೀಡಿ, ಮಂಗಳೂರು

೬) ಶ್ರೀ ಬಿನ್, ವಾಷನ ಬಾಲಕರು, ಪ್ರಾ.ನಿ.(ಪಂಪರ) - 
ಕಚೇರಿ, ಮಂಗಳೂರು

೭) ಶ್ರೀ ಜೈನೇಶ್, ಗುತ್ತಿಗೆದಾರರು - 

ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ


ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪಂಪರ)
ಮಂಗಳೂರು

T/c
supp-

MAHAJARU (SITE INSPECTION REPORT)

Mangaluru Smart City Limited was granted a NOC outlining specific rules and conditions for its Waterfront Promenade Development Project along the Netravathi river bank in Mangaluru Thota and Jeppinamogaru Village, Mangaluru taluk. In response to the National Environment Care Federation (NECF) complaint, citing ongoing project activities leading to the damage of Mangroves, tree felling, and the filling of soil and rock stones for road construction a site inspection was carried out at 10:30 am, involving Mrs. Archana Sudesh and Mrs. Deeksha Rai, Assistant Executive Engineers from MSCL, Mangaluru, along with the Deputy Director of the Regional Director (Environment) department. Personnel from both departments were present during the site inspection.

Initially, a spot inspection was conducted at the location behind the 'Commonwealth' Tile Factory near the Railway bridge, indicated in the image at point 'A', with the corresponding GPS coordinates as follows:

N-12.84326	N-12.84320	N-12.84310	N-12.84305	N-12.8
E-74.85532	E-74.8558	E-74.85582	E-74.85582	E-74.85532

MSCL officials indicated that the specified site has been earmarked for promenade construction and bird watching area. At this location vegetation including plants and bushes have been cleared. The site has been levelled, and stone pitching has been undertaken to reinforce the soil along the riverbank. To the west of the aforementioned location, marked as point 'B' in the image, an old retaining wall has been observed. In proximity to this site, vegetation, including plants and bushes, has been cleared and site levelled. 2-3 mangroves, along with one large tree, were identified in the vicinity. The GPS coordinates for this area are as follows:

N-12.84326	N-12.84307	N-12.84287
E-74.85528	E-74.85474	E-74.85921

The Deputy Director of the Regional Director (Environment) department issued directives, that no harm should be caused to any of the mangroves and trees in the specified area.

To the west of the aforementioned points, designated as point 'C' in the image, vegetation, comprising plants and bushes, has been cleared, and the site has been levelled. In this location, pitching work has been executed along the riverbank, and stones are piled up. The GPS coordinates for this area are as follows:

N-12.84284	N-12.84280	N-12.84270
E-74.85416	E-74.85382	E-74.85350

Continuing westward, closer to the 'TVS Tyre' factory marked as point 'D' in the image, an inspection was conducted. In this area, there are mangroves on the river banks, and on the landward side, a few trees are present. The GPS coordinates for this location are as follows:

N-12.84206	N-12.84196	N-12.84202
E-74.85171	E-74.85149	E-74.85134

In this location as well, vegetation containing bushes has been cleared. The Deputy Director of the Regional Director (Environment) department has issued specific instructions to officials of Mangaluru Smart City Ltd (MSCL) to ensure the protection of mangroves and trees within the designated area. Additionally, an old retaining wall is situated along the riverbank, with some areas showing signs of stone dislodgement. Furthermore, the terrain has been levelled, and no construction activities are evident at this site.

Later, an inspection was carried out behind S.K. & Udupi District Co-operative Fish Marketing Federation (Mulihithlu). In this area, the storm water drain from the city is being directed towards the river at this location. The GPS coordinates for this specific location are as follows:

N-12.84140 N-12.84161

E-74.84712 E-74.84716

Westward of the aforementioned drain, there is an old retaining wall in a dilapidated condition at various locations. It is observed that construction of a new retaining wall is underway along the drain towards the west, and a few trees are present on the landward side. The Deputy Director of the Regional Director (Environment) department issued explicit instructions to the officials of Mangaluru Smart City Ltd (MSCL) and the contractor, Mr. Joseph, directing them to ensure the protection of mangroves and trees within the designated area. Furthermore, they are instructed not to undertake any new work at these locations.

This site inspection report (Mahajaru) has been read and endorsed. The signatures of the personnel present during the spot inspection are as follows:

1. Dr Sushmitha Rao, Deputy Director, Office of Regional Director (Environment), Mangaluru
2. Smt Deeksha Rai, Asst Executive Engineer, Smart City Ltd, Mangaluru
3. Smt Archana Sudesh, Asst Executive Engineer, Smart City Ltd, Mangaluru
4. Sri Kishore, Staff, Office of Regional Director (Environment), Mangaluru
5. Sri Shreyas, Contractor, Smart City Ltd, Mangaluru
6. Sri John, Vehicle Driver, Office of Regional Director (Environment), Mangaluru
7. Sri Joseph, Contractor

T/c
Sri Joseph

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಕಛೇರಿ: 0824-2450250

ಈ-ಮೇಲ್: rdenvironment@gmail.com

ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಯುಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 16/6/2023

ಇವರಿಗೆ,

ಜನರಲ್ ಮ್ಯಾನೇಜರ್
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಭಾಗ್, ಮಂಗಳೂರು

ಮಾನ್ಯರೇ,

ವಿಷಯ : ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಮತ್ತು ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಕುರಿತು.

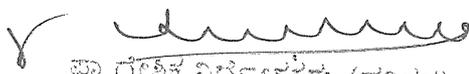
- ಉಲ್ಲೇಖ : 1. ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ : ಅಪಜೀ 17 ಸಿಆರ್‌ಯುಡ್ 2022 ಬೆಂಗಳೂರು ದಿನಾಂಕ : 22-5-2023.
2. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ಪತ್ರ ದಿನಾಂಕ : 28-3-2023.
3. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ಸಂಖ್ಯೆ: FEE 17 CRZ 2022 ದಿನಾಂಕ: 7-10-2022.
4. ಈ ಕಛೇರಿ ಪತ್ರ ಸಮ ಸಂಖ್ಯೆ: ದಿನಾಂಕ: 21-4-2023.
5. ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ: ಮ:ಸಾ.ಸಿ.ಲಿ/ತಾಂತ್ರಿಕ/EE-1/AEE-2/AE-8/CR-86/2023-24/109 ದಿನಾಂಕ: 05-5-2023.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತೋಟ ಮತ್ತು ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಕಾಂಡ್ಲ ಗಿಡಗಳನ್ನು ಹಾನಿಗೊಳಿಸಿ ಬಂಡೆ ಕಲ್ಲುಗಳನ್ನು ಹಾಕಿ, ಮಣ್ಣು ತುಂಬಿಸಿ ರಸ್ತೆ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ ಉಲ್ಲೇಖ(2)ರಂತೆ ದೂರು ಸ್ವೀಕೃತವಾಗಿರುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ತಮ್ಮ ಕಛೇರಿ ಅಧಿಕಾರಿಗಳೊಂದಿಗೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಡೆಸಲಾಗಿರುತ್ತದೆ. Waterfront Promenade Development ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಉಲ್ಲೇಖ(3)ರಂತೆ ಈಗಾಗಲೇ ನೀಡಲಾದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನಿರಾಕ್ಷೇಪಣ ಪತ್ರದಲ್ಲಿ ನೀಡಿರುವ ಷರತ್ತುಗಳಿಗೆ ವ್ಯತಿರಿಕ್ತವಾಗಿ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಳ್ಳಲಾಗಿದ್ದು, ಸದರಿ ನಿರಾಕ್ಷೇಪಣ ಪತ್ರದಲ್ಲಿ ವಿಧಿಸಿರುವ ಷರತ್ತುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿರುತ್ತದೆ.

ನದಿ ತೀರವನ್ನು ಸಮತಟ್ಟುಗೊಳಿಸಿ ಕಲ್ಲಿನಿಂದ ಪಿಚ್ಚಿಂಗ್ ಮಾಡಿರುವ ಸ್ಥಳವು ಕಾಂಡ್ಲಾ ಬಫರ್ ನಲ್ಲಿರುತ್ತದೆ. ಅದರಂತೆ ಸದ್ರಿ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಳ್ಳಲು ಕಾಂಡ್ಲಾಗಿಡಗಳನ್ನು ನಾಶಪಡಿಸಿರುವುದರಿಂದ ಉಲ್ಲೇಖ(5)ರಲ್ಲಿ ನೀಡಿರುವ ಸ್ಪಷ್ಟೀಕರಣವನ್ನು ಒಪ್ಪಲಾಗುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಕಾಂಡ್ಲಾ ಗಿಡಗಳನ್ನು ಪುನರ್ ಸ್ಥಾಪಿಸುವ ಬಗ್ಗೆ ಹಾಗೂ ಕಾಂಡ್ಲಾ ಗಿಡ ನೆಟ್ಟು ಸಂರಕ್ಷಿಸುವ ಕುರಿತು ಬದ್ಧತಾ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಹಾಗೂ ಇದಕ್ಕಾಗಿ ಕಾಯ್ದಿರಿಸಿದ ಅನುದಾನದ ವಿವರವನ್ನು ನೀಡುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

ಆದುದರಿಂದ ಮೇಲಿನ ಉಲ್ಲೇಖ(2)ರ ಪತ್ರದಲ್ಲಿ ತಿಳಿಸಿರುವ ವಿಷಯಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು, ಸದ್ರಿ ಕಾಮಗಾರಿಗೆ ಉಲ್ಲೇಖ(3)ರಲ್ಲಿ ವಿಧಿಸಿರುವ ಷರತ್ತುಗಳಂತೆ, ಈಗಾಗಲೇ ಕೈಗೊಂಡಿರುವ ಕಾಮಗಾರಿಯಲ್ಲಿ ತಿದ್ದುಪಡಿಮಾಡಿಕೊಂಡು ನಿಯಮಾನುಸಾರವಾಗಿ ಕಾಮಗಾರಿಯನ್ನು ನಿರ್ವಹಿಸುವಂತೆ ತಿಳಿಸುತ್ತಾ, ಈ ಬಗ್ಗೆ ಕೈಗೊಂಡ ತಿದ್ದುಪಡಿಗಳ ಕುರಿತು ವರದಿ ಹಾಗೂ ಬದ್ಧತಾ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಈ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.

ಮೊಹಿತಿ ಪಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ


ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)
ಮಂಗಳೂರು

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ),
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

T/C
anjg-

TRANSLATED COPY -

Three English Translated Copy

Office of Regional Director(Environment), 3rd Floor, Mangalore Urban Development Authority Building ,Mangalore-6

Ref no. CRZ/violation/2023-24

Dated: 16/06/2023

To,

The General Manager

Mangalore Smart City Ltd

Lalbagh, Mangalore

Sub: Pitching works at Netravathi river banks of Mangaluru Thota and jeppinamogaru village

1. Ref: Govt letters: apag 17 CRZ 2022 Bangalore dated 22.05.2023
2. NECF letter dated 28.03.2023
3. KSCZMA letter FEE 17CRZ 2022 dated 07.10. 2022
4. DCZMA letter 21.04.2022
5. Your letter MSCL /tech/EE-1/AEE-2 /AE-8/CR-86/2023-24/109 dated 05.05.2023

In reference to the above subject, As mentioned in Ref (2) complaint has been received regarding Mangaluru Thota and jeppinamogaru village netravathi regarding Mangrove damage , road works are being done with rock stones and soil filling. We have done spot inspection along with your officers and found waterfront promenade project is in being carried out as per ref(3). This violates the conditions imposed by KSCZMA clearances given to you.

The river bank leveling and stone pitching are being done in Mangrove buffer zone. As a result, the reply given by you as in ref(5) cannot be accepted since mangroves are damaged during your works. Therefore you are required to given an undertaking regarding the funds allotted for re-establishing, planting the mangroves and its protection.

Therefore keeping in mind all the items as above in ref(2), your works can be carried out without violating the conditions imposed in ref(3.). You are required to modify your project

works as per rules, and also provide a report on the modifications made in the project and commitment letter

Your sincerely

Regional Director (Environment)

DCZMA , Mangalore

T/c
Surya -

Date 07.11.2023

CRZ/Ma.ha.ni.28/2023-24

To,
Mrs Sheryl Grace Colaco
#3-3-266, Near Bejai Church
Mangaluru -575004

Subject: Karnataka Government's Right to Information Rules 2005 regarding the provision of information.

Reference: Date of receipt of your application: 25-10-2023 (Postal Order 0.62F 743939)

Regarding the above matter, you have requested under Right to Information Rules 2005 in the referred application

The details are as follows:-

Details of information requested	Information
Provide the certified copies of the reponse and dog from Mangaluru Smart Limited (MSCL) to your letter dated 16.06.2023 bearing reference no:CRZ/violation/2023-24	Nothing is there
Provide the certified copies of all the y letters, mail and correspondences made by MSCL to your office from 1st July 2023 till date	Nothing is there

Public Information Officer
Regional Director (Environment),
Mangaluru

T/c
Anj

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT CHENNAI**APPLICATION NO. 52 OF 2024 (SZ)****IA:22/2024**National Environment Care Foundation **versus** Mangalore Smart City Limited and ors.**Report submitted by R2 Office of Regional Director (Environment), Mangalore**

The Managing Director, Mangalore Smart City Limited (MSCL) submitted a proposal for CRZ clearance for '*Waterfront promenade development on Netravathi river bank of Thota and Jeppinamogaru village*' in Mangalore taluk, Dakshina Kannada district on 28.09.2021. The proposal included the following components.

Sl.No	Description of work
1.	Dismantling structure & Jungle cleaning
2.	Promenade
3	Softscapes
4	Irrigation
5	Electrical Works
6.	Plumbing works & STP
5	Cycle Parking- 7 nos
6	Food Kiosk (3mx3m)- 6nos
7	Kiosk at Jeppu- 1nos
8	Toilet Block- 4nos
9	Buggy shed- 1nos
10	Facility Management office-1 nos
11	Pavillion 3mx9m -5nos
12	Ticket counter-5nos
13	Play Equipments& Gym Equipments (LS)

The project proponent MSCL submits in their application that the proposed area falls in CRZ IB, CRZ II and CRZ IV. The proposal was placed before DK District Coastal Zone Management Committee (DCZMC) held on 30.09.2021. The committee recommended the proposal to Karnataka State Coastal Zone Management Authority (KSCZMA) as per para 3 (i) a & (iv) a and para 8 II CRZ II of CRZ notification 2011. The proposal was placed before KSCZMA held on 14.02.2022 and the following decision was taken.

"Authority decided to refer back the proposal to DCZMC for re-scrutiny of the project since there is no clarity on location of the project proposed with regard to CRZ map and no proper recommendations on the activities proposed to be taken up."

The Chairman DCZMC & Deputy Commissioner, Mangalore submitted a detailed report on 10.03.2022 (Annexure-1) as below:

The proposed area falls in CRZ II and CRZ IB. All the structures like toilets, buggy sheds, food kiosks, Facility management office, Pavilion, Ticket counters, Outdoor play, & Gym Equipments etc. will be constructed on the landward side of the old buildings existing prior to 1991. The walkway, parking area and cycle track will be proposed on landward side of HTL. The Sewage will be treated by proposed sewage treatment plan. Therefore, river water will not be polluted. There will not be any effect on stability of river bank as there will not be any movement of heavy vehicles. However, in the KSCZMA meeting held on 14.03.2022 the Authority decided "*to defer the case with a direction to realign the proposal as it is near the water body.*"

Accordingly, a revised proposal was submitted by the project proponent. A spot inspection was conducted by the Member Secretary, KSCZMA and Commissioner and APCCF, Department of Forest, Ecology and Environment, Government of Karnataka on 25.06.2022. During the site inspection, following issues have been observed.

- 1) Proposed site belongs to Port and inland waterways department which had allotted land on lease basis to different users like tile factory, boat building etc. The lease period of these have been expired. But the establishments over the site continue to exist as encroachments. As it is Government Project, this proposed project involves evicting such encroachments and converting the land for public utility. Here KSCZM Authority may impose conditions to restore encroached land and create public utility as proposed without cutting the existing natural vegetation.
- 2) All the proposed structures like toilet blocks, food kiosks, buggy sheds, ticket counter etc. are aligned on the landward side of the old structures constructed prior to the 1991.
- 3) The walking track and Cycle track have been re aligned from close to the water (intertidal area) to the stable river bank (CRZ II area).
- 4) There should not be any filling of the riverbank and discharge of effluents in to the river.

During site inspection, the Managing Director of Smart City submitted that, during implementation of the project, especially while constructing the walking track and cycle track, concrete structures will be avoided to the maximum possible extent. The proposal was placed again before the DCZMC meeting held on 30.06.2022 and with the above mentioned conditions, the proposal was recommended to KSCZMA.

In the KSCZMA meeting held on 02.07.2022, NOC letter issued dated 07.10.2022 (Annexure-2), the Authority decided to issue NOC for the said proposal as per para 8 (a) II CRZ II (i) & (ii) of CRZ notification 2011, with the following conditions:

1. No permanent structure/concrete structure should be constructed.
2. No sewage should be let in to nearby water body.
3. No dumping of solid wastes in to the water bodies and shall dispose of waste in scientific manner.
4. The work should be taken up as per the provisions of CRZ notification 2011.

The Petitioner's forum, National Environment Care Foundation (NECF) addressed a representation on 28.03.2023 regarding the violation of the conditions of CRZ clearance/ NOC issued to the MSCL and requested for a detailed survey of the work being undertaken by MSCL. Accordingly, on 03.04.2023 a spot inspection was carried out by the office of Regional Director (Environment), Mangalore along with the officials of MSCL and CZMP maps were prepared. The mahazar drawn is attached as Annexure 3. A notice was issued to MSCL by this office on 21.04.2023 (Annexure-4) to give clarification on the stone pitching work being carried out on the river bank violating the conditions of the NOC. The MSCL in their letter dated 05.05.2023 (Annexure-5) replied that jungle cleaning and levelling has been done in a few places and wherever the stones of the old retaining wall has fallen off, stone pitching work and slope protection using local stones is being done. Except the storm water drain, no concrete work has been done and utmost care will be taken to carry out the work in accordance with the conditions of the NOC. As directed by the Principal Secretary to Government, Forest Environment and Ecology Department, Government of Karnataka in their letter dated 22.05.2023, a report on the NECF complaint along with spot inspection mahazar was submitted on 06.06.2023 by this office.

Again, second show cause notice addressed to General Manager, MSCL was issued by this office on 16.06.2023 (Annexure-6) directing them to take up the work as per the conditions on the NOC and to give an undertaking regarding the funds for planting mangroves and its protection and also directed to modify the works as per rules and provide a report on the modifications done.

An email representation on 03.11.2023 and a written representation on 04.11.2023 of NECF was received again regarding the earthwork with bulldozers and the substantial quantities of debris being introduced into the river by the earth movers and lorries in the project site. Again, spot inspection was carried out by this office and the mud debris which had fallen into the river side during

execution of the work was removed by the contractor of MSCL and directions were given to the contractor and officials of the MSCL not to dump any kind of solid wastes, mud and debris into the riverside. The letter of NECF along with the photographs were sent to MSCL along with this office letter dated 06.11.2023 (Annexure-7) asking for their explanation on the representation. MSCL, in their letter dated 17.11.2023 (Annexure-8) assured that no debris or mud will be dumped into the water near the project site.

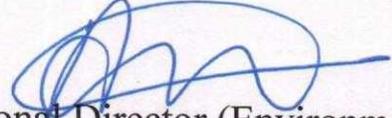
Based on the complaint dated 14.12.2023 of NECF, a joint inspection was conducted by the officials of this office and forest department along with the representatives of NECF on 15.12.2023 (Annexure-9) and instructed the contractors to take up the work in accordance with the clearance obtained and if any cement-concrete work is carried out on the riverside, it will be reported to the higher authorities to take necessary action on the violations. Further, another notice was issued to General Manager, MSCL by this office on 15.12.2023 seeking clarification on the complaint received. To this MD, MSCL replies on 17.01.2024 (Annexure-10) stating that there is no violation of the NOC given by KSCZMA and all the works are being taken in accordance with the approval received from KSCZMA. In addition, he also submits that the stone pitching work alignment is further landwards from the previous alignment.

Again, a fifth notice was issued to Managing Director, MSCL on 30.12.2023 (Annexure-11) to give clarification on the complaint dated 27.12.2023 and 28.12.2023 of NECF regarding the violations by MSCL and its contracting agencies. Further, as per the spot inspection of the officers of this office dated 01.02.2024, it was observed that at 'Commonwealth tile' factory area near the Netravathi railway bridge the said work has been executed in CRZ IB area. Also, in this area construction of new retaining wall is done over the existing old retaining wall which is not mentioned in the clearance issued. Hence, on 05.02.2024 a letter was issued to Managing Director, MSCL to given clarification regarding this (Annexure-12). MD, MSCL in his letter dated 07.02.2024 (Annexure-13) has submitted that after inspecting the site they found that the place was used to store the materials required for construction, but the contractor mistakenly has constructed the retention wall and the same has been instructed to be removed from the site.

In the interim, MSCL have submitted a proposal for revision/modification of their original proposal in addition to incorporation of new activities in the Waterfront promenade development from Nethravathi bridge to Bolar sea face on 04.01.2024 (Annexure-14) through PARIVESH 2.0 portal which is under scrutiny by Karnataka State Coastal Zone Management Authority.

Place: Mangaluru

Date: 12.03.2024



Regional Director (Environment)
Forest, Ecology & Environment
Mangaluru

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕಛೇರಿ: 0824-2450250

ಈ-ಮೈಲ್: rdenvironment@gmail.com

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಝಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 21/4/2023

ಇವರಿಗೆ,

ಜನರಲ್ ಮ್ಯಾನೇಜರ್
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಭಾಗ್, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

- ವಿಷಯ : ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಹಾಗೂ ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ನಡೆಸಿರುವ ಕುರಿತು ಸ್ಪಷ್ಟೀಕರಣ ನೀಡುವ ಬಗ್ಗೆ.
- ಉಲ್ಲೇಖ : 1. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ದೂರು ಅರ್ಜಿ ಸ್ವೀಕೃತ ದಿನಾಂಕ : 28-3-2023.
2. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ಸಂಖ್ಯೆ: FEE 17 CRZ 2022 ದಿನಾಂಕ: 7-10-2022.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತೋಟ ಹಾಗೂ ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಕಾಂಡ್ಲ ಗಿಡಗಳನ್ನು ಹಾನಿಗೊಳಿಸಿ ಬಂಡೆ ಕಲ್ಲುಗಳನ್ನು ಹಾಕಿ, ಮಣ್ಣು ತುಂಬಿಸಿ ರಸ್ತೆ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ ಉಲ್ಲೇಖ(1)ರಲ್ಲಿ ದೂರು ಸ್ವೀಕೃತವಾಗಿರುತ್ತದೆ. ಅದರಂತೆ ತಮ್ಮ ಅಧಿಕಾರಿಯವರೊಂದಿಗೆ ಸದ್ರಿ ಸ್ಥಳವನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿದೆ.

