



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-LEA/2019-20 / 6238

Date: 28 FEB 2020

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

ರವಾನಿಸಲಾಗಿದೆ

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.

Regards,

Sincerely,

Sd/-
Member Secretary,
KSPCB, Bangalore.

Encl: NPD issued to the projects in the buffer zone, letter addressed to BBMP and lake water quality analysis report.

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.

o/c

- 11509
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: 11.12.2019 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 was inspected by the Regional Officer, Sarjapura on 17.12.2019 and 04.02.2020 and reported as follows;

1. Kudlu Chikkakere Lake is located in the Kudlu village (Sy. No.70) limits of Sarjapura Hobli , Anekal Taluk 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.
2. The lake is filled with water and the lake was developed and maintained by BBMP Lake division. It was observed that there is a decrease in the water level collected in the lake as observed during the previous inspection on 17.12.2020.
3. The BBMP authorities have stopped the entry of sewage into the lake by blocking the sewage channels/ storm water drains joining the lake and at present there is no entry of sewage into the lake.
4. The BBMP authorities have diverted the sewage from the lake to newly constructed Sewage Treatment Plant of capacity 500 KLD which located adjacent to North West corner of the lake to treat the sewage and it is under commission stage.
5. At present there is no dumping of garbage into the lake. BBMP has provided wire mesh barricade to the periphery of the lake and constructed walking path along the periphery of the lake.

6. Samples of the lake water was collected on Eastern, Western, Northern and Southern side of the lake and handed over to Central Laboratory for the analysis and the analysis report is awaiting.
7. The garbage which has been dumped earlier in the lake was completely removed.
8. The BBMP has furnished the list of projects and houses constructed in the buffer zone of the Kudlu Chikkakere lake. There are 29 Buildings/Vacant sites falls in the Buffer zone of the lake as per BBMP list submitted. Out of which only 3 projects comes under the purview of the Board (Consent mechanism), as the built up area of the apartment are more than 20 flats or 2,000 sqmtrs builtup area and remaining are individual houses.
9. The name & address of the three projects as per the BBMP list comes in the buffer zone was identified and the details are as below:-
 1. Aban esence Apartment Owners Association, Sy No.60, Kudlu Village, V.G.P Layout, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District.
 2. M/s AXR Properties, Sy No.59/1 & 59/3, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District.
 3. M/s N.D.Developers, Sy No.87/1, 87/2 & 88/2, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District.
10. All the above mentioned three projects were inspected and the detailed inspection reports were forwarded to RSEO, Bengaluru South with a recommendation to issue Notice of Proposed Directions. Accordingly, the RSEO, Bengaluru South issued Notice of Proposed Directions to M/s Aban Essence and M/s AXR Properties, since they are operating without valid consent of the Board. Replies are awaited from the said project further action will be initiated after the receipt of the replies M/s N.D. Developers is still under construction and hence, the notice was being issued for the violations of the provisions of the Water (Prevention & control of pollution) Act, 1974.
11. The remaining buildings located in the Buffer zone does not comes under the purview of the Board, since the built up area is less than 2,000 Sqmtrs. BBMP has to initiate action from their end.

12. However, a letter was addressed to Joint Commissioner BBMP Bommanahalli Zone, to take action on the illegal construction as per the law in the buffer zone of the Kudlu Chikkakere lake.

The regional officer has taken action in complying with the NGT Orders. Notice of Proposed Direction has been issued to two projects located in the buffer zone and also a notice had been addressed to the Joint Commissioner, BBMP- Bommanahalli Zone to action on the illegal construction as per the law in the buffer zone of Kudlu Chikkakere lake.

Kudlu Chikkakere lake water samples has been collected and analyzed. As per the previous analysis report collected in the year 2016, the lake water is conformed to Class D (Class D – Propagation of Wild life & Fisheries,). The analysis report of the sample collected during inspection is awaited. The previous analysis report is herewith enclosed for kind reference.

The action taken report as on 28.02.2020 is submitted for placing it before the Hon'ble NGT, Principal Bench, New Delhi for necessary action.


✓ MEMBER SECRETARY

KARNATAKA STATE POLLUTON CONTROLL BOARD

Regional Office : Sarjapura
Karnataka State Pollution Control Board

"Nisarga Bhavana", 3rd Floor, Thimmaiah Road,
7th 'D' Main Road Shivanagar, Bangalore - 560 010
Telephone : 080-23230153
Email : sarjapura@kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ಸರ್ಜಾಪುರ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ, ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ,
7ನೇ 'ಡಿ' ಮುಖ್ಯ ರಸ್ತೆ, ಶಿವನಗರ,
ಬೆಂಗಳೂರು - 560 010. ದೂ. : 080-23230153
ಇ-ಮೇಲ್.: sarjapura@kspcb.gov.in

ಕರ್ನಾಟಕ ರಾಜ್ಯ
ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ



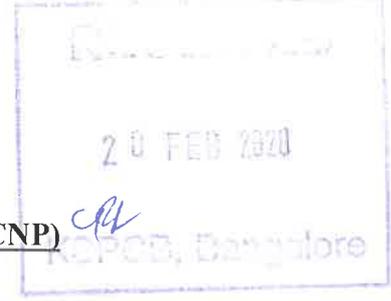
No. KSPCB/RO-SJR/ 2019-20/ 924

towards a cleaner Karnataka
DATE: 18 FEB 2020

To,

The Member Secretary,
KSPCB, Parisara Bhavan ,
No. 49, Church Street,
Bangalore-560001.

