

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

APPEAL NO. 54 OF 2018

IN THE MATTER OF:

H.P. RANJANNA

...APPELLANT/APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

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| | short note submitted by the Project Proponent on 27.08.2020 (which is already on record) | |
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Filed Through

Asth

Venancio D'Costa/Astha
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L&L Partners
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Place: New Delhi

Date: 04/9/2020

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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SHORT NOTE ON BEHALF OF RESPONDENT NO. 11 AND 12

MOST RESPECTFULLY SHOWETH:

That vide order dated 28.08.2020, this Hon'ble Tribunal had directed the parties to file a short note of submissions. That the present note may be read as part and parcel of the pleadings and written submissions as well as the written note submitted on 27.08.2020 filed by Respondent no. 11 and 12 (Project Proponent), in the present case. By way of the present written short note, the Project Proponent would answer the query put forth by this Hon'ble Tribunal in the last date of hearing held on 28.08.2020.

1. Whether the total Built up area (BuA) consisting of FSI and Non-FSI is within 1,50,000 sq. mtr.
 - I. It is submitted that the EC granted by SEIAA to the Project Proponent is for 1,28,193.9 sq. mtrs., the Project Proponent is however constructing only total Built-Up area (including the FSI and non-FSI area) of 1,25,663.06 sq. mtrs. which is less than the benchmark of 1,50,000 sq. mtrs. This fact has been also captured in the site plan approved by BBMP. Further the Project Proponent is also filing a report from their registered Architect on record, namely "Mindspace Architect" who has designed the Project supported by an Affidavit of the Project Proponent stating that the total built up area, after including both the FSI and Non-FSI area is 1,25,663.06 sq. mtrs. which does not breach the benchmark of 1,50,000 sq. mtrs. Affidavit filed by the Project Proponent along with the certificate of the Architect are annexed herewith as ANNEXURE F (Certificate of the Architect has been annexed as ANNEXURE R1 with the Affidavit).
 - II. It is submitted that BBMP sanctioned the Building plan for construction of Phase I of the Project on 30.08.2018. Subsequently, BBMP on 28.05.2019 sanctioned the Building Plan of the Project Proponent by merging the sanctions for both Block I and Block II. The sanctioned Building plans

further shows that the Project Proponent is constructing the Built up area of 1,25,663.06 sq. mtrs. In this regard the Project Proponent is also filing an enlarged copy of the Site Plan approved by BBMP to show the total Built Up area for both Block 1 and Block II does not exceed 1,50,000 sq. mtrs. True enlarged copy of the site plan along with enlarged copies of the area statement enclosed with the site plan showing that the total build-up area of Block-1 and Block-2 does not exceed 1,50,000 sq. mtrs. is annexed herewith as ANNEXURE G.

III. The Project Proponent is also filing recent photographs showing/ explaining the southern-eastern side of the Bund Line (which is located at the distance of about 83 metres away from the Project), further the land shown are the land abutting the lake and adjacent to the Project Land. The Bund, fencing of revenue Boundary of the project Land and the Lake Fencing as shown in the Photograph have been put up by the Lake Development Authority and not by the Project Proponent. Also attached photographs of the status of construction as ANNEXURE H.

2. Whether the Project Proponent has complied with Rule 4(1)(vi) of the Wetland (Conservation and Management) Rules, 2010 and the judgement of M.K. Balakrishnan Vs. UOI ?

I. In this regard it is submitted that in the 188th meeting of SEAC (the High powered Committee) held on 25.11.2017, the committee had considered the fact while appraising the proposal of the Project Proponent had observed that there is a lake on the northern side and also a Nala running across the land. The Project Proponent states that it has left 75mtrs buffer zone form the lake and 50 mtrs Buffer on either side of the Nala. The proceedings of the said meeting are available on the website of MoEF. Under these circumstances it cannot be said that there is any misrepresentation/ suppression of fact on the part of the Project Proponent. True copy of proceedings of the 188th meeting of SEAC as procured from the MoEF website is annexed herewith as ANNEXURE I.

II. It is further submitted that during the inquiry from various statutory authorities mainly Karnataka Minor Irrigation Department including the Karnataka Lake Conservation and Development Authority and the Karnataka Lake Development Authority the Project Proponent has given to understand that the mean high flood line will be well between the Bund and between periphery of the water. Further, the Project Proponent has been informed by the said authorities that the water outlet of the Kaikondarahalli lake is on the Northern side of the said Lake, whereas the project is on the south eastern side of the lake therefore under no circumstances there can be any overflow of Lake towards the project side as it will naturally flow towards Northern side .

Further, it is pertinent to note that the said Kaikondrahalli Lake is being maintained by BBMP and the Lake water has not breached the bund level on the South Eastern side of the Lake which is towards the project land for past 25 years. It is submitted that, embankment (including Bund) are the most popular method of flood protection and have been constructed extensively in the past. That from the view of the Lake, there exists the said manmade Bund, (as can be clearly seen in the Photographs) which is constructed. Further the project land is not prone to flood due to its high elevated location. In this regard the Project Proponent has written to the BBMP/ Lake Development Authority, seeking clarification, a reply to which may be received shortly as orally informed, clarifying whether the Bund Line or below constitutes the mean high Flood Line. True copy of the Letter is annexed as ANNEXURE J.

- III. Furthermore, taking the Bund into consideration the Project Proponent has left a buffer of approx. 83 mtrs. from the said Bund Line, which is well beyond 50 mts mark from the mean High Flood line. The Project Proponent further undertake not to put any concrete structure within 50 mtrs. from the high flood line (Bund Line). As such the Project Proponent is also in compliance of Rule 4 (1)(vi) of the Wetland Rules, 2010.
3. It is reiterated that BBMP on 20.10.2016 gave its approval for Registration of Khata. Thereafter, BBMP sanctioned the Building plan for construction of Phase I of the Project on 30.08.2018. Subsequently, BBMP filed its Objections before NGT on 05.09.2018. It is relevant to note that post filing the objections, BBMP on 28.05.2019 sanctioned the Building Plan of the Project Proponent by merging the sanctions for both Block I and Block II. As such the contradictory stand of BBMP is writ large in the present proceedings. In addition to the above the Project Proponent is also filing an enlarged copy of the Site Plan approved by BBMP to show the total Built Up area for both Block 1 and Block 2 does not exceed 1,50,000 sq. mtrs.
 4. It is further submitted that the State/ Environmental Authorities being the custodian of this aspect have also looked into the matter before granting the approvals to the Project Proponent, as is evident from the Proceedings of the SEAC (high power committee) 188th meeting held on 25.11.2017 in respect of the project. The Project Proponent has completely abided by the guidelines given by this Hon'ble Tribunal in *Forward Foundation Vs. State of Karnataka (OA 222/2014)*. The Project Proponent has in no manner misrepresented suppressed any material fact. That all the statutory authorities have granted the requisite permissions/ approvals for construction after due deliberation and after following the due process of law.
 5. Further, the Project proposed by the Project Proponent is also a Zero Discharge Project, which has also been submitted to MoEF,

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while issuance of EC. As such the Project proponent is also in compliance of the directions passed by this Hon'ble Tribunal in the matter of *Court on its own motion vs. State of Karnataka with D. Kupendra Reddy vs. State of Karnataka* in OA 125 of 2017 with OA 217 of 2017.

6. The instant Appeal is nothing but a blatant abuse of law, wherein the Appellant is trying to prejudice the mind of this Tribunal by raising frivolous allegation under the sun, without any lawful basis.
7. By way of this note the Project Proponent has tried to put forth the actual and correct facts, however in case this Hon'ble Tribunal requires any further clarification or information the Project Proponent is willing to assist this Hon'ble Tribunal including a short appearance before this Hon'ble Tribunal for clarifying any further issues. The Project Proponent also reserves its right to file further document relevant to the present dispute. For the convenience of this Hon'ble Tribunal, the Project Proponent is also annexing the written note on arguments submitted by the Project Proponent on 27.08.2020 (which is already on record) along with the present short note as ANNEXURE K.

Filed Through

Astha

Venancio D'Costa/Astha
Counsel for Respondent No. 11 and 12
L&L Partners
First Floor, Ashoka Estate, Barakhamba Road
vdcosta@luthra.com; asojha@luthra.com
Ph no.: 9810232678; 9821396903

Place: New Delhi

Date: 04/09/2020

ANNEXURE-F

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
APPEAL NO. 54 OF 2018

IN THE MATTER OF:

H.P. RANJANNA

...APPELLANT/APPLICANT

VERSUS

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...RESPONDENTS

I, Nisha Mohan, W/o Mr. Mohan Kumar N., aged about 33 years, working with the Respondent No. 11 and 12 Company, having its office at Prestige Obelisk, Level 10, No. 3 Kasturba Road, Bangalore-560001, do hereby solemnly affirm and state as under:-

1. That I am the Authorized Representative of the Respondent no. 11 and 12 (hereinafter referred to as Project Proponent) and I am well acquainted with all the facts and circumstances of the case based on the documents available with the Project proponent Company and as such I am competent to swear this affidavit.
2. That on 28.08.2020, during the course of arguments, it was portrayed by the Appellant that upon inclusion of the FSI and non-FSI area, the total built up area, of the Project Proponent goes beyond 1,50,000 sq meters., and as such the same falls under B-1 category, thereby requiring EIA certification.
3. I say that the aforesaid allegations are completely baseless and meritless. The Project Proponent's total built up area is below 1,50,000 sq meters. In this regard the Project Proponent has also obtained a certificate from a recognized and qualified Architect namely Mindspace Architects, certifying that the total built up after considering both FSI and non-FSI is 125,663.06 sq meters. As such the said project is within the threshold limit of 1,50,000 sq meters. and has, therefore, been rightly appraised by SEIAA. The



No of Corrections



Certificate of built-up area statement for the project is annexed herewith as ANNEXURE R1.

[Handwritten Signature]


DEPONENT

VERIFICATION:

I, the abovenamed deponent do hereby verify that the contents of my above Affidavit are true to my knowledge and belief and based on the records available with the Project Proponent Company, no part of it is false and nothing material has been concealed therefrom.



Verified at Bengaluru on this the 1st day of September 2020.

[Handwritten Signature]


DEPONENT



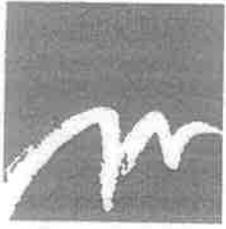


SWORN TO BEFORE ME

[Handwritten Signature]
T.C. THIMMARAJA, B.A., LL.B.,
ADVOCATE & NOTARY PUBLIC
GOVT. OF INDIA
City Civil Court Complex, Premises
BANGALORE - 560 009.

No of Corrections

[Handwritten] 1.9.2020
[Handwritten] 2



mindspace
architect + engineers + interior designers

ANNEXURE - R1

7

Partners
N.D.Mohe
V.Suryanarayanan
P.N.Medappa
Amit Swain
Swe:ha.A

We (MindSpace Architects), registered architects under Council of Architecture and into this field for the last 16 years, hereby certify that the total Net built up or covered area on all the floors put together including basement(s) and other service areas, which are proposed by Wonder Projects Development Private Limited, in their Project i.e. Godrej Reflections and Godrej Lake Gardens (being developed in Survey number 61/2, 62 and 63/2 of Kasavanahalli village, Varthur Hobli, Bangalore East Taluk, Bangalore), is **1,25,663.06 SQ Meters**.

Definitions:

Gross BuA: The total covered floor area including external walls and without any deductions.

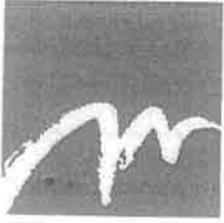
Deductions: Parts of the floor where there are cut-outs/voids in the floor/slab (e.g ducts, shafts etc)

Net BuA: This is the Gross BuA (as defined above) after the exclusion of any deductions/cut-outs/voids in the floor (Net BuA = Gross BuA – Deductions)

FSI/FAR: FSI stands for Floor Space Index and it is also known as Floor Area Ratio (FAR). FSI and FAR are both computed as the ratio between the area of a covered floor (Built up Area) to the area of the plot (land) on which a building stands. FAR or FSI is computed as per zonal regulations or local authority guidelines. FAR is expressed as a number whereas FSI is expressed as a percentage.

The Net BuA can be split into 2 parts, namely:

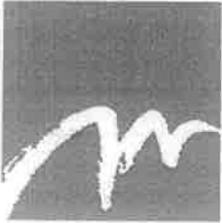
- a. **FSI/FAR Area:** This is the portion of the Net BuA which is counted as part of FSI/FAR as per prevailing regulations. This includes all built-up/covered habitable areas (apartment including balconies and walls), built-up/covered common circulation areas leading to these habitable areas (lobbies, corridors, staircases) and built-up/covered common amenities (clubhouse).
- b. **Non-FSI/Non-FAR Area:** This is the portion of the Net BuA which is exempted and not counted as part of the FAR/FSI as per prevailing regulations. These exempted areas include area used for the purpose of parking spaces, main stair case room, lift shaft, lift wells, lift machine rooms, ramps, ventilation ducts, sanitary ducts and overhead tanks



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BuA details of Godrej Reflections (Phase I):

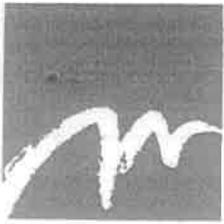
| BuA details of Godrej Reflections (Phase I) | | | | | | |
|---|--------------|-----------|------------|-----------|---|--------------|
| | | A | B | C | D | E |
| | | | | C = A - B | The below columns show the split of FAR and Non-FAR area in the Net BuA | |
| | | | | C = D + E | | |
| Sl No | Floors | Gross BuA | Deductions | Net BuA | FAR Area | Non-FAR Area |
| | | (Sqm) | (Sqm) | (Sqm) | (Sqm) | (Sqm) |
| 1 | Basement-2 | 5,688.07 | 24.61 | 5,663.46 | 419.22 | 5,244.24 |
| 2 | Basement-1 | 5,688.07 | 359.63 | 5,328.44 | 417.86 | 4,910.58 |
| 3 | Ground Floor | 5,202.76 | 235.51 | 4,967.25 | 397.42 | 4,569.83 |
| 4 | 1st Floor | 2,503.07 | 74.29 | 2,428.78 | 2,398.00 | 30.78 |
| 5 | 2nd Floor | 1,979.15 | 74.29 | 1,904.86 | 1,874.08 | 30.78 |
| 6 | 3rd Floor | 1,979.15 | 74.29 | 1,904.86 | 1,874.08 | 30.78 |
| 7 | 4th Floor | 2,639.96 | 83.42 | 2,556.54 | 2,359.28 | 197.26 |
| 8 | 5th Floor | 2,473.48 | 83.42 | 2,390.06 | 2,359.28 | 30.78 |
| 9 | 6th Floor | 2,473.48 | 83.42 | 2,390.06 | 2,359.28 | 30.78 |
| 10 | 7th Floor | 2,650.03 | 82.67 | 2,567.36 | 2,536.58 | 30.78 |
| 11 | 8th Floor | 2,644.16 | 82.67 | 2,561.49 | 2,530.71 | 30.78 |
| 12 | 9th Floor | 2,473.48 | 83.42 | 2,390.06 | 2,359.28 | 30.78 |
| 13 | 10th Floor | 2,483.55 | 82.67 | 2,400.88 | 2,370.10 | 30.78 |
| 14 | 11th Floor | 2,477.68 | 82.67 | 2,395.01 | 2,364.23 | 30.78 |
| 15 | 12th Floor | 2,473.48 | 83.42 | 2,390.06 | 2,359.28 | 30.78 |
| 16 | 13th Floor | 2,473.48 | 83.42 | 2,390.06 | 2,359.28 | 30.78 |
| 17 | 14th Floor | 2,428.51 | 82.67 | 2,345.84 | 2,315.06 | 30.78 |
| 18 | 15th Floor | 2,422.64 | 82.67 | 2,339.97 | 2,309.19 | 30.78 |
| 19 | 16th Floor | 2,359.06 | 84.34 | 2,274.72 | 2,243.94 | 30.78 |
| 20 | 17th Floor | 2,352.44 | 98.14 | 2,254.30 | 2,223.52 | 30.78 |
| 21 | 18th Floor | 2,306.04 | 62.68 | 2,243.36 | 2,212.58 | 30.78 |
| 22 | 19th Floor | 1,697.29 | 114.12 | 1,583.17 | 1,552.39 | 30.78 |
| 23 | 20th floor | 955.19 | 64.68 | 890.51 | 545.35 | 345.16 |
| 24 | Terrace | 857.62 | 0.00 | 857.62 | | 857.62 |
| 25 | TOTAL | 63,681.84 | 2,263.12 | 61,418.72 | 44,739.99 | 16,678.73 |



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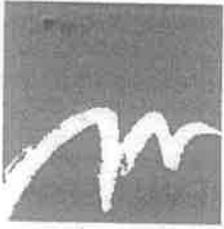
BuA details of Godrej Lake Gardens (Phase II):

| BuA details of Godrej Lake Gardens (Phase II): | | | | | | |
|--|--------------|------------------|-----------------|------------------|---|------------------|
| | | A | B | C | D | E |
| | | | | C = A - B | The below columns show the split of FAR and Non-FAR area in the Net BuA | |
| | | | | C = D + E | | |
| Sl No | Floors | Gross BuA | Deductions | Net BuA | FAR Area | Non-FAR Area |
| | | (Sqm) | (Sqm) | (Sqm) | (Sqm) | (Sqm) |
| 1 | Basement-1 | 6,964.14 | 18.75 | 6,945.39 | 316.33 | 6,629.06 |
| 2 | Ground Floor | 5,622.84 | 83.37 | 5,539.47 | 344.05 | 5,195.42 |
| 3 | 1st Floor | 5,525.44 | 44.09 | 5,481.35 | 403.30 | 5,078.05 |
| 4 | 2nd Floor | 2,335.90 | 72.10 | 2,263.80 | 2,217.63 | 46.17 |
| 5 | 3rd Floor | 2,321.38 | 72.10 | 2,249.28 | 2,203.11 | 46.17 |
| 6 | 4th Floor | 2,321.38 | 72.10 | 2,249.28 | 2,203.11 | 46.17 |
| 7 | 5th Floor | 2,907.33 | 74.73 | 2,832.60 | 2,613.20 | 219.40 |
| 8 | 6th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,437.37 | 219.40 |
| 9 | 7th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 10 | 8th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 11 | 9th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 12 | 10th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 13 | 11th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 14 | 12th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 15 | 13th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 16 | 14th Floor | 2,734.71 | 77.94 | 2,656.77 | 2,610.60 | 46.17 |
| 17 | 15th Floor | 2,736.13 | 77.94 | 2,658.19 | 2,612.02 | 46.17 |
| 18 | 16th Floor | 2,736.13 | 77.94 | 2,658.19 | 2,612.02 | 46.17 |
| 19 | 17th Floor | 2,671.53 | 77.94 | 2,593.59 | 2,547.42 | 46.17 |
| 20 | 18th Floor | 2,084.62 | 92.62 | 1,992.00 | 1,945.83 | 46.17 |
| 21 | 19th Floor | 2,014.68 | 76.90 | 1,937.78 | 1,907.00 | 30.78 |
| 22 | 20th floor | 1,021.67 | 299.79 | 721.88 | 691.10 | 30.78 |
| 23 | Terrace | 210.61 | | 210.61 | | 210.61 |
| 24 | TOTAL | 66,086.17 | 1,841.83 | 64,244.34 | 45,938.29 | 18,306.05 |



