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ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
Karnataka State Pollution Control Board

“ಪರಿಸರ ಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
“Parisara Bhavan”, 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

No. KSPCB/NGT-OA 41/2019/2020-21 /

Date: 23/3/21

To

The Registrar,
National Green Tribunal,
Principal Bench
Faridkot House, Copernicus Mark,
New Delhi – 110 001.

Respected Sir,

Sub: Furnishing action taken report of Kudlu Chikka Kere Lake at Sy. No. 70 of Kudlu Village, Sarjapura Hobli, Anekal Taluk, Bengaluru Urban District Karnataka State in respect of Original Application No. 41/2019.



As directed by the Hon'ble NGT, Principal Bench, New Delhi in OA No. 41/2019 the action taken report, in respect of Kudlu Chikka Kere Lake at Sy. No. 70 of Kudlu Village, Sarjapura Hobli, Anekal Taluk, Bengaluru Urban District, herewith attached for your kind perusal and with a request to place the same before the Hon'ble NGT, Principal Bench, New Delhi.

Yours faithfully,

Y Member Secretary,
KSPCB, Bangalore.

Action taken report on Kudlu Chikka Kere Lake at Sy. No. 70 of Kudlu Village, Sarjapura Hobli, Anekal Taluk, Bengaluru Urban District Karnataka State in compliance to the directions issued by Hon'ble NGT in Original application No. 41/2019 as on 23.3.2021.

Ref: NGT Order dated 03.02.2021 in respect of OA No. 41/2019.



In accordance with the directions issued by National Green Tribunal, Principal Bench, New Delhi Kudlu Chikka Kere Lake located at Sy. No. 70 of Kudlu Village, Sarjapura Hobli, Anekal Taluk, Bengaluru Urban District Karnataka State and presently it comes under ward No. 191 of BBMP limits. The extent of the Kudlu Lake is 13Acres and 05 Guntas as per the information furnished by the BBMP.

1. The Hon'ble NGT, Principal Bench, New Delhi had passed an order dated 03.02.2021 have Observed that:

- ***KSPCB report dt 25.01.2021 do not state anything about illegal construction and the action taken against 3 projects and other illegal construction (29 buildings etc).***

It is to be kindly submitted here that out of 29 illegal buildings only 3 buildings come under purview of KSPCB viz, a) Aban esence Apartment Owners Association, Sy No.60, Kudlu Village, V.G.P Layout, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District. b) M/s AXR Properties, Sy No.59/1 & 59/3, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District. c) M/s N.D.Developers, Sy No.87/1, 87/2 & 88/2, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District. For these units KSPCB is initiating criminal case as per the provision of Water (Prevention & Control Pollution Act) 1974, besides directing BBMP authorities to initiate action for these illegal buildings as per these provisions.

- ***Although NPDs were issued and personal hearings held with them on 4.6.2020, no further action taken thereafter.***

Board had called them for personal hearing and initiating action to file Criminal cases as per the provisions of Water (Prevention & Control Pollution Act) 1974.

- ***KSPCB stand that illegal construction on built up area less than 2000 sqm do not come under purview of KSPCB is not correct.***

As per Government of Karnataka Notification dated:19.01.2016 only the buildings having more than 20 flats or 2000 Sqmt built up area are covered under the consent mechanism. Only 3 units comes under the purview of KSPCB.

- ***KSPCB should have initiated Criminal Proceedings against them and recover damages from them, even if ECC may not apply.***

KSPCB has already issued closure directions under Sec 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974 and the power supply is disconnected to these units.

- ***KSPCB should have sent reminder letters to BBMP and place them with Report.***

KSPCB has sent letter to BBMP on 21.01.2021 to initiate action against these Illegal units and also sent reminder letter on 09.02.2021 to initiate action against defaulting units.

The action taken report as on 23.3.2021 is humbly submitted for placing it before the Hon'ble NGT, Principal Bench, New Delhi for necessary action.

Approached the Courts: 1) M/S ND Developers Pvt Ltd., has filed a Writ Petition bearing No 15664/2020 in the Honorable High court of Karnataka and obtained the Stay.

2) Similarly M/S Aban Essence Apartments Owners Association has appealed before the Karnataka Appellate Tribunal (Revenue Appeal No. 671 of 2020).

MEMBER SECRETARY