Kind attention: SEO- (CNP)



Sir,

Sub: Forwarding the inspection report of Kudlu Chikkakere Lake. Kudlu,
Sarjapura Hobli, Anekal Tq, Bengaluru Urban District –reg

- Ref : 1. Hon'ble National Green Tribunal, Principle Bench, New Delhi pertaining to OA
No.41/2019.
2. Inspection of the Kudlu Chikkakere Lake by the undersigned on 04.02.2020.

With reference to the above, Kudlu Chikkakere Lake was inspected by the undersigned on 04.02.2020 to ascertain the latest status of the lake as per the order issued by the Hon'ble National Green Tribunal, Principle Bench, New Delhi pertaining in respect of OA No.41/2019. It is recommended to give suitable directions from the Head office to the Commissioner, BBMP to take action against the illegal constructions established with in the buffer zone of Kudlu Chikkakere lake as per the law and to take immediate action to operate the 500 KLD STP constructed adjacent the lake to prevent water pollution of the water bodies located downstream of the Kudlu Chikka kere Lake. It is also requested to call BBMP and M/s Aban Essence and M/s AXR Properties authorities for personal hearing for taking further action as the report is to be filed before 28.02.2020 to the Hon'ble NGT. The detailed inspection report of the said inspection is herewith enclosed for your kind perusal and further need full action.

End: As above

Yours faithfully

[Signature]
Environmental Officer
RO-Sarjapura

NPT Kudlu Lake

*Received on
28/02/2020*

No. KSPCB/RO/SJR/IR/2019-20/ 924.

Date : 18 FEB 2020

Inspection report of Sri Vasudeva S.K, Regional officer, Sarjapura

Officers accompanied: Sri G.S.Manjunatha, Deputy Environmental Officer

1.	Name and Address of the lake inspected	Kudlu Chikkakere Lake. Kudlu, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District
2.	Date of inspection	04.02.2020

Ref: Hon'ble NGT Order in respect of OA No.41/2019 dated 11.12.2019

Kudlu Chikkakere Lake, Sy No. 70 of Kudlu village, Sarjapura Hobli, Anekal Taluk, Bangalore Urban District was inspected on 04.02.2020 to verify the latest status as per the order passed by the Hon'ble National Green Tribunal, Principle Bench, New Delhi pertaining in respect of OA No.41/2019 regarding dumping of garbage, discharge of sewage into the lake and illegal constructions in the buffer zone of the Kudlu Chikkere lake in the Bengaluru South, Karnataka. The following are the observations made at the time of inspection -

1. Kudlu Chikkakere Lake is located in the Kudlu village (Sy. No.70) limits of Sarjapura Hobli , Anekal Taluk 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.
2. The lake is filled with water and the lake was developed and maintained by BBMP Lake division. It was observed that there is a decrease in the water level collected in the lake as observed during the previous inspection on 17.12.2020.
3. The BBMP authorities have stopped the entry of sewage into the lake by blocking the sewage channels/ storm water drains joining the lake and at present there is no entry of sewage into the lake.
4. The BBMP authorities have diverted the sewage from the lake to newly constructed Sewage Treatment Plant of capacity 500 KLD which located adjacent to North West corner of the lake to treat the sewage and it is under commission stage.
5. At present there is no dumping of garbage into the lake. BBMP has provided wire mesh barricade to the periphery of the lake and constructed walking path along the periphery of the lake.
6. Samples of the lake water was collected on Eastern, Western, Northern and Southern side of the lake and handed over to Central Laboratory for the analysis and the analysis report is awaiting.
7. The garbage which has been dumped earlier in the lake was completely removed.

8. The BBMP has furnished the list of projects and houses constructed in the buffer zone of the Kudlu Chikkakere lake. There are 29 Buildings/Vacant sites falls in the Buffer zone of the lake as per BBMP list submitted. Out of which only 3 projects comes under the purview of the Board (Consent mechanism), as the built up area of the apartment are more than 20 flats or 2,000 sqmtrs builtup area and remaining are individual houses.

9. The name & address of the three projects as per the BBMP list comes in the buffer zone was identified and the details are as below:-

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.

10. All the above mentioned three projects were inspected and the detailed inspection reports were forwarded to RSEO, Bengaluru South with a recommendation to issue Notice of Proposed Directions. Accordingly, the RSEO, Bengaluru South issued Notice of Proposed Directions to M/s Aban Essence and M/s AXR Properties, since they are operating without valid consent of the Board. Replies are awaited from the said project further action will be initiated after the receipt of the replies M/s N.D. Developers is still under construction and hence, the notice was issued for the violations of the provisions of the Water (Prevention & control of pollution) Act, 1974. Replies are awaited from the concerned.

11. The remaining buildings located in the Buffer zone does not comes under the purview of the Board, since the built up area is less than 2,000 Sqmtrs. BBMP has to initiate action from their end.

Again, the matter has been listed for further consideration on 12-03-2020 and the report has to be failed to the Hon'ble NGT before 28-02-2020. This office has already taken action against the 3 No's of projects comes in the buffer zone of the Kudlu Chikkakere lake as per the BBMP list by issuing Notice and Notice of Proposed Directions with respect to pollution point of view. Personal hearing is yet to be conducted for the M/s Aban Essence and M/s AXR Properties.