Total BuA for the project (Phase I + Phase II):

| Total BuA for the project (Phase I + Phase II): | | | | | | |
|---|--------------|-------------|------------|-------------|---|--------------|
| | | A | B | C | D | E |
| | | | | C = A - B | The below columns show the split of FAR and Non-FAR area in the Net BuA | |
| | | | | C = D + E | | |
| Sl No | Floors | Gross BuA | Deductions | Net BuA | FAR Area | Non-FAR Area |
| | | (Sqm) | (Sqm) | (Sqm) | (Sqm) | (Sqm) |
| 1 | Basement-2 | 5,688.07 | 24.61 | 5,663.46 | 412.99 | 5,244.24 |
| 2 | Basement-1 | 12,652.21 | 378.38 | 12,273.83 | 731.19 | 11,539.64 |
| 3 | Ground Floor | 10,825.60 | 318.88 | 10,506.72 | 741.47 | 9,765.25 |
| 4 | 1st Floor | 8,028.51 | 118.38 | 7,910.13 | 2,801.30 | 5,108.83 |
| 5 | 2nd Floor | 4,315.05 | 146.39 | 4,168.66 | 4,091.71 | 76.95 |
| 6 | 3rd Floor | 4,300.53 | 146.39 | 4,154.14 | 4,077.19 | 76.95 |
| 7 | 4th Floor | 4,961.34 | 155.52 | 4,805.82 | 4,562.39 | 243.43 |
| 8 | 5th Floor | 5,380.81 | 158.15 | 5,222.66 | 4,972.48 | 250.18 |
| 9 | 6th Floor | 5,208.19 | 161.36 | 5,046.83 | 4,796.65 | 250.18 |
| 10 | 7th Floor | 5,384.74 | 160.61 | 5,224.13 | 5,147.18 | 76.95 |
| 11 | 8th Floor | 5,378.87 | 160.61 | 5,218.26 | 5,141.31 | 76.95 |
| 12 | 9th Floor | 5,208.19 | 161.36 | 5,046.83 | 4,969.88 | 76.95 |
| 13 | 10th Floor | 5,218.26 | 160.61 | 5,057.65 | 4,980.70 | 76.95 |
| 14 | 11th Floor | 5,212.39 | 160.61 | 5,051.78 | 4,974.83 | 76.95 |
| 15 | 12th Floor | 5,208.19 | 161.36 | 5,046.83 | 4,969.88 | 76.95 |
| 16 | 13th Floor | 5,208.19 | 161.36 | 5,046.83 | 4,969.88 | 76.95 |
| 17 | 14th Floor | 5,163.22 | 160.61 | 5,002.61 | 4,925.66 | 76.95 |
| 18 | 15th Floor | 5,158.77 | 160.61 | 5,058.16 | 4,921.21 | 76.95 |
| 19 | 16th Floor | 5,095.19 | 162.28 | 4,932.91 | 4,855.96 | 76.95 |
| 20 | 17th Floor | 5,023.97 | 176.08 | 4,847.89 | 4,770.94 | 76.95 |
| 21 | 18th Floor | 4,390.66 | 155.30 | 4,235.36 | 4,158.41 | 76.95 |
| 22 | 19th Floor | 3,711.97 | 191.02 | 3,520.95 | 3,459.39 | 61.56 |
| 23 | 20th floor | 1,976.86 | 364.47 | 1,612.39 | 1,236.45 | 375.94 |
| 24 | Terrace | 1,068.23 | 0.00 | 1,068.23 | 0.00 | 1,068.23 |
| 25 | Total | 1,29,768.01 | 4,104.95 | 1,25,663.06 | 90,678.28 | 34,984.78 |



mindspace
architect+engineers+interior designers

//

Partners
N.D.Mohe
V.Suryanarayanan
P.N.Medappa
Amit Swain
Swetha.A

In conclusion, we hereby certify that the total Net BuA (FAR and Non-FAR area) of the project is
1,25,663.06. SQM

Thanking you,

Your Sincerely,

P.N.Medappa

P.N.Medappa

COA License No.: CA / 93 / 16013

Bangalore corporation No.: BCC/BL-3.6/A-2887/2018-19

For Mindspace Architects.

AREA STATEMENT BLOCK-1 (UNDER CONSTRUCTION)

| FLOORS | GROSS | DUCTS | NET BUA | FAR DEMO | FAR AREA | UNITS |
|-------------------|-----------|----------|-----------|-----------|-----------|-------|
| LOWER BASEMENT | 5,388.07 | 24.61 | 5,663.48 | 5,244.24 | 419.22 | - |
| UPPER BASEMENT | 5,388.07 | 358.63 | 5,338.44 | 4,910.60 | 417.86 | - |
| GROUND FLOOR | 5,202.76 | 235.51 | 4,967.25 | 4,569.63 | 397.42 | - |
| FIRST FLOOR | 2,302.07 | 74.29 | 2,428.78 | 30.78 | 2,398.00 | 12 |
| SECOND FLOOR | 1,379.15 | 74.29 | 1,204.86 | 30.78 | 1,174.08 | 12 |
| THIRD FLOOR | 1,379.15 | 74.29 | 1,204.86 | 30.78 | 1,174.08 | 12 |
| FOURTH FLOOR | 2,638.96 | 83.42 | 2,558.54 | 197.25 | 2,359.29 | 16 |
| FIFTH FLOOR | 2,473.48 | 83.42 | 2,390.06 | 30.78 | 2,359.28 | 16 |
| SIXTH FLOOR | 2,473.48 | 83.42 | 2,390.06 | 30.78 | 2,359.28 | 16 |
| SEVENTH FLOOR | 2,650.03 | 82.67 | 2,567.36 | 30.78 | 2,536.58 | 16 |
| EIGHTH FLOOR | 2,644.16 | 82.67 | 2,561.49 | 30.78 | 2,530.71 | 16 |
| NINTH FLOOR | 2,473.48 | 83.42 | 2,390.06 | 30.78 | 2,359.28 | 16 |
| TENTH FLOOR | 2,403.55 | 82.67 | 2,400.88 | 30.78 | 2,370.10 | 16 |
| ELEVENTH FLOOR | 2,477.68 | 82.67 | 2,395.01 | 30.78 | 2,364.23 | 16 |
| TWELVETH FLOOR | 2,473.48 | 83.42 | 2,390.06 | 30.78 | 2,359.28 | 16 |
| THIRTEENTH FLOOR | 2,473.48 | 83.42 | 2,390.06 | 30.78 | 2,359.28 | 16 |
| FOURTEENTH FLOOR | 2,428.51 | 82.67 | 2,345.84 | 30.78 | 2,315.06 | 15 |
| FIFTEENTH FLOOR | 2,422.64 | 82.67 | 2,339.97 | 30.78 | 2,309.19 | 14 |
| SIXTEENTH FLOOR | 2,159.08 | 84.34 | 2,274.72 | 30.78 | 2,243.94 | 14 |
| SEVENTEENTH FLOOR | 2,532.44 | 98.14 | 2,254.30 | 30.78 | 2,223.52 | 13 |
| EIGHTEENTH FLOOR | 2,108.94 | 62.68 | 2,243.26 | 30.78 | 2,212.48 | 9 |
| NINETEENTH FLOOR | 1,597.29 | 114.12 | 1,583.17 | 30.78 | 1,552.39 | 4 |
| TWENTYETH FLOOR | 655.19 | 64.56 | 890.51 | 345.16 | 545.35 | 0 |
| TERRACE FLOOR | 857.62 | N/A | 857.62 | 857.62 | - | - |
| TOTAL | 61,581.34 | 2,263.12 | 61,468.72 | 16,078.73 | 44,739.99 | 268 |

SITE AREA
 As per DP Approved, Site Area = 51,696.16 Sqm (12 Ac. 31 Cu.)
 Deduct Kharaab Area = 1,318.21 Sqm (13 Cu.)
 Net Site Area Considered = 50,382.95 Sqm (12 Ac. 18 Cu.)

Net Site Area = 50,382.95 Sqm.
 Deduct Civic Amenities area 5% = 2,540.66 Sqm.
 Net Site Area for Development 95% = 47,842.29 Sqm.

AREA STATEMENT BLOCK-2 (PROPOSED)

| FLOORS | GROSS | DUCTS | NET BUA | FAR DEMO | FAR AREA | UNITS |
|-------------------|-----------|----------|-----------|-----------|-----------|-------|
| BASEMENT FLOOR | 6,384.14 | 18.75 | 6,945.19 | 6,629.06 | 316.13 | - |
| GROUND FLOOR | 5,522.84 | 83.17 | 5,319.47 | 5,188.42 | 344.05 | - |
| FIRST FLOOR | 5,328.44 | 44.09 | 5,481.35 | 5,078.05 | 403.30 | - |
| SECOND FLOOR | 2,338.90 | 72.10 | 2,263.80 | 48.17 | 2,217.63 | 18 |
| THIRD FLOOR | 2,321.38 | 72.10 | 2,249.28 | 48.17 | 2,203.11 | 18 |
| FOURTH FLOOR | 2,321.38 | 72.10 | 2,249.28 | 48.17 | 2,203.11 | 18 |
| FIFTH FLOOR | 2,302.33 | 74.73 | 2,332.60 | 219.40 | 2,113.20 | 22 |
| SIXTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 219.40 | 2,437.37 | 22 |
| SEVENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| EIGHTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| NINTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| TENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| ELEVENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| TWELVETH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| THIRTEENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| FOURTEENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| FIFTEENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| SIXTEENTH FLOOR | 2,734.71 | 77.94 | 2,656.77 | 48.17 | 2,610.60 | 22 |
| SEVENTEENTH FLOOR | 2,671.53 | 77.94 | 2,593.59 | 48.17 | 2,547.42 | 21 |
| EIGHTEENTH FLOOR | 2,084.62 | 62.62 | 1,992.00 | 48.17 | 1,943.83 | 12 |
| NINETEENTH FLOOR | 2,014.68 | 76.00 | 1,937.78 | 30.78 | 1,907.00 | 9 |
| TWENTYETH FLOOR | 1,021.67 | 258.79 | 721.88 | 30.78 | 691.10 | 0 |
| TERRACE FLOOR | 210.61 | - | 210.61 | 210.61 | - | - |
| TOTAL | 68,086.17 | 1,841.83 | 64,244.34 | 18,308.09 | 45,938.29 | 360 |

COMBINED AREA STATEMENT BLOCK - 01 & 02

| FLOORS | DUCTS | DUCTS | NET BUA | FAR DEMO | FAR AREA | UNITS |
|-------------------|----------|----------|-----------|-----------|-----------|-------|
| LOWER BASEMENT | 24.61 | 24.61 | 5,663.48 | 5,244.24 | 419.22 | - |
| UPPER BASEMENT | 358.63 | 358.63 | 12,273.83 | 11,539.64 | 734.19 | - |
| GROUND FLOOR | 732.27 | 732.27 | 10,806.72 | 9,789.25 | 747.47 | - |
| FIRST FLOOR | 74.29 | 74.29 | 7,910.13 | 5,108.83 | 2,801.30 | 12 |
| SECOND FLOOR | 74.29 | 74.29 | 4,168.66 | 78.99 | 4,091.71 | 30 |
| THIRD FLOOR | 74.29 | 74.29 | 4,154.14 | 78.99 | 4,077.18 | 30 |
| FOURTH FLOOR | 83.42 | 83.42 | 4,805.82 | 243.43 | 4,562.39 | 34 |
| FIFTH FLOOR | 83.42 | 164.13 | 5,222.68 | 250.18 | 4,972.48 | 38 |
| SIXTH FLOOR | 83.42 | 161.38 | 5,046.83 | 250.18 | 4,796.65 | 38 |
| SEVENTH FLOOR | 82.67 | 160.81 | 5,224.13 | 78.99 | 5,147.18 | 38 |
| EIGHTH FLOOR | 82.67 | 160.81 | 5,208.28 | 78.99 | 5,141.31 | 38 |
| NINTH FLOOR | 83.42 | 161.38 | 5,046.83 | 78.99 | 4,968.88 | 38 |
| TENTH FLOOR | 82.67 | 160.81 | 5,057.85 | 78.99 | 4,980.70 | 38 |
| ELEVENTH FLOOR | 82.67 | 160.81 | 5,051.78 | 78.99 | 4,974.83 | 38 |
| TWELVETH FLOOR | 83.42 | 161.38 | 5,046.83 | 78.99 | 4,968.88 | 38 |
| THIRTEENTH FLOOR | 83.42 | 161.38 | 5,046.83 | 78.99 | 4,968.88 | 38 |
| FOURTEENTH FLOOR | 82.67 | 160.81 | 5,002.84 | 78.99 | 4,923.88 | 37 |
| FIFTEENTH FLOOR | 82.67 | 160.81 | 4,988.16 | 78.99 | 4,921.21 | 36 |
| SIXTEENTH FLOOR | 84.34 | 162.28 | 4,932.91 | 78.99 | 4,853.96 | 38 |
| SEVENTEENTH FLOOR | 98.14 | 178.08 | 4,847.89 | 78.99 | 4,770.94 | 34 |
| EIGHTEENTH FLOOR | 62.68 | 78.38 | 4,214.34 | 78.99 | 4,135.41 | 21 |
| NINETEENTH FLOOR | 114.12 | 84.22 | 3,220.98 | 81.58 | 3,139.40 | 13 |
| TWENTYETH FLOOR | 64.56 | 384.47 | 1,612.38 | 345.94 | 1,266.45 | 00 |
| TERRACE FLOOR | N/A | - | 1,068.23 | 1,068.23 | - | - |
| TOTAL | 2,263.12 | 4,164.95 | 61,258.63 | 34,984.78 | 40,678.28 | 625 |

| | |
|-----------------------------------|-------------------------|
| Total Ground Coverage Area | |
| Under Construction Block - 01 | = 5,202.76 Sqm. |
| Proposed Block - 02 | = 5,622.84 Sqm. |
| Total | = 10,825.60 Sqm. |

COVERAGE = $\frac{10,825.60}{47,842.29} \times 100 = 22.63\% < 50.00\%$

| | |
|-------------------------------|-------------------------|
| Total FAR Area | |
| Under Construction Block - 01 | = 44,739.90 Sqm. |
| Proposed Block - 02 | = 45,938.29 Sqm. |
| Total | = 90,678.29 Sqm. |

FAR = $\frac{90,678.29}{47,842.29} = 1.895 < 2.25$

PARKING : (Block-02)

Total Residential Units from 2nd Floor to 20th Floor = 360 nos.
 No. of Units over 50 Sq. below 225 Sqm. = 324 Nos
 @ 1 Car / 1 Unit, Cars Required = 324 x 1 = 324 Cars
 No. of EWS Units below 50 Sq = 36 Nos
 @ 1 Car / 2 Units, Cars Required = 36 / 2 = 18.00 Cars
 Total Cars Required = 324 + 18 = 342 Cars
 10% Visitors Parking = 342 / 10 = 34.20 Say 35 cars

Club house area in 18th & 19th floor = 711.69 Sqm.
 @ 1 Car / 50 sqm, Cars Required = $\frac{711.69}{50} = 14.23$ Say 15 Cars

Total Cars Required for Under Construction Block - 01 - 282 Cars

Total Cars Required = 342 + 35 + 15 + 282 = 674 Cars

| | |
|-----------------------------|-------------------|
| Total cars Provided | |
| Lower Basement Block - 1 | = 108 cars |
| Upper Basement Block - 1 | = 113 cars |
| Ground Floor Block - 1 | = 90 cars |
| Basement Floor Block - 2 | = 141 cars |
| Ground Floor Block - 2 | = 111 cars |
| First Floor Block - 2 | = 134 cars |
| Surface Block - 2 | = 20 cars |
| Total Cars Provided: | = 715 cars |

Total Cars required for Block 2 **392 Cars**
 Total Cars provided for Block 2 141 + 111 + 134 + 20 = 406 Cars

| PROPOSED AREA CALCULATION | |
|--|--------------------|
| SITE AREA | = 56,198.16 Sqm. |
| Area Deducted Under Kharcha (19 Cr.) | = 1,315.21 Sqm. |
| Net Site Area | = 50,392.95 Sqm. |
| Area Reserved for Park & Open Spaces | = 5,093.87 Sqm. |
| Area Reserved for Civic Amenities | = 2,547.56 Sqm. |
| Net Site Area for Residential Development 28.00% | = 11,342.29 Sqm. |
| Allowable Coverage | = 50.00% |
| Allowable Coverage Area | = 21,581.46 Sqm. |
| Actual Coverage Area | = 10,825.60 Sqm. |
| Allowable FAR | = 2.25 |
| Allowable FAR Area | = 1,88,645.05 Sqm. |
| Actual FAR Area | = 90,678.29 Sqm. |
| Height of Building Block - 01 & 02 | = 60.15m |
| Total Nos. of Residential Units | = 675 Nos. |
| Total Cars Required | = 674 Cars |
| Total Cars Provided | = 715 Cars |



walking trail between lake bund and Revenue Boundary

Revenue Boundary of the Project



revenue boundary from which 75 mtrs has been maintained till the construction area

lake fencing and walk trail maintained by BBMP

03.09.2020



Lake and Bund of approximately 5 mtrs

CDRE Project Area and Fencing towards their project

03.09.2020



CDRE Project area and their fencing

lake area and bund of approximately 5 mtrs

03.09.2020

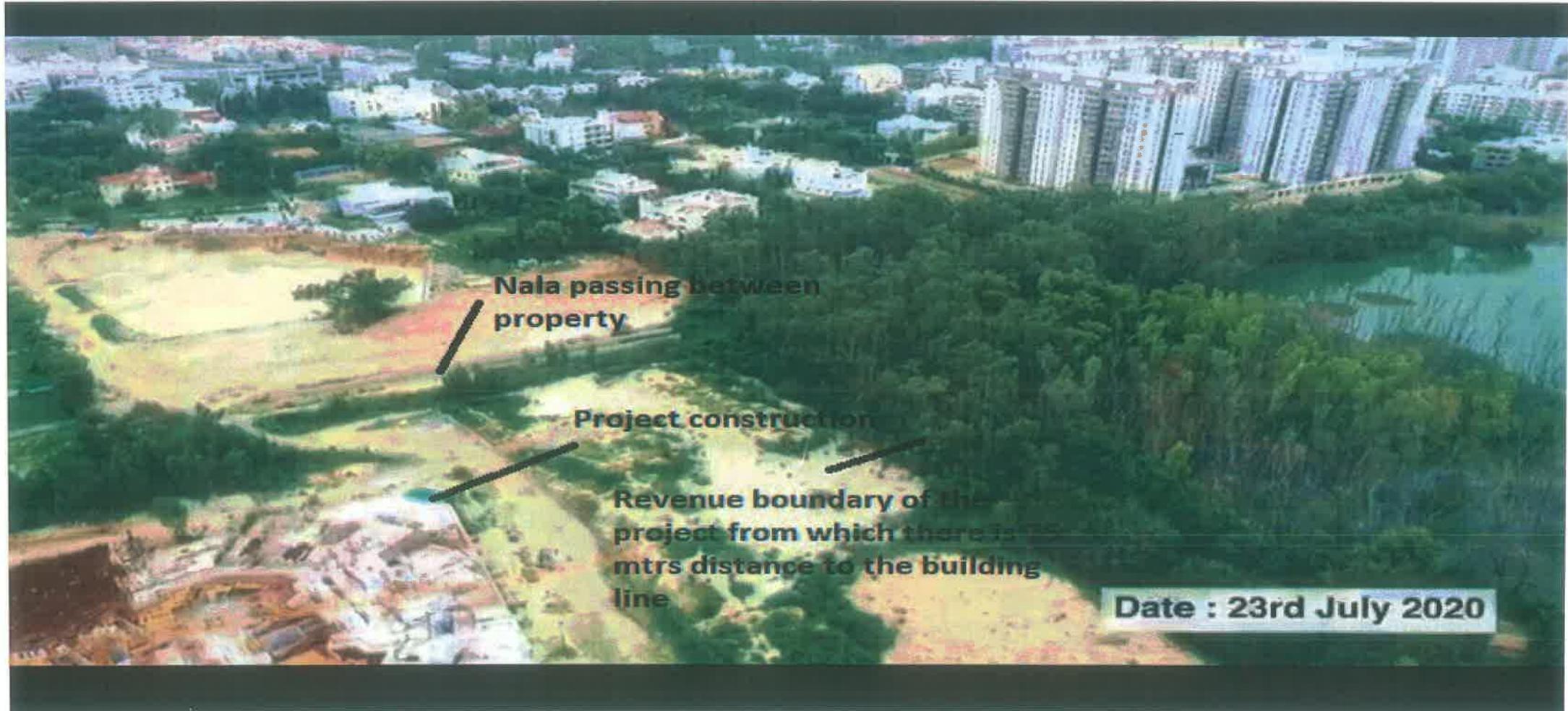


revenue bondary and Walk
trail by Lake Development
Authority

lake area covered with trees as seen
from the revenue boundary of the
Project

03.09.2020

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ANNEXURE. I

Proceedings for 183th Meeting of SEAC held on 25th November 2017

25th November 2017

Members present in the meeting:

8/12/2017
SEIAA

| | | |
|-----------------------------|---|-----------|
| Shri. N. Naganna | - | Chairman |
| Shri. B. Chikkappaiah | - | Member |
| Dr. N. Krishnamurthy | - | Member |
| Dr. M.I. Hussain | - | Member |
| Shi. G.T. Chandrashekarappa | - | Member |
| Dr. Vinod Kumar C.S | - | Member |
| Sri. Vyshak V. Anand | - | Member |
| Sri. J.G. Kaveriappa | - | Member |
| Sri. D. Raju | - | Member |
| Sri. Vijaya Kumar, IFS | - | Secretary |

The Chairman, SEAC, Karnataka welcomed the members of the Committee and others present. The following proposals listed in the agenda were appraised in accordance with the provisions of EIA Notification 2006. The observation and decision of the Committee are recorded under each of the agenda items.