ಪರಿಶೀಲನೆ ಸಮಯದಲ್ಲಿ ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಮಂಗಳೂರು, ವತಿಯಿಂದ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿಯು ಪ್ರಗತಿಯಲ್ಲಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಸದ್ರಿ ಯೋಜನೆಗೆ ಉಲ್ಲೇಖ(2)ರಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರವನ್ನು ನೀಡಲಾಗಿರುತ್ತದೆ. ಆದರೆ ಸದ್ರಿ ಸ್ಥಳದಲ್ಲಿದ್ದ ಗಿಡ-ಪೊದೆಗಳನ್ನು ತೆಗೆದಿದ್ದು, ಸ್ಥಳವನ್ನು ಸಮತಟ್ಟು ಮಾಡಿ ನದಿ ದಂಡೆಗೆ ಕಲ್ಲುಗಳಿಂದ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ಮಾಡಲಾಗಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಇದು ಸದರಿ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿರುತ್ತದೆ.

ಆದ್ದರಿಂದ ಈ ಪತ್ರ ತಲುಪಿದ 10 ದಿವಸಗಳೊಳಗೆ ಈ ಬಗ್ಗೆ ಸೂಕ್ತ ಸ್ಪಷ್ಟೀಕರಣ ನೀಡುವುದು. ತಪ್ಪಿದ್ದಲ್ಲಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆಯ ಉಲ್ಲಂಘನೆ ಎಂದು ಪರಿಗಣಿಸಿ ಸೂಕ್ತಕಾನೂನು ಕ್ರಮಕೈಗೊಳ್ಳುವ ಬಗ್ಗೆ ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ಸಲ್ಲಿಸಲಾಗುವುದು.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

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ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ),
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ದಿ. 21.4.2023 ರಂದು
ರವಾನಿ ಸಲಾಗಿದೆ.

TRANSLATED COPY (ANNEXURE-4)

Ref no. CRZ/Violation/2023-24

Dated: 21/04/2023

To,

The General Manager

Mangalore Smart City Ltd

Lalbagh, Mangalore

Respected Sir,

Sub: Clarifications regarding pitching works carried out at Netravathi river bank at Mangaluru Taluk Thota and Jepinamogaru village panchayat

Ref:

1. Receipt of National Environment Care Federation complaint dated 28.03.2023
2. Karnataka State Coastal Zone Monitoring Authority letter no. FEE 17CRZ 2022 dated 07.10. 2022

In reference to the above subject, the complaint has been received as per ref (1) regarding damage to Mangroves, and construction of the road by filling of soil and rock stones at the Netravathi river bank of Mangaluru Thota and Jeppinamogaru Village. Accordingly, spot inspection has been conducted along with your officials.

During the spot inspection, it has been found that Waterfront Promenade Development project work is in progress by Mangaluru Smart City Ltd . As mentioned in Ref (2), the aforesaid project has been granted NOC/ conditional CRZ approval from the Karnataka State Coastal Zone Monitoring Authority. However, at the mentioned site it is observed that the plants are cut, the land has been levelled, and pitching work has been done with rock stones. This amounts to the violation of conditions in the CRZ approval.

Hence, you are required to give appropriate clarifications within 10 days of receipt of this letter, failing which it will be considered a violation of CRZ norms and will be reported to the government for suitable actions.

Your sincerely

Regional Director (Environment)

Mangalore



ಮಂಗಳೂರು
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ
MANGALURU
SMART CITY | Kanya Ka Kanyasulkam

ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್

ಮಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಕಟ್ಟಡ, 2ನೇ ಮಹಡಿ, ಎಮ್.ಜಿ. ರಸ್ತೆ, ಲಾಲ್‌ಬಾಗ್, ಮಂಗಳೂರು - 575 003, ಕ.ಕ.

ಸಂಖ್ಯೆ: ಮಸ್ಮಾ.ಸಿ.ಲಿ/ತಾಂತ್ರಿಕ /EE-1/AEE-2/ÆE-8/CR-8/2023-24/109-

ದಿನಾಂಕ: 05.05.2023

ರಿಗೆ,

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ)
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಹಾಗೂ ಜೆಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ಸೀಮಾಪರಿಮಿತಿಯಲ್ಲಿ
ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ನಡೆಸಿರುವ ಕುರಿತು ಸ್ವಪ್ಪೀಕರಣ ನೀಡುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ತಮ್ಮ ಕಛೇರಿ ಪತ್ರ:ಸಿಆರ್‌ಝಡ್/ಉಲ್ಲಂಘನೆ/2023-24 ದಿನಾಂಕ:21.04.2023

ಮೇಲಿನ ವಿಷಯ ಮತ್ತು ಉಲ್ಲೇಖಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ವತಿಯಿಂದ Waterfront Promenade Development ಕಾಮಗಾರಿಯು ಪ್ರಗತಿಯಲ್ಲಿರುತ್ತದೆ. ಕಾಮಗಾರಿ ಪ್ರಾರಂಭಿಸುವ ಮೊದಲು ಕಾಮಗಾರಿ ನಡೆಸುವ ಸ್ಥಳದಲ್ಲಿ ಸರ್ವೆ ನಡೆಸಲಾಗಿದ್ದು, ಹಲವು ಬಾರಿ ಏರಿಯಲ್ ಡ್ರೋನ್ ಸರ್ವೆ ಮೂಲಕ ನದಿ ತೀರ ಪ್ರದೇಶದ ಎಲ್ಲಾ ಅಂಶಗಳನ್ನು ಕ್ರೋಢೀಕರಿಸಿ ಯೋಜನೆಗಳ ಕಾಮಗಾರಿಗಳಲ್ಲಿ ಯಾವುದೇ ಮರಮಟ್ಟುಗಳಿಗೆ ಹಾನಿಯಾಗದಂತೆ ವಿಶೇಷ ಮುತುವರ್ಜಿ ವಹಿಸಲಾಗಿದೆ.

ಮುಂದುವರೆದು, ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ರವರು ಗಿಡ ಪೊದೆಗಳನ್ನು ತೆರವುಗೊಳಿಸಿದ್ದು ಹಾಗೂ ಸ್ಥಳವನ್ನು ಅಲ್ಲಿ ಮಾತ್ರ ಸಮತಟ್ಟುಗೊಳಿಸಿ ಶಿಥಿಲ ಹಾಗೂ ಜೀರ್ಣಾವಸ್ಥೆಯಲ್ಲಿದ್ದ ದಂಡೆಕಲ್ಲುಗಳನ್ನು ದಂಡೆಗೆ ಹಾನಿಯಾಗದಂತೆ ಪುನರುತ್ಥಾನ ಪಡಿಸಲಾಗಿರುತ್ತದೆ, ಹಾಗೂ ತಾವು ಕೊಟ್ಟಿರುವ ನಿರಕ್ಷೇಪಣಾ ಷರತ್ತುಗಳಂತೆ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ಕಾಳಜಿ ವಹಿಸಲಾಗುತ್ತಿದ್ದು, ಹಲವು ಬಾರಿ ತಮ್ಮ ಇಲಾಖೆಯ ಸಿಬ್ಬಂದಿಗಳೊಂದಿಗೆ ಚರ್ಚೆ, ಸಮಾಲೋಚನೆ ಹಾಗೂ ಸ್ಥಳ ಪರಿಶೀಲನೆ ಮುಂದುವರಿಸಿಕೊಂಡು ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಂಡಿರುತ್ತದೆ. Slope protection ನಿರ್ವಹಿಸಲು ಸ್ಥಳೀಯವಾಗಿ ಲಭ್ಯವಿರುವ ಕಲ್ಲುಗಳನ್ನು ಉಪಯೋಗಿಸಿ pitching ಕಾರ್ಯ ಮಾಡುತ್ತಿದ್ದು, ರಾಜ ಕಾಲುವೆ ಹೊರತು, ತಮ್ಮ ಸೂಚನೆಯಂತೆ ಬೇರೆ ಎಲ್ಲಾ ಕಾಂಕ್ರೀಟ್ ಕಾಮಗಾರಿ ನಡೆಸಿರುವುದಿಲ್ಲ.

ಇನ್ನೂ ಮುಂದೆಯು ತಮ್ಮ ಸಲಹೆಯಂತೆ ಇನ್ನೂ ಪರಿಸರ ಸ್ನೇಹಿ ಸಾಮಗ್ರಿಗಳನ್ನು ಅಳವಡಿಸಲು ಯೋಜನಾ ಸಮಾಲೋಚಕರಿಗೆ ಸೂಚಿಸಿದ್ದು, ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗುವುದು.

ಈ ನಿಟ್ಟಿನಲ್ಲಿ ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಹಿಂಬರಹದ ಆಧಾರದ ಮೇಲೆ ಸದರಿ, ಕಾಮಗಾರಿಯಲ್ಲಿ ಯಾವುದೇ ಕಾಮಗಾರಿಯನ್ನು ನಿರಕ್ಷೇಪಣಾ ಪತ್ರದ ವ್ಯತಿರಿಕ್ತವಾಗಿ ನಿರ್ವಹಿಸಿಲ್ಲ ಎಂದು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರಬಯಸುತ್ತೇನೆ.

ಧನ್ಯವಾದಗಳೊಂದಿಗೆ,

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಪ್ರಧಾನ ಪ್ರಮಾಣಪತ್ರಕರು (ತಾಂತ್ರಿಕ)
ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಮಂಗಳೂರು

05.05.2023

To,

Regional Director(Environment)
Forest, Ecology and Environment
Mangalore

Sir,

Subject: Justification of pitching work carried out in Mangalore taluk Thotta and Jeppinamogru village

Reference: Your office letter no CRZ/violation/2023-24 dated 21.04.2023

With reference to the above subject and reference, waterfront promenade development work of Mangalore smart city is in progress. Before commencement of the work survey and aerial drone survey of the work location has been done and all riverside areas and aspects have been codified and the project has been designed and special care has been taken not to cause any harm to any standing vegetation.

Further, Mangalore smart city has done bush clearances and leveling work at few places in addition to rejuvenating the old dilapidated retention wall to avoid any damages to river bank and concern is taken to work as per the conditions stipulated in the NOC. Several times in coordination and field inspection with your staff, suitable action is being taken. Using local stones slope protection work is being undertaken and except storm water drain no where concrete work is being taken.

In future as per your guidance even more environment friendly activities will be taken and the same has been instructed to project proponents.

In this line on the endorsement of mangalore smart city, we bring to your notice that no work is being taken in violation to NOC conditions

Thanking you,

Yours Faithfully

General Manager(Technical)
Mangalore Smart city limited
Mangalore



ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಝಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 16/6/2023

ಇವರಿಗೆ,

ಜನರಲ್ ಮ್ಯಾನೇಜರ್
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಭಾಗ್, ಮಂಗಳೂರು

ಮಾನ್ಯರೇ,

ವಿಷಯ : ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಮತ್ತು ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಪಿಚ್ಚಿಂಗ್ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಕುರಿತು.

- ಉಲ್ಲೇಖ : 1. ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ : ಅಪಜೀ 17 ಸಿಆರ್‌ಝಡ್ 2022 ಬೆಂಗಳೂರು ದಿನಾಂಕ : 22-5-2023.
2. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ಪತ್ರ ದಿನಾಂಕ : 28-3-2023.
3. ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ಸಂಖ್ಯೆ: FEE 17 CRZ 2022 ದಿನಾಂಕ: 7-10-2022.
4. ಈ ಕಛೇರಿ ಪತ್ರ ಸಮ ಸಂಖ್ಯೆ: ದಿನಾಂಕ: 21-4-2023.
5. ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ: ಮ:ಸಾ.ಸಿ.ಲಿ/ತಾಂತ್ರಿಕ/EE-1/AEE-2/AE-8/CR-86/2023-24/109 ದಿನಾಂಕ: 05-5-2023.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತೋಟ ಮತ್ತು ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಕಾಂಡ್ಲ ಗಿಡಗಳನ್ನು ಹಾನಿಗೊಳಿಸಿ ಬಂಡೆ ಕಲ್ಲುಗಳನ್ನು ಹಾಕಿ, ಮಣ್ಣು ತುಂಬಿಸಿ ರಸ್ತೆ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ ಉಲ್ಲೇಖ(2)ರಂತೆ ದೂರು ಸ್ವೀಕೃತವಾಗಿರುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ತಮ್ಮ ಕಛೇರಿ ಅಧಿಕಾರಿಗಳೊಂದಿಗೆ ಸ್ಥಳ ಪರಿಶೀಲನೆ ನಡೆಸಲಾಗಿರುತ್ತದೆ. Waterfront Promenade Development ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಉಲ್ಲೇಖ(3)ರಂತೆ ಈಗಾಗಲೇ ನೀಡಲಾದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನಿರಾಕ್ಷೇಪಣ ಪತ್ರದಲ್ಲಿ ನೀಡಿರುವ ಷರತ್ತುಗಳಿಗೆ ವ್ಯತಿರಿಕ್ತವಾಗಿ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಳ್ಳಲಾಗಿದ್ದು, ಸದರಿ ನಿರಾಕ್ಷೇಪಣ ಪತ್ರದಲ್ಲಿ ವಿಧಿಸಿರುವ ಷರತ್ತುಗಳ ಉಲ್ಲಂಘನೆಯಾಗಿರುತ್ತದೆ.

ನದಿ ತೀರವನ್ನು ಸಮತಟ್ಟುಗೊಳಿಸಿ ಕಲ್ಲಿನಿಂದ ಪಿಚ್ಚಿಂಗ್ ಮಾಡಿರುವ ಸ್ಥಳವು ಕಾಂಡ್ಲಾ ಬಫರ್ ನಲ್ಲಿರುತ್ತದೆ. ಅದರಂತೆ ಸದರಿ ಕಾಮಗಾರಿಯನ್ನು ಕೈಗೊಳ್ಳಲು ಕಾಂಡ್ಲಾಗಿಡಗಳನ್ನು ನಾಶಪಡಿಸಿರುವುದರಿಂದ ಉಲ್ಲೇಖ(5)ರಲ್ಲಿ ನೀಡಿರುವ ಸ್ಪಷ್ಟೀಕರಣವನ್ನು ಒಪ್ಪಲಾಗುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಕಾಂಡ್ಲಾ ಗಿಡಗಳನ್ನು ಪುನರ್ ಸ್ಥಾಪಿಸುವ ಬಗ್ಗೆ ಹಾಗೂ ಕಾಂಡ್ಲಾ ಗಿಡ ನೆಟ್ಟು ಸಂರಕ್ಷಿಸುವ ಕುರಿತು ಬದ್ಧತಾ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಹಾಗೂ ಇದಕ್ಕಾಗಿ ಕಾಯ್ದಿರಿಸಿದ ಅನುದಾನದ ವಿವರವನ್ನು ನೀಡುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

ಆದುದರಿಂದ ಮೇಲಿನ ಉಲ್ಲೇಖ(2)ರ ಪತ್ರದಲ್ಲಿ ತಿಳಿಸಿರುವ ವಿಷಯಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು, ಸದರಿ ಕಾಮಗಾರಿಗೆ ಉಲ್ಲೇಖ(3)ರಲ್ಲಿ ವಿಧಿಸಿರುವ ಷರತ್ತುಗಳಂತೆ, ಈಗಾಗಲೇ ಕೈಗೊಂಡಿರುವ ಕಾಮಗಾರಿಯಲ್ಲಿ ತಿದ್ದುಪಡಿಮಾಡಿಕೊಂಡು ನಿಯಮಾನುಸಾರವಾಗಿ ಕಾಮಗಾರಿಯನ್ನು ನಿರ್ವಹಿಸುವಂತೆ ತಿಳಿಸುತ್ತಾ, ಈ ಬಗ್ಗೆ ಕೈಗೊಂಡ ತಿದ್ದುಪಡಿಗಳ ಕುರಿತು ವರದಿ ಹಾಗೂ ಬದ್ಧತಾ ಪತ್ರವನ್ನು ಸಲ್ಲಿಸುವಂತೆ ಈ ಮೂಲಕ ತಿಳಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ),
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ದಿ.19.06.23 ರಂದು
ರವಾನಿಸಲಾಗಿದೆ.

Office of Regional Director(Environment), 3rd Floor, Mangalore Urban Development Authority Building ,Mangalore-6

Ref no. CRZ/violation/2023-24

Dated: 16/06/2023

To,

The General Manager

Mangalore Smart City Ltd

Lalbagh, Mangalore

Sub: Pitching works at Netravathi river banks of Mangaluru Thota and jeppinamogaru village

1. Ref: Govt letters: apag 17 CRZ 2022 Bangalore dated 22.05.2023
2. NECF letter dated 28.03.2023
3. KSCZMA letter FEE 17CRZ 2022 dated 07.10. 2022
4. DCZMA letter 21.04.2022
5. Your letter MSCL /tech/EE-1/AEE-2 /AE-8/CR-86/2023-24/109 dated 05.05.2023

In reference to the above subject, As mentioned in Ref (2) complaint has been received regarding Mangaluru Thota and jeppinamogaru village netravathi regarding Mangrove damage , road works are being done with rock stones and soil filling. We have done spot inspection along with your officers and found waterfront promenade project is in being carried out as per ref(3). This violates the conditions imposed by KSCZMA clearances given to you.

The river bank leveling and stone pitching are being done in Mangrove buffer zone. As a result, the reply given by you as in ref(5) cannot be accepted since mangroves are damaged during your works. Therefore you are required to given an undertaking regarding the funds allotted for re-establishing, planting the mangroves and its protection.

Therefore keeping in mind all the items as above in ref(2), your works can be carried out without violating the conditions imposed in ref(3.). You are required to modify your project

works as per rules, and also provide a report on the modifications made in the project and commitment letter

Your sincerely

Regional Director (Environment)

DCZMA , Mangalore

TRANSMITTED COPY (ANNEXURE 2)
TRANSMITTED COPY (ANNEXURE 2)

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕಛೇರಿ: 0824-2450250

ಈ-ಮೈಲ್: rdenvironment@gmail.com

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಯುಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 06/11/2023

ಇವರಿಗೆ,

ಜನರಲ್ ಮ್ಯಾನೇಜರ್
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಭಾಗ್, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

- ವಿಷಯ : ಮಂಗಳೂರು ತಾಲೂಕಿನ ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಮಣ್ಣು ತುಂಬಿಸಿ ಕಾಮಗಾರಿ ನಡೆಸಿರುವ ಕುರಿತು ಸ್ವೀಕೃತವಾದ ದೂರಿನ ಬಗ್ಗೆ.
- ಉಲ್ಲೇಖ : ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ದೂರು ಅರ್ಜಿ ದಿನಾಂಕ : 04-11-2023.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಿತ ದೂರು ಅರ್ಜಿ ಹಾಗೂ ಛಾಯಾಚಿತ್ರವನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ. ಸದರಿ ದೂರು ಅರ್ಜಿಯಲ್ಲಿ ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವಾಗ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ ಮಣ್ಣು ತುಂಬಿಸಿ ತ್ಯಾಜ್ಯ ಸುರಿದು, ಮಳೆ ನೀರು ತೋಡುಗಳನ್ನು ಮುಚ್ಚಿರುವುದಾಗಿ ತಿಳಿಸಲಾಗಿದೆ. ಆದ್ದರಿಂದ ಈ ಬಗ್ಗೆ ಕೂಡಲೇ ಸೂಕ್ತ ಸ್ಪಷ್ಟೀಕರಣ ನೀಡುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

ಅಡಕ: ಉಲ್ಲೇಖಿತ ಪತ್ರ

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

8 ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು(ಪರಿಸರ),
ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ದಿ...6.11.23...ರಂದು
ರವಾನಿಸಲಾಗಿದೆ.

06.11.2023

To,
General Manager
Smart City Ltd.
Lalbagh, Mangaluru.

Sir,

Subject: Complaint regarding land filling in Netravathi river near
Jeppinamogaru village, Mangaluru

Ref: National Environment Care Foundation complaint dated: 04.11.2023

In reference to the above subject, the complaint letter and photographs in the reference is attached herewith. It is alleged that during the work execution of Waterfront promenade development project land filling, debris have been dumped into the Netravathi riverside and the rainwater drains have been blocked. You are required to give the clarification regarding the same.

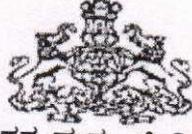
Encl: reference letter

Yours faithfully

For Regional Director (Environment)
Forest, Ecology & Environment Dept.
Mangaluru.

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಕಛೇರಿ: 0824-2450250

ಈ-ಮೈಲ್: rdenvironment@gmail.com

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು-6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಝಡ್/ ಉಲ್ಲಂಘನೆ/2023-24

ದಿನಾಂಕ : 05.02.2024

ಇವರಿಗೆ,

ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಭಾಗ್, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿ ನಡೆಸುವಾಗ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುವ ಬಗ್ಗೆ

ಉಲ್ಲೇಖ: ದಿನಾಂಕ: 01.02.2024 ರ ಈ ಕಚೇರಿ ಅಧಿಕಾರಿಗಳ ಸ್ಥಳ ಪರಿಶೀಲನಾ ವರದಿಯಂತೆ.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿ ನಡೆಸುವಾಗ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟು ನಿರ್ಮಾಣ ಕಾಮಗಾರಿಯನ್ನು ನಡೆಸುವಂತೆ ಹಾಗೂ ಯಾವುದೇ ರೀತಿಯಲ್ಲಿ ನಿಬಂಧನೆಗಳನ್ನು ಉಲ್ಲಂಘಿಸದಂತೆ ಹಲವು ಬಾರಿ ತಿಳಿಸಲಾಗಿದೆ.

ಪ್ರಸ್ತುತ ಉಲ್ಲೇಖ ದಂತೆ ಸ್ಥಳ ಪರಿಶೀಲನೆಯನ್ನು ನಡೆಸಿದಾಗ 'ಕಾಮನ್‌ವೆಲ್ತ್' ಟೇಲ್ ಫ್ಯಾಕ್ಟರಿಯ ಸಮೀಪ ರೈಲು ಸೇತುವೆಯ ಬಳಿ CRZ IB ಪ್ರದೇಶದಲ್ಲಿ ಕಾಮಗಾರಿ ನಡೆಸಿರುವುದು ಕಂಡು ಬಂದಿದೆ. ಅಲ್ಲದೇ ಈ ಪ್ರದೇಶದಲ್ಲಿ ಹಳೆಯ ತಡೆಗೋಡೆ ಮೇಲೆ ಹೊಸತಾಗಿ ಕಲ್ಲಿನ ತಡೆಗೋಡೆಯನ್ನು ನಿರ್ಮಿಸುತ್ತಿರುವುದು ಕಂಡುಬಂದಿದೆ. ಈ ಬಗ್ಗೆ ಯೋಜನೆಗೆ ಸಂಬಂಧಿಸಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದಲ್ಲಿ ಕಂಡುಬರುವುದಿಲ್ಲ. ಆದುದರಿಂದ ಈ ಬಗ್ಗೆ ವಿವರಣೆಯನ್ನು ನೀಡುವಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

Received
1/2/2024
MSCL

No. CRZ/ violation/2023-24

Date: 05.02.2024

To,
Managing Director
Smart City Ltd.
Lalbagh, Mangaluru.