1. Earlier the lake was monitored by Regional Office, Bommanahlli up to May 2019.As per the earlier analysis report the lake water is confirmed to class 'D' and 'E'.
2. The BBMP has to take action against the illegal structural constructions constructed in the buffer area of the lake as per the survey done by BBMP and Tahasildar, Anekal. The compliance report submitted by the district administration in respect of directions issued by the Hon'ble NGT on 02.07.2019 is enclosed for kind reference. Further action has to be taken by the BBMP as per the order issued on 11.12.2019.

3. However, a letter was addressed to joint commissioner BBMP Bommanahalli Zone, to take action on the illegal construction as per the law in the buffer zone of the Kudlu Chikkakere lake (copy enclosed for kind reference).

RECOMMENDATIONS: This office has already taken action to comply the Hon'ble NGT Order dated 11.12.2019. Hence It is recommended to give suitable directions from the Head office to the Commissioner, BBMP to take action against the illegal constructions taken in the buffer area of Kudlu Chikkakee lake as per the law in the buffer zone of the lake and to take immediate action to operate the 500 KLD STP to prevent water pollution of the water bodies located downstream of the Kudlu Chikka kere Lake and also requested to call BBMP and the above mentioned project authorities for personal hearing immediately to take further action in the matter.


REGIONAL OFFICER
SARJAPURA

**Regional Office : Sarjapura
Karnataka State Pollution Control Board**

"Nisarga Bhavana", 3rd Floor, Thimmaiah Road,
'D' Main Road Shivanagar, Bangalore - 560 010
Telephone : 080-23230153
Email : sarjapura@kspcb.gov.in

ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ : ಸರ್ಜಾಪುರ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
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7ನೇ 'ಡಿ' ಮುಖ್ಯ ರಸ್ತೆ, ಶಿವನಗರ,
ಬೆಂಗಳೂರು - 560 010. ದೂ. : 080-23230153
ಇ-ಮೇಲ್: sarjapura@kspcb.gov.in



towards a cleaner Karnataka

No. KSPCB/RO-SJR/ 2019-20/ 844

DATE: 21 JAN 2020

To,

The Member Secretary,
KSPCB, Parisara Bhavan ,
No. 49, Church Street,
Bangalore-560001.

Kind attention: SEO- (CNP)

Sir,

Sub: Forwarding the inspection report of **Kudlu Chikkakere Lake. Kudlu,**
Sarjapura Hobli, Anekal Tq, Bengaluru Urban District -reg

Ref : 1. Hon'ble National Green Tribunal, Principle Bench, New Delhi pertaining to OA
No.41/2019.

2. Inspection of the Kudlu Chikkakere Lake on 17.12.2019.

With reference to the above, please find herewith enclosed the inspection report of Kudlu
Chikkakere Lake for your kind perusal and further need full.

Yours faithfully

(Signature)
Environmental Officer
RO-Sarjapura

*closed!
NPD copies*

*NPT - Kudlu Lake
for*



*Received on
28/2/2020
muu*

No. KSPCB/RO/SJR/IR/2019-20/ 844.

Date : 21 JAN 2020

Inspection report of Sri Vasudeva S.K, Regional officer, Sarjapura

Officers accompanied: Sri T.M.Siddeshwara Babu, Deputy Environmental Officer

1.	Name and Address of the lake inspected	Kudlu Chikkakere Lake. Kudlu, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District
2.	Date of inspection	17-12-2019

Kudlu Chikkakere Lake, Sy No. 70 of Kudlu village, Sarjapura Hobli, Anekal Taluk, Bangalore Urban District was inspected on 17.12.2019 to verify the latest status as per the order passed by the Hon'ble National Green Tribunal, Principle Bench, New Delhi pertaining to OA No.41/2019 regarding illegal constructions in the buffer zone of the Kudlu Chikkere lake in the Bengaluru South, Karnataka. The following are the observations made at the time of inspection -

1. Kudlu Chikkakere Lake is located in the Kudlu village (Sy. No.70) limits of Sarjapura Hobli , Anekal Taluk and presently it comes under ward No. 191 of BBMP limits. The extent of the kudlu lake is 13Acres and 05 guntas.
2. The lake is filled with water and the lake was developed and maintained by BBMP Lake division.
3. The BBMP authorities have stopped the entry of sewage into the lake. The sewage joining to the earlier was diverted to the Storm water drain and now, there is no entry of sewage into the lake.
4. The BBMP authorities have constructed the Sewage Treatment Plant to treat the sewage in the north east corner of the lake and it is under commission stage.
5. A sample of the lake water was collected and handed over to Central Laboratory for the analysis and the analysis report is awaiting.
6. The garbage which has been dumped earlier in the lake was completely removed.
7. The BBMP has furnished the list of projects and houses constructed in the buffer zone of the Kudlu Chikkakere lake. There are 29 Buildings/Vacant sites falls in the Buffer zone of the lake as per BBMP list submitted. Out of which only 3 projects comes under the purview of the Board (Consent mechanism), as the built up area of the apartment are more than 20 flats or 2,000 sqmtrs builtup area and remaining are individual houses.
8. The name & address of the three projects as per the BBMP list comes in the buffer zone was identified and the details are as below:-

- a. Aban essence 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.
9. All the above mentioned three projects were inspected and the detailed inspection reports were forwarded to RSEO, Bengaluru South with a recommendation to issue Notice of Proposed Directions. Accordingly, the RSEO, Bengaluru South issued Notice of Proposed Directions to M/s Aban Essence and M/s AXR Properties, since they are operating without valid consent of the Board. Replies are awaited from the said project further action will be initiated after the receipt of the replies M/s N.D.Developers is still under construction and hence, the notice was issued for the violations of the provisions of the Water (Prevention & control of pollution) Act, 1974.
10. The remaining buildings located in the Buffer zone does not comes under the purview of the Board, since the built up area is less than 2,000 Sqmtrs. BBMP has to initiate action as per their law.