Confirmation of the proceedings of 187th SEAC meeting held on 20th and 21st November 2017.

The State Expert Appraisal Committee, Karnataka perused the proceedings of 187th SEAC meeting held on 20th and 21st November 2017 and confirmed the same.

Deferred subjects - EIA Proposals:

188.1 Formation of Housing Layout at Raichur, Growth Centre, Raichur District of CEO & Executive Member, Karnataka Industrial Area Development Board (KIADB), Khanija Bhavana, 4th & 5th Floor, East Wing, No. 49, Race Course Road, Bangalore - 560001. (SEIAA 49 CON 2013)

Name of the Applicant: Development Officer & Executive Engineer, KIADB, Gulbarga.

Name of the Consultancy Firm: M/s. ABC Techno Labs India (P) Ltd., Chennai

KIADB have applied for Environmental Clearance from SEIAA for their new proposed formation of housing layout with residential & commercial building at Sy. No. listed at Raichur Taluk & District under 8(b) of Schedule of EIA Notification, 2006 under Category-B. Total project cost is Rs. 123 Crores.

Project Details: Land: Total Plot Area: 1030228.37 Sqm (254.33 Acres or 102.88 hectares) (plain); The Project consists of 3069 plots; Water Requirement: Total water requirement is 2 MLD and is sourced from Raichur Corporation. Excavated Wastewater generated will be treated in proposed STP of design capacity 1.6 MLD KLD; Municipal Solid Waste

Management: Total waste generated: 9787 kg/day. Power: Total Power requirement: 7500 KVA supplied from BESCOM; Backup Power proposed: DG sets of 9 X 250 KVA; Details surrounding the Project: Srisailam Reservoir: 95 kms. Other details: Rain Water Harvesting is proposed.

1. Land details: notified under KIADB, 1966 28 (3) issued on 24.9.1996. Geotechnical investigation report submitted.
2. Proposed land use details (Sqm)
 - a. Residential: 4,59,275.7 (44.57%).
 - b. Parks, open space: 1,08,174.23 (10.50%)
 - c. Traffic & transportation: 3,35,757.32 (32.61%)
 - d. Civic amenities: 6,23,318 (6.055)
 - e. Commercial area: 64,688.92 (6.27%)

Total area: 1030228.37 (100%)

The proponent and environmental consultant present explained the proposed ToRs in the 102nd meeting of SEAC held on 26th April 2013. The Committee after deliberation had decided to issue the model ToRs along with the following additional ToRs:

1. Land ownership documents.
2. Details of buffer zone proposed.
3. Commitment letter from the Raichur Corporation for water supply.
4. Four seasons data for ambient air quality monitoring with predominant wind direction.

Accordingly ToRs were issued vide letter dated 22.05.2013.

The proponent vide letter dated 19.03.2016 have requested for extension of validity of ToR for one more year to complete the EIA report, as they are not able to finalize the draft EIA report due to delay in finalizing certain design details. The Authority perused the representation of the proponent in its 116th meeting held on 31st March 2016 and had decided to extend the validity period for further period of one year ie., till 21.05.2017.

The proponent has submitted the EIA report vide letter dated 21.04.2017 which was received on 11.05.2017.

The proposal is therefore placed before the committee for EIA appraisal.

The proponent and Environmental Consultant from M/s. ABC Techno Labs India (P) Ltd attended the meeting of SEAC to provide required information/clarification.

The committee noted that the Environment consultant present in the meeting is not the EIA coordinator and has come without freezing the project boundary.

The committee therefore decided to defer the proposal providing one more opportunity to the proponent to present the proposal in the next meeting. The committee also asked the proponent to submit the village map duly marking the project site, details of nala/water bodies within the project site and required buffer zone provided as per the norms.

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The proponent was invited to provide required clarification/additional information.

While appraising the proposal the committee observed that the Layout proposed is in the land belonging to Potagal and Yaramarus villages of Raichur Taluk. The Proponent has stated that there is no kharab land in the entire extent. He has also stated that in the survey no 269 of Potagal village the water pond shown is a private one and not reflected in any of the revenue records, except the village survey map.

While appraising the proponent has accepted to have a relook on the extent of kharab land and he has stated that if there is any discrepancies in survey numbers made out in the application and appraisal material, he will submit the revised application. The committee observed that the TOR for the project was issued in the year 2013 and further extended up to 21st May 2017 and hence the extended period is also lapsed. The proponent was suggested to get the extension from the Authority and come for the appraisal for which the proponent has agreed.

In view of the above the committee decided to defer the subject and give one more opportunity to the proponent to present the proposal with required information.

Action: Secretary, SEAC to place the proposal before SEAC after submission of the above information

- 188.2 Establishment of EPIP Industrial Area II Phase, Ganjimutt Village, Mangalore Taluk, Dakshina Kannada District. 38.87 Ha (96.05 Acres) of CEO & Executive Member, Karnataka Industrial Areas Development Board (KIADB), 14/3, 2nd floor, Rashthrohana Parishat (RP) Building, Nrupathunga Road, Bangalore (SEIAA 8 IND2013)

Name of the Applicant: Sri. Onkar Murthy, Development Officer, KIADB.

Name of the Consultancy Firm: M/s ABC Consultants .

KIADB has proposed to develop EPIP Industrial Area 2nd phase in an area of 96.05 acres near Ganjimutt Village, Mangalore Taluk, Dakshina Kannada District. The project site is located within 500 meters from Ganjimutt Village, Mangalore Taluk, and Dakshina Kannada District. The area lies in the northern latitude of 12°58'31.6" and eastern longitude of 74°57'24.1". Site is well connected by road, rail and air port. Site is well connected with the State Highway, SH 70 north direction and Site is also connected with National Highway 169 north direction, Mangalore International Airport is around 6.8 Km west direction away from the project site. Mangalore Railway Station is about 18 Km from the project site.

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Once the industrial plots are completely sold expected establishments are interlinked/interdependent projects such as Garment Industries, I.T/B.T & Electronics, Agro Based Industries, Pharmaceutical industries and general industries.

Following information are furnished in the application:

Presently the land is with shrub in most of the area. KIADB has proposed to acquire lands required for development of Industrial estate and the amenities. KIADB has acquired land from the village near Gunjimutt.

Phalguni(gurupura) river - 3.2 km (S)
Nethravathi river-11.0 km (S)

3.78 MLD of water will be drawn from Phalguni (Gurupura)River for the proposed industrial area .

The power requirement for the proposed development is 6.95 MW and the source of power will be from Mangalore Electricity Supply Company Limited (MESCOM)/KFTCL.

Provision of plots for Police Station, STP, Canteen, electric grid, public transport & solid waste management etc., will be made.

There is a Court case (5837/2011) in High Court Bangalore pertaining to develop industrial area.

The project proponent presented PFR and proposed ToR before the Committee during the 100th meeting of SEAC held on 16th March 2013. Following additional ToRs are to be considered by the project proponent for the preparation of the EIA:

Demarcation of land use within the proposed industrial area.

Impact due to changed land use

Proposal of CETP

Accordingly ToRs were issued vide letter dated 22.05.2013.

The proponent vide letter dated 19.03.2016 have requested for extension of validity of ToR for one more year to complete the EIA report, as they are not able to finalize the draft EIA report due to delay in finalizing certain design details. The Authority perused the representation of the proponent in its 116th meeting held on 31st March 2016 and had decided to extend the validity period for further period of one year ie., till 05.04.2017.

25

The proponent has submitted the EIA report vide letter dated 13.03.2017 which was received on 15.04.2017.

The proposal is therefore placed before the committee for EIA appraisal.

The proponent and Environmental Consultant from M/s. ABC Techno Labs India (P) Ltd attended the meeting of SEAC to provide required information/clarification.

The committee noted that the Environment consultant present in the meeting is not the EIA coordinator and has come without freezing the project boundary.

The committee therefore decided to defer the proposal providing one more opportunity to the proponent to present the proposal in the next meeting. The committee also asked the proponent to submit the village map duly marking the project site, details of nala /waterbodies within the project site and required buffer zone provided as per the norms.

The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

The committee observed that the original application made out earlier is to an extent of 38.88 hectares, but now the appraisal material states that the extent involved is 42.16 hectares. Also the ToR for this proposal has been issued in the year 2013, and further extended up to 5th April 2017. Hence it needs further extension which has not been obtained so far. The proponent has agreed to comply with the above basic lacunas and come for the appraisal for which the proponent has agreed.

In view of the above the committee decided to defer the subject and to give the proponent one more opportunity to submit the information sought by the committee including the information asked in the earlier meeting.

Action: Secretary, SEAC to place the proposal before SEAC after submission of the above information

188.3 Ammendment in Environmental Clearance to include Red Category Industries at Dobaspeth 4th Phase Industrial Area in the Villages of Yedehalli, Chandana Hosahalli, Honnenahalli, Kengal Kempohalli, Avverahalli, K.G.Srinivasapura, Billanakote, Nelamangala Taluk, Bangalore Rural District by KIADB-DABASPETH - NELAMANGALA (SEIAA 20 IND 2017)

The Proponent has obtained Environmental Clearance for the above said proposal on 27-08-2015, and is seeking ammendment to EC to include Red category industries at Dobaspeth 4th phase Industrial Area. As per the TGR Notification, Dated:18-11-2003, the entire area of Dobaspeth 4th phase falls under Zone-I.

In this regard, the Proponent has applied for EC amendment. The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

While appraising the proposal the proponent has stated that the lands for this project have been acquired beyond 100 meters from the habitat as per the guidelines of C&I Department. The proponent has also stated that in case of water bodies the lands have been acquired up to the edge of water bodies and while preparing the development plan, he has left buffer as per NGT order of dated: 4th May 2016. The committee deliberated on the siting guidelines for setting up of Red category industries and found that the proponent has failed to furnish the required information.

The proponent also submitted that while allotting land to the industries they will impose conditions to compulsorily install effluent treatment plant with zero liquid discharge, to maintain the air emission within the prescribed standards of the Central Pollution Control Board and to dispose the hazardous waste such as ETP sludge etc., to the authorised processing agencies.

In the light of the above observations, the committee decided to recall the proponent after submission of the following information.

- 1) To furnish the information to meet the siting guidelines for setting up of Red category industries as stipulated by MoEF & CC/CPCB.
- 2) The actual distance between the habitat(minimum/maximum distance) and the acquired lands is to be assessed properly and submitted.
- 3) If any expansion of the village beyond the gramathana limits has taken place, the same has to be reported citing maximum and minimum distances from the expanded portion.
- 4) The list and nature of industries for which the land has been allotted with the pollution potential is to be submitted.
- 5) Baseline studies should be made afresh and to be submitted.
- 6) Submit the compliance to the earlier EC issued.

Action: Secretary, SEAC to place the proposal before SEAC after submission of the above information

2:30 PM to 4:00 PM

Fresh proposals:

- 188.4 Proposed Commercial Building Project at Sy.Nos.58/2 & 59/2 of Doddanekundi Village, Bengaluru East Taluk, Bangalore District by M/s. Bagmane Developers Pvt. Ltd. (SEIAA 113 CON 2017)

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M/s Bagmane Developers Pvt. Ltd., have applied for Environmental clearance from SEIAA for their proposed Commercial building project "Bagmane Taurus 3" in survey Nos.58/2 & 59/2, Doddaneckundi village, K. R Puram Hobli, Bangalore East Taluk, over a plot area of 20,224.00 sqm with the following details:

| | |
|--|---|
| Total Built-up area | 84,996.02 sqm |
| Building Configuration [Number of Blocks / Towers / Wings etc., with Numbers of Basements and Upper Floors] | 2Basements + 1Ground floor + 12 Upper floors |
| Total Landscape Area | 8273.0 sqm |
| FAR Area | 59,694.98 sqm |
| Ground coverage area | 5536.83 sqm |
| Car Parking | 1195 Nos |
| Source of Power | BESCOM |
| Power requirement | 5200 KVA |
| Backup DG sets | 5 x 1500 KVA |
| Source of water | BWSSB |
| Water requirements | Construction phase : 20 KLD Operational phase : 350 KLD |
| Sewage Treatment Plant | 350 KLD |
| Use of STP treated water | Utilization for urban reuse, viz., flushing, Gardening & HVAC |
| Total Project Cost | 208 crores |

The proposal was placed before the committee for appraisal. The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

The committee while appraising the proposal, observed that the in original application made out in Form-1A, it is mentioned that the building is of two basements, one ground floor and 12 upper floors. Whereas in the concept plan uploaded to E portal along with the application, it is mentioned that the project is for two basements, one ground floor and 11 upper floors excluding terrace for which the proponent stated it is due to typographical error.

The committee after discussion and deliberation decided to reconsider the proposal after obtaining following information:

- 1) The proponent to submit the revised Form IA after correcting the typographical error and to upload to E portal.
- 2) As far as traffic study is concerned the status of the connecting road moves from D category to F category at the end of three years. The proponent to submit the detailed mitigative measures to improve the status.
- 3) The proponent to relook into the storm water management plan within the site keeping in view the carrying capacity of the drain.

- 4) The proponent to monitor and submit the air quality data for 24 hours.
- 5) The proponent to submit the detailed energy conservation measures adopted in selection of the building material.

Action: Secretary, SEAC to place the proposal before SEAC after submission of the above information

188.5 Proposed construction of Residential Building Project at Sy.Nos.61/2, 62 & 63/2 of Kasavanahalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru Urban District by M/s. Wonder Projects Development Pvt. Ltd. (SEIAA 114 CON 2017)

M/s Wonder Projects Development Pvt Ltd., has proposed to develop a residential apartment buildings project at Survey Nos.61/2, 62, & 63/2 of kasavanahalli village, Varthur Hobli, Bengaluru East Taluk, Bengaluru. The proposed project will be developed on a plot covering a land area of 50,382.91 sqm(12.45 acres) with following details:

| Name of the Project | Proposed Residential Building Apartment project by M/s Wonder Projects Development Pvt Ltd., |
|--|--|
| Total Built-up area | 1,28,193.9 Sqm |
| Building Configuration [Number of Blocks / Towers / Wings etc., with Numbers of Basements and Upper Floors] | 2 Blocks with 2 Basements + Ground Floor+20 upper floors |
| Total Landscape Area | 21667.7 sqm(45.2%) |
| FAR Area | 39,423.70 sqm |
| Ground coverage area | 5536.83 sqm |
| Car Parking | 877 Nos |
| Source of Power | BESCOM |
| Power requirement | Construction Phase : 500 KVA Operational Phase 3499 KW |
| Backup DG sets | 1x320 KVA & 1x500 KVA DG sets : Block 1 1x380 KVA & 1x500 KVA DG sets : block 2 |
| Source of water | BWSSB & borewells |
| Water requirements | Operational phase : 534 KLD |
| Sewage Treatment Plant | 210 KLD and 280 KLD of SBR technology |
| Use of STP treated water | Utilization for flushing & Gardening purpose |

The proposal was placed before the committee for appraisal. The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

The committee appraised the proposal considering the information provided by the proponent and while appraising the proposal, the committee observed that there is a lake on the northern side and also a nala running across the land. The proponent has

stated that they have left 75 meter buffer zone for the lake and 50 meter buffer on either side of the nala. The committee also observed that there is a variation in the traffic study details between the original application and the presentation material. The proponent has stated that it is due to the error while calculating the details and submitted that the LOS will remain as "C" (towards Sarjapur) and "D" (towards outer ring road) even after the completion of the project. The committee advised the proponent to submit the revised traffic study details accordingly. The proponent also stated that they are planning to get LEED certificate and complying with IGBC norms.

The committee after discussion/deliberation, decided to recommend the proposal to SEIAA for issue of Environmental clearance subject to the following conditions:

1. The proponent shall submit the revised traffic study details.
2. Point recharging to the existing borewell shall be done by using harvested rainwater.
3. Budget Provision shall be made for greenery development.
4. The proponent shall adopt disinfection instead of chlorination as the chloride content in the nearby lake is found to be exceeding the limits.

Action: Secretary, SEAC to forward the proposal to SEIAA for further necessary action.