Subject: CRZ violation by Mangalore Smart City Ltd. for Nethravathi
Waterfront promenade development project
Ref: Spot inspection of the officers of this dated: 01.02.2024

In reference to the above subject, it has been already mentioned several times to carry out the Waterfront promenade development project in accordance with the CRZ clearance issued to the project.

However, as per the spot inspection of the officers of this office given in the reference, it has been observed that at 'Commonwealth tile' factory area near the Netravathi railway bridge the said work has been executed in CRZ IB area. Also, in this area construction of new retaining wall is done over the existing old retaining wall which is not mentioned in the clearance issued. Hence you are hereby informed to given clarification regarding this.

Yours faithfully

Regional Director (Environment)
Forest, Ecology & Environment Dept.
Mangaluru.



ಮಂಗಳೂರು
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ
MANGALURU
SMART CITY | Way to go. Way to Grow.

ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್

ಮಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಕಟ್ಟಡ, 2ನೇ ಮಹಡಿ, ಎನ್.ಜಿ. ರಸ್ತೆ, ಲಾಲ್ ಬಾಗ್, ಮಂಗಳೂರು - 575 003, ಕ.ಕ.

ಮ.ಸ್ಮಾ.ಸಿ.ಲಿ/ಸಿ.ಆರ್.ಝಡ್/ಪ್ರಾಮಿಣಾಡ್/2023-24

ದಿನಾಂಕ: 07.02.2024

ರಿಗೆ,

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರು (ಪರಿಸರ)
ಆರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ

ವಿಷಯ: ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ನದಿ ತೀರದಲ್ಲಿ Waterfront Promenade Development ಯೋಜನೆಯ ಕಾಮಗಾರಿ ನಡೆಸುವಾಗ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುವ ಬಗ್ಗೆ

ಉಲ್ಲೇಖ: ತಮ್ಮ ಇಲಾಖೆ ಪತ್ರ ಸಂಖ್ಯೆ ಸಿಆರ್‌ಝಡ್/ ಉಲ್ಲಂಘನೆ/2023-24 ದಿನಾಂಕ: 05.02.2024.

ಪ್ರಸ್ತುತ ಉಲ್ಲೇಖದಲ್ಲಿ ಕಾಮನ್‌ವೆಲ್ತ್ ಟೈಲ್ ಫ್ಯಾಕ್ಟರಿಯ ಸಮೀಪ ರೈಲು ಸೇತುವೆಯ ಬಳಿ CRZ IB ಪ್ರದೇಶದಲ್ಲಿ ಕಾಮಗಾರಿ ನಡೆಸುವುದು ಕಂಡು ಬಂದಿದೆ ಎಂದು ತಿಳಿಸಿರುತ್ತೀರಿ. ಅದರಂತೆ ಸದ್ದಿ ಸ್ಥಳದ ಪರಿಶೀಲನೆಯನ್ನು ನಡೆಸಿದಾಗ, ಸದ್ದಿ ಸ್ಥಳವು ಸಾಮಗ್ರಿ ಶೇಖರಣೆ ಮಾಡಿದ ಸ್ಥಳವಾಗಿದ್ದು, ಗುತ್ತಿಗೆದಾರರು ತಪ್ಪು ತಿಳುವಳಿಕೆಯಿಂದ ಸದ್ದಿ ಸ್ಥಳದ ನದಿ ತೀರದಲ್ಲಿ ತಡೆಗೋಡೆ ನಿರ್ಮಾಣ ಮಾಡಿದ್ದು ಇದನ್ನು ಕೂಡಲೇ ತೆರವುಗೊಳಿಸುವಂತೆ ಗುತ್ತಿಗೆದಾರರಿಗೆ ನಿರ್ದೇಶಿಸಲಾಗಿರುತ್ತದೆ.

ಇನ್ನು ಮುಂದೆ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಕಾಮಗಾರಿಯನ್ನು ನಡೆಸುವುದಾಗಿ ಈ ಮೂಲಕ ತಿಳಿಸ ಬಯಸುತ್ತೇವೆ.

ಕೆಮ್ಮ ಭಿಕ್ಷಾಸಿ,

ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು

ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್

Way to go. Way to Grow.

07.02.2024

To,

Regional Director(Environment)
Forest, Ecology and Environment
Mangalore

Sir,

Subject: CRZ violation of the Waterfront promenade Development project near
Nethravathi river in Mangalore taluk Thotta village

Reference: Your office letter no CRZ/violation/2023-24 dated 05.02.2024

In the reference above subject, it is informed that at Commonwealth tile factory near Netravathi railway bridge work has been executed in CRZ IB area. After inspecting the site it was found that the place was used to store the materials required for construction, but the contractor mistakenly has constructed the retention wall and the same has been instructed to be removed from the site.

Henceforth, the work will be executed as per the NOC conditions given by the Karnataka State Coastal Zone Management Authority.

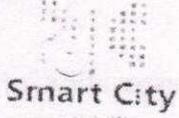
Thanking you,

Yours Faithfully

Managing Director

Mangalore Smart city limited

Mangalore



ಮಂಗಳೂರು
ಸ್ಮಾರ್ಟ್ ಸಿಟಿ
MANGALURU
SMART CITY

ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್

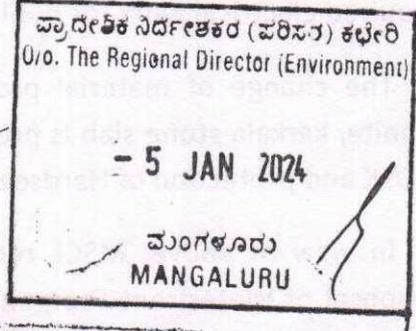
ಮಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಕಟ್ಟಡ, 2ನೇ ಮಹಡಿ, ಎಮ್.ಜಿ. ರಸ್ತೆ, ಲಾಲ್‌ಬಾಗ್, ಮಂಗಳೂರು - 575 003, ಕೆ.ಕೆ.

MSCL/TECH/EE/AEE-3/AE-5/CR-86/2021-24/882

Date: 04.01.2024

To,

Regional Director (Environment)
Forest, Environment and
Ecology Department
Mangaluru



Respected Sir,

Subject: Modification of works of approved proposal of Waterfront Promenade development from Nethravathi Bridge to Sea face from KSCZMA.

- Ref: 1. KSCZMA clearance letter No FEE 17 CRZ 2022 dated: 07.10 .2022
2. Our application dated: 28.09.2021

With reference to above mentioned subject, Mangaluru Smart City Limited has proposed Development of Waterfront Promenade development work from Nethravathi Bridge to Bolar Sea face under Smart City Mission. The application for the CRZ clearance from DKCZMA & KSCZMA was applied on 28th Sep 2021 vide reference (2). The same has been recommended by DKCZMA & KSCZMA REFERENCE (1) for 2.1km Promenade development for the stretch mentioned.

Following are the activities approved in DKCZMA & KSCZMA:

1. 6mtr wide walking track for 2.1km
2. 3mtr wide cycle track
3. Public toilet
4. Food Kiosks
5. Landscaping
6. Hardscaping
7. Temporary shelters for seating arrangement
8. Biodiversity park
9. Bird watching deck
10. Buggy sheds
11. Facility Management office
12. Pavilion
13. Ticket counters
14. Outdoor play & Gym equipments

Further, the original proposed BOQ submitted by MSCL consisted of restoration of size stone masonry along the river to raise up to HFL to protect the entire Promenade area from floods. The Wooden Board walk and sunset point for an estimated length of 180m at two locations where the availability port land is less than 4m, and at Bolar Sea Face retaining wall with pile foundation for a length of 70m is proposed where the wooden board walk is not possible due to site conditions. The electrical transformer yard, electrical light poles and other required electrical work for public is considered in the proposal

The change of material proposed from concrete to cut laterite stone paving natural granite, karkala stone slab is proposed for walking track and laterite stone for construction of KIOSK and protection of Hardscaping and landscaping.

In view of above, MSCL request your office to kindly consider the above said revised proposal of Waterfront Promenade Development work under Mangaluru Smart City Limited for CRZ clearance.

Thanking you



Managing Director
Mangaluru Smart City Limited
Mangaluru

4

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN BENCH, CHENNAI

Original Application No. 52 of 2024 (SZ) &
I.A. No. 22 of 2024 (SZ) &
I.A. No. 14 of 2025(SZ)

WITH

Original Application No. 154 of 2024 (SZ)
[Earlier O.A. No. 191 of 2024(PB)]

WITH

Original Application No. 195 of 2024 (SZ)
[Earlier O.A. No. 387 of 2024(PB)]

IN THE MATTER OF:

National Environmental Care Foundation

.....Applicant

Vs

Mangalore Smart City Ltd. And Ors.

.....Respondents

WITH

Suo Motu matter in respect of news item
appearing in Mangloreatan dated 26.01.2024
titled "Netravati Promenade project is
hurting lives of common people -
Stakeholders".

And

Chairman,
National Coastal Zone Management Authority,
Bangalore and Ors.

.....Respondents

WITH

Suo Motu matter in respect of news item
appearing in The Hindu dated 20.10.2023
titled "Linking Mangaloreans to their
rivers".

And

CPCB,
Rep. by its Member Secretary,
New Delhi and Ors.

.....Respondents

INDEX

S.NO	DATE	DESCRIPTION OF DOCUMENTS	PAGE NO.
1.	30.05.2025	REPORT	1-91

DATED AT CHENNAI ON THIS THE 30th DAY OF MAY 2025


COUNSEL FOR RESPONDENT

REPORT
IN THE MATTER OF
Original Application No. 52 of 2024 (SZ) & LA No. 22 of
2024 (SZ)
WITH
Original Application No. 154 of 2024 (SZ)
[Earlier OA No. 191 of 2024 (PB)]
WITH
Original Application No. 195 of 2024 (SZ)
[Earlier OA No. 387 of 2024 (PB)]

IN COMPLIANCE TO HON'BLE NGT
ORDERS DATED 06-09-2024

SUBMITTED TO
THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONAL BENCH, CHENNAI

SUBMITTED BY
NATIONAL CENTRE FOR COASTAL RESEARCH, CHENNAI
MINISTRY OF EARTH SCIENCES,
GOVERNMENT OF INDIA

DECEMBER 2024



डॉ. एम.वी. रामण मूर्ति,
Dr. M.V. RAMANA MURTHY
केन्द्रीय निदेशक
SCIENTIST IN CHARGE
राष्ट्रीय तटीय अनुसंधान केंद्र
NATIONAL CENTRE FOR COASTAL RESEARCH
पृथ्वी विज्ञान मंत्रालय, भारत सरकार
MINISTRY OF EARTH SCIENCES, GOVT. OF INDIA,
एन.आई.ओ.टी., पल्लिकरणी,
NIOT CAMPUS, PALLIKARANAI,
चेन्नई - 600 100. (तमिलनाडु)
CHENNAI - 600 100. (TAMILNADU)

Contents

Sec I. Preamble.....	1
Sec II. Observations.....	1
Sec III. Compliance status of the conditions of CRZ clearance dated 07-10-2022	4
Sec IV. Concern raised by the local stakeholders	5
Sec V. Photos taken during the site visit.....	6
Sec VI. Satellite images used for analysis.....	9

Sec I. Preamble

National Environment Care Foundation filed a case OA 52/2024 (SZ) on 23-01-2024 in Hon'ble NGT (SZ) against Mangalore Smart City Ltd & Others regarding alleged violations in Water Front Promenade Development on Nethravathi River Bank. In addition, Hon'ble NGT Principal Bench registered Suo moto case OA 191/2024 (PB) based on News item appearing in Manglorean dated 26-01-2024 titled "Nethravathi Waterfront Promenade project is Hurting Lives of Common People Stakeholders". In the matter of OA 191/2024 (PB), Hon'ble NGT vide order dated 05-03-2024 constituted a committee comprising of representative of (i) Member Secretary, CPCB (ii) RO, MOEF&CC Mangalore (iii) District Magistrate, Dakshina Kannada Mangalore and (iv) Director, National Centre for Coastal Research (NCCR) to visit the site and ascertain the factual position.

In addition, Hon'ble NGT Principal Bench registered Suo moto case OA 387/2024 (PB) based on News item appearing in The Hindu dated 20-10-2023 titled "Linking Mangaloreans to their rivers". OA 387/2024 was transferred to Southern Bench and directed to hear the matter along with OA 52/2024 (SZ).

As per the directions of Hon'ble NGT Southern Bench vide order dated 31-05-2024 the committee visited the site and submitted the report on 20-06-2024. Though NCCR was part of the joint committee constituted by the Principal Bench, an objection made by the applicant that the District Magistrate – Dakshina Kannada Mangalore is also part of the committee who is the director in the Project and cannot act as a Nodal Officer. Therefore, A report from NCCR was sought vide order dated 06-09-2024 and the same has been provided in this report.

Sec II. Observations on allegations as mentioned in OA 191/2024 dated 05/03/2024

The allegations (as mentioned in OA 191/2024 dated 05/03/2024) raised by the petitioner were reviewed. On the basis of site inspection, the observations are given below:

No.	Allegations made by the Applicant	Observations
1	Operation of a bulldozer within the ecologically sensitive riverbanks of Netravathi, specifically coordinates (12.842127, 74.851319), an area known for the presence of mangroves and trees	On the day of the inspection (11-06-2024), no construction activities were taking place, and no construction debris was found dumped in the project area. Further, it is observed that JCB was used for excavation and bulldozer for levelling the land in the initial stages of the project on the landward side near the railway bridge.



No.	Allegations made by the Applicant	Observations
		During the visit, it was also observed that at certain points along the project stretch, debris from pre-existing tile industries and broken tiles have been dumped over the years.
2.	The alleged planning of removal of trees and dumping of soil in the intertidal zone by MSCL, to create a 9-meter-wide space for cycle track and walk path.	Out of the total stretch of 2.1 km, about 1.6 km stretch has been completed in patches as on inspection day (11-06-2024). It was observed that the height of the pre-existing stone masonry revetment has been raised above HFL to reduce the risk of inundation (Fig. 1). The landfilling has been carried out on the landward side of the revetment wall using excavated earth and construction debris except at one location near the railway bridge, and the project proponent has initiated the dismantling of the same. It was noted that the Forest Department, based on the representation received by the applicant, counted the number of trees in the project area on 01-01-2024 and found a total of 133 trees.
3.	Alleged violation of Coastal Regulation Zone (CRZ) involving unauthorized dumping of some construction site debris into the Netravathi River at Mulihithulu to acquire 9 meters of land for the project.	The project proponent constructed a bird-watching area spanning 42 meters, abetting the railway bridge by dumping material into the CRZ IB area, which is contrary to the approved CRZ clearance. During the inspection, it was observed that the project proponent had initiated the dismantling of this unauthorized construction (Fig. 3). It was noted that at other locations stone masonry revetment had been built over the existing masonry revetment, and landfilling was done on the landward side of the wall.
4.	Pre 2022 Google Maps imagery before the commencement of the project and subsequent to its execution, it has been observed	The project is falling under CRZ-II area and there were only few sporadic mangroves in few patches near to project area which does not meet the CRZ



No.	Allegations made by the Applicant	Observations
	that approximately 30 and more mangroves and significant trees are no longer present in the area	<p>requirement (Fig. 4). It is evident from the approved CZMP map wherein no such large mangrove patches, were recorded. No significant damage was noted w.r.t mangroves during physical observation. Further, on comparison with historical satellite images before & after execution of project, it is observed that there is loss in vegetation. As part of project proposal, removal of bushes/grasses is included by project proponent. (Fig.5).</p> <p>The project proponent has carried out Environment Impact Assessment study before commencement of project through M/s Aditya Environmental Services Pvt Ltd (NABET accredited EIA consultant). Local level CRZ map for the project is prepared by Institute of Remote sensing, Anna University before start of project. In both reports it is mentioned that no mangroves are present in the vicinity of the project site.</p>



Sec III. Compliance status of the conditions of CRZ clearance dated 07-10-2022

The compliance status of the conditions imposed by the Karnataka SCZMA in its CRZ clearance on 07-10-2022 was reviewed. On the basis of site inspection, the compliance status of the conditions is given below:

No.	Conditions given in the CRZ clearance	Observations
1)	No permanent/concrete structure should be constructed.	As per EIA report submitted for the project approval, the project proponent has proposed for restoration of old stone masonry along the river to raise up to HFL to protect the area from floods. It was observed that the project proponent has increased the height of the existing old dry boulder revetment wall by 600 mm above HFL as per their EIA report. (Photos of revetment attached). It is opined that increasing height of existing old retaining wall along river bank is intended to prevent erosion, stabilize the bank, and protect the adjacent areas from inundation.
2)	No sewage should be let into nearby water body.	Currently, the project is under construction, and toilet blocks have not yet been constructed. Therefore, no sewage is being generated at this stage
3)	No dumping of solid wastes into water bodies and shall dispose of waste in scientific manner.	On the day of inspection, it was noted that no solid waste had been dumped into water bodies. Additionally, an existing open stormwater drain at one location had been converted into a fully enclosed drain using concrete
4)	The work should be taken up as per the provisions of CRZ notification 2011.	It is observed that the project proponent has erected temporary sheds with steel structures on concrete footings to enhance the river view (Fig. 2). These structures are situated on the landward side of the existing buildings. Apart from minimal concrete footings intended for supporting temporary structures, no additional concrete usage was observed. However, at the location where a view gallery being constructed, it was found concrete footing is on the other side of pre-existing building line.



Sec IV. Concern raised by the local stakeholders

Local stakeholders present during the inspection expressed concern about the livelihoods of individuals involved in shipbuilding activities at three shipyards located adjoining the project area. It was noted that each shipyard employs approximately 50-60 people. As of now, no construction activity has commenced in these locations.