Again, the matter has been listed for further consideration on 12-03-2020 and the report has to be failed to the Hon'ble NGT before 28-02-2020.

1. The action has been taken against the 3 No's of projects comes in the buffer zone of the Kudlu Chikkakere lake as per the BBMP list by issuing Notice and Notice of Proposed Directions with respect to pollution point of view.
2. As per the earlier analysis report the lake water report confirm to class 'D' and 'E'.
3. The BBMP has to take action against the illegal structural constructions constructed in the buffer area of the lake as per the survey done by BBMP and Tahasildar, Anekal. However, a letter was addressed to joint commissioner BBMP Bommanahalli Zone, to take action on the illegal construction in the buffer zone of the Kudlu Chikkakere lake.

RECOMMENDATIONS:

It is recommended to give suitable directions to the BBMP to take action against the illegal constructions of the buffer zone of the lake and to call BBMP and the above mentioned project authorities for personal hearing immediately to take further action on the matter.


REGIONAL OFFICER
SARJAPURA

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Officer of the Senior Environmental Officer
Karnataka State Pollution Control Board
Bangalore - South
"NISARGA BHAVAN", 3rd Floor,
Thimmaiah Road, 7th 'D' Cross,
Shivanagar, Bangalore - 560 010.
Phone : 23228862

ಹಿರಿಯ ಪರಿಸರ ಅಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು ದಕ್ಷಿಣ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ,
ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ, 7ನೇ 'ಡಿ' ಮುಖ್ಯ ರಸ್ತೆ,
ಕವನಗರ, ಬೆಂಗಳೂರು-560 010.
ಫೋನ್ : 23228862



towards a cleaner Karnataka

268

//BY REGD POST WITH ACK.DUE//

NO: PCB/ZSEO/Bng.South/ NPD- WATER ACT/2019-20/589

Date: 7 DEC 2019

NOTICE OF PROPOSED DIRECTION UNDER SECTION 33(A) OF WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 READ WITH RULE 34 OF KARNATAKA STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION OF BUSSINESS)AND THE WATER (PREVENTION & CONTROL OF POLLUTION) RULES, 1976 TO M/S ABAN ESENCE DEVELOPMENT, SY NO. 60, KUDLU VILLAGE, V.G.P LAYOUT, SARJAPURA HOBLI, ANEKAL TALUK, BENGALURU URBAN DISTRICT

Sub:- Non-compliance with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 by M/s Aban Essence Development, Sy No.60, Kudlu Village, V.G.P. Layout, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District - reg

- Ref:**
1. Inspection report of Regional officer Sarjapura along with Deputy Environmental Officer on 17-12-2019
 2. R.O Sarjapura Letter No.762. Dated:24.12.2019.
 3. CPCB office Order No. FNo.B-400(S)/IPC/2019-20/1162 Dated 04-09-2019

PREAMBLE:

Sri Moin Khan has constructed Residential Apartment in the name of M/s Aban essence Development at Sy No.60, Kudlu Village, V.G.P Layout, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District. The developer has constructed Residential apartment with 64 Flats (Stilt+G+3 Upper Floors) in the year 2010-2011. The developer has not obtained Consent for Establishment (CFE) and Consent for Operation from the Board.

The residential apartment was inspected on 17-12-2019 in accordance with the order issued in respect of OA No.41/2019 issued by Hon'ble National Green Tribunal, Principal Bench, New Delhi regarding illegal construction taken place in the buffer area of Kudlu Chikka kere Lake. The BBMP has furnished the list of projects coming in the buffer area of Kudlu Chikkakere Lake. As per the survey report and details furnished by BBMP the above mentioned Apartment also comes in the buffer area of the Kudlu Chikka kere Lake. The following are the observations made during inspection:-

1. The project authorities have completed the construction of the apartment with 64 No.of flats and all the flats are occupied with individual flat owners. The authorities have constructed stilt + Ground Floor+ 3 upper floors + Terrace floor.
2. The residential apartment was constructed at Sy No.60 of Kudlu village, Sarjapura Hobli without obtaining Consent for Establishment and Consent for operation under Water (Prevention and Control of Pollution) Act, 1974 and discharging sewage without Consent for operation.
3. The Sewage Treatment Plant has been constructed below ground level in the buffer zone of the Kudlu Chikkakere lake.

DEO-1
Vd
31/12/2019
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು ದಕ್ಷಿಣ
31.12.19

4. Not provided flow meters to inlet and outlet of STP and not maintained log book for operation and maintenance of Sewage Treatment Plant
5. Not provided flow diagram of the STP units at the STP premises.
6. Not installed the Organic Waste Converter for treatment of Biodegradable waste generated from the apartment and the mixed solid waste generated is handed over to outside vendors without any segregation.
7. The apartment and STP has been constructed in the buffer area (30 mtrs from the boundary of the Lake) of Kudlu Chikkakere lake as per the report submitted by the BBMP.