188.6 Proposed construction of Residential Development Project at Khata No.423, 17 & 30, Sy.Nos.98/2, 100 & 101 of Nagasandra Village, Yeshwanthpur Hobli, Bengaluru North Taluk, Bengaluru District by M/s. ARVIND INFRACON LLP (SEIAA 115 CON 2017)

M/s Arvind Infracon LLP has submitted a proposal to develop a Residential Apartment with 470 units having a total built-up area of 70,019.71 sqm at Khata No.423,17 and 30, in sy nos.98/2, 100 and 101, Nagasandra village, Yeshwanthpur village, Yeshwanthpur Hobli, Bengaluru North Taluk, Bengaluru with following details:

| Sl. No | PARTICULARS | INFORMATION |
|--------|---|--|
| 1 | Name & Address of the Project Proponent | Mr. Deepak Manchanda- Authorized signatory, M/s. Arvind Infracon LLP, No-17/2-6, 3rd Floor, Raheja Point, Commissariat Road, Ward no -76, Richmond Town, Bangalore - 560 025. |
| 2 | Name & Location of the Project | M/s. Arvind Infracon LLP, No-17/2-6, 3rd Floor, Raheja Point, Commissariat Road, Ward no -76, Richmond Town, Bangalore - 560 025. |

| | | |
|----|--|---|
| 3 | Co-ordinates of the Project Site | 13.045874 , 77.502015 |
| 4 | Environmental Sensitivity | |
| | a. Distance from periphery of nearest Lake and other water bodies (Lake, Rajakaluve, Nala etc.,) | Not Applicable |
| | b. Type of water body at the vicinity of the project site and Details of Buffer provided as per NGT Director in O.A 222 of 2014 dated 04.05.2016, if Applicable. | Not Applicable |
| 5 | Type of Development | |
| | a. Residential Apartment / Villas / Row Houses / Vertical Development / Office / IT/ ITES/ Mall/ Hotel/ Hospital /other | Residential Apartment |
| | b. Residential Township/ Area Development Projects | |
| 6 | Plot Area (Sq.m) | 15,630.92 Sq m |
| 7 | Built Up area (Sq.m) | 70,019.71 Sq m |
| 8 | Building Configuration [Number of Blocks / Towers / Wings etc., with Numbers of Basements and Upper Floors] | 2 Basement + Ground + 19 upper Floors + Terrace |
| 9 | Number of units in case of Construction Projects | Number of Units: 470 No's |
| 10 | Number of Plots in case of Residential Township/ Area Development Projects | NA |
| 11 | Project Cost (Rs. In Crores) | 113 Crores |
| 12 | Recreational Area in case of Residential Projects / Townships | |
| 13 | Details of Land Use (Sq.m) | |
| | a. Ground Coverage Area | 2,883.09 Sq m |
| | b. Kharab Land | 859.95 Sq m |
| | c. Total Green belt on Mother Earth for projects under 8(a) of the schedule of the EIA notification, 2006 | 4,874.42 Sq m |
| | d. Internal Roacs | - |
| | e. Paved area | - |
| | f. Others Specify | - |
| | g. Parks and Open space in case of Residential Township/ Area Development Projects | 7013.46 Sq m |
| | h. Total | 15,630.92 Sq m |
| 14 | Details of demolition debris and / or Excavated earth | |
| | a. Details of Debris (in cubic meter/MT) if it involves Demolition of existing structure and Plan for re use as per Construction and Demolition waste management Rules 2016, If Applicable | |
| | b. Total quantity of Excavated earth (in | 17,298.54 m ³ |

| | | |
|----|--|--|
| | cubic meter) | |
| | c. Quantity of Excavated earth propose to be used in the Project site (in cubic meter) | The 949.59 m ³ excavated earth will be used for landscaping of gardens |
| | d. Excess excavated earth (in cubic meter) | Res: of 2,437.21 m ³ of excavated earth will be used within the project site etc. |
| | e. Plan for scientific disposal of excess excavated earth along with Coordinate of the site proposed for such disposal | NA |
| 15 | WATER | |
| | I. Construction Phase | |
| | a. Source of water | Tankers |
| | b. Quantity of water for Construction in KLD | 20 KLD |
| | c. Quantity of water for Domestic Purpose in KLD | 5 KLD |
| | d. Waste water generation in KLD | 4 KLD |
| | e. Treatment facility proposed and scheme of disposal of treated water | There will be no treatment in the construction phase. |
| | II. Operational Phase | |
| | a. Total Requirement of Water in KLD | Fresh 278.5 KLD Recycled 70.5 KLD Total 349 KLD |
| | b. Source of water | BWSSB |
| | c. Waste water generation in KLD | 314 KLD |
| | d. STP capacity | 350 KLD |
| | e. Technology employed for Treatment | Sequential Batch Reactor |
| | f. Scheme of disposal of excess treated water if any | NA |
| 16 | Infrastructure for Rain water harvesting | |
| | a. Capacity of sump tank to store Roof run off | 100 cum |
| | b. No's of Ground water recharge pits | 15 No's |
| 17 | Storm water management plan | Enclosed. |
| 18 | WASTE MANAGEMENT | |
| | I. Construction Phase | |
| | a. Quantity of Solid waste generation and mode of Disposal as per norms | |
| | II. Operational Phase | |
| | a. Quantity of Biodegradable waste generation and mode of Disposal as per norms | 705 Kg/day Will be treated in Organic Waste Converter. |
| | b. Quantity of Non- Biodegradable waste generation and mode of Disposal as per norms | 470 Kg/day Will be handed over to Authorized vendors. |
| | c. Quantity of Hazardous Waste generation and mode of Disposal as per norms | NA |
| | d. Quantity of E waste generation waste generation and mode of Disposal as per norms | NA |
| 19 | POWER | |

| | | |
|----|--|-------------------|
| a. | Total Power Requirement -Operational Phase | 1920 KVA |
| b. | Numbers of DG set and capacity in KVA for Standby Power Supply | 500 KVA – 2 No's |
| c. | Details of Fuel used for DG Set | 2 Litres per Hour |
| d. | Energy conservation plan and Percentage of savings including plan for utilization of solar energy as per ECBC 2007 | NA |
| 20 | PARKING | |
| a. | Parking Requirement as per norms | 529 No's |
| b. | Level of Service (LOS) of the connecting Roads as per the Traffic Study Report | |
| c. | Internal Road width (RoW) | |

The proposal was placed before the committee for appraisal. The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

The committee while appraising the proposal observed that the information submitted is incomplete and after deliberation and discussion decided to reconsider the proposal after submission of the following information:

- 1) To upload the additional information submitted dated : 18-11-2017 to E portal
- 2) To submit Baseline data.
- 3) To conduct surface water analysis of the nearest downstream lake and to submit the report.
- 4) To submit the details of number of recharge pits, their dimension and location.
- 5) To mark and submit the location of Environmental sensitive points within the five kilometre radius.
- 6) To submit the EMP budget details.
- 7) To submit the detailed energy conservation measures adopted in selection of the building materials.

Action: Secretary, SEAC to place the proposal before SEAC after submission of the above information

188.7 Proposed Residential Apartment project at 8/2 of Allasandra village, Yelahanka Hobli, Bangalore North Taluk, Bangalore Urban District by M/s. Axis Concepts Capstone Pvt. Ltd. (SEIAA 116 CON 2017)

M/s Axis Concepts Capstone Pvt Ltd., have applied for Environmental Clearance form SEIAA for their proposed Residential Apartments at Survey number 8/2, of Allalsandra Village, Yelahanka Hobli, Bangalore North Taluk, Bangalore Urban district over a plot area of 10,642.22 sqmts with the following details .

| | | |
|----|---------------------|--|
| 1. | Name of the project | Proposed Residential Apartment by M/s Axis |
|----|---------------------|--|

| | | |
|-----|---|--|
| | | Concepts Capstone Pvt Ltd., |
| 2. | Location of the project | Sy No 8/2 of Allalassandra Village, Yelahanka Hobli, Bangalore North Taluk, Bangalore urban District. |
| 3. | Land use as per CDP | Residential Zone. |
| 4. | Name & Address of the project proponent | Mr Prasanna S K, CEO M/s Axis Concepts Capstone Pvt Ltd # 38, Maini Sadan, 2 nd Floor, 7 th Cross, Lavelle Road, Bangalore-560 001 |
| 5. | New/ Expansion/Modification. | New |
| 6. | Site Area in Sqmt | 10,642.22 Sq mt |
| 7. | Total Built up area in Sqmt | 26,595.40 Sqmt |
| 8. | Configuration of the Building (No. of blocks, floors, No. of units) | 2 Basements +Ground floor +15 Upper floors. 142 Units. |
| | Height of the building | 50.70 meters |
| 9. | Land use details (Ground coverage area, park & open space etc.) | Permissible Ground Coverage area is 65%. Proposed Ground coverage area 15.84%. Landscape area of 4322.00 Sqmt. |
| 10. | Source of water & NOC from the competent authority | Source of water from BWSSB. (In process) |
| 11. | Water requirement in KLD | 123 KLD |
| 12. | Wastewater generation in KLD | 110KLD |
| 13. | STP capacity in KLD & technology | 110 KLD & Sequential Batch Reactor (SBR) Technology |
| 14. | Rain water harvesting implementation, Recharge pits, Storage capacity | Storm water collection Sump - 35.00 Cum with 16 No's Recharge pits |
| 15. | Energy savings | 22.1 % |
| 16. | Parking facility provided | Total Car Parking provided is 162 No's |
| 17. | Traffic : nearest road - LOS - Existing & modification | Allalassandra Approach Road; LOS- Existing- A; Modification - A |
| 18. | Cost of the Project | 56.05 crore |

The proposal was placed before the committee for appraisal. The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

The committee appraised the proposal considering the information provided by the proponent and while appraising the proposal, the committee observed that the project is located in Survey number 8/2 of Allalassandra. In the northern side of the site there is a lake and on the western side beyond the boundary of this project there is a tertiary nala. The proponent has stated that he has left 75 meter buffer for the lake and a buffer zone of 25 meter has been maintained for the tertiary nala which is about 8 to 9 meters away from the boundary of this site. A BBMP road which is the approach road for this project has been formed on the northern side in this proposed land. The 75 meter buffer left for the lake includes the width of this road. The BBMP road which is

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constructed in this land is the only approach road for this site. Hence the proponent has agreed to take the approach from this road to the building through elevated road leaving the buffer zone intact except putting up some columns. The proponent has also stated that the fire driveway on the western side is also running in buffer zone and he has agreed to take this also at the elevated level leaving the buffer zone intact except for putting up some columns.

The committee after discussion/deliberation, decided to recommend the proposal to SEIAA for issue of Environmental clearance subject to the following conditions:

- 1) The proponent shall submit the revised concept plan by making changes for providing elevated road.
- 2) The proponent shall provide alternate sewage treatment facility instead of septic tank during construction.

Action: Secretary, SEAC to forward the proposal to SEIAA for further necessary action.

4:00 PM to 5:30 PM

188.8 Proposed Construction of Residential Apartment Project at Sy.No.87/3 of Thanisandra Village, K.R.Puram Hobli, Bangalore East Taluk, Bengaluru District by M/s. AMIGOESTELLA INDIA LLP (SEIAA 117 CON 2017)

| Sl. No | PARTICULARS | INFORMATION |
|--------|---|--|
| 1 | Name & Address of the Project Proponent | Sri. Mohammed Hamza Ali Partner M/s Amigoestella India LLP, No.37/10, 1st floor, Meanee Avenue Tank Road, Opp: Lake Side Hospital Ulsoor, Bangalore - 560042 |
| 2 | Name & Location of the Project | Proposed Residential Apartment project at Sy. No 87/3, of Thanisandra Village, K.R. Puram Hobli, Bangalore East Taluk, Bangalore Urban District |
| 3 | Co-ordinates of the Project Site | Longitude: 77°44'08.72"E Latitude: 12° 58'07.13"N |
| 4 | Environmental Sensitivity | |
| | a. Distance from periphery of nearest Lake and other water bodies (Lake, Rajakaluve, Nala etc.,) | Rachenahalli lake is 1.61 Kms to the Southwest. Tertiary nala is inside site for which 25 m buffer has been left. |
| | b. Type of water body at the vicinity of the project site and Details of Buffer provided as per NGT Direction in O.A 222 of 2014 dated 04.05.2016, if Applicable. | Tertiary nala is inside the site for which 25 m buffer has been left. There are no Lakes within 75 m from the site boundary. |
| 5 | Type of Development | |

| | | | |
|----|----|---|--|
| | a. | Residential Apartment / Villas / Row Houses / Vertical Development / Office / IT/ ITES/ Mall/ Hotel/ Hospital /other | Residential Building |
| | b. | Residential Township/ Area Development Projects | No |
| 6 | | Plot Area (Sqm) | 7485.70 sq.m. |
| 7 | | Built Up area (Sqm) | 28,075.05 sq.m |
| 8 | | Building Configuration [Number of Blocks / Towers / Wings etc., with Numbers of Basements and Upper Floors] | Basement + Ground Floor + 4 Upper Floor + Terrace Floor with total of 168 units |
| 9 | | Number of units in case of Construction Projects | Total Number of Units is 168 Nos. |
| 10 | | Number of Plots in case of Residential Township/ Area Development Projects | - |
| 11 | | Project Cost (Rs. In Crores) | 30 |
| 12 | | Recreational Area in case of Residential Projects / Townships | Playground area – 300 sq.m, Senior Citizen allocated area – 150 sq.m. Cycling track area – 81 sq.m. Total recreational ground area = 561.4 sq.m (7.5% of plot area); Gym and Indoor games on Ground floor: 561.4 sq.m.(7.5% of plot area. Total recreational area = 1122.8.m. (15% of plot area) |
| 13 | | Details of Land Use (Sqm) | |
| | a. | Ground Coverage Area | 3,548.60 sq.m (47.41%) |
| | b. | Kharab Land | - |
| | c. | Total Green belt on Mother Earth for projects under 8(a) of the schedule of the EIA notification, 2006 | 2,927.79 sq.m (39.11%) |
| | d. | Internal Roads | 1009.31 sq.m. (13.48%) |
| | e. | Services | - |
| | f. | Others Specify | - |
| | g. | Parks and Open space in case of Residential Township/ Area Development Projects | NA |
| | h. | Total Net Site area | 7485.70 sq.m |
| 14 | | Details of demolition debris and / or Excavated earth | |
| | a. | Details of Debris (in cubic meter/MT) if it involves Demolition of existing structure and Plan for re use as per Construction and Demolition waste management Rules 2016, If Applicable | No demolition is involved. |
| | b. | Total quantity of Excavated earth (in cubic meter) | 27,668.70cu.m. |
| | c. | Quantity of Excavated earth propose to be used in the Project site (in | 27,668.70cu.m. |

| | | | | | | | | |
|----------|---|--|-------|-------|----------|---------------------|-------|--------|
| | cubic meter) | | | | | | | |
| d. | Excess excavated earth (in cubic meter) | Nil | | | | | | |
| e. | Plan for scientific disposal of excess excavated earth along with Coordinate of the site proposed for such disposal | No disposal | | | | | | |
| 15 | WATER | | | | | | | |
| I. | Construction Phase | | | | | | | |
| a. | Source of water | From Nearby treated water suppliers (MoU will be submitted) | | | | | | |
| b. | Quantity of water for Construction in KLD | 25 KLD | | | | | | |
| c. | Quantity of water for Domestic Purpose in KLD | 5 KLD | | | | | | |
| d. | Waste water generation in KLD | 4 KLD | | | | | | |
| e. | Treatment facility proposed and scheme of disposal of treated water | The sewage generated during the construction phase will be treated in the Septic Tank and Soak pit | | | | | | |
| II. | Operational Phase | | | | | | | |
| a. | Total Requirement of Water in KLD | <table border="1"> <tr> <td>Fresh</td> <td>43.47</td> </tr> <tr> <td>Recycled</td> <td>35.91+37.80 = 73.71</td> </tr> <tr> <td>Total</td> <td>117.18</td> </tr> </table> | Fresh | 43.47 | Recycled | 35.91+37.80 = 73.71 | Total | 117.18 |
| Fresh | 43.47 | | | | | | | |
| Recycled | 35.91+37.80 = 73.71 | | | | | | | |
| Total | 117.18 | | | | | | | |
| b. | Source of water | BWSSB | | | | | | |
| c. | Waste water generation in KLD | 111.32 KLD | | | | | | |
| d. | STP capacity | 115 KLD | | | | | | |
| e. | Technology employed for Treatment | SBR Technology | | | | | | |
| f. | Scheme of disposal of excess treated water if any | No Disposal. The treated water will be reused for toilet flushing, car washing and landscaping in the project site. | | | | | | |
| 16 | Infrastructure for Rain water harvesting | | | | | | | |
| a. | Capacity of sump tank to store Roof run off | 70 cu.m. | | | | | | |
| b. | No's of Ground water recharge pits | 4 Nos. | | | | | | |
| 17 | Storm water management plan | The storm water from the site will be collected by rainwater harvesting system and will be used for recharging the ground water | | | | | | |
| 18 | WASTE MANAGEMENT | | | | | | | |
| I. | Construction Phase | | | | | | | |
| a. | Quantity of Solid waste generation and mode of Disposal as per norms | <p>No of labours = 75 Nos. Per capita of waste generated = 0.2 kg/day 15 kg/day of waste will be generated. Separate collection bins will be used for organic and inorganic waste. Organic waste will be converted in organic convertor. Inorganic solid waste will be handed over to authorized recyclers.</p> | | | | | | |
| II. | Operational Phase | | | | | | | |
| a. | Quantity of Biodegradable waste generation and mode of Disposal as per norms | 201.6 kg/day. Biodegradable waste will be converted in organic convertor. | | | | | | |

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| | | |
|----|--|---|
| b. | Quantity of Non- Biodegradable waste generation and mode of Disposal as per norms | 134.4 kg/day. Non- Biodegradable waste will be handed over to authorized recyclers |
| c. | Quantity of Hazardous Waste generation and mode of Disposal as per norms | Nil |
| d. | Quantity of E waste generation and mode of Disposal as per norms | E – waste generation is very less. |
| 19 | POWER | |
| a. | Total Power Requirement - Operational Phase | 1000 kVA |
| b. | Numbers of DG set and capacity in KVA for Standby Power Supply | 1 X 1000 kVA |
| c. | Details of Fuel used for DG Set | HSD |
| d. | Energy conservation plan and Percentage of savings including plan for utilization of solar energy as per ECBC 2007 | <ul style="list-style-type: none"> • Energy saved by using Solar water Heater : 25,000kWH/ Year.....(a) • Total SPV Power Generation in a year = 0.6 L kWh / Annum.....(b) • Total Solar Energy utilization (Energy saving using solar heater and solar PV) in a year = (a)+(b)= 0.25+0.6 L KWH = 0.85 L / Annum(c) • Total energy savings = 29.10% |
| 20 | PARKING | |
| a. | Parking Requirement as per norms | One car spacing for 1 unit Total units = 168 +10% visitors Parking required is 184 cars Parking Provided is 202 Ecs which is as Per NBC and MoEF Norms |
| b. | Level of Service (LOS) of the connecting Roads as per the Traffic Study Report | R K NAGAR MAIN ROAD-LOS – C |
| c. | Internal Road width (RoW) | 8 m |

The proponent was invited to provide required clarification/information. The proponent remained absent.

The Committee decided to defer the subject providing one more opportunity to proponent with intimation that the proposal will be appraised based on merit in his absence, in case he remains absent.

Action: Secretary, SEAC to put up the proposal before SEAC in subsequent meetings.