Sec V. Photos taken during the site visit

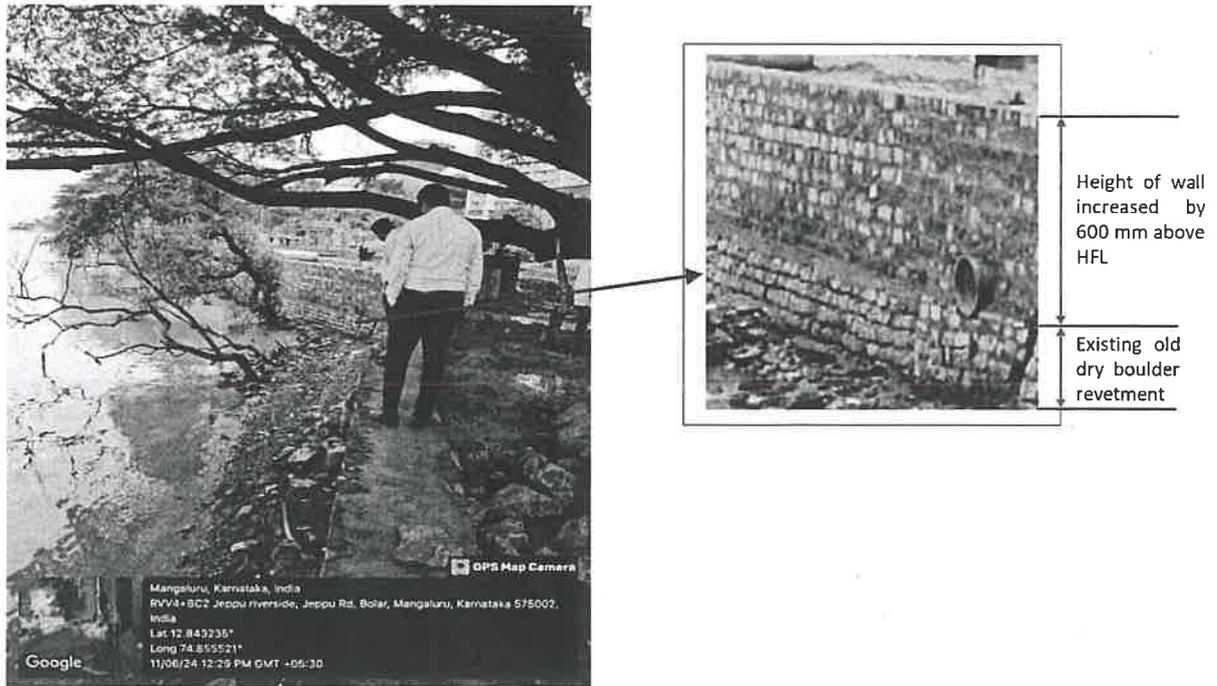


Figure 1 Photo showing increase of height of retaining wall

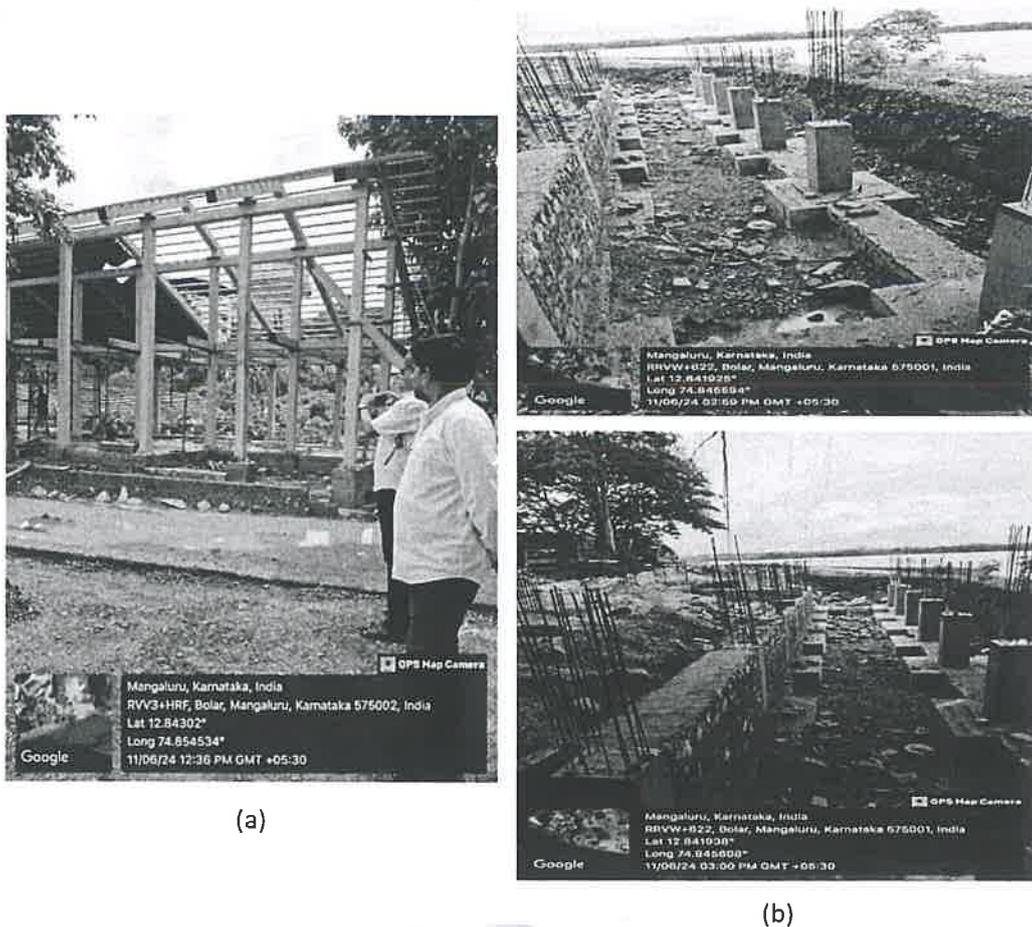
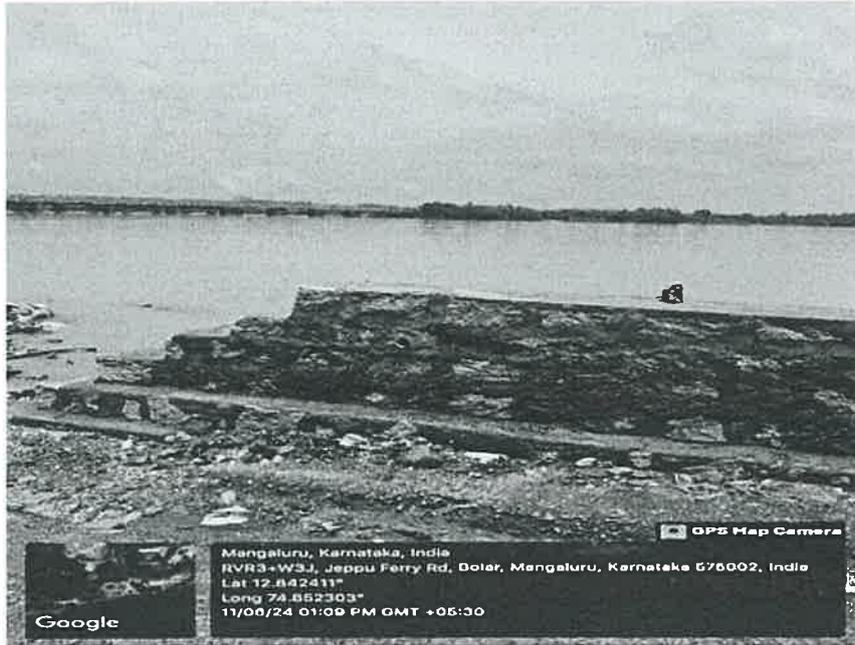
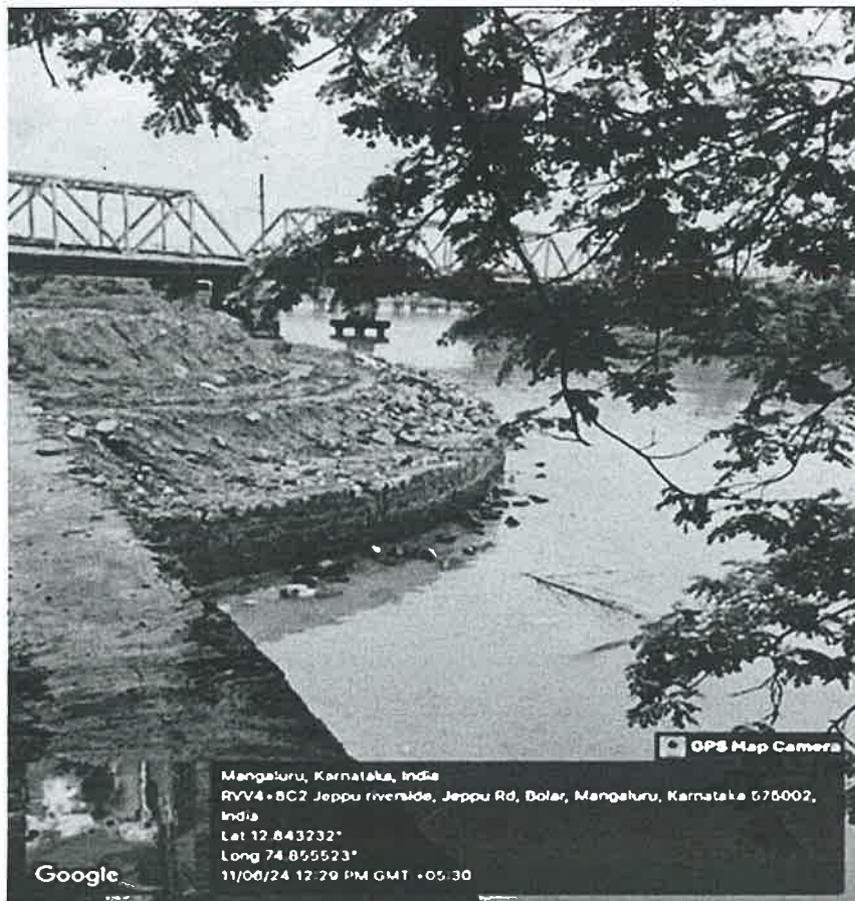


Figure 2 Image showing (a) Temporary shed on concrete footing to facilitate river view and (b) Construction of concrete footing





(a)



(b)

Figure 3 Photo showing (a) removal of unauthorized Construction and (b) removal of unauthorized Construction near railway bridge

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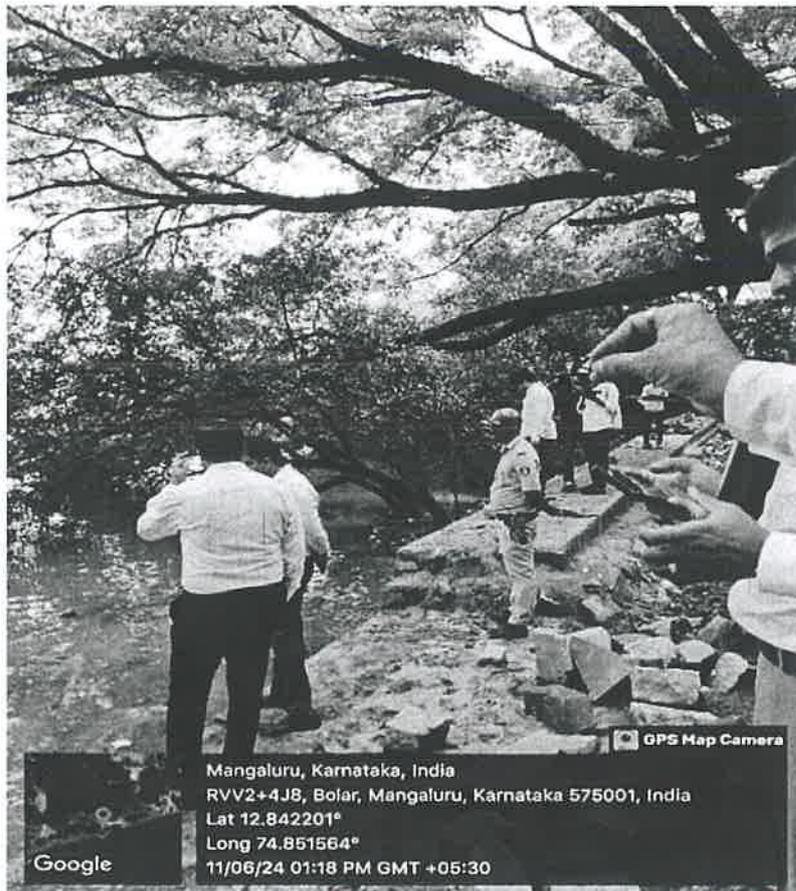
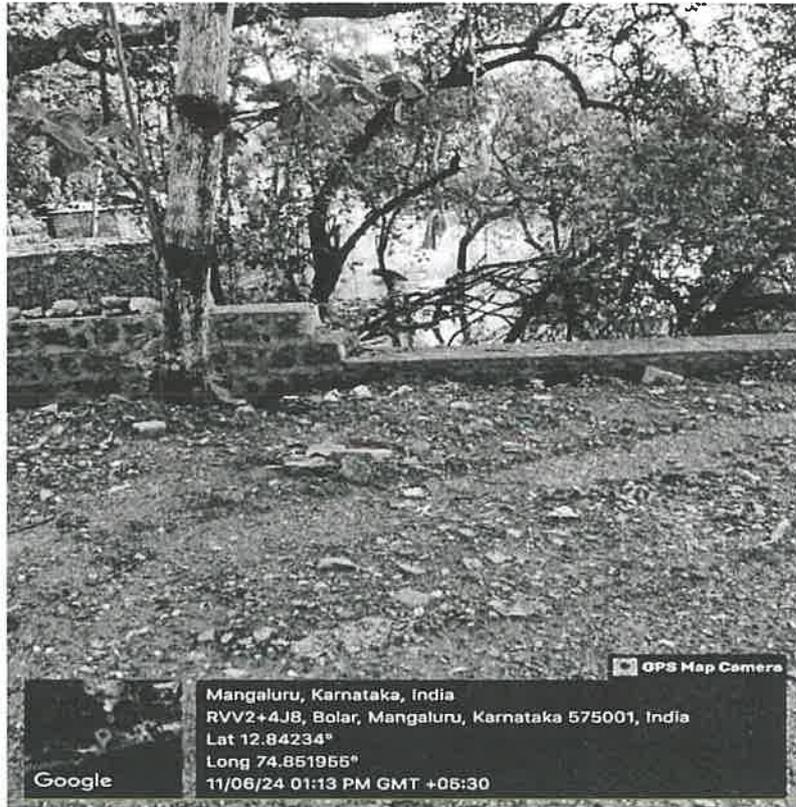


Figure 4 Few mangrove plants on the project site



Sec VI. Satellite images used for analysis

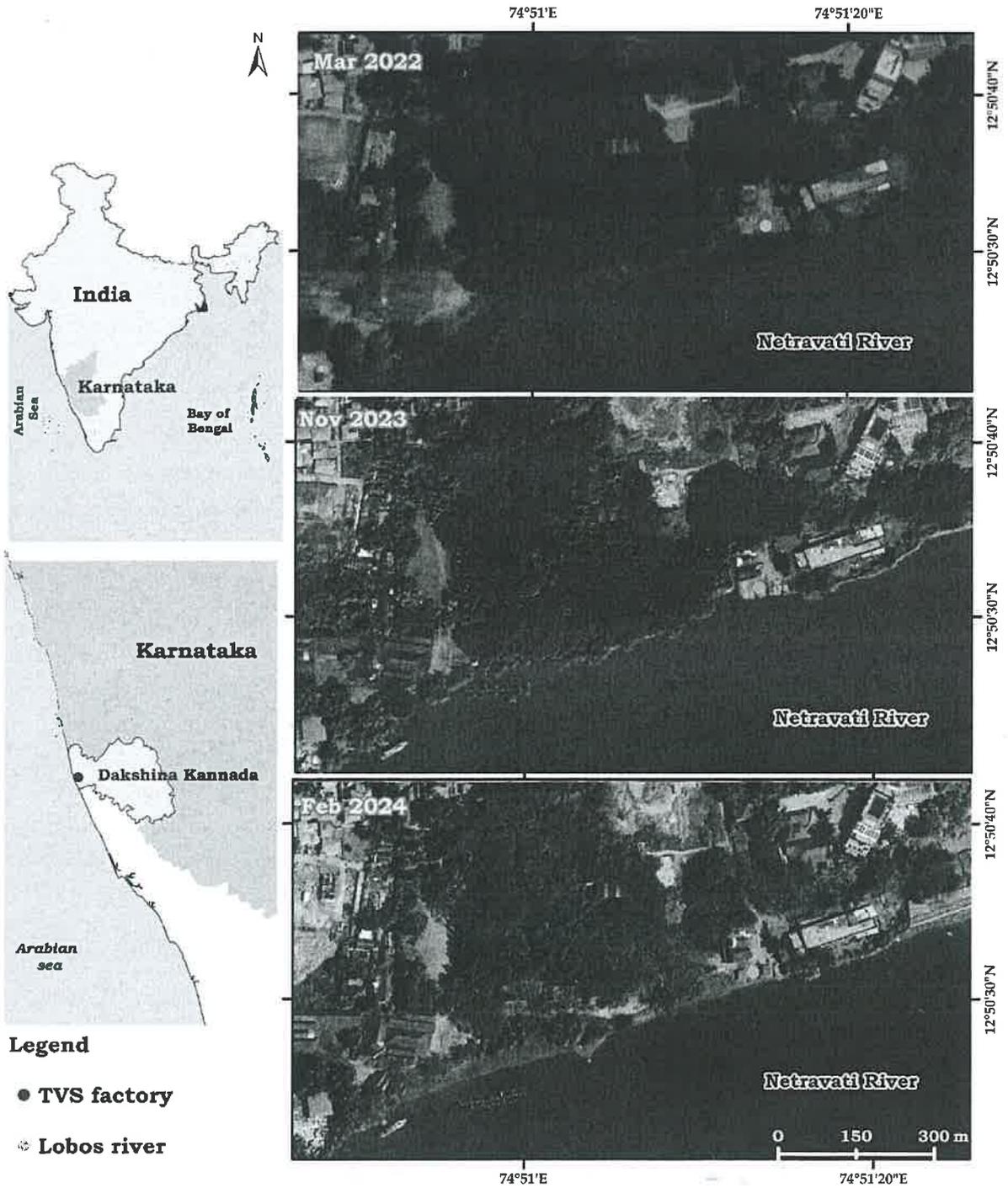


Figure 5 Comparison of satellite imageries -project site



IN THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT MADRAS

O.A. No.52/2024 &
I.A. No.22/2024 &
I.A. No.14/2025
with
O.A. No.154/2024
with
O.A. No.195/2024

REPORT

S.JANARTHANAM
COUNSEL FOR 7th RESPONDENT
9444088828, 9943492251
jana2668@yahoo.com

BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI

O.A. No. 52 of 2024

BETWEEN

National Environment Care Foundation

... Applicant

AND

Mangalore Smart City Ltd. & Others

... Respondents

INDEX

Sl. No.	Description of Document	Page No.
1	Report dated 31/05/2024 submitted by Respondent No. 2	1-3
2	Photographs	4-15



(H.K. VASANTH)

Advocate for Respondent No. 2 & 3

Place: Bangalore

Date: 31/05/2024

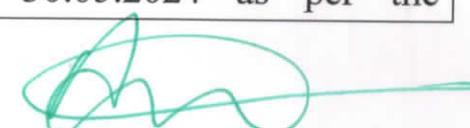
BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT CHENNAI**APPLICATION NO. 52 OF 2024 (SZ)****IA:22/2024**

National Environment Care Foundation **versus** Mangalore Smart City Limited andors.

In connection with the work being executed by the Mangalore Smart City Limited (MSCL) regarding the 'Waterfront promenade development on Netravathi river bank of MangaluruThota and Jeppinamogaru village' as per the honorable NGT in order dated 30.05.2024, the project site was inspected on 30.05.2024 between 5.30 pm to 6.40 pm and photographs taken are annexed.

Site Details	Activities	CRZ Norms
Near the Nethravathi railway bridge beside the Commonwealth tile factory.	Retaining wall has been constructed in CRZ IB area and land filling has been done (Fig. 1).	This is not mentioned in the clearance issued by KSCZMA dated 07.10.2022 and hence a violation. Regarding this a letter was issued to Managing Director, MSCL on 05.02.2024 to remove the violation. The Managing Director, MSCL in their letter dated 07.02.2024 mentioned that the work in CRZ IB was done by the contractor by mistake to store the material and he has been instructed to remove the construction done. During the spot visit conducted on 30.05.2024 as per the


 Deputy Director of Fisheries,
 o/o Regional Director (Env.),
 Mangaluru


 Regional Director (Env.),
 Mangaluru

		honorable NGT in order dated 30.5.2024, it was observed that the removal of soil and the retaining wall was in progress (Fig.1).
	In the other parts, retaining wall is constructed on the old retaining wall (Fig.2). Construction of cycle track, walking track and proposed structures was in progress (Fig. 3)	Cycle track, walking track and proposed structures are found to be on stable river bank (CRZ II) as mentioned in the NOC.
Near the TVS tyre factory abutting J.P. Morgan tile factory.	New retaining wall has been constructed on existing old retaining wall in one stretch (Fig. 4) and in another stretch new retention wall is constructed in CRZ II area (Fig. 5). Foundation for toilet blocks are being laid (Fig.6).	Retaining wall seen to be constructed in CRZ II area. Toilet blocks are being constructed on landward side of the old structures.
Near Coronation Tile factory	Concrete drainage structure have been constructed and also area for berthing of boats and steps were seen (Fig.7). Work was under progress with mud and boulders (Fig. 8)	New retaining wall is constructed above the old existing retaining wall. Work was under progress in stable CRZ II area.

[Signature]
 Deputy Director of Fisheries,
 also Regional Director (Env.),
 Mangaluru

[Signature]
 Regional Director (Env.),
 Mangaluru

Near the premises of DK and Udupi District Fish Marketing Federation, Mulihithlu area	Concrete storm water drain has been constructed (Fig. 9). The new retaining wall is constructed over the old existing retaining wall (Fig. 10). Levelling of land and soil work was seen.	In the NOC it reads "It has also been submitted that concrete structures will be avoided to the maximum possible extent". Levelling of land and soil work is in CRZ II area.
---	---	--


 Deputy Director of Fisheries,
 c/o Regional Director (Env.)
 Mangaluru


 Regional Director (Env.)
 Mangaluru



Fig.1



Fig.2



Fig. 3



Fig. 3



Fig. 4



Fig. 5



Fig. 6



Fig. 7



Fig. 7



Fig. 8



Fig. 9



Fig. 10

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, AT CHENNAI

ORIGINAL APPLICATION NO. 52/2024

IN THE MATTER OF:

National Environment Care Foundation

...Applicants

Versus

Mangalore Smart City Ltd. and Ors

...Respondents

Next Date. 20/12/2024

INDEX

Sr.No	Description	Pages No.
1.	REPORT ON BEHALF OF THE DEPUTY COMMISSIONER, DAKSHIN KANNADA IN COMPLIANCE OF THE ORDER DATED 06.09.2024.	1-12
2.	<u>ANNEXURE-R-1</u> True copy along with translated copy of the report submitted by the Department of Forest, Environment and Ecology.	13-23

New Delhi

Filled By: -



Date: - 19/12/2024

(Mr. DARPAN KM Adv.)
Advocate for the Respondent No.6
Kar/1053/2009.
Office K-6, LGF,Lajpat Nagar-3,
New Delhi - 110024
Mob. 9899125060

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, AT CHENNAI
ORIGINAL APPLICATION NO. 52/2024

IN THE MATTER OF:

National Environment Care Foundation ... Applicants

Versus

Mangalore Smart City Ltd. and Ors ... Respondents

REPORT ON BEHALF OF THE DEPUTY COMMISSIONER, DAKSHIN
KANNADA IN COMPLIANCE OF THE ORDER DATED 06.09.2024

MOST RESPECTFULLY SHOWETH:

1. That the instant report is being filed in compliance of this Hon'ble Tribunal's order dated 06.09.2024 in the present application, wherein it was *inter alia* directed as follows:

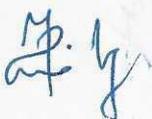
"5. Though the National Centre for Coastal Research (NCCR) through its Director was part of the Joint Committee constituted by the Principal Bench in O.A. No.154 of 2024 (SZ) and filed a report, an objection is made by the applicant that since the District Magistrate - Dakshina Kannada Mangalore is also part of the Joint Committee, who is the Director in the project, he cannot act as a nodal officer.

6. Therefore, we are seeking a report from the National Centre for Coastal Research (NCCR) through its Director and also from the District Magistrate Dakshina Kannada Mangalore, independently."

2. It is submitted in this regard as follows:

RE: OBJECTION AGAINST THE ANSWERING RESPONDENT BEING NODAL OFFICER FOR THE JOINT COMMITTEE CONSTITUTED BY HON'BLE PRINCIPAL BENCH

3. It is submitted that the Hon'ble Principal Bench by way of order dated 05.03.2024 in OA No. 191/2024 took *Suo Moto* cognizance pertaining to the issue at hand, and constituted a Joint Committee, appointing the answering Respondent as nodal officer for the same.
4. The joint committee report dated 20.06.2024 accordingly came to be filed before this Hon'ble Tribunal in the instant matter, as the above *suo moto* application was tagged with the present case.
5. The Applicants have now raised objections to the constitution of the joint committee stating that the answering Respondent has a conflict of interest. Such allegations are untenable and liable to be rejected for the following reasons:
6. **Objections to the constitution of the committee cannot be raised at a belated stage**: It is submitted that the order dated 05.03.2024 constituting the committee was brought to the notice of this Hon'ble Tribunal on 31.05.2024 itself. However, the Applicants chose not to object to the constitution of the committee at that juncture, and have done so only after the report came to be filed.



7. The Applicant's contentions are hence an afterthought, raised only after perusing the contents of the report. Further, if the Applicants were aggrieved by the constitution of the committee, they ought to have challenged the order dated 05.03.2024. However, the same has not been done till date and thus, the same has attained finality.
8. The Applicants thus cannot now raise an objection regarding the constitution of the committee, only after perusing the contents of the report.
9. **Misplaced reliance on *Bonani Kakkar v. Oil India Ltd.*** – The Applicants have placed reliance on the Hon'ble Supreme Court's order in the said case wherein, the presence of a member of OIL in the joint committee was held to be bad in law. The Applicant has attempted to draw a parallel stating that the answering Respondent being a part of the board of directors of Respondent No. 1/Mangalore Smart City Ltd.
10. The said objection is untenable in law in as much as the above post is formal and *ex-officio* in nature. However, in the case of *Bonani Kakkar*, the committee was formulated to assess the damages payable by OIL for the environmental damage caused. The presence of a member of OIL was hence in violation of the



principles of natural justice. In the instant case however, the answering Respondent also serves as a Revenue official and as head of the District Coastal Zone Management Authority, and has carried out the inspection in compliance of the order of this Hon'ble Tribunal mentioned above. The objections raised are hence untenable.

11. **Violations have been pointed out by the answering**

Respondent: It is curious to note that on one hand, the Applicant has alleged conflict of interest, while on the other hand the committee has found violations in the project in question, which have been placed on record before this Hon'ble Tribunal. The fact that the committee has found violations in the project does away with the Applicant's contentions of conflict of interest.

12. It is thus submitted that for the reasons stated above, the Applicant's objections and the averments of conflict of interest are untenable and liable to be rejected.

13. **Without prejudice to the above**, the following is submitted with respect to the project in question in compliance of the order dated 06.09.2024:

14. The answering Respondent along with the rest of the members of the Joint Committee carried out an inspection of the project in question on 11.06.2024, along the Netravathi River Bank from the Netravathi railway bridge to Bolara sea face. Members of the Applicant organization and other local stakeholders were also present during the inspection.
15. It is submitted that during the course of the inspection, compliances of MSCL with respect to CRZ Clearance issued by the Karnataka SCZMA on 07.10.2022 and other statutory clearances were examined by the committee.
16. **The observations of the answering Respondent with respect to the project in question are as follows:**
17. As per the DPR proposal, the project is being developed along a 2.1km stretch from Nethravathi Bridge to Bolar Sea Face which consists of non-motorized eco-friendly walk way and cycle path. According to CRZ clearance, the walking track and cycle track must be realigned from the intertidal area close to the water to the stable river bank (CRZ II area), and all proposed structures such as toilet blocks, food kiosks, buggy sheds, ticket counters, etc., are to be

aligned on the landward side of the line measuring old structures constructed prior to 1991.

