



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/7/NGT-OA41/2019/2019-20/ 5077

Date: 10 FEB 2021

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, please find herewith attached the Action Taken Report (ATR) for your kind perusal. It is requested to place the same before the Hon'ble NGT, Principal Bench, New Delhi and oblige.

Regards,

Sincerely,

Sd/-

**Member Secretary,
KSPCB, Bengaluru.**

Copy to:

1. The RESO – Bengaluru South, for information & issue notices to BBMP for Non – compliance and to follow up for compliance of NGT order.
2. The RO – Sarjapura, for information and to follow up for compliance of NGT order.
3. The Joint Commissioner - BBMP, Bommanahalli zone, Bengaluru, for information & necessary action.
4. The Assistant Director - ADLR, Anekal Taluk, Bengaluru, for information & and to comply with NGT order.
5. The Assistant Commissioner – Kandhaya Bhavan, Bengaluru, for information & necessary action.
6. Thashildhar, Anekal Taluk, Bengaluru, for information & necessary action.
7. Legal Section for information and brought to the notice of concerned Advocate & Hon'NGT.


Member Secretary

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.

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



In accordance with the directions issued by Honorable National Green Tribunal, Principal Bench, New Delhi on the matter of OA No. 41/2019, the Action taken details are as under:

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. As per the previous Hon'ble NGT order dated 01.07.2020 the action taken report has already submitted by the Board to the Registrar, Hon'ble NGT vide No. 4723 dated: 25.01.2021.
2. Further , Hon'ble NGT, Principal Bench, New Delhi had passed an order dated 03.02.2021 and the observations and our response are humbly submitted as below:

No	Observations of the Honorable NGT	Response from KSPCB
1	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 humbly submitted that out of 29 illegal buildings only 3 buildings come under purview of KSPCB viz, i) Aban Esence Apartment Owners Association, Sy No.60, Kudlu Village, V.G.P Layout, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District. ii) M/s AXR Properties, Sy No.59/1 & 59/3, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District. iii) 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 has initiated to file a criminal case as per the provision of Water (Prevention & Control Pollution Act),1974, besides directing BBMP (Bruhat Bangalore Mahanagara Palike) authorities to initiate action on illegal buildings as per their provisions.

2	Although NPDs were issued and personal hearings held with them on 4.6.2020, no further action taken thereafter	It was directed to the Project Proponents on 19.2020 to 1) Furnish the documents to substantiate their claim of not encroaching the buffer zone from the BBMP. 2) To dismantle the STP constructed on the buffer zone and to construct a new STP before 1.12.2020. But the project Proponents have failed to comply with the directions.
3	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 Sq mt built up area are covered under the consent mechanism under the Water Act. Only 3 units comes under the purview of the Board out of the 29 buildings. A show Cause notice is issued in this regard to them
4	KSPCB should have initiated Criminal Proceedings against them and recover damages from them, even if ECC may not apply	The procedures are completed and the Regional Officer has been authorized and directed to file a Criminal Case on all the three apartments
5	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 10.02.2021 is humbly submitted for placing it before the Hon'ble NGT, Principal Bench, New Delhi for necessary action.


MEMBER SECRETARY
KARNATAKA STATE POLLUTON CONTROLL BOARD
*MD*