188.9 Proposed Construction of Residential Apartment Project at Sy.Nos.6 2/4, 5, 6, 7 & 8 of Nallurahalli Village, K.R.Puram Hobli, Bangalore East Taluk, Bengaluru District by M/s. ANKURAA NITYA VENTURES (SEIAA 118 CON 2017)

M/s Ankura Nitya Ventures have applied for Environmental Clearance from SEIAA for their proposed Residential Apartment project at survey No.62/4, 5,6,7 & 8 of

Nallurahalli Village, K.R Puram hobli, Bangalore East Taluk, Bangalore Urban District over a plot area of 7790.13 sqm with the following details:

| Sl. No | PARTICULARS | INFORMATION |
|--------|--|---|
| 1 | Name & Address of the Project Proponent | Mr. P Balasubramanyam Managing Partner M/s. Ankuraa Sai Nitya Ventures No. 1057/49, Hagadur Village, K R Puram Hobli, Bangalore East Taluk |
| 2 | Name & Location of the Project | Proposed Residential Apartment project by M/s. Ankura Nitya Ventures, at Sy. No 62/4, 5, 6, 7 & 8, of Nallurahalli Village, K.R. Puram Hobli, Bangalore East Taluk, Bangalore Urban District. |
| 3 | Co-ordinates of the Project Site | Longitude: 77°44'08.72"E Latitude: 12° 58'07.13"N |
| 4 | Environmental Sensitivity | |
| | a. | Distance from periphery of nearest Lake and other water bodies (Lake, Rajakaluve, Nala etc.,) |
| | b. | Type of water body at the vicinity of the project site and Details of Buffer provided as per NGT Direction in O.A 222 of 2014 dated 04.05.2016, if Applicable. |
| 5 | Type of Development | |
| | a. | Residential Apartment / Villas / Row Houses / Vertical Development / Office / IT/ ITES/ Mall/ Hotel/ Hospital /other |
| | b. | Residential Township/ Area Development Projects |
| 6 | Plot Area (Sq.m) | 7790.13 sq.m. |
| 7 | Built Up area (Sq.m) | 30,286.92 sq.m |
| 8 | Building Configuration [Number of Blocks / Towers / Wings etc., with Numbers of Basements and Upper Floors] | 3 Wings, each having Basement + Ground Floor + 14 Upper Floor + Terrace Floor with total of 196 units. |
| 9 | Number of units in case of Construction Projects | Total Number of Units is 196 Nos. |
| 10 | Number of Plots in case of Residential Township/ Area Development Projects | - |
| 11 | Project Cost (Rs. In Crores) | 30 |
| 12 | Recreational Area in case of Residential Projects / Townships | Playground area – 300 sq.m, Senior Citizen allocated area – 150 sq.m. Cycling track area – 134 sq.m. Total recreational ground area = 584.25 sq.m. (7.5% of plot area); Gym and Indoor games on Ground floor: 584.25 sq.m.(7.5% of plot area. Total recreational area = 1168.5m. (15% of plot area) |
| 13 | Details of Land Use (Sq.m) | |
| | a. | Ground Coverage Area |
| | b. | Kharab Land |
| | c. | Total Green belt on Mother Earth for projects under 8(a) of the schedule of |

| | | | | | | | | |
|----------|---|---|-------|-------|----------|--------------------|-------|--------|
| | the EIA notification, 2006 | | | | | | | |
| d. | Internal Roads | 3,493.87sq.m. (44.85%) | | | | | | |
| e. | Services | - | | | | | | |
| f. | Others Specify | - | | | | | | |
| g. | Parks and Open space in case of Residential Township/ Area Development Projects | NA | | | | | | |
| h. | Total Net Site area | 7,790.13 | | | | | | |
| 14 | Details of demolition debris and / or Excavated earth | | | | | | | |
| a. | Details of Debris (in cubic meter/MT) if it involves Demolition of existing structure and Plan for re use as per Construction and Demolition waste management Rules 2016, If Applicable | No demolition is involved. | | | | | | |
| b. | Total quantity of Excavated earth (in cubic meter) | 16003.58 cu.m. | | | | | | |
| c. | Quantity of Excavated earth propose to be used in the Project site (in cubic meter) | 16003.58 cu.m. | | | | | | |
| d. | Excess excavated earth (in cubic meter) | Nil | | | | | | |
| e. | Plan for scientific disposal of excess excavated earth along with Coordinate of the site proposed for such disposal | No disposal | | | | | | |
| 15 | WATER | | | | | | | |
| I. | Construction Phase | | | | | | | |
| a. | Source of water | From Nearby treated water suppliers (MoU will be submitted) | | | | | | |
| b. | Quantity of water for Construction in KLD | 25 KLD | | | | | | |
| c. | Quantity of water for Domestic Purpose in KLD | 5 KLD | | | | | | |
| d. | Waste water generation in KLD | 4 KLD | | | | | | |
| e. | Treatment facility proposed and scheme of disposal of treated water | The sewage generated during the construction phase will be treated in the Septic Tank and Soak pit | | | | | | |
| II. | Operational Phase | | | | | | | |
| a. | Total Requirement of Water in KLD | <table border="1"> <tr> <td>Fresh</td> <td>50.72</td> </tr> <tr> <td>Recycled</td> <td>41.89+44.10= 85.99</td> </tr> <tr> <td>Total</td> <td>136.71</td> </tr> </table> | Fresh | 50.72 | Recycled | 41.89+44.10= 85.99 | Total | 136.71 |
| Fresh | 50.72 | | | | | | | |
| Recycled | 41.89+44.10= 85.99 | | | | | | | |
| Total | 136.71 | | | | | | | |
| b. | Source of water | BWSSB | | | | | | |
| c. | Waste water generation in KLD | 129.87 KLD | | | | | | |
| d. | STP capacity | 130 KLD | | | | | | |
| e. | Technology employed for Treatment | SBR Technology | | | | | | |
| f. | Scheme of disposal of excess treated water if any | No Disposal. The treated water will be reused for toilet flushing, car washing and landscaping in the project site. | | | | | | |
| 16 | Infrastructure for Rain water harvesting | | | | | | | |
| a. | Capacity of sump tank to store Roof runoff | 40 cu.m. | | | | | | |
| b. | No's of Ground water recharge pits | 12 Nos. | | | | | | |
| 17 | Storm water management plan | The storm water from the site will be collected by rainwater harvesting system and will be used for recharging the ground water | | | | | | |
| 18 | WASTE MANAGEMENT | | | | | | | |
| I. | Construction Phase | | | | | | | |

| | | |
|-----|--|---|
| a. | Quantity of Solid waste generation and mode of Disposal as per norms | No of labours = 75 Nos. Per capita of waste generated = 0.2 kg/day 15 kg/day of waste will be generated. . . Separate collection bins will be used for organic and inorganic waste. Organic waste will be converted in organic convertor. Inorganic solid waste will be handed over to authorized recyclers. |
| II. | Operational Phase | |
| a. | Quantity of Biodegradable waste generation and mode of Disposal as per norms | 235.20 kg/day. Biodegradable waste will be converted in organic convertor. |
| b. | Quantity of Non- Biodegradable waste generation and mode of Disposal as per norms | 156.8 kg/day. Non- Biodegradable waste will be handed over to authorized recyclers |
| c. | Quantity of Hazardous Waste generation and mode of Disposal as per norms | Nil |
| d. | Quantity of E waste generation waste generation and mode of Disposal as per norms | E -- waste generation is very less. |
| 19 | POWER | |
| a. | Total Power Requirement -Operational Phase | 1000 kVA |
| b. | Numbers of DG set and capacity in KVA for Standby Power Supply | 1 X 1000 kVA |
| c. | Details of Fuel used for DG Set: | HSD |
| d. | Energy conservation plan and Percentage of savings including plan for utilization of solar energy as per ECBC 2007 | <ul style="list-style-type: none"> • Energy saved by using Solar water Heater : 25,000kWH/ Year.....(a) • Total SPV Power Generation in a year = 0.6 L kWH / Annum.....(b) • Total Solar Energy utilization (Energy saving using solar heater and solar PV) in a year = (a)+(b)= 0.25+0.6 L KWH = 0.85 L / Annum(c) • Total energy savings = 29.10% |
| 20 | PARKING | |
| a. | Parking Requirement as per norms | One car spacing for 1 unit Total units = 196 +10% visitors Parking required is 215 cars Parking Provided is 231 Ecs which is as Per NBC and MoEF Norms |
| b. | Level of Service (LOS) of the connecting Roads as per the Traffic Study Report | ITPL Main Road -Towards Hoodi - LOS - D |
| c. | Internal Road width (RoW) | 8 m |

The proposal is placed before the committee for appraisal. The proponent and Environmental consultant attended the meeting of SEAC to provide required clarification/additional information.

While appraising the proposal , the committee observed that there is a tertiary nala running on the southern side of the site for which the proponent has stated that he has left 25 meter buffer zone from the edge of the nala. A portion of fire driveway on the southern side is coming on the buffer zone for which the proponent has agreed to

take this portion of the fire drive way at the elevated level keeping the buffer zone intact except putting up some columns.

The committee after discussion/deliberation, decided to recommend the proposal to SEIAA for issue of Environmental clearance subject to the following conditions:

- 1) The proponent shall make some alternate arrangement to reduce the traffic on the road by running shuttle service from the project to the nearest proposed metro station which is stated to be 400 meters from the site, for which a commitment in this regard shall be furnished.
- 2) During the construction period the required construction materials shall be transported in the wee hours when the traffic is less.
- 3) The proponent shall submit the revised concept plan by making changes for providing elevated road.

Action: Secretary, SEAC to forward the proposal to SEIAA for further necessary action.

188.10 Proposed Expansion of Residential Apartment Project at Sy.Nos.6/1B, 20/3, 20/4, 20/2 and 8/2 of Municipal No.3493, Doddanekundi Village, Varthur Hobli, Bengaluru East Taluk, Bangalore District by M/s. Durga Projects & Infrastructure Pvt. Ltd. (SEIAA 119 CON 2017)

M/s. Durga Projects & Infrastructure Pvt Ltd have applied for Environmental Clearance from SEIAA for their proposed Expansion of Residential Apartment with 504 flats with plot area of 19,728 sqm and builtup area of 79,743 sqm. Now the proponent intends to expand the project which consists of 848 flats Residential Apartment with a plot area of 32,931.02 sqmts. having a built up area of 1,44,705.14 sqm.

| | | |
|---|---|--|
| 1 | Name & location of the project with Colored Google map Enlarged CDP map Contour map with RLs Dated site photographs | Survey No's 6/1 B, 20/3, 20/4, 20/2 and 8/2, Municipal No. 3493, Doddanekundi, Varthur Hobli, Bengaluru East Taluk, Bengaluru. Submitted / Enclosed Submitted / Enclosed Submitted / Enclosed |
| 2 | Name of project proponents & address | M/s. Durga Projects & Infrastructure Pvt. Ltd., G K Arcade, 1st Floor, Ashoka Pillar Road, Jayanagar 1st Block, Bangalore - 560011. |
| 3 | Name of the consultant and accreditation | M/s. SAMRAKSHAN, F- 4, 1st Floor, Swastik Manandi Arcade, SC Road, Sheshadripuram, Bangalore - 560 020. Phone- 080 23460102. |

| | | | | | |
|----|---|--|--|---|--|
| 4 | Land use plan, previous land use and land conversion details | The project site is located in Residential Zone as per the Revised Master Plan 2015. (Conversions orders are submitted) | | | |
| 5 | Particulars of sensitive areas and water bodies with distance from the property | Water Bodies (Aerial distance): Doddanekundi lake at 0.75 Km (West), L B Sastry nagar lake at 2.5 Km (South West), Chinnapanahalli lake at 1.5 Km (South), Whitefield lake at 1.8 Km (East) and Nakkundhi lake at 1.30 Km (North) from the project site. | | | |
| 6 | New/Expansion/modernization | Expansion of Residential Apartment Project | | | |
| 7 | Status organization | Private Limited Company | | | |
| 8 | Documents submitted (mandatory): | Form I ----- Submitted Form I A ----- Submitted Conceptual Plan ----- Submitted | | | |
| 9 | Nature of project | Total no of flats | Building configuration | Total plot area (in sq m) | Total built up area (in sq m) |
| | Building and Construction project | <u>EC obtained</u> - 504 flats <u>After expansion</u> - 848 flats. | <u>After expansion:</u> Building configuration: Block A to H Consisting of Basement, Ground and 14 floors, Blocks J, K and L consisting of 2 Basements, Ground and 14 floors; Block M consisting of 2 Basements, Ground and 6 floors, Block N and P consisting of Basement, Ground and 14 floors. Club House block consisting of Basement, Ground and 2 floors. | <u>EC obtained:</u> 19,728.00 sq m (4 Acres 34.5 Guntas) <u>Proposed addition:</u> 13,203.02 sq m (3 Acres 11 Guntas) After expansion: 32,931.02 sq m (8 Acres 5.5 Guntas) | <u>EC obtained:</u> 79,743 sq m <u>Proposed expansion:</u> Addition of 64,962.14 sq m Total Project after Expansion: 1,44,705.14 sq m |
| | Township & Area development projects Other (Specify) | NA | NA | NA | NA |
| 10 | Height of the building (in meters) | 44.95 m | | | |
| | Existing Road width in front of the project site (in meters) | 50 m Fire station near Mahadevpura at about 6 Kms from | | | |

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| | | | |
|----|---|--|-----------------|
| | Distance to the nearest Fire Station (in km) | project site. | |
| 11 | Project cost Rs. (in Lakhs) | 1,500 Lakhs | |
| 12 | Land records/ particulars submitted | Submitted | |
| 13 | Details of source of water | Construction Phase | Operation Phase |
| | | Tertiary treated water will be used | BWSSB Sources. |
| 14 | If the source of water is other than BWS&SB, is scientific assessment report along with impact on competitive users enclosed? Does the project comes under grey area? If so status of CBWA permission. | Source of water for the project is from BWSSB Sources. NA | |
| 15 | Water requirement (KLD) along with water balance chart | Total water requirement: 602 KLD Wastewater generated: 542 KLD Water recycled for flushing: 191 KLD (Water balance Chart submitted) | |
| 16 | Submitted NOC from competent Authority for water supply? | Submitted | |
| 17 | Labourers details | | |
| | Location of the laborer camp | Within the project site | |
| | No. of labourers | 250 persons | |
| | No. of toilets provided for them | 30 toilets with bathrooms will be provided | |
| | Methods of waste/sewage disposal | The liquid waste from workers camps is being disposed through Under Ground Drainage system. | |
| | Solid waste generated by labourers camp (Kg/day) and its disposal details | 62.5 Kg/day - The domestic wastes will be disposed through BBMP. | |
| 18 | Excavated Earth: Quantity (in cum) and its disposal plan | The proposed project is residential apartment project having basement floor and earth excavation is necessary. Presently basement works is completed for Block A-H as per the EC obtained, the excavated earth is reuse for backfilling, paved arear formation. In the expansion proposal earth excavation details is presented for proposed blocks viz, J, K, L, M, N & P. The total quantity of excavated soil is about 25,500 cum. About 11,000 cum will be used for landscape development, 8,000 cum will be used for backfilling and 6,500 cum will be used for formation and hardscaping activities within the project site. | |
| 19 | If disposed off in others property, agreement for the same | NA as the excavated earth will be reused in the project. | |
| 20 | Construction debris | Construction debris is about 50 cum will be used for road formation within the site. | |
| 21 | Size of STP (KLD) and Technology adopted with flow diagram | 600 KLD capacity STP proposed based on SBR technology | |

| | | | | |
|----|--|---|-------------------|---|
| 22 | Disposal of excess treated wastewater Is sewer line existing? If not, give the plan for disposal | Treated sewage in the project will be recycled for Toilet Flushing, reused for Landscape development etc., NA | | |
| 23 | Solid waste generated | Type | Quantity | Mode of Disposal Organic solid waste will be treated in an organic converter and Inorganic waste will be sent for recycling. |
| | | Bio degradable | 1018 Kgs/day | |
| | | Non bio degradable | 678 Kgs/day | |
| 24 | Hazardous waste generated | Type | Quantity (in Cum) | Mode of Disposal |
| | | Waste Oil from DG Set | 50 - 100 L/annum | Disposed through KSPCB approved and CPCB register waste oil re-processors. |
| 25 | Rain water harvesting proposed with details of recharge pits and collection sump | Roof top rain water will be stored in collection tank and reused for domestic purposes after pretreatment (Filtration). The Proponents shall also Provide Recharging Pits along the inner periphery of the boundary wall with recharging pit of size 1.2 m dia x 2.5 m deep spaced at 20 m center to center. These recharging pits are filled with graded media comprising of Boulder at bottom and with coarse aggregates to facilitate percolation of harvested rain water to Recharge Ground Water table. | | |
| 26 | Power requirement (in kVA) with source | 4250 kVA will be supplied from BESCO | | |
| 27 | DG sets details with number and capacity: | EC obtained: 4 X 320 kVA capacity. After expansion: 3 X 500 kVA capacity DG sets are proposed as against EC obtained configuration. | | |
| 28 | Energy conservation devices proposed in the project and savings in percentage | Low loss energy efficient transformers, CFL's, LED fittings, Ballasts and variable frequency drives for motors and solar street lighting are proposed. | | |
| 29 | Landscape plan proposed (in sq m and percentage) On natural earth: On podium: Number of trees cut & retained List of tree species proposed (with emphasis on local and fruit/flower bearing species & number | 10,326.23 sq m (33.02 %) | | |
| | | Project site is barren land About 75 trees of native / indigenous species of trees will be planted at site List submitted | | |
| 30 | Parking facilities provided Cars Two-Wheelers | EC obtained: 555 cars | | |
| | | After expansion: 963 cars | | |
| 31 | Traffic study details with dated peak hour traffic density photographs: | - | | |
| 32 | Status of construction | Not Started | | |

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| | | |
|----|--|-------------------------------------|
| 33 | Legal issues pending (if any) | None |
| 34 | Conceptual plan for your project to be submitted | Submitted |
| 35 | Any novel green building concept adopted? | The project is designed as per BDA. |

PROJECT AT GLANCE:

| | |
|---|--|
| PROPOSED PROJECT | Expansion of Residential Apartment Project. (Addition of plot area, floors, blocks, built up area and flats) <u>Reference:</u> Environmental Clearance obtained from SEIAA, Karnataka vide SEIAA letter No. SEIAA 6 CON 2014 dated 09.12.2014. |
| LOCATION | "Durga Petals" Survey No.s 6/1 B, 20/3, 20/4, 20/2 and 8/2, Municipal No. 3493, Doddanekundi, Varthur Hobli, Bengaluru East Taluk, Bangalore. (NOTE: The additional land of 3 Acres 11 Guntas is located in Survey No. 20/2 and 8/2) |
| TOTAL PLOT AREA | EC obtained: 19,728.00 sq m (4 Acres 34.5 Guntas) Proposed addition: 13,203.02 sq m (3 Acres 11 Guntas) After expansion: 32,931.02 sq m (8 Acres 5.5 Guntas) |
| TOTAL BUILT UP AREA | EC obtained: 79,743 sq m Proposed expansion: Addition of 64,962.14 sq m Total Project after Expansion: 1,44,705.14 sq m |
| TOTAL COST OF PROJECT TOWARDS EXPANSION | Rs. 150,00,00,000/- (Rupees One Hundred and Fifty Crores Only) |
| PROJECT PROFILE | <u>EC obtained:</u> Activity: Residential Apartment with 504 Flats Built up area: 79,743 sq m Total plot area: 19,728 sq m (4 Acres 34.5 Guntas) Number of blocks: 8 Blocks (A to H) Building configuration: Block A to G Consisting of Basement, Ground and 13 floors and Block H consisting of Basement, Ground and 2 floors and a club house. <u>Proposed Expansion:</u> Additional Flats: 344 Flats Additional Built up area: 64,962.14 sq m Additional Plot area: 13203.02 sq m (3 Acres 11 Guntas) Additional Blocks: Additional 6 Blocks (Namely J, K, L, M, N and P) Building configuration: Addition of 1 floors for Block A to G, addition of floors in Block H and addition of 6 new Blocks J, K and L consisting of 2 Basements, Ground and 14 floors; Block M consisting of 2 Basements, Ground and 6 floors, Block N and P consisting of Basement, Ground and 14 floors. <u>Scenario after expansion:</u> Activity: Residential Apartment 848 Flats |

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| | |
|--|---|
| | Built up area: 1,44,705.14 sq m Total plot area: 32,931.02 sq m (8 Acres 5.5 Guntas) Number of blocks: Total 14 blocks Building configuration: Block A to H Consisting of Basement, Ground and 14 floors, Blocks J, K and L consisting of 2 Basements, Ground and 14 floors; Block M consisting of 2 Basements, Ground and 6 floors, Block N and P consisting of Basement, Ground and 14 floors. Club House block consisting of Basement, Ground and 2 floors. |
| CAR PARKING DETAILS | EC obtained: 555 cars After expansion: 963 cars |
| WATER SUPPLY | The water supply is from BWSSB sources |
| PROPOSED SANITATION | CFE is obtained for STP of 300 KLD Capacity. However, in the proposed expansion proposal Sewage Treatment Plant (STP) of 600 KLD capacity will be established as against EC obtained. |
| SOLID WASTE MANAGEMENT | Collection and Segregation at source of generation and the Organic waste will be treated in Organic Converter and the Inorganic Waste will be sent for recycling. |
| AIR POLLUTION/ NOISE GENERATION SOURCE | <u>EC obtained:</u> 4 X 320 kVA capacity. <u>After expansion:</u> 3 X 500 kVA capacity DG sets are proposed as against EC obtained configuration. |

The proposal was placed before the committee for appraisal. The proponent and Environmental consultant attended the meeting to provide required clarification/additional information

While appraising the proposal the committee observed that the present proposal is for the expansion of the project for which EC has already been issued on 9th December 2014, i.e, before NGT order came into effect. In the earlier proposal the survey numbers provided were 6/1b, 20/3 and 20/4 to an extent of 4 acres 34.5 guntas i.e, 19,728 sqmts. Now, the proponent has acquired additional land in survey number 20/2 and 8/2 to an extent of 3 acres 11 guntas or 13,203 sqmts. In the earlier proposal there were 8 blocks i.e, from A to H, out of which 7 blocks have been tackled and under construction. Now the expansion proposal is for providing one additional floor for A to G blocks and remodelling the H block by providing additional 12 floors. Also the proponent has proposed additional 6 blocks i.e., J,K,L,M,N and P. In blocks J,K,L 2B+G+14UF have been proposed. In block M 2B+G+6UF and in Block N and P B+G+14UF have been proposed by increasing the built up area from 79,743 sqmts. to 1,44,705.14 sqmts. In the additional land acquired in survey No.20/2 there is no kharab land, whereas in 8/2 there is a 5 guntas of kharab land. As per the detailed report prepared by the Chief Engineer, SWD, BBMP there is only one live nala in the southern side of survey number 8/2, whereas the other nalas which are appearing in village survey map are irrigation nalas which are now defunct and development has taken place in the vicinity of this site. The proponent has stated that he has left 35 meter buffer for the nala running in the

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southern side of survey No.8/2 and the kharab land which is in the form of defunct nala has been retained as it is and left 25 meter buffer in survey No.20/4 where the block No.H is proposed to be constructed.