18. Mangaluru Smart City Limited (**'MSCL'**) has applied for CRZ clearance on 28.09.2021. As per the required procedure, on 10.03.2022, the said application was recommended to Karnataka State Coastal Zone Management Authority (**'KSCZMA'**) by the District Coastal Zone Management Committee (**'DCZMC'**) of which, the Deputy Commissioner is the Chairman. However, the grant or refusal of clearance is only decided by KSCZMA.

19. KSCZMA have issued NOC on 07.10.2022 for the project. Further, MSCL have applied for Modification of application on 24.01.2024. The application has been recommended by DCZMC to KSCZMA on 24.01.2024 by the answering Respondent.

20. **Status of project on 04.10.2024:** The status of the project as on the said date is as follows:

S. No.	Location along the stretch	Activity	Measurement
1.	Netravathi river commonwealth tile factory	SSM Work near land side	281m
		SSM Work near river side	248m + 42m = 290 m
		Violation demolished	42m
		Toilet block	1 No.
		Pedestrian Shelter	1 No.
		Laterine Pathway	260m

		Brick pathway	Length – 40m Width – 2 to 2.5m
2.	Netravathi River JH Morgan	SSM Work near land side	155m
		SSM work near river side	165m
		Toilet Block	1 No.
		Office Block	1 No.
3.	Netravathi river ICE factory	SSM work near river side	154m
		Viewing block	1 No.
4.	Natravathi river near Boatyard	SSM Work River Side	105m
		SSM Work Land side	55.4m
		Toilet Block	1 No.

21. It is submitted that during the inspection, MSCL had informed the committee that the above activities have been completed so far in around 1.6 km of the proposed 2.1 km stretch.

22. On the day of inspection, it was observed that no construction activity was taking place. It was noted that the aforementioned works have been executed in patches and not in a continuous stretch, as stated by the project proponent.

Observations vis-à-vis allegations in the Application:

23. **Re: Operation of bulldozer within ecologically sensitive riverbanks of Netravathi, having mangroves** - In November 2023, the applicant had submitted a representation to the Regional Director, (Environment), Mangalore. Following communications from

the RDE, the project proponent cleared all debris dumped in the river and utilized it for backfilling.

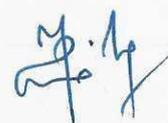
24. Further, the committee observed that JCB was used for excavation and bulldozer for levelling the land in the initial stages of the project on the landward side near the railway bridge. During the visit, the committee also observed that at certain points along the project stretch, debris from tile industry and broken tiles have been dumped over the years.

25. **Re: Alleged planning of removal of trees and dumping of soil in intertidal area for cycle path and walk path:** Out of the total stretch of 2.1 km, currently, a 1.6 km stretch has been completed in patches. The Regional Director (Environment), based on the representation received by the applicant, counted the number of trees in the 1.6 km stretch in December 2023 and found a total of 133 trees. True copy along with translated copy of the report submitted by the Department of Forest, Environment and Ecology in this regard is annexed herewith as **Annexure R-1**.

26. **Re: Alleged violation of CRZ clearance including dumping of construction debris:** It was observed that at the location abetting the railway bridge, in order to construct a bird watching area, land filing outside the boundary line of pre-existing revetment has taken

place. Along the 42m stretch, it was noted that stone masonry revetment has been built over the existing masonry revetment, necessitated by the increased height due to land filling on the landward side of the wall. However, it was observed that the project proponent has initiated dismantling of structures that are in violation of the conditions specified in the CRZ Clearance, except in one location.

27. **Re: Alleged loss of mangroves as per Google Maps:** It is submitted that the project is falling under CRZ-II area and there were only few sporadic mangroves in few patches near to project area. Though a few mangrove plants (sporadic in nature) are noted in some locations, there are no large patches of mangroves meeting the CRZ requirement. It is evident from the approved CZMP map and EIA report dated August 2022 wherein no such large mangrove patches (including 1000 square meters or more) were recorded. No significant damage was noted with respect to mangroves during physical observation.
28. On comparison with historical satellite images before and after the execution of the project, the committee had observed that there is loss in vegetation. As part of project proposal, clearance of vegetation is included.



29. The project proponent has carried out Environment Impact Assessment study before commencement of project through M/s Aditya Environmental Services Pvt Ltd (NABET accredited EIA consultant). Local level CRZ map for the project has been prepared by Institute of Remote Sensing, Anna University, Chennai before start of the project. In both reports it is mentioned that no mangroves are present in the vicinity of the project site.

30. **Re: Compliance of Conditions in CRZ Clearance:** The compliance status of the conditions imposed by the Karnataka SCZMA in its CRZ clearance dated 07.10.2022 were referred to. On the basis of site inspection, the compliance status of the conditions are as follows:

S. No.	Conditions in CRZ Clearance	Compliance as observed during Inspection
1.	No permanent/concrete structure to be constructed	<p>As per EIA report submitted for the project approval, the project proponent has proposed for restoration of old stone masonry along the river to raise up to HFL to protect the area from floods.</p> <p>It was observed that the project proponent has increased the height of the existing old dry boulder revetment wall by 600mm above HFL as per their EIA report.</p>

		<p>MSCL explained that retaining wall made of Uncoursed Rubble Masonry for required width as per height has been constructed along the river bank above the old structure.</p> <p>The answering Respondent is of the view that the construction of a retaining wall above the old structure, along the river bank is intended to prevent erosion, stabilize the bank, and protect the surrounding environment. This structure will help to manage water flow and reduce the risk of flooding, ultimately contributing to the long- term sustainability of the riverbank area.</p>
2.	No sewage to be let in to nearby waterbody	Currently the project is under construction and the toilet blocks are not operational, hence at present there is no entry of sewage into the waterbody.
3.	No dumping of solid waste into waterbody and scientific disposal of waste	On the day of inspection, it was noted that no solid waste had been dumped into water bodies. Additionally, an existing open storm water drain at one location had been converted into a fully covered drain using concrete.
4.	Work to be taken up as per CRZ Notification 2011	The committee observed that the project proponent has erected temporary sheds with steel structures on concrete footings to enhance the river view. These structures are situated on the landward side of the existing buildings. Apart from minimal concrete footings intended for supporting temporary structures, no additional concrete usage was observed. However, at the location where a viewing gallery is being constructed, it was found concrete footing is partly on the other side of

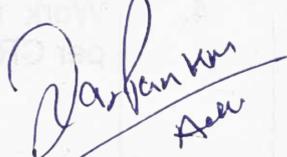
	pre-existing building line.
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31. **Concern of Local Stakeholders** – Local stakeholders present during the inspection expressed concern about the livelihoods of individuals involved in shipbuilding activities at three shipyards located adjoining the project area. It was noted that each shipyard employs approximately 50-60 people. As of now, no construction activity has commenced in these locations till the date of inspection.
32. The above information is thus placed on record for the consideration of this Hon'ble Tribunal.


Deputy Commissioner
Dakshina Kannada

Deputy Commissioner
Dakshina Kannada District
Mangaluru

Filed by


Darpan KM
AEC

Darpan KM
Standing Counsel
State of Karnataka

Date: 19-11-2024

Annexure R-1

106

ಸಂ:ಜಿಎಲ್:2302/2023-24.

ವಲಯ ಅರಣ್ಯಾಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಮಂಗಳೂರು ವಲಯ, ಮಂಗಳೂರು.
ದಿನಾಂಕ:22-01-2024.

ಇವರಿಗೆ,

ಸಹಾಯಕ ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
ಹಾಗೂ ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಯವರ ತಾಂತ್ರಿಕ
ಸಹಾಯಕರು, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

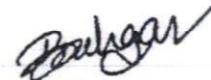
ವಿಷಯ : Appeal for Investigation and Action on Environment Preservation-Netravathi Waterfront Promenade Project being executed by Mangaluru Smart City Ltd.- ರ ಬಗ್ಗೆ ಸಲ್ಲಿಸಿರುವ ಮನವಿಗಳ ಕುರಿತು ಕ್ರಮ ಕೈಗೊಂಡು ವರದಿ ಸಲ್ಲಿಸುವ ಕುರಿತು.

ಉಲ್ಲೇಖ : ತಮ್ಮ ಕಛೇರಿ ಪತ್ರ ಸಂಖ್ಯೆ: ಸಅಸಂ:ಜಿಎಲ್: ದೂರರ್ಜಿ:2023-24.
ದಿನಾಂಕ: 15-12-2023.

ಮೇಲ್ಕಾಣಿಸಿದ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತಾಲೂಕು ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ಹೊಳೆ, ಬದಿ ಸ್ಟಾರ್ಟ್ ಸಿಟಿ ಯೋಜನೆಯಡಿಯಲ್ಲಿ ಜಲಾಭಿಮುಖ ಪ್ರದೇಶ ಅಭಿವೃದ್ಧಿ ಕುಟುಂಬಿಯನ್ನು ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು, ಮಂಗಳೂರು ಸ್ಟಾರ್ಟ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್, ಮಂಗಳೂರು. ವತಿಯಿಂದ ನಡೆಸುತ್ತಿದ್ದು, ಈ ಬಗ್ಗೆ ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ (ರಿ.), ಅಶೋಕನಗರ, ಮಂಗಳೂರು ಮತ್ತು ನಾಗರಿಕ ಹಿತ ವೇದಿಕೆ(ರಿ), ದಿ ರಿಟ್ರೀಟ್, 2ನೇ ಕ್ರಾಸ್, ಲೋವರ್ ಬೆಂದೂರು, ಮಂಗಳೂರು-575002 ಇವರಿಂದ ಕಾಮಗಾರಿ ನಡೆಯುವ ಸ್ಥಳದಲ್ಲಿರುವ ಮರಗಳಿಗೆ ಹಾನಿಯಾಗುತ್ತಿರುವ ಬಗ್ಗೆ ದೂರುಗಳು ಬಂದಿದ್ದು, ಈ ಬಗ್ಗೆ ಅರ್ಜಿಯಲ್ಲಿನ ವಿಷಯದ ಬಗ್ಗೆ ಸ್ಥಳ ಪರಿಶೀಲಿಸಿ ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಮತ್ತು ಸದ್ರಿ ಸ್ಥಳದಲ್ಲಿ ಯಾವುದಾದರೂ ಅಕ್ರಮಗಳು ಮರ ಕಡಿತ ಆದಲ್ಲಿ ಆ ಬಗ್ಗೆ ಕಾನೂನಿನಂತೆ ಪ್ರಥಮ ಮಾಹಿತಿ ವರದಿಯನ್ನು ದಾಖಲಿಸುವಂತೆ ಹಾಗೂ ಪ್ರಸ್ತುತ ಸ್ಥಳದಲ್ಲಿ ಇರುವ ಮರಗಳಿಗೆ ಕೆಂಪು ಪೈಂಟ್‌ನಿಂದ ಗುರುತಿಸಿ ನಂಬ್ರಗಳನ್ನು ನೀಡಿ ಎಣಿಕೆ ಪಟ್ಟಿಯನ್ನು ತುರ್ತಾಗಿ ಸಲ್ಲಿಸುವಂತೆ ಉಲ್ಲೇಖ(1)ರ ಪತ್ರದಲ್ಲಿ ಸೂಚಿಸಲಾಗಿರುತ್ತದೆ.

ಅದರಂತೆ ಮೇಲಿನ ಸ್ಥಳವನ್ನು ನಾನು ಸಿಬ್ಬಂದಿಗಳೊಂದಿಗೆ ದಿನಾಂಕ: 01/01/2024 -12-2023 ರಂದು ಪರಿಶೀಲಿಸಿದಾಗ ಸ್ಥಳದಲ್ಲಿ ಯಾವುದೇ ಮರಗಳ ಅಕ್ರಮ ಕಡಿತ ಮತ್ತು ಮರಗಳಿಗೆ ಹಾನಿಯಾಗಿರುವುದು ಕಂಡು ಬಂದಿರುವುದಿಲ್ಲ. ಅದರಂತೆ ಪ್ರಸ್ತುತ ಸ್ಥಳದಲ್ಲಿ ಇರುವ ಮರಗಳಿಗೆ ಕೆಂಪು ಪೈಂಟ್‌ನಿಂದ ಗುರುತಿಸಿ ನಂಬ್ರಗಳನ್ನು ನೀಡಿ ಎಣಿಕೆ ಪಟ್ಟಿಯನ್ನು ತಯಾರಿಸಿದ್ದು, ಸದ್ರಿ ಮರಗಳ ಎಣಿಕೆ ಪಟ್ಟಿಯನ್ನು ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಮಂಡಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,



ವಲಯ ಅರಣ್ಯಾಧಿಕಾರಿ
ಮಂಗಳೂರು ವಲಯ, ಮಂಗಳೂರು.

ರಾಜ್
22/01/2024

ಮಾಳೂರು ತಾಲೂಕು ಜಪ್ಪಿನಮೊಗರು ಗ್ರಾಮದ ನೇತ್ರಾವತಿ ಹೊಳೆ ಬದಿ ಸ್ಮಾರ್ಟ್ ಸಿಟಿ ವತಿಯಿಂದ
ನಡೆಯುವ ಕಾಮಗಾರಿ ಸ್ಥಳದಲ್ಲಿರುವ ಮರದ ಅಳತೆ ಪಟ್ಟಿ

ಕ್ರ. ಸಂ.	ಜಾತಿ	ಅಂದಾಜು ಎತ್ತರ	ಸುತ್ತಳತೆ	ಪರಿಮಾಣ (ಫ.ಮೀ.)	ಷರಾ
1	ದೇವದಾರು	1.00	3.50		
2	ದೇವದಾರು	4.00	1.60		
3	ದೇವದಾರು	2.00	4.40		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
4	ಕಾಡುಜಾತಿ	2.00	0.65		
5	ಕಾಡುಜಾತಿ	8.00	0.50		
6	ಬೈನ್	3.00	0.35		
7	ದೇವದಾರು	4.00	0.90		
8	ಉಪ್ಪಳಿಗೆ	1.50	0.90		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
9	ಬಾದಾಮ್	2.50	0.65		
10	ತೆಂಗು	6.00	0.80		
11	ಅಂಬಡೆ	2.00	1.40		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
12	ತೆಂಗು	8.00	0.90		
13	ತೆಂಗು	6.00	0.75		
14	ಕಾಂಡ್ಲ	1.00	1.20		
15	ಕಾಂಡ್ಲ	1.00	0.75		
16	ಕಾಂಡ್ಲ	1.00	0.40		
17	ಕಾಂಡ್ಲ	1.00	0.30		
18	ಕಾಂಡ್ಲ	2.00	0.40		
19	ಬೂರುಗ	1.00	0.60		
20	ಕಾಂಡ್ಲ	2.00	0.50		
21	ಕಾಂಡ್ಲ	1.00	0.70		
22	ಕಾಂಡ್ಲ	2.00	0.55		
23	ಕಾಂಡ್ಲ	2.00	0.40		
24	ದೇವದಾರು	4.00	2.20		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
25	ದೇವದಾರು	3.00	2.50		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
26	ತೆಂಗು	12.00	0.80		
27	ಬಾದಾಮ್	10.00	0.70		

28	ತೆಂಗು	6.00	0.75	
29	ನೀರಂಬಡೆ	3.00	0.90	
30	ತೆಂಗು	5.00	0.65	
31	ಫೆಲ್ಟಾಫಾರಂ	1.00	0.65	
32	ಬೂರುಗ	12.00	0.90	
33	ತೆಂಗು	7.00	0.85	
34	ತೆಂಗು	8.00	0.90	ಸತ್ತಿದೆ
35	ದೇವದಾರು	3.00	1.10	ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
36	ತೆಂಗು	10.00	0.90	
37	ದೇವದಾರು	2.00	1.60	
38	ಫೆಲ್ಟಾಫಾರಂ	1.00	1.05	
39	ತೆಂಗು	7.00	0.75	
40	ದೇವದಾರು	5.00	1.00	
41	ಫೆಲ್ಟಾಫಾರಂ	2.00	0.95	
42	ಕಾಂಡ್ಲಾ	1.00	0.50	
43	ಕಾಂಡ್ಲಾ	1.00	0.50	
44	ಕಾಂಡ್ಲಾ	1.00	0.45	
45	ಕಾಂಡ್ಲಾ	1.00	0.70	
46	ತೆಂಗು	12.00	0.75	
47	ದೇವದಾರು	5.00	1.20	
48	ತೆಂಗು	8.00	0.75	
49	ತೆಂಗು	9.00	0.75	
50	ತೆಂಗು	9.00	0.85	
51	ದೇವದಾರು	3.00	1.35	
52	ಕಾಂಡ್ಲಾ	4.00	1.25	ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
53	ಕಾಂಡ್ಲಾ	3.00	1.35	
54	ಕಾಂಡ್ಲಾ	1.00	0.80	
55	ಕಾಂಡ್ಲಾ	6.00	1.30	
56	ಕಾಂಡ್ಲಾ	2.00	0.85	
57	ಕಾಂಡ್ಲಾ	3.00	0.50	
58	ಕಾಂಡ್ಲಾ	2.00	0.35	
59	ಕಾಂಡ್ಲಾ	3.00	1.15	
60	ಕಾಂಡ್ಲಾ	2.00	0.30	

62	ಕಾಂಡ್ಲಾ	4.00	0.40		
63	ಕಾಂಡ್ಲಾ	2.00	0.50		
64	ಕಾಂಡ್ಲಾ	3.00	0.65		
65	ಕಾಂಡ್ಲಾ	2.00	0.85		
66	ಕಾಂಡ್ಲಾ	2.00	0.25		
67	ಕಾಂಡ್ಲಾ	4.00	0.70		
68	ಕಾಂಡ್ಲಾ	2.00	0.80		
69	ಕಾಡುಜಾತಿ	4.00	0.20		
70	ಉಪ್ಪಳಿಗೆ	4.00	0.25		
71	ಕಾಡುಜಾತಿ	4.00	0.90		
72	ಮಂಜೂಟ್ಟೆ	4.00	0.45		
73	ಶಿವಾನೆ	6.00	1.45		
74	ಹೊಂಗೆ	2.00	0.40		
75	ದೇವದಾರು	6.00	2.65		
76	ಕಾಡುಜಾತಿ	2.00	0.50		
77	ಕಾಡುಜಾತಿ	2.00	0.40		
78	ದೇವದಾರು	6.00	2.10		
79	ದೇವದಾರು	3.00	1.85		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
80	ಬೂರುಗ	3.00	1.10		
81	ದೇವದಾರು	2.00	0.90		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
82	ಫೆಲ್ಬಾಫಾರಂ	1.00	0.70		
83	ದೇವದಾರು	2.00	0.80		
84	ದೇವದಾರು	2.00	1.70		
85	ಫೆಲ್ಬಾಫಾರಂ	2.00	0.90		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
86	ತೆಂಗು	5.00	0.80		
87	ತೆಂಗು	6.00	0.75		
88	ಅಂಬಡೆ	2.00	0.80		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
89	ತೆಂಗು	6.00	0.85		
90	ದೇವದಾರು	2.00	1.15		
91	ಬೂರುಗ	4.00	0.90		
92	ಕಾಡುಜಾತಿ	2.00	0.80		
93	ಕಾಡುಜಾತಿ	2.00	0.80		

94	ಬೂರುಗ	4.00	0.90		
95	ತೆಂಗು	6.00	0.80		
96	ತೆಂಗು	7.00	0.80		
97	ತೆಂಗು	7.00	0.85		
98	ತೆಂಗು	4.00	0.60		
99	ತೆಂಗು	6.00	0.90		
100	ತೆಂಗು	4.00	0.75		
101	ತೆಂಗು	4.00	0.65		
102	ತೆಂಗು	5.00	0.75		
103	ತೆಂಗು	4.00	0.60		
104	ತೆಂಗು	5.00	0.80		
105	ಬೈನೆ	3.00	0.60		
106	ಅಂಬಡೆ	2.00	0.75		
107	ತೆಂಗು	6.00	0.75		
108	ಬಾದಾಮ್	2.00	0.45		
109	ಬಾದಾಮ್	5.00	0.70		
110	ದೇವದಾರು	3.00	3.05		
111	ಅತ್ತಿ	3.00	1.10		
112	ಗೊಬ್ಬರದ ಗಿಡ	1.00	0.70		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
113	ಅತ್ತಿ	4.00	1.30		
114	ಗೊಬ್ಬರದ ಗಿಡ	1.00	0.65		
115	ಗೊಬ್ಬರದ ಗಿಡ	2.00	0.65		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
116	ಗೊಬ್ಬರದ ಗಿಡ	1.00	0.55		
117	ಕಾಡುಜಾತಿ	4.00	0.60		
118	ಬೈನೆ	4.00	1.10		
119	ಬಾದಾಮ್	5.00	0.60		
120	ತೆಂಗು	4.00	0.90		
121	ತೆಂಗು	8.00	1.05		
122	ತೆಂಗು	3.00	0.70		
123	ತೆಂಗು	6.00	0.80		
124	ಅಶ್ವಥ	1.00	2.00		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
125	ಫೆಲ್ಪಾಫಾರಂ	3.00	0.45		

126	ಬಾದಾಮ್	3.00	0.25		ಕವಲುಗಳಿಂದ ಕೂಡಿದೆ
127	ದೇವದಾರು	2.00	0.90		
128	ಅತ್ತಿ	3.00	1.30		
129	ಕಾಡುಜಾತಿ	4.00	0.75		
130	ಬುಗುರಿ	1.00	1.30		ಟೊಳ್ಳಾಗಿದೆ
131	ಕೊಯಮರುವ	1.00	1.30		
132	ಚೆರಿ	1.00	0.25		
133	ಚೆರಿ	1.00	0.35		

ಉಪ ವಲಯ ಅಧಿಕಾರಿ
ಮಂಗಳೂರು ಶಾಖೆ, ಮಂಗಳೂರು

ಮಂಗಳೂರು ಸಂಸ್ಥೆ

ವಲಯ ಅಧಿಕಾರಿ
ಮಂಗಳೂರು ವಲಯ, ಮಂಗಳೂರು

112
Translated Copy of Annexure R-1

"Translated copy of Range Forest Officer, Mangalore Range, Mangalore dated:22.01.2024.

To,

Assistant Deputy Conservator of forest
And technical Assistant
To Deputy Conservator of Forest
Mangalore.

Respected Sir,

Subject: Regarding the submission of action taken report on the complaint
Appeal for Investigation and Action on Environment Preservation-
Nethravathi Waterfront Promenade Project being executed by
Mangaluru Smart City Limited.

Reference : Your office letter dated:15.12.2023.

With reference to above mentioned subject, Managing Director, Mangaluru Smart City Limited has taken up the Waterfront Promenade Development project under Smart city mission at Mangaluru taluk, Jeppinamogaru village at the banks of Nethravathi River. In this regard, National Environment Ease Federation®, Ashokanagar, Mangalore and Nagarika hitha vedike®, The Treat, 2nd cross, Lower Bendoor, Mangaluru-575002 have raised the complaint that trees have been damaged by the project. In this regard vide reference(1), it was instructed to inspect the project location and submit the report and if then any illegal tree cutting of trees at the place is found, it is instructed to file First Information report as per the law and mark the trees at current project location in red paint and count the number of trees and to submit the immediately.