During inspection Sri Pratabhan , President Aban essence apartment owners association informed that they have obtained plan sanction and occupancy certificate from BBMP. They were informed to submit the same to the Board.

It is clear that, the authorities have established the residential apartment without obtaining CFE of the Board and operating and discharging the sewage without valid consent of the Board under Water Act, 1974. The Regional officer Sarjapur has recommended to issue notice of proposed direction (NPD) to your aptment for the above said non-compliances vide ref (2). The apartment has been constructed in the buffer area of the Kudlu Chikkakere as per the survey report submitted by the Tahasildar, Anekal and BBMP. Therefore, the Board proposes to initiate action under Section 33(A) of Water (Prevention & Control of Pollution) Act, 1974, read with Rule 34 of Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention & Control of Pollution) Rules, 1976, as under.

PROPOSED DIRECTIONS:-

In exercise of the powers conferred under Section 33(A) of Water (Prevention & Control of Pollution) Act, 1974, read with Rule 34 of Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention & Control of Pollution) Rules, 1976, the Designated Officer namely Senior Environmental Officer, Bangalore South Karnataka State Pollution Control Board, intends to give the following proposed directions.

1. The President of M/s Aban Essence Apartment Owners Association, Sy No.60, Kudlu Village, V.G.P Layout, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District to close the operation or process forthwith and until further orders and also why Board shall not levy Environmental Compensation on the apartment for the environment damage.
2. District Commissioner, Bengaluru Urban District, Bengaluru to seize the said apartment forthwith and until further orders.
3. The Managing Director, BESCO, K.R. Circle, Bengaluru - 560 001 to issue necessary directions to the concerned Executive Engineer & Assistant Executive Engineer of BESCO, Division & Sub Division, Chandapura, Anekal Taluk, Bengaluru, to stop/Cut-Off power supply to the said apartment forthwith and until further orders.

Therefore you are hereby called upon to Show-cause within 15 days from the date of issue of this Proposed Directions to file your objections, if any, to the Designated Officer, Senior Environmental Officer, Bangalore South, Karnataka State Pollution Control Board "Nisarga Bhavana" 3rd Floor, Thimmaiah Road, 7th 'D' Cross, Shivanagar, Opp. Pushpanjali Theater,

Bangalore-10. If no objections are received within 15 days, the Board will take necessary action in accordance with the proposed directions.

**FOR AND ON BEHALF OF THE
KARNATAKA STATE POLLUTION CONTROL BOARD**

Sd/-

**ZONAL SENIOR ENVIRONMENTAL OFFICER,
BANGALORE SOUTH**

To,

**The President,
M/s Aban Essence Apartment Owners Association,
Sy No.60, Kudlu Village, V.G.P Layout,
Sarjapura Hobli, Anekal Tq,
Bengaluru Urban District**

**Copy Submitted to: Member Secretary, KSPCB, Church Street, Bengaluru for kind
information.**

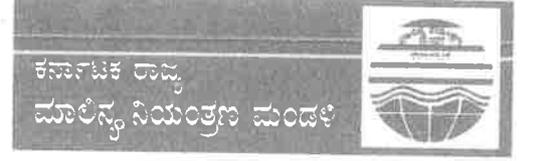
Copy to:

- ✓ 1. The Environmental Officer, Sarjapura, KSPCB, "Nisarga Bhavan", Bengaluru.
2. Master file.
3. Case file.


**ZONAL SENIOR ENVIRONMENTAL OFFICER,
BANGALORE SOUTH**

Officer of the Senior Environmental Officer
Karnataka State Pollution Control Board
Bangalore - South
"NISARGA BHAVAN", 3rd Floor,
Thimmaiah Road, 7th 'D' Cross,
Shivanagar, Bangalore - 560 010.
Phone : 23228862

ಹಿರಿಯ ಪರಿಸರ ಅಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ
ಬೆಂಗಳೂರು ದಕ್ಷಿಣ
"ನಿಸರ್ಗ ಭವನ", 3ನೇ ಮಹಡಿ,
ತಿಮ್ಮಯ್ಯ ರಸ್ತೆ, 7ನೇ 'ಡಿ' ಮುಖ್ಯ ರಸ್ತೆ,
ಶಿವನಗರ, ಬೆಂಗಳೂರು-560 010.
ಫೋನ್ : 23228862



towards a cleaner Karnataka

267 //BY REGD POST WITH ACK.DUE//
NO:PCB/ZSEO/Bng.South/NPD- WATER ACT/2019-20/588

Date 7 DEC 2019

NOTICE OF PROPOSED DIRECTION UNDER SECTION 33(A) OF WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 READ WITH RULE 34 OF KARNATAKA STATE BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION (PROCEDURE FOR TRANSACTION OF BUSSINESS)AND THE WATER (PREVENTION & CONTROL OF POLLUTION) RULES, 1976 TO M/S AXR PROPERTIES PVT LTD, SY NO. 59/1 & 59/3, KUDLU VILLAGE, SARJAPURA HOBOLI, ANEKAL TALUK, BENGALURU URBAN DISTRICT

Sub:- Non-compliance with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 by M/s AXR Properties Pvt Ltd, Sy No.59/1 & 59/3, Kudlu Village, Parappana Agrahara Main Road, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District - reg

- Ref: 1. Board CFE order No.PCB/160/CNP/10/H1419 Dated 06-12-2010.
2. Inspection report of Regional officer Sarjapura along with Deputy Environmental Officer on 17-12-2019
3. R.O Sarjapura-Letter No.762. Dated:24.12.2019.
4. CPCB office Order No. FNo.B-400(S)/IPC/2019-20/1162 Dated 04-09-2019

PREAMBLE:

M/s AXR Properties Pvt Ltd, Sy No.59/1 & 59/3, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District have applied and obtained CFE of the Board for the construction of Residential Villas 39 No's (Row Hoses) and Club House having total built up area 10,112.89 Sq mtrs @ Sy No.59/1 & 59/3, Kudlu village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District vide Board CFE order No. PCB/160/CNP/10/H 1419 Dated 06.12.2010.