The committee after detailed discussion/deliberation decided to reconsider the proposal after submission of the following information:

- 1) To submit traffic study details.
- 2) To submit the structural stability design details vetted by the 3rd party wherever the vertical expansion is proposed.
- 3) To correct and submit the water balance chart as per the presentation.
- 4) To redesign the rainwater storage sump tank to accommodate the storage of rainwater in two consecutive rainy days.
- 5) To submit the planting design with the tree species in the ratio of one plant for every 80 sqmts of the site area.
- 6) To workout and submit the scheme to provide hot water to each floor.
- 7) To rework and submit energy consumption analysis as per energy conservation building code 2009 of Bureau of energy efficiency.

Action: Secretary, SEAC to place the proposal before SEAC after submission of the above information

With the Permission of Chairman, (Reconsideration Proposal)

188.11 Proposed Hirebasuru sand Quarry project in Block No.28 in Tungabhadra River Bed at Sy Nos.1-6, 58 of Hirebasuru Village, Honnali Taluk, Davangere District (6.07 Ha) (15-0 Acres) by Sri Jyothi Chouhan (SEIAA 42 MIN 2017)

| Sl. No | PARTICULARS | INFORMATION |
|--------|---|---|
| 1 | Name & Address of the Project Proponent | Mrs. JYOTHI CHOUHAN # 439/1, Sri Sai Nivas 12th Cross, Bhuvaneshwari Nagara, Hebbal, Kempapura, Bangalore-78 Karnataka State, Ph No. : +91 9448129367/9482572509 |
| 2 | Name & Location of the Project | "Hirebasuru Sand Block" (Block No.28) in Tungabhadra River Bed, opposite to Survey No. 1-6 &58 Hirebasuru Village, Honnali Taluk, Davangere District, Karnataka. |
| 3 | Co-ordinates of the Project Site | Latitude : N 14°11' 23.2" to N 14°11'51.4" Longitude: E 75°40' 07.5" to E 75°40' 26.2" |
| 4 | Type of Mineral | Sand |

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| | | | |
|----|---|--|----|
| 5 | New / Expansion / Modification / Renewal | New | |
| 6 | Type of Land [Forest, Government Revenue, Gomal, Private/Patta, Other] | Government Revenue | |
| 7 | Whether the project site fall within ESZ/ESA | No | |
| 8 | Area in Ha | 6.07Ha. | |
| 9 | Actual Depth of sand in the lease area in case of River sand | 1.5m | |
| 10 | Depth of Sand proposed to be removed | 0.7m | |
| 11 | Annual Production Proposed (Metric Tons/ CUM) / Annum | 5057Tons | |
| 12 | Quantity of Topsoil/Over burden in cubic meter | 2974.6 m3 per annum | |
| 13 | Mineral Waste Handled (Metric Tons/ CUM)/ Annum | Nil | |
| 14 | Project Cost (Rs. In Crores) | 0.15cr | |
| 15 | Environmental Sensitivity | | |
| | a. Nearest Forest | - | |
| | b. Nearest Human Habitation | Hirebasuru village is at a distance of 350m. | |
| | c. Educational Institutes, Hospital | Honnali Taluk. | |
| | d. Water Bodies | The project lies in Tungabhadra river. | |
| | e. Other Specify | - | |
| 16 | Applicability of General Condition of the EIA Notification, 2006 | No | |
| 17 | Details of Land Use in Ha | | |
| | a. Area for Mining/ Quarrying | 4.249 | |
| | b. Waste Dumping Area | - | |
| | c. Top Soil Storage Area | - | |
| | d. Mineral Storage Area | - | |
| | e. Infrastructure Area | - | |
| | f. Road Area | - | |
| | g. Green Belt Area | 1.821 | |
| | h. Unexplored area | - | |
| | i. Others Specify | - | |
| 18 | Method of Mining/ Quarrying | Manual Method | |
| 19 | Water Requirement | | |
| | a. Source of water | Drinking water & Domestic | |
| | b. Total Requirement of Water in KLD | Dust Suppuration | 21 |
| | | Domestic | 02 |
| | | Other | - |
| | | Total | 23 |
| 20 | Storm water management plan | Nil | |

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The Project proponent and Environment Consultant attended the 184th meeting of SEAC held on 12th and 13th October 2017 to provide required information/clarification:

The committee appraised the proposal considering the information provided in the Statutory Application Form 1, pre-feasibility report, approved quarry plan, EMP and additional information provided during the meeting. The committee observed that the annual rate of replenishment calculation details is not reflected in the approved quarry plan.

The committee after discussion and deliberation had decided to reconsider the proposal after submission of the following information:

1. Revised quarry plan with replenishment calculation approved by the competent authority.
2. Details of stack yard.
3. Exact distance from the nearest habitat to the block is to be ascertained and its conformation to the norms is to be furnished.

The proponent has submitted revised quarry plan and annual replenishment data approved by the Dept., of Mines and Geology. On perusal of the approved quarry plan the committee has observed that there are inconsistencies in the year wise calculations production shown in table No.4.1 and statement made below the summary of the production and waste shown in table No.4.3. The committee has decided to reconsider the proposal and asked the proponent to set right these inconsistencies and get approved by the competent authority.

The committee after discussion and discussion decided to reconsider the proposal, after submission of the above information.

The proponent and Environmental consultant attended the meeting to provide required clarification/additional information.

The committee perused the replies submitted by the proponent and while appraising the proposal the proponent stated that the stock yard has been identified by the side of the river bank which is in the patta land and has entered into an MOU with the owner of the land. There is a connecting road starting from the river bank upto Hirebasur village which is about one kilometre and is a mud road. Beyond Hirebasur village there is a asphalted road connecting Hirebasur and Benakanahalli. It has been proposed to take up mining by sub dividing the entire block in to sub blocks. The depth of mining proposed is 0.7 meters per annum and total quantity proposed for mining is 26,765 tonns for five years.

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The committee after discussion/deliberation, decided to recommend the proposal to SEIAA for issue of Environmental clearance subject to the following conditions:

1. In case the replenishment is lower than the approved rate of production, then the mining activity / production levels shall be decreased / stopped accordingly till the replenishment is completed.
2. The Proponent shall submit the stockyard details with MOU.
3. The proponent shall stabilize the river bank with waste materials like pebbles and planting with khus grass and suitable plant species.

Action: Secretary, SEAC to forward the proposal to SEIAA for further necessary action.

The meeting concluded with thanks to the Chair.


Secretary, SEAC
Karnataka.


Chairman, SEAC
Karnataka.

51 ANNEXURE J

Godrej Properties Ltd.
Level 10, Prestige Obelisk,
No 3, Kasturba Road,
Bengaluru - 560001, India
Tel: +91 -80-4635 7099
Fax: +91 -80-4635 7000
CIN : L74120MH1985PLC035308

Regd office : Godrej One
5th Floor, Pirojshanagar,
Eastern Express Highway,
Vikhroli (E), Mumbai - 400 079, India
Tel: +91 -22-6169 8500
Fax: +91 -22-6169 8888
Website : www.godrejproperties.com

Dated: 29.08.2020

EXECUTIVE ENGINEER-1,
The Lake Development BBMP
N.R. Square, Bangalore.

Dear Sir,

Sub : Request to issuance the following information with respect to Kalkondarahalli
and Kasavanahalli Lakes, situated at East Zone, Bangalore

In reference to the above, we state that we are the Owners and Developers of Land bearing Sy No. 61/2, 62 and 63 of Kasavanahalli Village, Varthur Hobli, Bangalore East Taluk. Our property is abutting South East Side of Kalkondarahalli Lake.

We state that in reference to the above, we request you to issue us the following information of the Kalkondarahalli and Kasavanahalli Lake. The Information sought for is :

1. Inlet Level of Kalkondarahalli and Kasavanahalli Lakes
2. Outlet Level of Kalkondarahalli and Kasavanahalli Lakes
3. Height of the Bund around the Kalkondarahalli
4. Length and Breadth of the Kalkondarahalli and Kasavanahalli Lakes.
5. Distance of Bundh from the Periphery of the water of both the Lakes.
6. Maximum level of water collection Recorded till date in the Kalkondarahalli Lake
7. Whether the Water level reaches beyond the Bundh Level
8. What is the Water level of Kalkondarahalli and Kasavanahalli Lake
9. What is the requisite margin from the Lake Line to the Bund.
10. Lake / Tank Bund was constructed by which Department and which Department is maintaining both the Lakes.
11. Whether the Bund wall can be considered as Flood line for measurement purpose.
12. What is the elevation of the Lake.
13. What is the water flow direction.
14. Where is Flood Level of the Lake and what is the measurement of the same from the Kalkondarahalli Lake.

We request you to kindly show the above information with a sketch for our proper understanding. We once again request you to provide the above information/details which will help us to have proper understanding of both the Lakes.

Thanking You,
Yours Sincerely



Mohammed Samiulla
General Manager
Authorized Signatory


29/08/2020



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ANNEXURE. K

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
APPEAL NO. 54 OF 2018

IN THE MATTER OF:
H.P. RANJANNA

...APPELLANT/APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

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FILED THROUGH:

Asth

Venancio D'Costa / Astha
L & L Partners Law Offices
Counsel for the Respondent Nos. 11 & 12
103, Ashoka Estate, Barakhamba Road, New Delhi-110001
Email: vdcosta@luthra.com
Phone: +91 9810232678, +91 9821396903

Place: New Delhi:

Date: 26/08/2022

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
APPEAL NO. 54 OF 2018

IN THE MATTER OF:

H.P. RANJANNA

...APPELLANT/APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

WRITTEN NOTE ON BEHALF OF RESPONDENT NO. 11 AND 12

MOST RESPECTFULLY SHOWETH:

1. That Survey No. 61/2, 62 and 63/2 of Kasavanhalli Village, Varthur Hobli, Bengaluru East Taluk, Bengaluru, pertains to the Project Proponent i.e. Respondent No. 11 and 12 herein (hereinafter referred to as 'the property'). Construction of the building "*Godrej Reflection*" started only after obtaining all the necessary approvals. The Project Proponent was granted the following permissions:

| Sl No. | Approval required to be obtained | Authority/Board | Date of procurement |
|--------|---|---|---------------------|
| 1. | Registration of Khata in the name of Wonder Projects Development Pvt Ltd. | <u>BBMP</u> | 07.01.2016 |
| 2. | Amalgamated Khata | <u>BBMP</u> | 20.10.2016 |
| 3. | NOC from Airport Authority of India | AAI | 20.10.2016 |
| 4. | NOC from Bharat Sanchar Nigam Limited | BSNL | 26.12.2016 |
| 5. | Government Order for Change of Land use from Industrial (Hi-Tech) to Residential As per the Revised Master Plan 2015 the Said Properties falls under industrial (Hi-tech) zone | UDD - Urban Development Department | 24.10.2017 |
| 6. | BDA Order- Change of Land Use for Change of Land use from Industrial (Hi-Tech) to Residential | Bangalore Development Authority (BDA) | 08.12.2017 |
| 7. | Approval for Construction of Drain from Executive Engineer - post approval from Commissioner of BBMP | <u>Storm Water Drain Department of BBMP</u> | 02.08.2017 |
| 8. | <u>NOC from Fire and Emergency services - Phase -I (Godrej Reflections) (Pg 664 - 665 of the documents filed by Respondent No. 7)</u> | Department of Fire and Emergency Services | 22.12.2017 |
| 9. | <u>Environmental Clearance</u> from Ministry of Environment and Forests (EC) (Pg. 40-51 of the documents | Ministry of Environment and Forests (MOEF) | 10.01.2018 |

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| | filed by the Appellant, also at Pg. 463-472 of the documents filed by KSPCB) | | |
| 10. | NOC from Bangalore Electricity Supply Company | Bangalore Electricity Supply Company (BESCOM) | 31.01.2018 |
| 11. | Relinquishment Deed for Block 1 and 2, relinquishing the Park and Open space Area | Bangalore Development Authority (BDA) | 17.02.2018 |
| 12. | Development Plan approved by Bangalore Development Authority (Pg 270 of the documents filed by Project proponent on 19.05.2018) | Bangalore Development Authority (BDA) | 07.03.2018 |
| 13. | Registration of RERA (Real Estate and Regulation Act) for Godrej Reflection as per Section 4(2)(d) of RERA Act, Sanction Plan approved from Competent Authority needs to be filed before obtaining RERA certification. Project Proponent have uploaded Development Plan dated 07.07.2017 to RERA for obtaining the approval, which was accordingly, granted | Real Estate and Regulation Act (RERA) | 29.03.2018 |
| 14. | NOC from Fire and Emergency services - Phase -1 (Godrej Lake Gardens) (Pg 666 - 710 of the documents filed by Respondent no. 7) | Department of Fire and Emergency Services | 20.04.2018 |
| 15. | Building Plan approval from Bruhat Bangalore Mahanagara Palike - Godrej Reflections - but <i>the application was made on 27.11.2017</i> (Pg 436 of the documents filed by Project proponent on 07.02.2019) | <u>Bruhat Bangalore Mahanagara Palike (BBMP)</u> | <u>30.08.2018</u> |
| 16. | <u>Consent for Establishment from Karnataka Pollution Control Board, whereas the Project Proponent started construction of "Godrej Reflection" only in April 2019 and the construction of "Godrej Lake Gardens" has still not commenced.</u> Further, condition 46 of the building license provides that the NOC form KSPCB needs to be submitted by the Developer within 30 days from the date of sanction, which was done by Project Proponent. Hence CFE is not mandatory for obtaining building license. (Pg 429 of the documents filed by Project proponent on 07.02.2019 as well as Pg 495 of documents filed by KSPCB) | <u>Karnataka Pollution Control Board (KSPCB)</u> | <u>12.10.2018</u> |

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| 18. | NOC from Bangalore Water Supply and Sewerage Board (Pg 442 of the documents filed by Project proponent on 07.02.2019) | Bangalore Water Supply and Sewerage Board (BWSSB) | 30.10.2018 |
| 19. | Registration of RERA (Real Estate and Regulation Act) for Godrej Lake Garden, Refer Section 4(2)(d) of RERA Act | Real Estate and Regulation Act (RERA) | 25.05.2019 |
| 20. | Building Plan approval from Bruhat Bangalore Mahanagara Palike – Godrej Lake gardens | <u>Bruhat Bangalore Mahanagara Palike (BBMP)</u> | 28.05.2019 |
| 21. | Civic Amenities Site Building Plan Approval | Bangalore Development Authority (BDA) | 29.11.2019 |

2. Post obtaining all the approvals, the Project Proponent commenced construction on 24.04.2019. However, the Appellant herein, without any lawful grounds, and with the aim to harass and browbeat the Project Proponent, to further his malafide intent, filed the captioned Appeal. In the captioned Appeal, all the State Authorities/ Environment Authorities supported the stand of the Project Proponent. However, it was only Respondent No. 5 i.e. BBMP, who contradicted its own action, wherein on one hand it granted all permissions to the Project as shown in Sr. No. 1, 2, 7, 15, 20, above, and on the other hand took a stand of objecting to the Project before this Hon'ble Tribunal. It is relevant to note that BBMP gave its first approval in 2016. Thereafter, BBMP filed its objections before NGT on 05.09.2018. It is relevant to note that post this BBMP on 28.05.2019 sanctioned the Building Plan to the Project Proponent. It is relevant to note that, every Department did due diligence and gave appropriate sanctions, post which they became functus officio. However, a perusal of the above would show that that the objections of BBMP are artificially created to harass the Project proponent, as despite objecting to the Project sanctions, BBMP has not withdrawn its sanctions, granted thus far.
3. During pendency of the Appeal two Original Applications (OA) were filed by i.e. *OA No. 602/2019 pertaining to the property*, and *OA No. 281/2019 pertaining to a different property bearing Survey No. 71/1, 72/1, 72/2, 74/SB and 73* (hereinafter referred to as "another property") in the matter titled *Mahadevpura Parisaraanrakshane Mattu Abhivrudhi Samiti vs UOI*, alleging environmental non-compliance by some other party near Kaikondrahalli Lake. *It is relevant to note that the only commonality in both the OA's is that both the above properties are around the same lake called Kaikondarahalli Lake, in Bangalore City.* This Hon'ble Tribunal had on 11.03.2019 appointed Joint Committee in

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OA No. 281/2019 comprising of KSPCB, BBMP and BDA to survey another property/project bearing Survey No. 71/1, 72/1, 72/2, 74/5B and 73. Another Joint Committee came to be constituted by this Hon'ble Tribunal vide order dated 19.07.2019, in OA No. 602/2019 comprising of CPCB, SEIAA, KSPCB and MoEF & CC, specifically to survey 'the property'.