As per the instruction received, I have inspected the site along with the staff on 01.01.2024, it was found that no illegal felling of trees and no damages to the trees observed at the site. Accordingly the trees have been marked located the project site and the list of trees is enclosed in this letter for your further necessary action.

From,

**Range Forest officer
Mangaluru Range
Mangalore**

Measurement list of Trees in the Proposed area for Construction of Road Bridge at Tannirbhavi of Bengre village, Mangaluru Taluk					
Sl.No	Cast	Length	Circumference	Volume	Remark
1.	Cedrus deodara/ Cedarwood	1.00	3.50		
2.	Cedrus deodara/ Cedarwood	4.00	1.60		
3.	Cedrus deodara/ Cedarwood	2.00	4.40		Branched
4.	Forest Species	2.00	0.65		
5.	Forest Species	8.00	0.50		
6.	Fish tailed palur	3.00	0.35		
7.	Cedrus deodara/ Cedarwood	4.00	0.90		
8.	Macaranga peltata	1.50	0.90		Branched
9.	Almond	2.50	0.65		
10.	Coconut	6.00	0.80		
11.	Spondias pinnata	2.00	1.40		Branched
12.	Coconut	8.00	0.90		
13.	Coconut	6.00	0.75		
14.	candla	1.00	1.20		
15.	candla	1.00	0.75		
16.	candla	1.00	0.40		
17.	candla	1.00	0.30		
18.	candla	2.00	0.40		
19.	Buruga	1.00	0.60		
20.	candla	2.00	0.50		
21.	candla	1.00	0.70		
22.	candla	2.00	0.55		
23.	candla	2.00	0.40		
24.	Cedrus deodara/ Cedarwood	4.00	2.20		Branched
25.	Cedrus deodara/ Cedarwood	3.00	2.50		Branched
26.	Coconut	12.00	0.80		
27.	Badam	10.00	0.70		
28.	Coconut	6.00	0.75		
29.	Spondias pinnata	3.00	0.90		
30.	Coconut	5.00	0.65		
31.	peltaform	1.00	0.65		
32.	Buruga	12.00	0.90		
33.	Coconut	7.00	0.85		

34.	Coconut	8.00	0.90		Is dead
35.	Cedrus deodara/ Cedarwood	3.00	1.10		Branched
36.	Coconut	10.00	0.90		
37.	Cedrus deodara/ Cedarwood	2.00	1.60		
38.	peltaform	1.00	1.05		
39.	Coconut	7.00	0.75		
40.	Cedrus deodara/ Cedarwood	5.00	1.00		
41.	Peltaform	2.00	0.95		
42.	candla	1.00	0.50		
43.	candla	1.00	0.50		
44.	candla	1.00	0.45		
45.	candla	1.00	0.70		
46.	Coconut	12.00	0.75		
47.	Cedrus deodara/ Cedarwood	5.00	1.20		
48.	Coconut	8.00	0.75		
49.	Coconut	9.00	0.75		
50.	Coconut	9.00	0.85		
51.	Cedrus deodara/ Cedarwood	3.00	1.35		
52.	candla	4.00	1.25		Branched
53.	candla	3.00	1.35		
54.	candla	1.00	0.80		
55.	candla	6.00	1.30		
56.	candla	2.00	0.85		
57.	candla	3.00	0.50		
58.	candla	2.00	0.35		
59.	candla	3.00	1.15		
60.	candla	2.00	0.30		
61.	candla	4.00	0.40		
62.	candla	4.00	0.40		
63.	candla	2.00	0.50		
64.	candla	3.00	0.65		
65.	candla	2.00	0.85		
66.	candla	2.00	0.25		
67.	candla	4.00	0.70		
68.	candla	2.00	0.80		
69.	Forest species	4.00	0.20		
70.	Macranga peltata	4.00	0.25		

71.	Forest species	4.00	0.90		
72.	Manzotti	4.00	0.45		
73.	Gmelina arbolia	6.00	1.45		
74.	Millettia pinnata	2.00	0.40		
75.	Cedrus deodara/ Cedarwood	6.00	2.65		
76.	Forest species	2.00	0.50		
77.	Forest species	2.00	0.40		
78.	Cedrus deodara/ Cedarwood	6.00	2.10		
79.	Cedrus deodara/ Cedarwood	3.00	1.85		Branched
80.	Buruga	3.00	1.10		
81.	Cedrus deodara/ Cedarwood	2.00	0.90		Branched
82.	Peltaform	1.00	0.70		
83.	Cedrus deodara/ Cedarwood	2.00	0.80		
84.	Cedrus deodara/ Cedarwood	2.00	1.70		
85.	Peltaform	2.00	0.90		Branched
86.	Coconut	5.00	0.80		
87.	Coconut	6.00	0.75		
88.	Spondias pinnata	2.00	0.80		Branched
89.	Coconut	6.00	0.85		
90.	Cedrus deodara/ Cedarwood	2.00	1.15		
91.	Buruga	4.00	0.90		
92.	Forest species	2.00	0.80		
93.	Forest species	2.00	0.80		
94.	Buruga	4.00	0.90		
95.	Coconut	6.00	0.80		
96.	Coconut	7.00	0.80		
97.	Coconut	7.00	0.85		
98.	Coconut	4.00	0.60		
99.	Coconut	6.00	0.90		
100.	Coconut	4.00	0.75		
101.	Coconut	4.00	0.65		
102.	Coconut	5.00	0.75		
103.	Coconut	4.00	0.60		
104.	Coconut	5.00	0.80		

105.	Fish tailed palur	3.00	0.60		
106.	Spondias pinnata	2.00	0.75		
107.	Coconut	6.00	0.75		
108.	Badam	2.00	0.45		
109.	Badam	5.00	0.70		
110.	Cedrus deodara/ Cedarwood	3.00	3.05		
111.	Fig	3.00	1.10		
112.	Fertilizer plant	1.00	0.70		Branched
113.	Fig	4.00	1.30		
114.	Fertilizer plant	1.00	0.65		
115.	Fertilizer plant	2.00	0.65		Branched
116.	Fertilizer plant	1.00	0.55		
117.	Forest species	4.00	0.60		
118.	Fish tailed palur	4.00	1.10		
119.	Badam	5.00	0.60		
120.	Coconut	4.00	0.90		
121.	Coconut	8.00	1.05		
122.	Coconut	3.00	0.70		
123.	Coconut	6.00	0.80		
124.	Peepal tree	1.00	2.00		Branched
125.	Peltaform	3.00	0.45		
126.	Badam	3.00	0.25		Branched
127.	Cedrus deodara/ Cedarwood	2.00	0.90		
128.	Fig	3.00	1.30		
129.	Forest species	4.00	0.75		
130.	Thespesia populnea	1.00	1.30		Is hollow
131.	A dying tree	1.00	1.30		
132.	Cherry tree	1.00	0.25		
133.	Cherry tree	1.00	0.35		

Examined by

Sub Zonal forest officer
Mangalore Branch,
Mangalore

Zonal forest officer
Mangalore Branch,
Mangalore

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONAL BENCH AT CHENNAI
IA NO. ____ OF 2024
IN
ORIGINAL APPLICATION NO. 52 OF 2024

IN THE MATTER OF:

NATIONAL ENVIRONMENT CARE FOUNDATION ...APPLICANT

VERSUS

MANGALURU SMART CITY LIMITED & OTHERS ...RESPONDENTS

IA ON BEHALF OF THE APPLICANT

1. That the above-titled Application has been filed under Section 14 and 15 of the National Green Tribunal Act, 2010 highlighting the issue of non-compliance with the conditions of the CRZ Clearance dated 07.10.2022 granted to Mangaluru Smart City Project Limited by Karnataka State Coastal Zone Management Authority for '*Waterfront promenade development on Netravathi River Bank of Thota and Jappinamogaru village*' in Mangalore, Dakshin Kannada district, Karnataka.
2. That vide Order dated 31.05.2024, this Hon'ble Tribunal had restrained Respondent No. 1 (project proponent) from undertaking work, especially on the riverfront side in the CRZ area. The Order also recorded that even though work is only on the riverfront side is restrained, any work undertaken in violation of the conditions imposed will have to be removed along with imposition of costs:

*"13. In as much as the **Karnataka SCZMA** has confirmed that some works are being carried out in violation of the NOC conditions by the Project Proponent, especially on the riverfront side in the CRZ area, the Project Proponent (Respondent No.1) is restrained from carrying on work on the riverfront side in the CRZ area till the next date of hearing. Though the works only on the riverfront side are restrained, it is made very clear to the Project Proponent that if any work is carried out in violation of the conditions imposed, the said structures will have to be removed, besides being subject to the imposition of heavy costs."*

(Emphasis supplied)

3. That when the matter came up for hearing on 11.12.2024, the Applicant pointed out that the project proponent has violated the interim order passed by this Hon'ble Tribunal and is carrying on the work on the riverfront side in the CRZ area. This statement was denied by the project proponent, however, this Hon'ble Tribunal had clearly stated that any violation of the interim order will be at risk and peril of the project proponent. The Order recorded as follows:

"1. It is now alleged by the learned counsel appearing for the applicant in O.A. No.52 of 2024 (SZ) that the Project Proponent has violated the interim order passed by this Tribunal and carrying on the work on the riverfront side in the CRZ area.

2. The learned counsel appearing for the Project Proponent, who denies the said allegation, states that they are complying with the interim order already passed by this Tribunal.

3. We make it clear that if the Project Proponent has disobeyed the order of this Tribunal by carrying on the work in the CRZ area, it is at their own risk and peril."

4. That through the present Application, the Applicant wishes to substantiate the claims made before this Hon'ble Tribunal by the Applicant in its hearing dated 11.12.2024 and point out the violation of the interim order by the project proponent.

5. That the Applicant is annexing photographs dated 14.11.2024, 15.11.2024, 18.11.2024, 22.11.2024, 07.12.2024, 11.12.2024, 12.12.2024, 13.12.2024 and 16.12.2024 to show continuous work being undertaken in complete violation of the CRZ Notification, CRZ Clearance granted to the project as well as the interim stay granted by this Hon'ble Tribunal.

Copy of photographs dated 14.11.2024, 15.11.2024, 18.11.2024, 22.11.2024, 07.12.2024, 11.12.2024, 12.12.2024, 13.12.2024 and 16.12.2024 showing violations is annexed herewith as **ANNEXURE A-1.**

6. That the Applicant is also annexing photographs dated 16.12.2024 of the earth movers being used at the project site, in violation of the directions of this Hon'ble Tribunal. The Applicant is also providing photographs of the registration number of the earth movers.

Copy of photographs dated 16.12.2024 of earth movers being used at project site is annexed herewith as **ANNEXURE A-2.**

7. That the CRZ Clearance dated 07.10.2022 granted for the project makes it clear that constructions are only allowed on the landward

side of the existing buildings and HTL and all constructions have to happen as per CRZ Notification, 2011:

*"The proposed area falls in CRZ-II. **All the structures like toilet blocks, buggy sheds, food kiosks, Facility Management Office, Pavilion, Ticket Counters, Outdoor play & Gym Equipments etc. will be constructed on the landward side of existing building. The walkway parking area and cycle track will be proposed on landward side of HTL.***

...

*The proposed structures are aligned on the landward side of the old structures constructed prior to 1991. **The walking track and Cycle track have been re aligned from close to water (inter-tidal area) to the stable river bank (CRZ II area).** The DCZMC in its meeting held on 30.06.2022 has recommended the proposal.*

The Authority during the meeting held on 02.07.2022 after discussion and deliberations decided to issue NOC for proposed water front promenade development to Nethravathi river bank at Thota and Jappinamogaru village of Mangalore as per para 8 (a) II CRZ II (i) & (ii) of CRZ Notification, 2011, with the following conditions:-

- 1. No permanent structure/ concrete structure should be constructed.*
- 2. No sewage should be let in to nearby water body.*
- 3. No dumping of solid wastes in to the water bodies and shall dispose of waste in scientific manner.*
- 4. **The work should be taken up as per the provisions of CRZ notification 2011.***

(Emphasis supplied)

8. That highlighting these violations, the Applicant had also sent representation letters to authorities such as Ministry of Environment,

Forest & Climate Change and Forest, Environment & Ecology Department, State of Karnataka. However, no steps were taken to ensure that compliance with the directions of this Hon'ble Tribunal is ensured.

Copy of representation letters sent by the Applicant is annexed herewith as **ANNEXURE A-3**.

9. That in the case of ***State of Madhya Pradesh v. Centre for Environment Protection Research and Development & Ors. (2020) 9 SCC 781***, the Hon'ble Supreme Court had declared that an Order of this Hon'ble Tribunal are binding and enforceable on governmental authorities:

"59. The order passed by the learned Tribunal are binding on and enforceable against the appellant State. As observed above, the learned Tribunal had the power, authority and jurisdiction to direct the appellant State to strictly implement compliance with Rules 115 and 116. An order of the Tribunal under the National Green Tribunal Act is enforceable in the manner provided in Section 25 of the NGT Act."

(Emphasis supplied)

10. That the directions/ orders passed by the Hon'ble Tribunal have to be followed and any violation of it will result in action against the violating entity. In the case of ***Vanashakti Public Trust v. Maharashtra Pollution Control Board, 2016 SCC OnLine NGT 682***, the Hon'ble Tribunal had examined the scope of Sections 26 and 28 of the NGT Act and held that:

"The legislative intention of these provisions brings home the point that the orders of this Tribunal are not to be ignored whereas it has to be scrupulously complied and any erring officer, person is bound to face penal action under Section 26 of the Act. If the

omission is on the Authority or Department of the Government, Section 28 envisages serious action by way of prosecution against the Head of the Department. Therefore, unless it is brought on record that there is no deliberate neglect, we will be constrained to initiate proceeding under Section 26 to prosecute by imposing penalty of imprisonment for the period prescribed and fine thereunder. Besides Head of Department shall also be prosecuted under Section 28 of the Act.."

11. That this Hon'ble Tribunal in ***Rayons-Enlighting Humanity & Anr vs. MoEF & Ors. Original Application No. 186 of 2013*** has detailed on the applicability of Section 26 of the National Green Tribunal Act, 2010 as follows:-

36. It is clear that the provisions of CrPC and Section 26 of the NGT Act are concerned with the punishment that can be inflicted for failure to comply with the orders of the Tribunal. In terms thereof, whoever fails to comply with any order, award or decision of the Tribunal under the NGT Act, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to Ten crore Rupees or with both and in case the failure or contravention continues, with additional fine which may extend to Rs.25,000/- for every day during which such failure or contravention continues after conviction for first such contravention or failure. It is further provided that in case a company fails to comply with any order or award or a decision of this Tribunal under the NGT Act, such company shall be punishable with fine which may extend to Rs.25 crores and in case the failure or contravention continues, with additional fine which may extend to One Lakh Rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

37. Besides the powers spelt out under Section 26 of the NGT Act, Section 15 empowers the Tribunal to provide relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in Schedule 1 (including accidents occurring while handling any hazardous substance); for restitution of the property damaged; and for restitution of environment of such

area or areas, as the Tribunal may think fit. Orders in relation to compensation and restitution of property and environment as contemplated under Section 15 (1) of the NGT Act shall be in addition to the relief granted under the Public Liability Insurance Act, 1991. In other words, the jurisdiction of the Tribunal to punish for violation of its orders is in relation to the power for ordering payment of compensation and/or restoration of property or environment, as the case may be. The extent of jurisdiction exercisable by the Tribunal would depend upon the facts and circumstances of a given case.

38. The Tribunal is required to regulate its own procedure which should be in consonance with the principles of natural justice. The provisions and the procedure prescribed under the CPC is not stricto sensu applicable or binding upon the proceedings before the Tribunal but the provisions of the CPC, in so far as they are in conformity with the prescribed procedure under the NGT Act, could be brought in aid (and the principles of the CPC) in general can be applied to the proceedings before the Tribunal. Following this settled principle, it is obvious that the provisions of Order XXXIX Rule 2A of the CPC could be attracted wherever the circumstances so call for. Thus, Respondents No. 4 and 5 and the violations committed by them can be dealt with in terms of the provisions of Section 26 read with Section 15 of the NGT Act and Order XXXIX Rule 2A and Section 151 of the CPC."

12. That this Hon'ble Tribunal in the case of ***Dr. Lubna Sarwath vs. State of Telangana and others, Original Application No. 85 of 2015 (SZ) & M.A. No. 174 & 232 of 2016*** held that in cases of violation of interim order, the issue will be considered, in light of the available nature of evidences:

"M.A. No. 232 of 2016

This application was filed by the applicant to initiate contempt proceedings against the respondents in terms of the Sections 26 and 28 of National Green Tribunal Act, 2010 for wilful disobedience of the orders of the Hon'ble Tribunal dated 01.05.2020 in

O.A. No. 85/2015. *It is alleged in application that in violation of the interim order passed by this Tribunal dated 01.05.2015, the official respondents are acting. It may be mentioned here that after passing this order by the Tribunal, this Tribunal had appointed a joint Committee to go into the question and file report regarding the same and this Tribunal is considering those reports periodically. **The question as to whether they have deliberately violated the interim order passed by this Tribunal and whether that is justified for reasons taking into account as part of disaster management which is likely to arise, then those aspects will have to be considered by this Tribunal while deciding the matter finally. If this Tribunal finds that there was any wilful violation or disobedience of the order passed by this Tribunal, then that issue will also be considered by this Tribunal while deciding the case finally depending upon the nature of evidences available and facts to be considered by this Tribunal as it is a matter relating to penal action against the officials if they have wilfully violated the directions issued by this Tribunal. However, we direct the official respondents, against whom such allegations have been made, are directed to file their independent counter statement regarding the allegations made which can also be considered by this Tribunal while disposing the case finally.***

PRAYER

13. That in light of above, this Hon'ble Tribunal may pass the following directions:

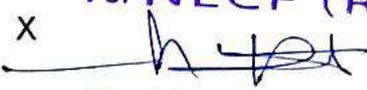
- A. Take action against Respondent No. 1 (project proponent) for undertaking construction in violation of the directions of this Hon'ble Tribunal contained in Order dated 31.05.2024;
- B. Take action against the government authorities for allowing construction activities to take place in violation of the directions of this Hon'ble Tribunal contained in Order dated 31.05.2024;

C) Pass any orders as this Hon'ble Court may deem fit and appropriate in the facts and the circumstances of the present case.

For **NECF (R)**
X 
President / Secretary
APPLICANT

VERIFICATION

I, Shashidhar Shetty, Son of P.Manjappa Shetty, aged about 44 years residing at Shreeshastha, Ashoknagar, Mangaluru, the Applicant herein, do hereby verify that the contents of the above paragraphs are true to the best of my Knowledge and legal advice and that I have not suppressed any material fact.

For **NECF (R)**
X 
President / Secretary
APPLICANT

DATE:

PLACE: MANGALURU

THROUGH



RITWICK DUTTA



RAHUL CHOUDHARY



G STANLY HEBZON SINGH
COUNSEL FOR APPLICANT

N-73, Lower Ground Floor,
Greater Kailash-1,
New Delhi - 110048

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, CHENNAI

IA NO. OF 2024

IN

ORIGINAL APPLICATION NO. 52 OF 2024

NATIONAL ENVIRONMENT CARE FOUNDATION

.....Applicant

VERSUS

MANGALORE SMART CITY AND OTHERS

..... Respondent

AFFIDAVIT

I, Shashidhar Shetty, Son of P.Manjayya Shetty, aged about 44 years residing at Shreeshastha, Ashoknagar, Mangaluru, do hereby solemnly affirm and state as under:

1. That I am the Applicant in the interlocutory application and I am conversant with the facts and circumstances described in the present petition and as such, I am competent to swear this affidavit.
2. That the contents of the accompanying Application are true and correct and nothing material has been concealed therefrom.

For **NECF (R)**

 X _____
 President / Secretary
DEPONENT

VERIFICATION

Verified on this day of , 2024 that the contents of the above mentioned affidavit are true and correct and nothing material has been concealed therefrom.