Further, the Residential Villas was inspected by the Regional Officer, Sarjapura along with Deputy Environmental Officer on 17-12-2019 in accordance with the order issued in respect of QA No.41/2019 issued by Hon'ble National Green Tribunal, Principal Bench, New Delhi regarding illegal construction taken place in the buffer area of Kudlu Chikkakere Lake. The BBMP has furnished the list of projects coming in the buffer area of Kudlu Chikkakere Lake. As per the survey report and details furnished by BBMP the above mentioned Apartment also comes in the buffer area. The following are the observations made during inspection:-

1. The project authorities have completed the construction of the Residential Row Houses 38 No.of Villas, Club House and Swimming Pool.
2. The P/A's have not provided Sewage Treatment Plant (STP) for the treatment of domestic sewage generated.

DEO/
Vg
31/12/2019

3. The project authorities have not installed the Organic Waste Converter for treatment of Biodegradable waste generated from the Villas/Row houses.
4. The project authorities have not obtained Consent for operation of the Board for discharge of sewage prior to the occupancy as required and operating without valid consent of the Board under Water (Prevention and Control of Pollution) Act, 1974.
5. The developer has constructed the apartment in the buffer zone of the Kudlu Chikkakere lake. The developer has constructed the compound wall all along the boundary of the lake which is adjacent to Kudlu Chikkakere.
6. The validity of the CFE has expired on 05.12.2013 itself. The developer has not extended the CFE validity nor applied for consent for operation of the Board.

It is clear that, the authorities have not applied for consent under Water Act, 1974 and discharging the sewage without valid consent of the Board. The Villas/Row houses have been constructed in the buffer area of the Kudlu Chikkakere as per the survey report submitted by the Tahasildar, Anekal and BBMP. The Row Houses are operating and discharging the sewage without valid consent of the Board and thereby violating the provisions of Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974. Therefore, the Board proposes to initiate action under Section 33(A) of Water (Prevention & Control of Pollution) Act, 1974, read with Rule 34 of Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention & Control of Pollution) Rules, 1976, as under.

PROPOSED DIRECTIONS:-

In exercise of the powers conferred under Section 33(A) of Water (Prevention & Control of Pollution) Act, 1974, The Regional office Sarjapur has recommended to issue notice of proposed direction (NPD) to your industry for the above said non-compliances vide ref (3). Therefore, the Board proposes to initiate action under Section 33(A) of Water (Prevention & Control of Pollution) Act, 1974, read with Rule 34 of Karnataka State Board for the Prevention and Control of Water Pollution (Procedure for Transaction of Business) and the Water (Prevention & Control of Pollution) Rules, 1976, the Designated Officer namely Senior Environmental Officer, Bangalore South Karnataka State Pollution Control Board, intends to give the following proposed directions.

1. The Executive Director of M/s AXR Properties Pvt Ltd, Sy No.59/1 & 59/3, Kudlu Village, Sarjapura Hobli, Anekal Tq, Bengaluru Urban District to close the operation or process forthwith and until further orders and also why Board shall not levy Environmental Compensation on your project for the environment damage.
2. District Commissioner, Bengaluru Urban District, Bengaluru to seize the said Row Houses/Villas forthwith and until further orders.
3. The Managing Director, BESCO, K.R. Circle, Bengaluru - 560 001 to issue necessary directions to the concerned Executive Engineer & Assistant Executive Engineer of BESCO, Division & Sub Division, Chandapura, Anekal Taluk, Bengaluru, to stop/Cut-Off power supply to the said Row Houses forthwith and until further orders.

Therefore you are hereby called upon to Show-cause within 15 days from the date of issue of this Proposed Directions to file your objections, if any, to the Designated Officer, Senior Environmental Officer, Bangalore South, Karnataka State Pollution Control Board "Nisrga Bhavana" 3rd Floor, Thimmaiah Road, 7th 'D' Cross, Shivanagar, Opp. Pushpanjali Theater, Bangalore-10. If no objections are received within 15 days, the Board will take necessary action in accordance with the proposed directions.

FOR AND ON BEHALF OF THE
KARNATAKA STATE POLLUTION CONTROL BOARD
Sd/-
ZONAL SENIOR ENVIRONMENTAL OFFICER,
BANGALORE SOUTH

To,
The Executive Director,
M/s AXR Properties Pvt Ltd,
Sy No.59/1 & 59/3, Kudlu Village,
Sarjapura Hobli, Anekal Tq,
Bengaluru Urban District

Copy Submitted to: Member Secretary, KSPCB, Church Street, Bengaluru for kind information.

Copy to:

- ✓ 1. The Environmental Officer, Sarjapura, KSPCB, "Nisarga Bhavan", Bengaluru.
2. Master file.
3. Case file.