4. The Joint Committee in OA 281 of 2019, filed its report with this Hon'ble Tribunal, *which had no bearing or relevance with the property*. However, on 03.02.2020, Appeal No. 54/2018 and OA 602 of 2019 got listed along with OA 281 of 2019, before this Hon'ble Tribunal. *It is apparent from the records that no report of the Joint Committee constituted in OA No. 602/2019 qua the property, was filed before NGT*. A perusal of page 24 of the report filed in OA 281/2019, would show that "*As there is a separate OA 602/2019 on this project, the same will be inspected by the Committee as per the Order dated 19.07.2019 and separate report will be submitted by the Committee.*" This inspection in OA 602 of 2019, was done by the Committee, on 05.02.2020 giving a separate report.
5. However, before the report in OA 602 could be filed, this Hon'ble Tribunal, while relying on the false representation of the Appellant and Respondent No. 5, passed an order on 03.02.2020, cancelling the Environment Clearance granted to the Project Proponent.
6. Aggrieved by the same the Project Proponent filed a Civil Appeal before Hon'ble Supreme Court bearing no. 1713/2020. On 02.03.2020, the Hon'ble Supreme Court issued notice on the Appeal and directed the Joint committee constituted in OA 602/2019, to file its report before the Registry of the Hon'ble Supreme Court. True copy of the order dated 02.03.2020 is annexed as ANNEXURE A.
7. It is interesting to note that the Joint Committee inspected the site on three occasions i.e. on 26.07.2019, 30.12.2019 as well as on 05.02.2020 (i.e. after passing of the order dated 03.02.2020), wherein the officials of BBMP (Respondent no. 5) were also present, for inspecting the project site, as is evident from a bare perusal of Pg. 15, 16 and 18 of the Report wherein BBMP cooperated with the Committee and did not raise any objections about the environmental compliance of the Project.
8. Finally, on 14.07.2020 the said Joint Expert Committee filed its report with the Hon'ble Supreme Court. The Report categorically and conclusively cleared 'the Project' as environmentally compliant and fulfilling all conditions of EC granted

on 10.01.2018. As such vide judgment dated 11.08.2020, the Hon'ble Supreme Court set aside the impugned order on the ground that this Hon'ble Commission never had the opportunity to go through the report, while passing the impugned order, and remanded the matter back to this Hon'ble Tribunal to decide the dispute upon taking into consideration the Joint Committee report submitted in OA 602/2019.

9. It is submitted that the Joint Committee of experts was constituted in OA 602 of 2019 for inspecting the property. Subsequently, *by order dated 29.07.2019, the MoEF was also added to be a part of the Committee to give wider representation and credibility to the Committee.* It is respectfully submitted that OA 281 of 2019 cannot be compared or brought within the ambit of analysis of the Committee report arising out of OA 602 of 2019. It is an undisputed and admitted position that OA 281 itself says that it does not cover the project in question and that the said project is covered by a separate committee, constituted and formed under OA 602. Therefore, OA 281 itself rules out its report from being evaluated while analyzing the report filed under OA 602. *The report filed by the said Joint Committee is based on scientific and technical inputs/ evidence of environmental experts who studied the issue, made site inspections and only thereafter furnished its report. Thus, it cannot be said that the constitution and report of the experts in OA 281 of 2019 and OA 602 of 2019 are in conflict with each other.* Reliance in this regard is placed on para 81 the judgment passed by the Hon'ble Supreme Court in "*The Director General (Road Development) National Highways Authority of India vs. Aam Aadmi Lokmanch & Ors.*" [2020 SCC Online SC 572], which is annexed as ANNEXURE B.
10. A perusal of the Joint committee report (consisting of MoEF & CC, CPCB, KSPCB, BBMP-SWD Department, Assistant Director Land Records, as members who furnished their reports) would highlight the detailed nature in which the experts of environment matters/ State Authorities have dealt with every single allegation of the Appellant.

| Report-page no. | Details as per Affidavit of Compliance filed by KSPCB before Hon'ble Supreme Court |
|-----------------|--|
| page 3 | <ul style="list-style-type: none"> • Residential Project have not encroached upon or have been constructed in wetlands or Rajakaluves • The construction is being carried out as per modified sanction plan of BBMP leaving Buffer Zones and Drains • The Construction is in accordance with the approved drawings • Adequate space is earmarked with green belt and holding surface run off rain as per EC condition stipulated in KSEIAA |
| page 9 | <i>Godrej has covered only 22.63% of the area against the max permissible</i> |

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| | <u>ure of 55%.</u> <u>Further page 35 (of the report) 53.26% of the total are is available for green belt which is more than the required 43%. Thus, complying with SEIAA condition.</u> |
| Page 11 & Page 33 | All the approvals have been procured by Godrej. A list of the same can also be found from Pg 10-12 of the Report |
| page 14 | Concludes that the land utilization is considered as residential use. |
| page 14 | Godrej has obtained confirmation letter of Change in Land Use from BDA on 08.12.2017 for change of land use from Industrial (Hi-Tech) use to Residential use. |
| page 17 | Mentions about the existence of a temporary structure of 2500 sq.ft. which is used as a site office |
| page 22 & 23 | Gives a detailed chart of Godrej complying with the Buffer Zone norms not only as per the judgment of Forward Foundation vs. State but also as per Mantri Techzone vs. Forward Foundation. |
| page 24 | Provides a table highlighting permitted activities in the buffer zone, as per RMP 2015, which includes the existence of 8 mtr driveway, and STP. |
| page 25 & page 34 | States that BBMP has given approval to Godrej to construct U-type RCC drain |
| page 28 | The property is not in Wetland in terms of the definition of International Union for the Conservation of Nature and Natural Resources (IUCN), as well as from the Ramasar Convention. The Report also states that property in question also does not fall under the category of Eco-sensitive Zone |
| page 32 and page 29 | EC issued by SEIAA dated 10.01.2018 mentioned the total built up area as 1,28,193.9 sq. mtrs.sq. mtrs., the proposed project consists of 2 residential blocks. The report further records that the number of units have been reduced to 625 while comparing with EC. Now the total built up area is 1,25,663.06 sq. mtrs.sq. mtrs. Accordingly, the total built up area of the project is less than 150000 sq. mtrs. The Report further records that the EC approved by SEIAA is right as per the threshold limit. As per CFE granted by KSPCB the total built up area of the projects is 1,28,193.9 sq. mtrs. Even as per BBMP's sanction plan dated 28.05.2019 the net built up area is 1,25,663.06 which is much less than the permission granted under EC to construct sq. mtrs. |
| page 35 and page 37 | The Joint Committee at Page 36 records that the Proponent is submitting compliance report on EC and CFE conditions to MoEF & CC and KSPCB. At Page 36 the Committee further records that Environmental Clearance and Consent for Establishment have been granted based on verification of information and documents available on records as per relevant Acts and Rules. Further the said land is not eco-fragile/ wet land and the said land has been classified as Industrial Hi-Tech under the BDA Revised Master Plan (RMP) 2015. Accordingly, the Project Proponent has obtained change of land use from Industrial (Hi-Tech) to Residential. At Page 37 the Committee records that the residential projects in question has not encroached upon or have been constructed on the wetlands and Rajkaluves. The construction is carried out as per the Modified Sanction plan of BBMP by leaving required Buffer Zone of Lake and Drains. The construction is found in accordance with the approved drawings. Adequate space is earmarked for development of Green Belt and holding surface run-off during rain as per EC conditions stipulated by SEIAA. |

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| Pg 53 and 53A | <p>BBMP in its separate report has opined that after verifying the spot, it shows that as per the village map two streams originate from Kasavanhalli lake and flow towards Kaikondrahalli lake. These streams flow in the Survey No. 57 and 63 and since they flow in the Kharab area of the respective survey numbers, the said drain in survey no. 63 is "<i>to be considered as a secondary drain</i>". This report further states that single line drain is spotted and the same is called agricultural drain or feeder channel, and the same ends on the Secondary drain. Since single line drain terminates at Secondary drain the said drain is a Pillu Kaluve, for which Buffer is not applicable. Since these single line drains runs in various Survey Nos., the same is treated as Tertiary Drain.</p> <p>@ Pg 53A, the report further states that the said spot was also verified with respect to RMP-2015, as per which some portion of the eastern part of the project site is marked as valley zone. On verification at spot the drain marked in RMP 2015 is not constructed, however the area earmarked for valley is kept as non-construction zone. On verification buffer at the spot from building line to the center of the valley zone is 34.55 mtrs, which is above the prescribed buffer for Secondary drain (25 mtrs).</p> <p>The said area was verified with the plan sanctioned by BBMP. As informed earlier the nala in survey no. 63 is considered to be Secondary drain. However, the building line of each of the towers is more than 50 mtrs. Away from the edge of the nala.</p> <p>Therefore, it is found that there is no violation of the Buffer area by M/s Wonder Projects and M/s Godrej Properties pertaining to storm water drains in the premises in question. Further permission obtained by Project Proponent for construction of Storm water drain is as per approved drawings.</p> |
| Pg 55 | <p>Qua the issue of concretization by the Project proponent, the construction of RCC box type culvert is also as per the permission granted by BBMP, which has endorsed the same at Pg 55 of the report.</p> |

11. With respect to the issue of the Appellant qua the Project Proponent not adhering to the EC, it is a settled position of law that in the event there is expansion beyond the approved EC, only then is the Project Proponent required to obtain fresh Environment clearance. Reliance is placed on *Keystone Realtors Pvt. Ltd. vs. Shri Anil V Tharthare & Ors.* (2020 (2) SCC 66) annexed herewith as ANNEXURE C. In this case, the Court observed that *EIA Notification, 2006, at para 2, imposes restrictions on the execution of new projects and on the expansion of existing projects, until their potential environmental impact has been assessed and approved by the grant of an EC.* The judgment in para 13 further states that the crucial point which must be noted in the said Notification is the phrase, "*expansion with increase in production capacity beyond the capacity for which prior environment clearance has been granted*". However, in the present case there has been no expansion but a reduction in the area granted by the EC, which is also evident from page 29 the report. It records that EC issued by SEIAA dated 10.01.2018 mentioned the total built up area as 1,28,193.9 sq mtrs, consisting of 655 units, however, the Project Proponent have

reduced the units to 625 thereby reducing the total built up area to 1,25,663.06 sq mtrs., which is less than 150000 sq. mtrs. As such, the above action cannot be termed as an expansion. *Furthermore, by reducing the number of units, the Project proponent have endeavored to reduce the population load on the land.*

12. It is submitted that in the marking of Nala's/ Rajakaluve is done based on the revenue records. BBMP has also *notified a map on its official website in this regard.* In the present case, the classification of Nala as Primary happened based on the Village Map of the year 1904. However, when the Joint Committee inspected the site the Storm Water Department of BBMP (i.e. the relevant Authority) on verification opined that the same is in fact a Secondary Nala (Report dated 04.03.2020 (@ Pg 53 of the Report). As such based on the opinion of the appropriate department i.e. Storm Water Department of BBMP, the Joint Committee accepted the conclusion of BBMP that *the streams flowing in survey numbers flow in Kharab area of respective Survey numbers and also since two streams joints together in Survey No. 57 and flow in Survey No. 63, the said drain in Survey No. 63 is to be considered as Secondary Drain.*
13. Furthermore, the allegations of the Appellant (i) that the Kharab land falls in the Nala has also been dealt with by the Storm Water Department of BBMP at Pg 53 of the Report (detailed as above). A perusal of the Village Map (filed at Pg 18 of the Report), would show that the Nala has been categorized as Kharab since 1904 (as is written in Kannada, in the last line), as such the allegation that Kharab land is now falling under Nala, does not hold any water; (ii) The sewage water flowing in the Nala is also falsified from the fact that the expert Joint Committee itself had visited the project in question thrice and has not reported any such illegality by the Appellant; (iii) Project Proponent has constructed the Gas Bank/LPG Tank in the Buffer Zone, is also wrong. The said Gas Bank/ LPG Tank has in fact been constructed on the valley zone (which is also as per the RMP 2015 Regulation 4.12.2, which states that any construction that does not obstruct the flow of the water is allowed, also @ Pg. 199 of documents filed by Project proponent on 19.05.2018) and not on the Buffer Zone, which is also clear from the Report of the Joint Committee which has in fact clarified that the Project Proponent has not undertaken any construction in the Buffer Zone; (iv) Breach of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974, is a false allegation. The said provision talks about obtaining the CFE (at page no. 429 - 435, filed by Project Proponent) before commencing construction. As per the chart of permissions provided above, the CFE was obtained on 12.10.2018, whereas the

Project proponent started construction only in April 2019; (v) Furthermore, Block 1 and 2 is also called as Tower 1 and 2, difference between tower and wing is that each individual building is considered as 1 tower and they consists of several wings which completes the tower, hence, no breach of EC; (vi) CDP of Bangalore was notified in June 2007 under the Town and Country Planning Act, wherein 'the project' was categorized as **Industrial Hi Tech (also can be seen from the Joint Committee Report @ Pg 12-14)**, further the authority had called for objections before finalizing the said CDP and executing the same, if the said land were to be considered as "wetland" objections qua the same could have been raised and recorded then and the conversion wouldn't have happened. Since no objections were received, the land was categorized as Industrial Hi Tech Zone, post which on 24.10.2017 the land was further converted into residential area by Metropolitan Commissioner, Bangalore Metropolitan Region Development Authority (BMRDA). The Project Proponent have also obtained confirmation letter of change of land use from BDA on 08.12.2017 for the change of land use from Industrial Hi-Tech use to residential use (@Pg 14 of the Report)

14. That the Joint Committee independently and physically visited/inspected the site and measured the distances from the lake and nalas on three occasions, and found to be in compliance with all the parameters as laid down by this Hon'ble Tribunal in the judgment of Forward Foundation vs. State of Karnataka (Original Application No. 222 of 2014), annexed herewith as ANNEXURE D, as well as the judgment of Mantri Techzone Pvt Ltd. Vs. Forward Foundation (2019 SCC Online SC 322), annexed herewith as ANNEXURE E which makes the Report of the Committee even more credible. It is relevant to note that in the case of Forward Foundation (*Supra*) this Hon'ble Tribunal provided the distance from the Rajakaluves, water-bodies and wetlands, in para 63 General conditions 1, to be maintained at 75 m from the periphery of Lake boundary, 50 mtrs from the edge of primary Rajakaluve, 35 mtrs from the edge of secondary Rajakaluve and 25 mtrs from the edge of tertiary Rajakaluve. The judgment further recorded that the "offending constructions raised by Respondent no. 9 and 10 such as boundary wall shall be demolished which falls within such areas". Pursuant thereto this judgment was challenged before the Hon'ble Supreme Court in the matter of Mantri Techzone (*Supra*). The Hon'ble Supreme Court in para 60-62 of the said judgment has held that the order of 04.05.2016 (the judgment of Forward Foundations vs. State) is hereby set aside, except the directions issued against Respondent No. 9 and 10 qua the offending constructions (as *highlighted above*) undertaken by Respondent No. 9 and 10 in that project. As

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per the judgment of the Supreme Court, the Buffer limits were restored to 30 mtrs. from Lake Boundary, 50 mtrs. from Primary Nala, 25 mtrs. from Secondary Nala and 15 mtrs. from Tertiary Nala. As such, the position qua the buffer zone as it stood prior to the judgment of this Hon'ble Tribunal in Forward foundation (*supra*) was restored by Mantri Techzone (*Supra*).

15. It is relevant to note that the directions qua the changed buffer limits passed in Forward Foundation (*supra*) was mandated only qua Respondent no. 9 and 10 in that proceeding, as is evident from a perusal of general conditions contained in para 63 of the said judgment which states that "*Thus, we direct the distance in the case of Respondent Nos. 9 and 10 from Rajakaluves, Waterbodies and wetlands shall be maintained as below...*" It is relevant to note that the aforesaid observation was not maintained for all the projects around Bangalore city, as can be seen from the language of the judgment. Even otherwise, the Project proponent in the present case has not only complied with the directions of Forward Foundation (*supra*) but also with the directions of Mantri Techzone (*Supra*). (*Reliance is placed on the Joint Committee report, which was prepared by the Committee as well as BBMP, and Clause 4.12.2 (ii) of the Revised Master Plan 2015 (RMP 2015)*).
16. The aforesaid discussion would show that the Project Proponent has kept the principle of sustainable development in mind while constructing the said project, as is evident from all the compliances done by the Project Proponent, which have also been established by the Joint Committee Report. As such nothing survives in the present matter. The Appellant has been raising frivolous objections and Respondent No. 5 is blowing hot and cold by sanctioning the permissions and providing reports to the Committee stating that the Project Proponent is in compliance of all its conditions, and on the other hand challenging the said approvals before this Hon'ble Tribunal with the sole purpose to mislead this Hon'ble Tribunal. This clearly shows connivance on the part of Respondent No. 5 with the Appellant herein. Thus, the present Appeal is liable to be dismissed considering all the grounds as mentioned above.

FILED THROUGH:

Venancio D'Costa / Astha
Counsel for Respondent No. 11 and 12

Place: New Delhi:

Date: 26/08/2020

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
APPEAL NO. 54 OF 2018**

IN THE MATTER OF:
H.P. RANJANNA

...APPELLANT/APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

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Date: 27-08-2020

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
APPEAL NO. 54 OF 2018

IN THE MATTER OF:
H.P. RANJANNA

...APPELLANT/APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

SHORT NOTE ON BEHALF OF RESPONDENT NO. 11 AND 12

MOST RESPECTFULLY SHOWETH:

That vide order dated 27.08.2020, this Hon'ble Commission had directed the parties to file a short note of submissions. That the present note may be read as part and parcel of the pleadings and written submissions filed by Respondent no. 11 and 12 (Project proponent) in the present case. By way of this written short note, the Project Proponent would counter each and every allegation of the Appellant and the Respondent No. 5, along with proof thereof.

It is submitted that the Appellant herein is trying to create a case which is absolutely new and different from his Appeal. The new grounds raised by the Appellant are as follows:

- a. At page 771 of the additional Objection, the Appellant has alleged that as per Gazette Notification No. FEE 316 EPC 2015 dated 19.01.2016(Page 822 @ page 824) and as per judgement of Anirudh Kumar vs MCD 2015(7) SCC 779, approval plan for construction of building can be obtained only after production of copy of Consent for establishment CFE issued under Water Act. In the present case CFE obtained on 12.10.2018 whereas Building plan approval on 30.08.2018.
- b. Development plan issued by BDA includes FAR+ non-FAR is 2,35,076.81 Sq.m which is beyond the 1,50,000 Sq.mt.
- c. Further the project falls in B-1 category and, therefore, SEIAA had no authority to grant EC by treating it as category B-2.
- d. At page 784 allegation of different project dimensions before different public authorities.

In light of the above the Project proponent would like to address all the grounds both old and new as below:

1. *Illegal construction continued even after revocation of EC*- There is no revocation of EC till date (@ Pg 40-51 of documents filed by Appellant and @ pg 463-472 of documents filed by KSPCB).