For **NECF (R)**

 X _____
 President / Secretary

DEPONENT

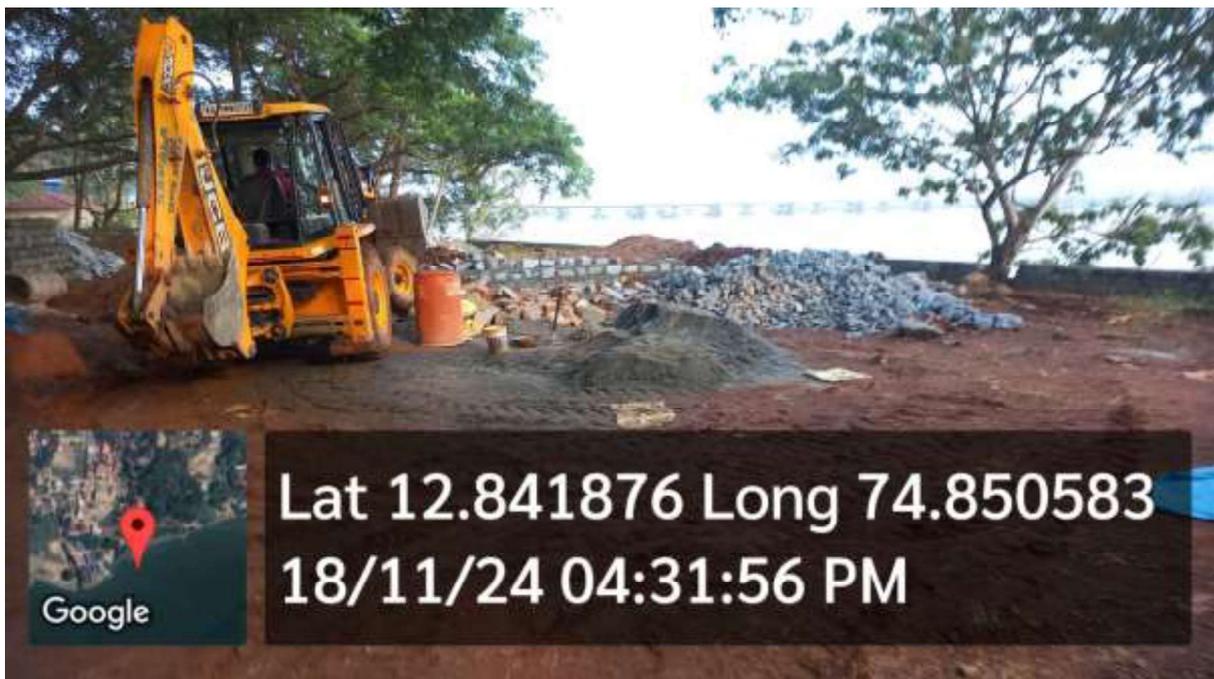
Photographs dated 14.11.2024



Photographs dated 15.11.2024



Photographs dated 18.11.2024





Photographs dated 22.11.2024



Photographs dated 07.12.2024



Photographs dated 11.12.2024





Lat 12.843571 Long 74.852122
11/12/24 12:48:03 PM

Photographs dated 12.12.2024



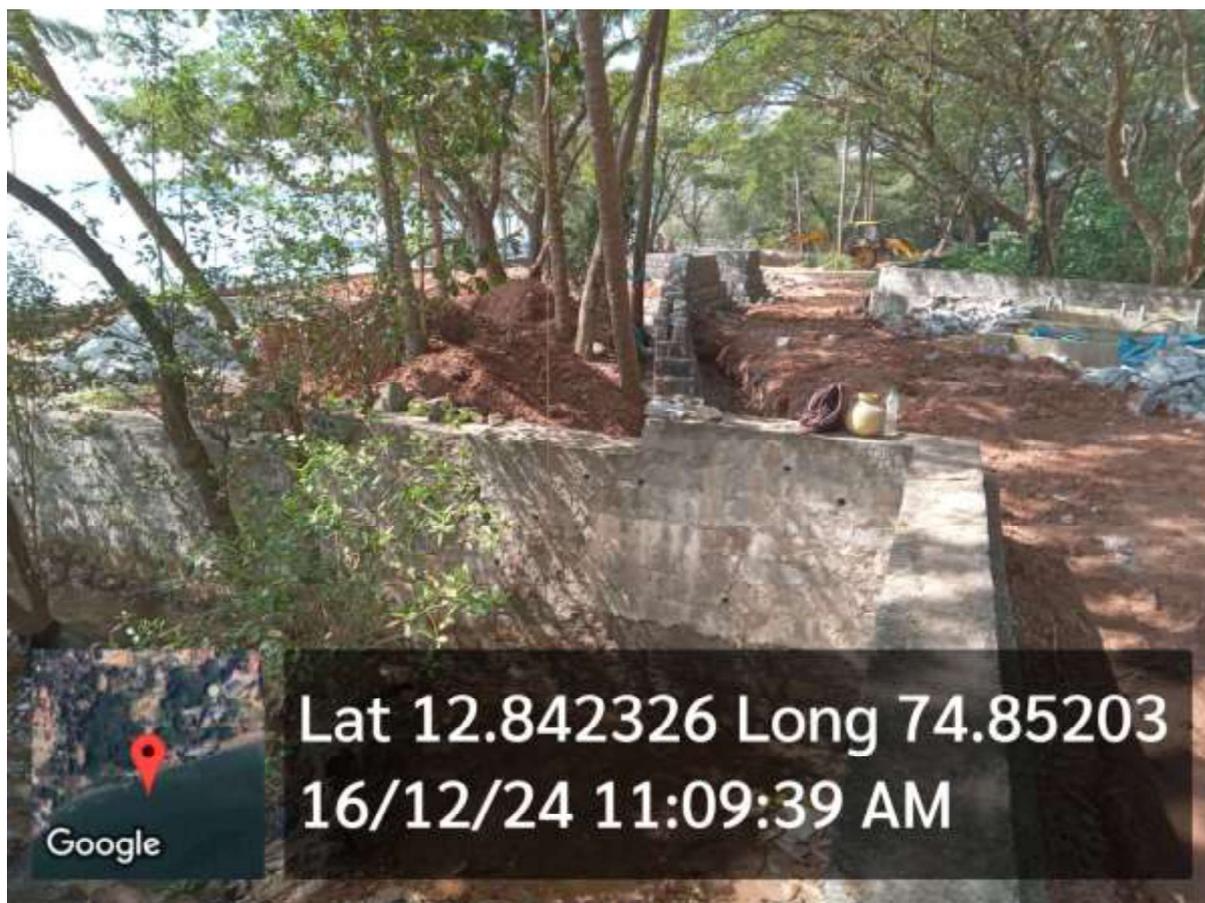


Photographs dated 13.12.2024





Photographs dated 16.12.2024





Photographs of earth movers at the project site









REG NO. DKM / S 17 / 2009

National Environment Care Fedaration (R.) ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ (ರಿ.)

Head office : Shree Shastha Building
Ashoknagar, Mangalore-575006, D.K. KARNATAKA

☎ 08243564330

Ref: NECF/comp/95/2024-25

date: 19/11/2024.

To,
The Regional Director (Environment)
Forest, Environment & Ecology Department
MUDA Building
Mangaluru

Sir,

Subject: Complaint Regarding CRZ Violations due to ongoing permanent structure Construction activity by Mangaluru Smart City Ltd Near Seaward Side of JH Morgan Tile Factory (Pinto Tile Factory), Morgan's Gate

Following the Hon'ble National Green Tribunal (NGT) order dated 31-05-2024, work on the seaward side of the Netravathi Riverfront Project was almost halted. However, it has come to our notice that Mangalore Smart City Limited (MSCL) and its contractors have resumed construction activities on the **seaward side** in the port land adjacent to T.S. No. 794, belonging to Pinto Tile Factory (formerly JH Morgan Tile Factory), at Morgan's Gate, Mangalore Thota Village. We hereby bring to your immediate attention the following serious environmental violations deliberately being committed by MSCL in the CRZ-IB area that directly contravenes the No Objection Certificate (NOC) granted for the project. during the execution of the Netravathi Riverfront Project, particularly near the seaward side of the aforementioned site:

1. Non-Compliance with Coastal Regulation Zone (CRZ) Norms:

Over the past few days, MSCL has been constructing permanent concrete foundation structures on the seaward side. This construction blatantly violates the mandatory requirement to maintain a minimum distance of 10 meters from the High Tide Line (HTL) for any construction in the CRZ-II area, as stipulated under Clause 5.2 CRZ-II (vi) of the CRZ 2019 Notification. The location of this violation is documented in the attached photographs (**Annexure I**). This constitutes a breach of the CRZ 2019 Notification and also contravenes the in-principle approval FEE 17CRZ 2022 dated 07.10.2022, issued by the Karnataka State Coastal Zone Management Authority (KSCZMA).

2. Damage to Mangrove Ecosystem:

The mangrove vegetation near the construction site has suffered significant damage due to ongoing construction activities. The erection of **thick concrete wall structures within the mangrove area, and cutting of the mangrove branches, have resulted in the destruction and death of mangroves**, as shown in the GPS coordinates attached in (**Annexure 2**). These mangrove areas were once important nesting and breeding sites for migratory birds before the commencement of the project. However, they have been permanently destroyed due to the unscientific and destructive activities carried out by

Office of the  19/11/24
Regional Director (Environment)
Mangaluru Region, Mangaluru, D.K.

☎ necfmangalore@gmail.com

🌐 www.necf.in

MSCL. **Complaints** regarding the massive concrete wall construction were **previously communicated** to your office for necessary action.

3. **Erroneous drawing of Imaginary Line: The imaginary line has been deliberately misdrawn to facilitate the project**, disregarding the guidelines prescribed by the Ministry of Environment, Forest and Climate Change (MOEFCC) for accurate boundary delineation. This **deliberate manipulation** is an attempt to **acquire additional land** for the project, **compensating for the inadequacy of the land** originally available for the project. This has resulted in the **imaginary line being superimposed over the High Tide Line (HTL) and extending into the seawater (CRZ-IV)**. Such actions have resulted in serious violations of CRZ regulations, including the illegal dumping of soil into the river, causing irreversible damage to the estuarine ecosystem and critical fish breeding zones.

Prayers: We request you to

1. conduct an on-site inspection of the mentioned violations and take immediate action to halt the ongoing activities that are damaging the environment and contravening CRZ regulations.
2. We urge you to **take suitable legal action** against the MSCL officers and contractors responsible for these violations, as per **Section 19(1)(a)** of the Environmental Protection Act, 1986, and other relevant laws.
3. Restore the environmental balance of the affected area, ensuring compliance with all relevant environmental protection regulations and the preservation of the coastal ecosystem.

Please treat this matter with urgency to protect the fragile coastal ecosystem of Netravathi River Estuary and uphold the environmental laws.

Thank You

Yours Sincerely

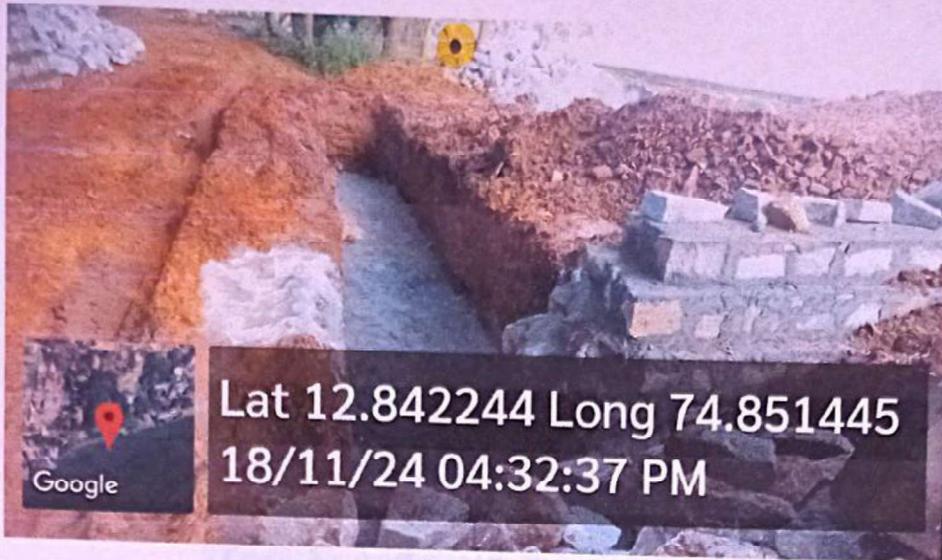


Shashidhar Shetty
Secretary-NECF

CC to:

1. Director, CRZ, MOEFCC, New Delhi
2. Special Director (Technical Cell), Department of Forest, Ecology & Environment, KSCZMA, Bangalore

ANNEXURE -1



The photographs indicate ongoing construction of permanent concrete foundation structures on the seaward side, without adhering to the mandatory setback of 10 meters from the High Tide Line (HTL) to the Temporary Tourism Facility, as prescribed under the CRZ 2019 Notification, .

ANNEXURE -2



The photographs indicate that the construction of thick concrete wall structures within the mangrove area, along with the cutting of mangrove branches, has resulted in the destruction



REG NO. DKM / S 17 / 2009

148

o/c

National Environment Care Fedaration (R.)
ರಾಷ್ಟೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ (ರಿ.)

Head office : Shree Shastha Building
Ashoknagar, Mangalore-575006, D.K. KARNATAKA

☎ 08243564330

Ref: NECF/comp/92/2024-25

date: 22/11/2024

To,
The Regional Director (Environment)
Forest, Environment & Ecology Department
MUDA Building
Mangaluru
Sir,

Subject: Complaint Regarding Ongoing CRZ Violations by Mangaluru Smart City Ltd(MSCL). Despite NECF Complaint Dated 19.11.2024

Ref: 1. Your letter dated 20.11.2024, bearing Ref. CRZ/CR-1/GL(613)/2024-25

We appreciate your prompt response (Ref-1) to our previous communication regarding **our complaint** dated 19.11.2024. However, we regret to inform you that **your response (Ref-1) did not include any spot inspection reports from your visit.** Despite your reply, it seems that your response has had no impact on the officials of MSCL. **As a result, we must inform you that MSCL continues to dump soil and carry out construction activities at the identified locations on the seaward side, without the required setback from the High Tide Line (HTL), as shown in the attached photographs (Annexure I).** This is in clear violation of CRZ norms and KSCZMA NOC for the project. The ongoing construction poses a significant threat to the fragile ecosystem, risking potentially irreversible damage that may be impossible to restore. Therefore, we request the following

1. **Spot Inspection:** Conduct an immediate site visit to assess the reported violations.
2. **Measurement from HTL:** Provide the distance of the permanent concrete footing structure under construction near the GPS coordinates Lat **12.841878, Long 74.850586** from the High Tide Line (HTL).
3. **Imaginary Line:** Take appropriate actions regarding the erroneous imaginary line that has been drawn, potentially to mislead the authorities.
4. **Legal Action:** Use your authority under Section 19(1)(a) of the Environmental Protection Act, 1986, to impose appropriate penalties on MSCL officials, who are deliberate CRZ violators and habitual offenders.

We trust you will treat this matter with the urgency it deserves to protect the coastal environment and uphold environmental regulations. **Kindly provide the action report & spot inspection report within seven (7) days of receiving this letter.**

Thank You
Your Sincerely

Shashidhar Shetty
Secretary-NECF

Office of the
Regional Director (Environment)
Mangaluru Region, Mangaluru, D.K.

Copy to:

1. The Secretary, National Coastal Zone Management Authority, MoEFCC, New Delhi
2. Special Director (Technical Cell), Department of Forest, Ecology & Environment, KSCZMA, Bangalore

☎ necfmangalore@gmail.com

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ANNEXURE I

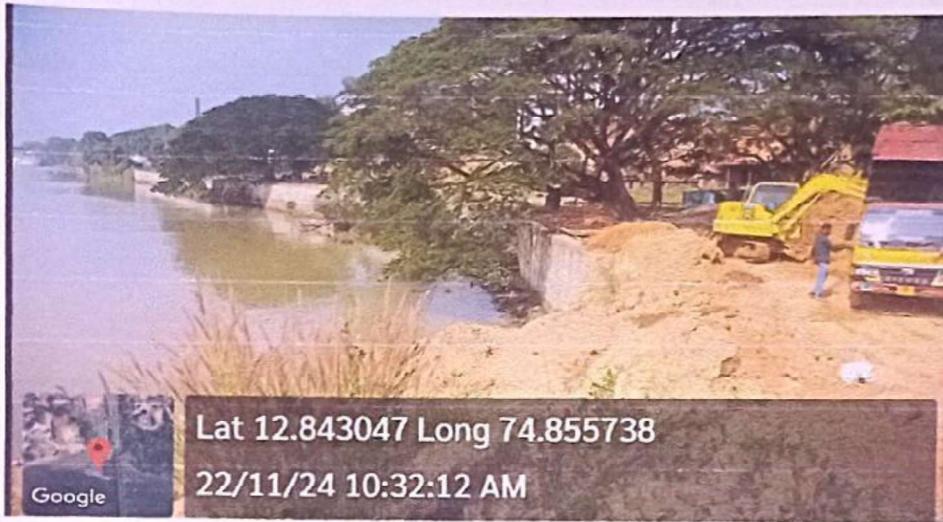


Photo 1: Near Netravathi Railway Bridge the soil is being dumped from the external sites in a CRZ area



Photo 2: Near JH Morgan (Pinto Tile factory) the permanent concrete footing structure construction in progress



REG NO. DKM / S 17 / 2009

150

National Environment Care Federation (R.)
ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ (ರಿ.)

Head office : Shree Shastha Building
Ashoknagar, Mangalore-575006, D.K. KARNATAKA

☎ 08243564330

Ref: NECF/COMP/WF/ 2024-25/ 96

Date: 09/12/2024

To,
Shri Raghu
The Regional Director (Environment)
Forest, Environment & Ecology Department
MUDA Building, Mangaluru-575006

Sir,

Subject: Complaint Regarding Ongoing CRZ Violations by Mangaluru Smart City Ltd (MSCL) near Pinto tile Factory Morgans Gate

We regret to inform you that despite two complaints from the National Environment Care Federation (NECF) submitted to your office on 19.11.2024 and 22.11.2024 Mangaluru Smart City Ltd (MSCL) continues to violate Coastal Regulation Zone (CRZ) norms near Pinto tile Factory at Morgans Gate, Mangaluru. **Bull dozing, Soil dumping and concrete construction activities are still being carried out on the seaward side, without adhering to the required setback from the High Tide Line (HTL) of 10mt.** This is in direct violation of the Hon'ble National Green Tribunal (NGT) stay order dated 31.05.2024, as well as CRZ NOC issued by the Karnataka State Coastal Zone Management Authority (KSCZMA). The attached photographs (**Annexure I**) illustrate these ongoing violations. More over **these concrete structure constructions do not have licenses from Mangaluru City Corporation as 5.2(iii) of CRZ 2019 notification.** This illegal construction threatens the fragile coastal ecosystem, risking irreversible environmental damage that could be beyond restoration.

The stated violations of MSCL are as a result of inaction from your office.

As per the CRZ 2019 notification, **Section 5.2 (iv), Section 5.2 (vi)** and other sections **RD (Env)** is empowered to take actions such as **issuing warnings, stopping unauthorized activities, and reporting violations to higher authorities.** The RD (Env) has the authority to direct action to remedy the situation, and in severe cases, to take legal action against the offenders as per section 19(1)a of Environmental Protection Act of 1986. **We hold you responsible for failing to take immediate action to halt these CRZ violations, particularly in light of the court's order.**

We demand that unauthorised **construction activities be stopped immediately** to protect the Eco sensitive coastal environment and ensure compliance with CRZ regulations.

Provide a spot inspection report and action taken within seven (10) days of receiving this letter.

Yours sincerely,


Shashidhar Shetty
Secretary, NECF

Copy to:

1. The Secretary, National Coastal Zone Management Authority, MoEFCC, New Delhi
2. Principal Secretary, Department of Forest, Ecology & Environment, KSCZMA, Bangalore


Office of the
Regional Director (Environment)
Mangaluru, D.K.

☎ necfmangalore@gmail.com

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ANNEXURE I



Photographs depicting the ongoing CRZ violations by Mangaluru Smart City Ltd (MSCL), showing the construction of heavy concrete structures within the CRZ IB area, which includes mangrove zones. The destruction of mangroves is clearly evident in the images.



REG NO. DKM / S 17 / 2009

152 REGISTERED Post 13/9/2024

National Environment Care Federation (R.)
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Head office : Shree Shastha Building
Ashoknagar, Mangalore-575006, D.K. KARNATAKA

☎ 08243564330

13.09.2024
Mangaluru

Ref: COMP/WF/66/2024-25

The Secretary
Ministry of Environment, Forest and Climate Change (MoEFCC)
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi – 110003.

RK 422/35527 IN

Special Director (Technical Cell),
Department of Forest, Ecology & Environment
Member Secretary, Karnataka State Coastal Zone Management Authority, (KSCZMA)
Room No.710, 7th Floor, IV Gate, M. S. Building, Bangalore - 560 001.

RK 422/35615 IN

Sir,

Sub: Dumping soil from external sources into **CRZ 1A, CRZ 1B area and CRZ IV** area of Netravathi River during execution of MSCL Netravathi Waterfront Promenade Development Project - Violations of the CRZ Clearance granted by KSCZMA— Urgent Action Required

We urgently bring to your attention the **gross violations of Coastal Regulation Zone (CRZ)** norms committed by Mangaluru Smart City Ltd. (MSCL) and the blatant disregard of the conditional NOC issued by the Karnataka State Coastal Zone Management Authority (KSCZMA). The violations involve the unauthorized dumping of soil from external sources into the **CRZ 1A, CRZ 1B, and CRZ IV** areas of the Netravathi River near the **Railway Bridge** during the execution of the Netravathi Waterfront Promenade Development Project.

Background of Violations:

1. Since November 2023, the NECF has repeatedly raised concerns with the Regional Director (Environment), Mangalore regarding the CRZ violations by MSCL.
2. In response, the **Regional Director (Environment)** issued a notice on **5th February 2024** to the Managing Director of MSCL, instructing them to rectify the violations and restore the site to its original condition.
3. On **7th February 2024**, the **Managing Director of MSCL (MD-MSCL)** acknowledged the violations in a formal letter and assured that immediate action would be taken by the contractor to clear the site.
4. On **21st May 2024**, the **Managing Director of MSCL** submitted "before and after" photographs, claiming that the process of clearing the site had begun.

However, it is deeply concerning to note that despite these claims by MD-MSCL, the CRZ violations at the stated site have **not been cleared even after a lapse of seven months**. Attached as **Annexure I is the latest site photograph**. This ongoing delay of site/river restoration suggests a **deliberate attempt by the Managing Director of MSCL to mislead** both the KSCZMA and the Office of the Regional Director (Environment), Mangalore, through evasive and diversionary tactics.

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Furthermore, the Regional Director (Environment) appears to be taking an overly lenient stance by limiting their response to just issuing notices, while the irreparable damage to the fragile estuarine ecosystem of the Netravathi River continues.

Our Prayers:

In light of these ongoing violations and the lack of corrective action, we demand the following:

1. **Immediately halt all ongoing works** related to the Netravathi Waterfront Promenade Project until the violations are fully rectified and the river is restored to its original, natural condition.
2. **Revoke the NOC granted by KSCZMA on 7th October 2022** for the Netravathi Waterfront Promenade Project to avoid unessential further damage to the river ecosystem. **(NOC for CRZ I, IV can be granted only by MoEFCC)**
3. **Conduct a comprehensive investigation** through an **independent committee** into the CRZ violations committed by MSCL.
4. **Initiate legal action** against the responsible officers of MSCL under the **Environmental Protection Act, 1986**, and the relevant provisions of the **Bharatiya Nyaya Sanhita (BNS)** for submitting false statements to Government, fraudulent intent, and causing permanent damage to the estuarine ecosystem.
5. **Direct the Office of the Regional Director (Environment), Mangalore** to promptly act on violations committed by MSCL and ensure **immediate corrective action** is taken without further delay.

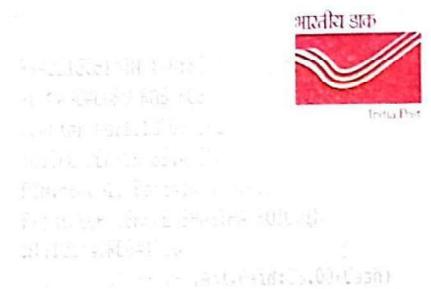
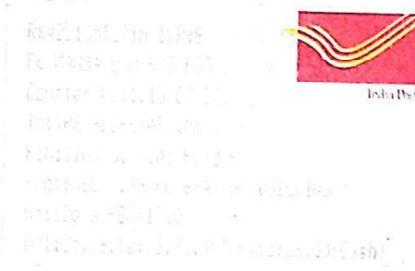
We request you to inform us of the actions taken on this matter within 07 days from the receipt of this letter, as the situation requires urgent intervention to protect the river and its ecosystem.