ZONAL SENIOR ENVIRONMENTAL OFFICER,
BANGALORE SOUTH



NO. KSPCB/RO-SJR/2019-20/ 1923

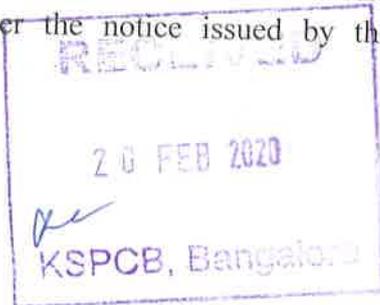
DATE: 19 FEB 2020

To,
The Joint Commissioner,
Brahm Bengaluru Mahanagar Palike,
Bommanhalli Zone,
Bengaluru -

Sir,

- Sub: Compliance to the directions issued by the Hon'ble NGT on 02.07.2019 & 11.12.2019 in respect of Original Application No.41/2019- reg
- Ref: 1. Order issued by National Green Tribunal, New Delhi w.r.t OA No.41/2019 Dated 16-01-2019
2. Joint Inspection Dated 04-06-2019
3. Proceedings of the meeting conducted by the Deputy Commissioner Bangalore Urban on 07.12.2019
4. Order issued by National Green Tribunal, New Delhi w.r.t OA No.41/2019 Dated 11.12-2019
5. Inspection of the Kudlu Chikk kere Lake by the undersigned on 17.12.2019 & 04.02.2020

With reference to the above, it is to be informed that, Kudlu Chikkakere Lake, is located at Sy. No. 70 of Kudlu village , Sarjapura Hobli, Anekal Taluk, Bangalore Urban District. A complaint has been submitted to the Hon'ble NGT regarding the illegal construction is taking place in the buffer zone of Kudlu Chikk kere lake . Based on this complaint Hon'ble NGT has issued order vide ref(1) to take action in the matter and submit the report. In view of this a joint inspection by the officers of the Board and the officers of Revenue Department, Anekal Taluk, Bangalore to verify the illegal constructions taking place in the buffer zone of Kudlu Chikkakere Lake , Bangalore South , Karnataka on 04.06.2019. Accordingly the Asst. Executive Engineer BBMP Begur sub division has submitted the list of illegal contractions in the buffer zone of Kudlu Chikkakere Lake. Further, during meeting held on 07.12.2019 under the chairmanship of Deputy Commissioner, Bangalore Urban District decided to take action for the removal of the illegal constriction as per the notice issued by the BBMP to the owners of the illegal construction.



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As per the order passed by the Hon'ble NGT on 11.12.2019 vide ref(4) the report has to be filed to the Hon'ble NGT before 28.02.2020 regarding the removal of illegal construction/encroachments and preventing garbage and sewage entering into the lake . In view the undersigned inspected the Kudlu Chikkakere Lake on 17.12.2019 and 04.02.2020 vide ref.(5) to verify the latest status and following observations were made.

1. No action has been taken for the removal of illegal construction/encroachments established in Kudluchikkakere buffer area.
2. The 500 KLD STP established to treat the sewage diverted from the lake is not operating/commissioned and the entire diverted sewage is being discharged into the open drain which inter joins natural water course located downstream of the Kudlu Chikk Kere lake which may cause the water pollution of the down stream lakes.

In view of this you are hereby informed to take necessary action for the removal of the illegal constructions/encroachments as per the list submitted by the Asst. Executive Engineer BBMP Begur sub division and to operate /commission the 500 KLD STP to stop the discharge of diverted sewage immediately and submit the action report to this office with in 7 days to this office. Please treat the matter is very urgent as report is to be submitted to the Hon'ble NGT before 28.02.2020.

Please acknowledge the receipt of this letter.

Yours faithfully,

Sd/

**REGIONAL OFFICER
SARJAPURA**

Copy Submitted: 1. To the Member Secretary "Parisara Bhavan", Bengaluru-01 for kind information for further needful action (kind Attn.: SEO - WMC)
2. To the SEO, Bng-South, "Nisarga Bhavan", Bengaluru-10 for kind Information and requested to issue notice to the BBMP.


**Environmental Officer,
RO-Sarjapura, Bengaluru**

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

AN ISO/IEC 17025:2005 (NABL) ACCREDITED LABORATORY
AN ISO 9001:2008 and IS 18001:2007 CERTIFIED LABORATORY

K. S. C. B., 7th Cross, Thimmasiah Road,
Shivajinagar,
Bangalore - 560017

ANALYSIS REPORT

Date: 06-09-2016

NAME OF THE LAKE	Kudlu Lake, Kudlu Main Road, Bengaluru.	Page 3 of 7
PLACE COLLECTED BY	Bommanahalli	DATE OF COMMENCEMENT OF TEST: 19-08-2016
DATE OF COLLECTION	18-08-2016	DATE OF COMPLETION OF TEST: 30-08-2016
DATE OF RECEIPT	19-08-2016	SAMPLE REPORT NO: R-II-1052
REMARKS:	Lake water	SAMPLE NO : R-II-1052