Thank You

Yours Sincerely
For N E C F


(Shashidhar Shetty)

Secretary
Mob:99803 41034



Annexure - 1



ಅನುಬಂಧ - 3

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

Aux-3



ಕಛೇರಿ: 0824-2450250

ಈ-ಮೇಲ್: information@karnataka.gov.in

ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವವಿಜ್ಞಾನ ಇಲಾಖೆ

ಪ್ರಾಚೀನ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಯುಡ್/ಸಿಆರ್‌.1/ಪಿ.ಎಲ್(669)/2024-25

ದಿನಾಂಕ : 10-12-2024

ಇವರಿಗೆ,

ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು
ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಬಾಗ್, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

- ವಿಷಯ: Complaint regarding ongoing CRZ violations by Mangalore Smart City Ltd (MSCL) near Pinto Tile Factory Morgans gate.
- ಉಲ್ಲೇಖ: 1. ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ : ಅಪಜೀ 17 ಸಿಆರ್‌ಯುಡ್ 2022(ಭಾಗ-1) ಬೆಂಗಳೂರು ದಿನಾಂಕ : 25-09-2024.
2. ಈ ಕಛೇರಿ ಪತ್ರ ಸಂಖ್ಯೆ ದಿನಾಂಕ : 16-10-2024, 20-11-2024, 21-11-2024, 26-11-2024.
3. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ದೂರು ಅರ್ಜಿ ದಿನಾಂಕ : 17-7-2024, 19-11-2024, ಮತ್ತು 22-11-2024.
4. ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ)ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ : NECF/Comp/WF/2024-25/96 ದಿನಾಂಕ : 09-12-2024.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಗ್ರಾಮದಲ್ಲಿ, ಮಂಗಳೂರು ಸ್ಮಾರ್ಟ್‌ಸಿಟಿ ಲಿಮಿಟೆಡ್ ರವರಿಂದ Waterfront Promenade Development ಯೋಜನೆಯ ಅನುಷ್ಠಾನ ಸಂಬಂಧ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ಷರತ್ತುಗಳು ಮತ್ತು ಸೂಕ್ತ ನಿರ್ದೇಶನಕ್ಕೆ ಒಳಪಟ್ಟು ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರವನ್ನು ನೀಡಲಾಗಿದೆ. ಮುಂದುವರಿದು, ಮಾನ್ಯ ರಾಷ್ಟ್ರೀಯ ಹಸಿರು ನ್ಯಾಯ ಮಂಡಳಿಯು (NGT) ಪ್ರಾಧಿಕಾರದಿಂದ ನೀಡಲಾಗಿರುವ ನಿರ್ದೇಶನಗಳು ಮತ್ತು ಷರತ್ತಿಗೊಳಪಟ್ಟು ಕಾಮಗಾರಿಗಳನ್ನು ನಡೆಸುವಂತೆ ತಿಳಿಸಿರುತ್ತದೆ.

ಸದರಿ ಯೋಜನೆಯನ್ನು ಅನುಷ್ಠಾನ ಮಾಡುವ ಸಮಯದಲ್ಲಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಉಲ್ಲಂಘನೆ ಮಾಡಿರುವುದಾಗಿ ವಿವರಗಳನ್ನು ಒಳಗೊಂಡಂತೆ ಉಲ್ಲೇಖ(3)ರಂತೆ ದೂರುಗಳು ಸರ್ಕಾರಕ್ಕೆ ಹಾಗೂ ಈ ಕಛೇರಿಗೆ ಬಂದಿದ್ದು, ಮಾನ್ಯ ಸರ್ಕಾರವು ಉಲ್ಲೇಖ(1)ರಂತೆ ದೂರು ಅರ್ಜಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ವರದಿಯನ್ನು ನೀಡುವಂತೆ ಈ ಕಛೇರಿಗೆ ನಿರ್ದೇಶನವನ್ನು ನೀಡಲಾಗಿರುತ್ತದೆ.

ಮಾನ್ಯ ಸರ್ಕಾರದ ನಿರ್ದೇಶನದಂತೆ ಮತ್ತು ದೂರು ಅರ್ಜಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಈ ಕಛೇರಿಯ ಅಧಿಕಾರಿಗಳು ಹಲವಾರು ಬಾರಿ ಯೋಜನಾ ಸ್ಥಳಕ್ಕೆ ಬೇಟೆ ನೀಡಿ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಉಲ್ಲಂಘನೆ ಕುರಿತಾಗಿ ಪರಿಶೀಲನೆ ನಡೆಸಿದ್ದು ಹಲವಾರು ಬಾರಿ ತಮಗೆ ಉಲ್ಲೇಖ(2)ರಲ್ಲಿ ನಮೂದಿಸಿರುವ ಪತ್ರಗಳ ಮುಖಾಂತರ, ದೂರು ಅರ್ಜಿಗಳನ್ನು ಕಳುಹಿಸಿ ದೂರಿನಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಉಲ್ಲಂಘನೆ ಆಗುವಂತಹ ಯಾವುದೇ ಕಾಮಗಾರಿಗಳನ್ನು ಮಾಡದಂತೆ ಹಾಗೂ ದೂರಿನಲ್ಲಿ ಆಪಾದನೆ ಮಾಡಿರುವ ವಿಷಯಗಳಿಗೆ ಸೂಕ್ತ ಒಳಿಯಲ್ಲಿ ಸಮಜಾಯಿಷಿಕೆಯನ್ನು ನೀಡಲು ಮತ್ತು ಉಲ್ಲಂಘನೆಯಾಗಿದ್ದಲ್ಲಿ ಅದನ್ನು ಸರಿಪಡಿಸಲು ಕೂಡ ತಿಳಿಸಲಾಗಿದ್ದರೂ ಸೂಕ್ತ ಸ್ಪಂದನೆ ನೀಡಿರುವುದಿಲ್ಲ.

ಸೂಚಿ ಹಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ

-2-

ಆದ ಕಾರಣ ಈ ಮೂಲಕ ತಮಗೆ ಸ್ಪಷ್ಟವಾಗಿ ತಿಳಿಸುವುದೇನೆಂದರೆ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರ ವತಿಯಿಂದ ಷರತ್ತುಗಳನ್ನು ಮತ್ತು ಮಾರ್ಗಸೂಚಿಗಳಿಗೆ ಒಳಪಟ್ಟು ನೀಡಿರುವ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರ ಮತ್ತು ಮಾನ್ಯ ಹಸಿರು ನ್ಯಾಯ ಪೀಠದ ಮಧ್ಯಂತರ ಆದೇಶದಲ್ಲಿ ನೀಡಿರುವ ನಿರ್ದೇಶನಕ್ಕೆ ಒಳಪಟ್ಟು ಕಾಮಗಾರಿಯನ್ನು ನಿರ್ವಹಿಸುವುದು ಮತ್ತು ಉಲ್ಲೇಖ(2)ರಲ್ಲಿ ಈಗಾಗಲೇ ತಿಳಿಸಿರುವಂತೆ ಸೂಕ್ತ ರೀತಿಯಲ್ಲಿ ಸಮಜಾಯಿಷಿಯನ್ನು(Explanation)ನೀಡಲು ತಿಳಿಸಿದೆ.

ಪ್ರಸ್ತುತ ಉಲ್ಲೇಖ(4)ರ ಪತ್ರದಲ್ಲಿ ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(0)ಇವರು ಮತ್ತೊಮ್ಮೆ ದೂರು ಅರ್ಜಿ ಸಲ್ಲಿಸಿ ಸದಿ ಸ್ಥಳದಲ್ಲಿ ಕಾಂಕ್ರೀಟ್‌ನಿಂದ ನಿರ್ಮಾಣ ಕಾಮಗಾರಿಯನ್ನು ಮಾಡುತ್ತಿರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ. ಸದಿ ಪತ್ರವನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸುತ್ತಾ, ಈ ಬಗ್ಗೆ ವಿವರಣೆಯನ್ನು ಕೋರಲಾಗಿದೆ. ಪತ್ರದಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಕಾಂಕ್ರೀಟ್‌ನಿಂದ ನಿರ್ಮಾಣ ಕಾಮಗಾರಿ ಮಾಡುತ್ತಿದ್ದಲ್ಲಿ ಇದನ್ನು ಕೂಡಲೇ ಸ್ಥಗಿತಗೊಳಿಸುವಂತೆ ತಿಳಿಸಿದೆ. ರಾಷ್ಟ್ರೀಯ ಹಸಿರು ನ್ಯಾಯ ಮಂಡಳಿಯ (NGT) ಆದೇಶದ ಷರತ್ತುಗಳನ್ನು ಪಾಲಿಸುವಂತೆ ಹಾಗೂ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನೀಡಲಾಗಿರುವ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳಿಗೊಳಪಟ್ಟು ನಿರ್ಮಾಣ ಕಾಮಗಾರಿಯನ್ನು ನಡೆಸುವಂತೆ ಯಾವುದೇ ರೀತಿಯಲ್ಲಿ ನಿಬಂಧನೆಗಳನ್ನು ಉಲ್ಲಂಘಿಸದಂತೆ ತಿಳಿಸಲಾಗಿದೆ. ಕಾಲಕಾಲಕ್ಕೆ ಮಾನ್ಯ ಘನ ಸರ್ಕಾರ ಹಾಗೂ ನ್ಯಾಯ ಮಂಡಳಿಗಳಿಂದ ನೀಡಿರುವ ನಿರ್ದೇಶನಕ್ಕೆ ಬದ್ಧರಾಗಿರುವಂತೆ ತಿಳಿಸಿದೆ.

ಆದ್ದರಿಂದ ಕರಾವಳಿ ನಿಯಂತ್ರಣ ವಲಯ ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ನಿರ್ಮಿಸುತ್ತಿರುವ ಎಲ್ಲಾ ಕಾಮಗಾರಿಗಳನ್ನು ಸ್ಥಗಿತಗೊಳಿಸಿ ಉಲ್ಲಂಘನಾ ಪ್ರಕರಣಗಳು ಅಗಿದ್ದಲ್ಲಿ ಅದನ್ನು ಸರಿಪಡಿಸಲು ಸೂಕ್ತಕ್ರಮ ತೆಗೆದುಕೊಂಡು, ಹಾಗೂ ಈ ಪತ್ರಕ್ಕೆ ಲಗತ್ತಿಸಿರುವ ದೂರು ಅರ್ಜಿಯಲ್ಲಿ ಮತ್ತು ಉಲ್ಲೇಖ(3)ರಂತೆ ಕಳುಹಿಸಿರುವ ಎಲ್ಲಾ ದೂರು ಅರ್ಜಿಯಲ್ಲಿ ಅಪಾದಿಸಿರುವ ವಿಷಯಗಳ ಕುರಿತು ತಮ್ಮ ಸಮಜಾಯಿಷಿಗಳನ್ನು ಒಳಗೊಂಡಂತೆ ವರದಿಯನ್ನು ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸುವಂತೆ ಈ ಮೂಲಕ ಮತ್ತೊಮ್ಮೆ ತಿಳಿಸಲಾಗಿದೆ. ತಪ್ಪಿದ್ದಲ್ಲಿ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಕಾಯ್ದೆ 1986ರ ಸೆಕ್ಷನ್‌19ರ ಪ್ರಕಾರ ಸೂಕ್ತ ಕಾನೂನು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ಸಲ್ಲಿಸಲಾಗುವುದು.

ಅಡಕ : 1

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಸಹಿ/-

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಕಛೇರಿ)

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವವಿಕಾಸ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ಪ್ರತಿಯನ್ನು ಗೌರವಗಳೊಂದಿಗೆ ಮಾನ್ಯ ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು (ಜೀವಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ), ಅರಣ್ಯ, ಜೀವಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆ, ಬೆಂಗಳೂರು ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.

ಪ್ರತಿಯನ್ನು ಗೌರವಗಳೊಂದಿಗೆ ಮಾನ್ಯ ಜಿಲ್ಲಾಧಿಕಾರಿಯವರು, ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲೆ, ಮಂಗಳೂರು, ಇವರಿಗೆ ಮಾಹಿತಿಗಾಗಿ ಸಲ್ಲಿಸಿದೆ.

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಕಛೇರಿ)

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವವಿಕಾಸ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ

ಡಿ. 12/04/2024 ರಂದು
ಲೇಖನಿಪಡಿಸಲಾಗಿದೆ.

Government of Karnataka

Forest, Environment and Ecology Department

Office of the Regional Director (Env), 3 floor, Mangaluru Urban Development Dept, Urwa store, Mangaluru-6

Sl. No. CRZ/ CR-1/GL(669)/2024-25

Date: 10-12-2024

To,
The Managing Director
Smart City Ltd
Lalbagh, Mangaluru

Subject: Complaint regarding ongoing CRZ violations by Mangalore Smart City Ltd (MSCL) near Pinto Tile Factory, Morgans Gate.

References:

1. Government letter ref No: Apagi 17 CRZ 2022(Vol-1)Bengaluru dated 25-09-2024,
2. Our letter dated: 16-10-2024, 20-11-2024, 21-11-2024, 26-11-2024.
3. National Environment Care Federation ® complaint dated: 17-07-2024, 19-11-2024, 22-11-2024.
4. National Environment Care Federation ® complaint bearing reference: NECF/Comp/WF/2024-25/96 dated: 09-12-2024.

In connection with the above, Mangaluru Smart City Limited has been granted a No Objection Certificate (NOC) for the Waterfront Promenade Development in Mangalore Thota Grama, Mangalore Taluk, subject to specific conditions set by the Karnataka State Coastal Zone Management Authority. Additionally, Hon'ble NGT has issued directions and has ordered the work to be done as per the laid down conditions.

During the implementation of the said project, complaints regarding Coastal Regulation Zone violations have been received as per Reference (3) by the Government and this office. As per the directives in Reference (1), this office has been instructed to conduct a spot inspection and submit a report pertaining to the complaint

As per the directives of the Hon'ble Government and in response to the complaint petitions, officers from this office have conducted multiple site visits to the project location. Through the letters cited in Reference (2), you were instructed to refrain from any activities that violate the CRZ norms, to thoroughly examine the allegations mentioned in the complaint, and to take necessary corrective measures in case of any violations. However, you have not provided an appropriate response to our office.

Therefore, it is hereby clearly conveyed that the work must be carried out in strict compliance with the conditions and guidelines outlined in the NOC issued by the Coastal Zone Management Authority, as well as the directives stated in the interim order of the Hon'ble Green Tribunal. Additionally, you are required to provide an appropriate explanation as previously indicated in Reference (2).

In the reference (4) letter, the National Environment Care Federation (R) has once again raised a complaint regarding the construction of concrete structures at the project site. Enclosing the said complaint letter with this communication, an explanation is sought in this regard. As stated in the complaint, if concrete structure construction is being carried out, it must be stopped immediately. It has been directed to strictly adhere to the conditions outlined in the order of the NGT and to ensure that all construction activities comply with the terms of the NOC issued by the KSCZMA. Under no circumstances should the regulations be violated. Furthermore, it has been emphasized that the directives issued from time to time by the Hon'ble Government and the NGT must be followed diligently.

Therefore, it is hereby reiterated that all construction activities violating the CRZ Notification must be stopped immediately. In case of any violations, appropriate corrective measures should be taken. A detailed report must be submitted to this office, addressing the allegations mentioned in the attached complaint petition and all complaint petitions referenced in (3). Failure to comply will necessitate the initiation of appropriate proceedings under Section 19 of the Environment Protection Act, 1986.

Signed by

Regional Director (Env)
Forest, Environment and Ecology Department
Mangaluru

Copy to: 1.Hon'ble Principal Secretary (Ecology & Environment), Forest, Environment and Ecology Department, Bengaluru for information

2. Hon'ble Deputy Commissioner, Dakshina Kannada Dist., Mangaluru for information

7

ಅವಲಂಬನೆ - 4

Annex - 4

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



ಕಛೇರಿ: 0824-2450250

ಈ-ಮೇಲ್: rfdenvironment@gmail.com

ಆರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ

ಪ್ರಾದೇಶಿಕ ನಿರ್ದೇಶಕರ(ಪರಿಸರ) ಕಛೇರಿ, 3ನೇ ಮಹಡಿ, ಮಂಗಳೂರು ನಗರಾಭಿವೃದ್ಧಿಸ್ತ್ರಾಧಿಕಾರ ಕಟ್ಟಡ, ಮಂಗಳೂರು - 6

ಕ್ರ. ಸಂ: ಸಿಆರ್‌ಝುಡ್/ ಸಿ.ಆರ್.ಇ/ಜಿ.ಎಲ್. 669/ 2024-25

ದಿನಾಂಕ : 16/12/2024

ಇವರಿಗೆ,

ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು
ಸ್ಪೋರ್ಟ್ಸ್ ಸಿಟಿ ಲಿಮಿಟೆಡ್
ಲಾಲ್‌ಬಾಗ್, ಮಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ : ಪಿಂಟೋ ಟೈಲ್ ಫ್ಯಾಕ್ಟರಿ ಮೋರ್ಗನ್‌ಗೇಟ್ ಹತ್ತಿರ ಕರವಳಿ ನಿಯಂತ್ರಣ ವಲಯ
ಅಧಿಸೂಚನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ಕಾಮಗಾರಿ ನಡೆಸಿರುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ : ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ) ಇವರ ಪತ್ರ ಸಂಖ್ಯೆ :
NECF/COMP/WF/2024-25 ದಿನಾಂಕ : 09-12-2024.

ಮೇಲಿನ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಮಂಗಳೂರು ತಾಲೂಕಿನ ಮಂಗಳೂರು ತೋಟ ಗ್ರಾಮದಲ್ಲಿ ಕೈಗೊಳ್ಳುತ್ತಿರುವ "Waterfront Promenade Development" ಯೋಜನೆಯ ಕುರಿತು ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ) ಇವರು ಮಾನ್ಯ ರಾಷ್ಟ್ರೀಯ ಹಸಿರು ಪೀಠ (NGT), ಚೆನ್ನೈ ಇಲ್ಲಿ ಕೂಡಿರುವ ದಾವೆ OA No.52 /2024 ರ ದಿನಾಂಕ: 11-12-2024ರ ಆದೇಶದ ಪ್ರತಿಯನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿದೆ. ಸದರಿ ಆದೇಶದಲ್ಲಿ ನ್ಯಾಯಾಲಯದ ಆದೇಶ ಉಲ್ಲಂಘಿಸಿ CRZ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಕಾಮಗಾರಿ ಕೈಗೊಂಡಿದ್ದಲ್ಲಿ ಅದಕ್ಕೆ ಯೋಜನಾಕರ್ತರೇ ಹೊಣೆಗಾರರಾಗುತ್ತಾರೆ ಎಂದು ತಿಳಿಸಲಾಗಿದೆ.

ಉಲ್ಲೇಖಿತ ದೂರು ಅರ್ಜಿಯಲ್ಲಿ ರಾಷ್ಟ್ರೀಯ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಒಕ್ಕೂಟ(ರಿ) ಇವರು ಸ್ಪೋರ್ಟ್‌ಸಿಟಿ ವತಿಯಿಂದ ಪಿಂಟೋ ಟೈಲ್ ಫ್ಯಾಕ್ಟರಿ ಮೋರ್ಗನ್ ಗೇಟ್ ಹತ್ತಿರ ಸಮುದ್ರದ ಕಡೆಗೆ ಮಣ್ಣು ತುಂಬಿಸಿ ಕಾಮಗಾರಿ ನಡೆಸುತ್ತಿರುವ ಬಗ್ಗೆ ಅರೋಪಿಸಿರುತ್ತಾರೆ (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ). ಅದರಂತೆ ಸದರಿ ಸ್ಥಳವನ್ನು ಪರಿಶೀಲಿಸಲಾಯಿತು. ಪರಿಶೀಲನ ಸಮಯದಲ್ಲಿ ನದಿ ದಡದಿಂದ 1ಮೀ. ದೂರದಲ್ಲಿ ಭೂಮಿಯ ಕಡೆಗೆ ಕಪ್ಪು ಕಲ್ಲು, ಕ್ರಶರ್ ಪೌಡರ್ ಮತ್ತು ಸಿಮೆಂಟ್‌ನ್ನು ತುಂಬಿಸಿ ಪ್ಯೂಮೋನಡ್ ತಡೆಗೋಡೆಯ ಅಡಿಪಾಯದ ಕಾಮಗಾರಿಯನ್ನು ಮಾಡುತ್ತಿರುವುದು ಕಂಡು ಬಂದಿರುತ್ತದೆ. ಇದು CRZ ವ್ಯಾಪ್ತಿಯಲ್ಲಿದ್ದು, ಮೇಲ್ನೋಟಕ್ಕೆ ಶಾಶ್ವತ ರಚನೆಯಂತೆ ಕಂಡುಬಂದಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಕರಾವಳಿ ವಲಯ ನಿರ್ವಹಣಾ ಪ್ರಾಧಿಕಾರದಿಂದ ನೀಡಿರುವ ನಿರಾಕ್ಷೇಪಣಾ ಪತ್ರದ ಷರತ್ತುಗಳ ಉಲ್ಲಂಘನೆಗಾಗಿ ಏಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಬಾರದು ಎಂಬ ಬಗ್ಗೆ ಸೂಕ್ತ ಸಮಜಾಯಿಸಿಯನ್ನು ಈ ಪತ್ರ ನಿಮಗೆ ತಲುಪಿದ 15 ದಿನಗಳೊಳಗೆ ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸುವುದು. ಒಂದು ವೇಳೆ ನಿಮ್ಮಿಂದ ಯಾವುದೇ ಉತ್ತರ ಬಾರದಿದ್ದಲ್ಲಿ ಪರಿಸರ ಸಂರಕ್ಷಣಾ ಕಾಯ್ದೆ 1986ರ ಸೆಕ್ಷನ್ 19ರ ಪ್ರಕಾರ ಮುಂದಿನ ಕಾನೂನು ಕ್ರಮಕ್ಕಾಗಿ ಶಿಫಾರಸ್ಸು ಮಾಡಲು ಸೂಕ್ತ ಕ್ರಮಕೈಗೊಳ್ಳಲಾಗುವುದು.

ಅಡಕ : 2

ತಮ್ಮ ವಿಶ್ವಾಸಿ.

ಪ್ರಾದೇಶಿಕ-ನಿರ್ದೇಶಕರ(ಕಛೇರಿ)
o/c ಆರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ
ಮಂಗಳೂರು.

ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯ್ದೆ 2005ರ ಮೇರೆಗೆ ನೀಡಲಾಗಿದೆ

TRANSLATED TRUE COPY

Government of Karnataka

Forest, Environment and Ecology Department

Office of the Regional Director (Env), 3 floor, Mangaluru Urban Development Dept, Urwa store, Mangaluru-6

Sl. No. CRZ/ CR-1/GL(669)/2024-25

Date: 16-12-2024

To,
The Managing Director
Smart City Ltd
Lalbagh, Mangaluru

Subject: Violation of CRZ Norms in Project Execution Near Pinto Tile Factory, Morgans Gate.

Reference: National Environment Care Federation ® complaint bearing reference: NECF/Comp/WF/2024-25 dated: 09-12-2024.

In connection with the above matter, the National Environment Care Federation has attached a copy of the order dated 11-12-2024 in Case OA No. 52/2024, filed by it before the Hon'ble National Green Tribunal Chennai, regarding the "Waterfront Promenade Development" project at Mangaluru Thota Village, Mangalore Taluk. The order states that if any work is carried out within the CRZ in violation of the court's directives, the project proponent will be held accountable for such violations.

In the said complaint, the National Environment Care Federation has alleged that MSCL is carrying out earth-filling activities towards the sea near Morgan Gate-Pinto Tile Factory (copy attached). Accordingly, an inspection was conducted at the site. During the inspection, it was observed that black stone, crusher powder, and cement were being used to lay the foundation of the promenade barrier within 1 meter from the riverbank towards the land. The structure is located within the CRZ area and appears to be a permanent construction. Therefore, you are hereby directed to submit an explanation to this office within 15 days of receiving this letter, justifying why a recommendation should not be made to the Karnataka State Coastal Zone Management Authority regarding the violation of the terms and conditions of the No Objection Certificate (NOC) issued. Failure to respond within the stipulated time will result in further recommendations for legal action under Section 19 of the Environment Protection Act, 1986.

Signed by

Regional Director (Env)
Forest, Environment and Ecology Department
Mangaluru

Attachment-2