Parameters	Unit	Water Quality Criteria					Result	Range of testing/ Limit of Detection	Test Method
		A	B	C	D	E			
pH	pH Unit	6.5-8.5	6.5-8.5	6.0-9.0	6.5-8.5	6.0-8.5	8.4	1-14	IS:3025(Part 13)-1983
Biochemical Oxygen Demand (3 days @ 27° C)	mg/L	2	3	3	-	-	*	3 to 300 mg/L	IS:3025(Part 44)-1993
Chemical Oxygen Demand	mg/L	-	-	-	-	-	102	25 to 1000 mg/L	IS:3025(Part 58)-2006
Conductivity	µs/cm	-	-	-	1000	2250	767	50µs to 1000µs	IS:3025(Part 47)-2003
Dissolved Oxygen	mg/L	6	5	4	4	-	6.5	3 to 20 mg/L	IS:3025(Part 36)-1989
Nitrate as NO ₃	mg/L	20	-	50	-	-	1.3	1 to 100 mg/L	IS:3025(Part 34)-1983
Fluoride *	mg/L	1.5	1.5	1.5	-	-	0.4	0.5 to 5 mg/L	IS:3025(Part 60)-2008
Total Dissolved Solids	mg/L	-	-	-	-	-	368	50 to 2000 mg/L	IS:3025(Part 14)-2013
Sulphate	mg/L	400	-	400	-	1000	72	10 -1000 mg/L	IS:3025(Part 24)-1986
Total Coliforms Bacteria*	MPN index /100ml	50	500	5000	-	-	278x10 ³	-	IS:1622-1981
Sodium Absorption Ratio*	-	-	-	-	-	26	3.8	-	By Calculation
Free Ammonia*	-	-	-	-	-	-	BDL	-	By Calculation
Chloride	mg/L	-	-	-	-	-	123	50 to 2000 mg/L	IS:3025(Part 12)-1983
Iron (as Fe) *	mg/L	-	-	-	-	2.0	BDL	0.2 mg/L to 1 mg/L	APHA(22 nd Edition) 4500 B-2012

INFERENCE Confirms to Class "D" - Propagation of Wild Life, Fisheries. WQI-Unsatisfactory

- Note:
- The above results pertain only to the sample tested.
 - Classification as per the Primary Water Quality Criteria for Various Uses laid down by CPCB.
 - The Analysis report shall not be reproduced without the written approval of the laboratory.
 - WQI- Water Quality Index: (DO ≥ 4 mg/L, BOD ≤ 3 mg/L, FC ≤ 2500 MPN/100ml & TC ≤ 5000 MPN/100ml).
 - * - Test are not under the scope of NABL Accreditation.
 - Samples will be stored for a period of 15 days from the date of issue of report.

Microbiology Section
Senior Scientific Officer

Lokeshwar
Authorized Signatory (Chemical)
Dr. H. Lokeshwar
Chief Scientific Officer - 2

----- End of Report -----



KARNATAKA STATE POLLUTION CONTROL BOARD
CENTRAL ENVIRONMENTAL LABORATORY

Legal 42(3)/87, E.P. ACT, 1986 RECOGNISED ENVIRONMENTAL LABORATORY
AN ISO/IEC 17025:2005 (NABL) ACCREDITED LABORATORY &
IS 18001:2007 CERTIFIED LABORATORY

Website: www.kspcb.org
E.S.P.C.B. "Narasimha" 7th D Cross, Thimmasai Road,
Channarayana, Bangalore - 560022

ANALYSIS REPORT

Date: 12.03.2019

NAME OF THE LAKE:	Kudlu Lake, Kudlu Village, Bengaluru.	Page 1 of 1
SAMPLE COLLECTED BY	RO : Bommanahalli	DATE OF COMMENCEMENT OF TEST: 27.02.2019
DATE OF COLLECTION :	26.02.2019	DATE OF COMPLETION OF TEST: 06.03.2019
DATE OF RECEIPT :	27.0.2019	SAMPLE REPORT NO: R-II-2421
PARTICULARS :	Lake water sample	SAMPLE NO : R-II-2421

Sl No	Parameters	Unit	Water Quality Criteria					Results	Test Method
			A	B	C	D	E		
1.	pH@25 ^o C	-	6.5-8.5	6.5-8.5	6.0-9.0	6.5-8.5	6.0-8.5	7.1	IS:3025 (Part 11):1985 Reaffirmed 2002
2.	Conductivity@25 ^o C	µs/cm	-	-	-	-	2250	1284	IS 3025 (Part 14):2013 ISO 7888: 1985
3.	Dissolved Oxygen	mg/L	6	5	4	4	-	2.8	IS 3025(Part 38):1989
4.	Biochemical Oxygen Demand (3 days @ 27 ^o C)	mg/L	2	3	3	-	-	6.0	IS:3025(Part 44)-1993 Reaffirmed 2009
5.	Free Ammonia as N*	mg/L	-	-	-	1.2	-	0.01	APHA(22 nd Edition): 2012:4500 NH ₄ D
6.	Sodium Absorption Ratio*	-	-	-	-	-	26	2.82	IS:11624-1986
7.	Boron as B	mg/L	-	-	-	-	2.0	BDL	APHA (22 nd Edition): 2012 :4500B -B.
8.	Total Coliform Bacteria*	MPN /100ml	50	500	5000	-	-	540X10 ²	APHA22 nd Edition 9221B

CONCLUSION: Conforms to Class "E"- Irrigation, Industrial cooling, Controlled Waste disposal.

- Note: 1. The above results pertain only to the sample tested.
2. The Analysis report shall not be reproduced without the written approval of Head of the laboratory
3.* Tests are not under the scope of NABL Accreditation.
4. Samples will be stored for a period of 15 days from the date of dispatch of report.
5. BDL: Below detection limit in mg/L
Boron as B: 0.1:

Section Head
Bioscience Lab

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

---End of Report---