2. *Phase 1 construction illegally done until October 2019 inasmuch as Consent to establish was granted on 12.10.2019 i.e. pendente lite permission subject to final outcome of the present case. Offence under Section 24 of Water Act- @ para 5 of the reply of KSPCB (Pg 460) "...as per applicable law and guidelines, the processing of Application for CFE and CFO are undertaken by KSPCB after grant of EC by SEIAA. @ para 6 "CFE applied on 18.01.2018. On receipt of this Application officers of Regional office-Bommanahalli had inspected the project on 05.02.2018 and observed that the construction work has not yet started. Relevant also para 7 @ Pg 461. @ para 8-during inspection on 05.2.2018 only a model flat was constructed for marketing purpose and Project proponent had not taken up any construction activity. Further Clause 46 of the Building Plan and Building license states that the Project Proponent needs to submit the CFE within 30 days. Clause 46 is @ pg 440 of the of the documents filed by Project Proponent on 07.02.2019*
3. *Report was not called qua issues raised in statutory appeal/present case and hence it apparently does not cover the grounds of attack raised to the impugned EC- The Committee was constituted at the insistence of the Appellant. The same was done for the Project in question. If the Appellant had reservations, why was it not raised on the date of constitution. Even otherwise on Appellant's request MoEF was included in the Committee. The Committee was independent and looked into all contentions. It visited the Project thrice and provided detailed report qua all the allegations of the Appellant. Committee is an hand pit authority by this Tribunal*
4. *Amendment to EC/retrospective EC- There is no retrospective or amended EC- refer to reply of KSCP B in point 2 Supra*
5. *Issue of primary nala – Village map of 1904 (year as written in Kanada) shows primary nala, same has been relied by Applicant at page no. 21 of his Objections. SWD department of BBMP (being the appropriate authority) at the time of inspection by the joint committee, upon inspection said it is a Secondary nala. Be that as it may, Project Proponent has left requisite buffer.*
6. *Conflict between OA 281/2018 and OA 602/2018 – Report of OA 281 clearly states it does not cover the project and the same is within the ambit of inspection of the committee arising out of OA 602. OA 281 rules out its report from being evaluated while analyzing the project which is to be done by OA 602. Hence, no conflict.*

7. ***Conflicting finding by both the committee*** –The findings by the committee are based on actual ground status of the site. As the ambit of OA 281 was qua different survey no. and OA 602 was for different survey no.
8. ***Permitting the project would result in complete removal of catchment area. Adverse impact on bird habitat and Nocturnal birds-*** Committee report Observations @ point 14 Pg 612. Issue of Industrial Hi Tech (also can be seen from the Joint Committee Report @ Pg 588-590).
9. ***Issue of manhole chambers*** – No construction for the last one year as such the same cannot be blamed on the Project Proponent. Unless people start staying there, the issue of sewage would not arise. Project proponent is not the concerned authority to manage manhole, that is the duty of BBMP jointly with Mahadevapura Parisara Smrakshne Mattu Abhirudhi Samithi (MPSMAS).
10. ***Non-compliance with Zoning Regulations-Concretization of the nala*** – Construction happening in valley Zone and not on Buffer Zone @ Pg 600 of Report. Storm water drain originates from Kasavanahalli Lake and flows towards Kaikondarhalli Lake through survey 63 between two building blocks. The total area of the drain is 13 guntas (Kharab land). Constructing U type RCC drain (done with the approval of BBMP @ Annexure 9 and 10 of the Report) without deviating the original alignment and measurement of the storm water drain is beneficial to the flow of water.
11. ***On 04.05.2016 Full bench of this Hon'ble Commission passed directions and the EC is in violation of the same-*** The General directions, not pertaining to the Respondents in the case of Forward Foundation (04.05.2016) were struck off vide the Judgment if Mantri Techzone (para 60-62). Even otherwise the permissions/ sanctions and the Joint Committee report shows that Project Proponent is in compliance of Buffer limits of not only the RMP-2015 but also of Forward foundation.
12. ***Inspection undertaken by Committee devoid of authority-*** vide order dated 03.02.2020 the Bench never directed the committee to stope with the inspection. As such its mandate was never cancelled. Furthermore, vide order dated 02.03.2020 the Hon'ble Supreme Court, directed the Committee to file its report with the Supreme Court Registry, as such revving the Committee.
13. ***Building Plan being Void-*** Building Plan was approved on 30.08.2018 (Pg 436 of documents filed by the Project Proponent on 07.02.2019). BBMP filed their objection before this Tribunal on 05.09.2018. Building plan for phase II

approved on 28.05.2019. When the building plan was modified by adding phase II, the earlier building plan dated 30.08.2018 got automatically cancelled. The new building plain dated 28.05.2019 speaks about phase-I as well. The Appellant has deliberately filed the wrong translation of the Building Plan @ pg 821, whereas the fact remains that the actual translation is "Cancelled" and not "Void". True copy of the translation of the Building plan is annexed as ANNEXURE F. Furthermore, even the Site Plan approved by BBMP contains a chart showing that the said Building Plan is for both the Bocks. True copy of the Site Plan is annexed as ANNEXURE G. Hence the term void Building plan is nothing but a brain-child of the Appellant.

14. ***Net site area as 50,382.95 sq mtrs. After deducting Kharab Land-*** Net site area is the total land. While deducing the Net Site area, one is required to deduct Kharab Land, roadways, Civic amenities area, buffer zones and what is left is where the construction has to take place. In the present case the Project proponent has an area of 12 acres and 18 guntas within its ambit, whereas the Project Proponent is only constructing 2 acres area. @ Pg 585 of the Report as per RMP-2015, area for residential development apart from provisions for amenities and open space shall be maximum of 55% of the total area. The said Project (Block 1 and Block 2) has ground coverage area of 22.63%. Rest of the area has been left as green belt by the Project proponent. Copy of the chart
15. ***Bangalore Monitoring Committee and not BDA should have approved the Development Plan-*** Appellant is relying on a judgment of A. Feroz Ahmed vs. Bangalore Development Authority, and is saying that the permissions listed at se. No. 1-7, pg 596 and 597 of the report are illegal and void, as BDA could not grant change of land use and Development Plan, but rather it is the Bangalore Metropolitan Committee which has the authority. If we read the judgment the same applies to a locality called Abshot Layout and does not apply to the whole of Bangalore. Bangalore Metropolitan Committee does not have jurisdiction over the area of Kasavanhalli village area. This committee is not even functioning as of now.
16. ***Construction of RCC Culvert-*** the construction of RCC Culvert has been done with the prior approval of BBMP, as is evident from internal Pg 55 of the report of the Committee where BBMP itself has given an endorsement for construction of RCC Cuivert.
17. ***Committee failed to include non-FAR area in total Built up area. Since the FAR + non FAR is 2,35,076 m2 the project is in B1 category-*** the Development

Plan filed by the Project Proponent at Pg 270 of the documents filed on 19.05.2018, nowhere states that the FAR + Non FAR = 2.35 lacs m². This is a self-created figure by the Appellant. Furthermore, the project has a total built up area of 1,25,663 sq. mtr. as is also evident from Pg 611 of the Joint Committee Report.

18. ***BWSSB granted NOC for 1,71,744.37 sq mtrs.*** - This is a figment of Appellant's imagination. BWSSB has in fact granted the NOC for 1,17,755.37 Sq. mtrs. As per the chart annexed as ANNEXURE H.
19. ***Demolition Order PO/CO dated 06.06.2018***- The provisional order (PO) dated 06.06.2018, as well as the Confirmation Order (CO) dated 22.06.2018, were never served on the Project Proponent despite BBMP having correct address. In fact the Project Proponent learnt about the same only when the Appellant filed the same before this Hon'ble Tribunal. Even otherwise, model flat/ temporary structure was present on the Civic amenities side of the project. It is relevant to note that 5% of the Total Land is reserved for Civic Amenity area as per Section 14B of Karnataka Town and Country Planning Act and the same is required to be handed over to the Bangalore Development Authority free of cost on the receipt of Occupancy Certificate. Further the Project Development Approval from both BDA and BBMP is taken excluding the said civic amenity area. Hence same is not to be construed as part of project Development. No construction has been taken up in the Buffer area. The same is put up in the Civic Amenities Area which is governed under Bangalore Development Authority Norms. BBMP has no jurisdiction over the structure put up in Civic Amenity area. However, the Appellant No. 1 had informed the BBMP Mahadevapura, as an abundant caution prior to putting up of said structure vide letter dated 27.12.2017 for which no reply was received from the BBMP (as such it was deemed approved). Stop work notice dated 13.07.2018, granted without granting the Building plan to the Project Proponent, which was appropriately replied by the Project proponent on 17.07.2018, post which BBMP granted the Building Plan dated 30.08.2018. True copy of the Reply dated 17.07.2018 of the Project proponent is annexed as ANNEXURE I.
20. ***Further, the reliance by BBMP to Divya Granites Vs. Karnataka State Pollution Control Board in Appeal Nos. 98101, 105-113 and 156-158 of 2013 (SZ)***- BBMP has misquoted paragraph-15 of the judgment by wrongly saying that steps to take building plan, conversion order, civil work cannot be undertaken without first obtaining the mandatory prior consent from the Karnataka State Pollution Control Board under Section 25 of the Water Act,

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1974 and that the said consent is a "condition precedent for establishment or taking any steps for establishment", as a perusal of the judgment does not say so.

Filed Through

Asth^a

Venancio D'Costa/Astha Ojha
L&L Partners Law Offices

Counsel for Respondent no. 11 and 12

Email: vdcosta@luthra.com; asojha@luthra.com

Ph No: 9810232678; 9821396903

Place: New Delhi

Date: 27-8-2020

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MODIFIED PLAN

Note: The previous approved site plan as per serial number L.P.No.203/2017-18, dated 20-08-2018 stands cancelled

As per the Commissioner's order dated 21-05-2019, J.D.T.P(N)/(S) L.P.No.203/17-18, dated 28-05-2019, the building plan sanction subject to the conditions is approved. This approval is valid from 28-05-2019 to 27-05-2021 (only for two years period)

**Joint Director(Town Planning-North)
Bruhath Bangalore Mahanagara Palike**

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MEASURES WHILE EXCAVATION FOR BASEMENT/FOUNDATION AND
CONSTRUCTING THE BASEMENT/ FOUNDATION/STILT AND UPPER FLOORS
WITH REGARD TO THE STABILITY OF THE STRUCTURE, SAFETY OF THE
NEIGHBOURS AND CONSTRUCTION LABOURERS. OWNER/BUILDER WILL BE
HELD RESPONSIBLE FOR ANY LAPSES IN THIS REGARD.

Office of the Additional / Joint Commissioner (South)
(Bruhat Bangalore Mahanagara Palike)

PLAN PREVIOUSLY SANCTIONED
VIDE LP.NO. Ad.Com/SUT /0599/14-15
DATED: 15-9-2014 STANDS CANCELLED.

MODIFIED PLAN.

LP No. Ad.com/SUT /0599/14-15 Dated: _____

Valid From _____ to _____

for two years, sanctioned as per plan / as corrected in green.

- The below is the table comparison of various approval along with dimension. The area differs due to the FSI/FAR being consumed and calculated by each authority.
- So the maximum Achievable FAR is 2.25% but what is achieved out of both phases is 1.979% which actually is impacting the calculation made by each authority

| Date of Approval | Approval/NOC | Site Area | Built up area | Dimension |
|-------------------------|--|--------------------|--|---|
| 22.12.2017 | NOC from Fire and Emergency services - Phase -1 (Godrej Reflections) | 50,382.91 Sq. Mtrs | 59,091.85 Sq. mtrs | One building – Phase-1, 3-Towers joined together |
| 20.04.2018 | NOC from Fire and Emergency services - Phase -2 (Godrej Lake Gardens) | 50,382.91 Sq. Mtrs | 64,958.15 Sq. mtrs 1,24,050 Sq. mtrs | One building – Phase-2, 4-Towers joined together |
| 10.01.2018 | Environmental Clearance from Ministry of Environment and Forests and SEIAA – Phase1 and Phase -2 | 50,382.91 Sq. Mtrs | 1,28,193.9 Sq. mtrs | 2 Blocks consisting of GF + 20 UF (655 Units) |
| 07.03.2018 | Development Plan approved by Bangalore Development Authority | 50,382.95 Sq. mtrs | 1,27,149.25 Sq. mtrs | 2 blocks consisting of 2 BF+GF+20 UF (658 units) |
| 30.08.2018 | Building Plan approval from Bruhat Bangalore Mahanagara Palike – Godrej Reflections – Phase-1 | 50,382.95 Sq. mtrs | 61,418.72 Sq. mtrs | One building – Phase-1, 2 BF+GF+20 UF (265 Units) |
| 28.05.2019 | Modified Building Plan approval from Bruhat Bangalore Mahanagara Palike – Godrej Reflection and Godrej Lake gardens – Phase1 and Phase 2 | 50,382.95 Sq. mtrs | 64,244.34 Sq. mtrs 1,25,663.06 Sq. mtrs | One building – Phase-1, 2 BF+GF+20 UF (360 Units) |
| 30.10.2018 | NOC from Bangalore Water Supply and Sewerage Board | 51,698.16 sq. mtrs | 1,17,755.37 Sq. mtrs | Block 1 and 2 each consist of 2 BF+GF+ 20 UF |

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Wonder Projects Development Pvt. Ltd.
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Tel : +91-80-4354-5555
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CIN : U70102MH2015PTC265969

Regd. Office : Godrej One,
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Tel : +91-22-6169-8500
Fax: +91-22-6169-8888
Website : www.godrejproperties.com

Dated : 17.07.2018

THE COMMISSIONER,
Bruhat Bengaluru Mahanagara Palike
NR Square,
Bangalore.

Dear Sir

Sub : Reply to your show cause notice cum stop work notice dated 13.07.2018 bearing No. COMM/PSR (4)/2143/18-19

Ref : Application submitted by M/s Wonder Projects Development Private Limited for sanction of their building plan and building license for the purpose of construction of high rise building project from BBMP, that is kept in abeyance in No. BBPM/Add Dir/JD/North/0203/2017-18 on respect of land in Khatha No. 4131, Survey No. 61/2, 62 & 63/2, totaly measuring 12 Acres 18 Guntas, situated at Kasayanahalli village, Varthur Hobli, Bangalore East Taluk.

In furtherance to the above, we, Wonder Projects Development Private Limited (hereinafter referred to as "WPDPL"), at the outset deny all the allegations and observations made thereunder and we hereby reserve all our rights to reply as follows:

NGT Case

We would like to transverse each para with the substantial grounds and reiterate you that the allegations made thereunder are completely denied as baseless and has no bearing either in law or in prudence.

C In this regard, we would like to give brief background about Wonder Projects Development Private Limited and Godrej Properties Limited:

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Wonder Projects Development Private Limited ("Respondent No. 11") is an Associate Company of the Godrej Properties Limited ("Respondent No. 12") and is involved in Real estate activities with own or leased property, therein indulging in buying, selling, renting and operating of self-owned or leased real estate such as apartment building and dwellings, non-residential buildings, developing and subdividing real estate into lots etc.

The Godrej Properties Limited has contributed immensely to the environmental sustainability and has received over 200 awards in the past 5 years. The persistent endeavor of the Godrej Properties Limited has been to broaden its perspective to encompass conservation of habitats and ecosystems and protect forests and propagate greenery. To name a few, the commercial office project of the Godrej Properties Limited, Godrej BKC, is the only LEED (Leadership in Energy and Environmental Design) Platinum rated building in India's leading commercial district, Bandra Kurla Complex, Mumbai, Maharashtra demonstrating the commitment of Godrej Properties Limited towards environmental sustainability. The flagship project of Godrej Properties Limited, 'The Trees', is one of India's most sustainably planned mixed-use projects that will contribute to the evolution of urban design thinking in the country.

PARA 2

The averments made in the para 2 of the notice is accepted to the extent that H.P. Ranjanna ("the Appellant") has filed a case in Appeal no. 54/2018 before the Hon'ble Principle Bench National Green Tribunal, New Delhi and has sought various relief mentioned thereunder and all other para are denied and transverse hereunder.

PARA 3

It is pertinent to mention that the Wonder Projects Development Private Limited is the lawful owner of the Land bearing Survey no. 61/2, 62 and 63/2 situated at Kasavanahalli Village, Varthur Hobli, Bengaluru, measuring 12 acres and 18 guntas/50382.92 sq. meters. (hereinafter referred to as the "Total Land"). The Total Land, as per the Revised Master Plan


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2015 (hereinafter referred to as the "Plan"), falls within the Industrial (High Tech) Zone. That the Plan is notified by the Development Authority only after having taken into consideration the multifarious aspects of environment, population density, ecological impact etc. Thus, after taking all this into account, the Government decided to consider the area in question, i.e. the Total Land, fit for urbanization and thus it is not an eco-sensitive/eco-fragile zone, even as per the Plan. It is therefore vehemently denied that the Total land is eco-fragile and any construction thereon would lead to adverse impact on the environment.

That a portion of the Total Land is abutting the Kaikondarahalli lake and there is only one Primary Rajakaluve (Nala) flowing through portion of Sy No.63/2 which is specified as Kharab in all revenue documents and also have reserved the said portion as undeveloped. It is further submitted that there are two Tertiary Nala and one Secondary Nala flowing outside the Total Land. It is submitted that the Respondent No.11 has obtained the approval for change of land use from Industrial (Hi-Tech) to Residential from the Bangalore Development Authority (BDA). Consequently, the Respondent no. 11 is required to fulfill the conditions laid down in the Environmental Clearance letter bearing No. SEIAA 114 dated 10.01.2018 (hereafter referred to as the "EC") especially relating to the maintenance of Buffer Zones. It is pertinent to note that the Respondent no.11 is in compliance with the conditions laid down in the EC with regard to maintenance of Buffer Zones which is evident from a perusal of the approved Development Plan, which delineates the Total Land, the Buffer Zone maintained, as well as the portion of land whereupon the construction is to be undertaken once all the approvals are obtained. It is pertinent to submit that out of the total Land measuring 50382.92 sq. metres, the construction area is only approximately 10,842 sq. metres (hereafter referred as "Construction Area"). At this stage it is apropos to aver that the coverage provided as per Zonal Regulation is 50% whereas, the Respondent No. 11, after adequately leaving the Buffer Zone as required in the EC, have achieved a ground coverage of only 22.66%.



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That it is pertinent to note that the Plan prescribes the maintenance of a buffer Zone 30 metres distance around the lake, which has been extended to 75 metres vide a detailed judgment passed by the Hon'ble Tribunal in the case of "The Forward Foundation & Ors. v. State of Karnataka & Ors." [Original Application no. 222/2014] (hereinafter referred to as the "Forward Foundation Judgment"). The relevant extract of the aforesaid judgment is reproduced herein below :

"In the case of Lakes, 75m from the periphery of water body to be maintained as green belt and buffer zone for all the existing water bodies i.e. lakes/wetlands.

- (i) 50m from the edge of the primary Rajakaluve.*
- (ii) 35m from the edges in the case of secondary Rajakaluve*
- (iii) 25m from the edges in the case of tertiary Rajakaluve"*

It is pertinent to mention that even the EC issued to Respondent no.11 mandates vide clause 48, compliance of the aforesaid conditions stipulated in the Forward Foundation Judgment. Further, vide clause 47 of the EC the Respondent no. 11 is to ensure that the existing water body, canals, Rajakaluve and other drainage and water bound structures are retained unaltered with due buffer zone. Thus a bare perusal of the EC clearly establishes that adequate safeguards have been provided and is in compliance with the existing laws. The Respondent No. 11 are complying, as well as undertake to comply with all the conditions of the EC.

The Appellant is trying to mislead the Hon'ble Tribunal by falsely alleging that the Construction Area falls within the Buffer Zone, whereas the fact of the matter is that Respondent No. 11 shall/has not undertaken any construction of whatsoever nature in the buffer zone nor has undertaken any construction at the construction area without prior



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approval from this authority and also Respondent No. 11 undertakes and confirms that that the required buffer zones will be maintained as prescribed by law as well as in compliance of the directions of the Hon'ble Tribunal in the Forward Foundation Judgment. The construction will be undertaken, only once the approvals are obtained, on the Construction Area which does not fall under the Buffer Zone. This is evident from a bare perusal of the approved Development plan.

PARA 4

The Appellant is trying to paint a picture that the EC suffers from non-application of mind and that appropriate safeguards to protect the water bodies and the environment have not been taken into account by the concerned authority while granting the EC. However, the fact of the matter is that the Appellant, in order to make a case, has misrepresented on oath to the Hon'ble Tribunal that there are three Rajakaluve flowing through the Project, whereas the correct fact is that there is only one Primary Rajakaluve flowing through portion of Sy No.63/2 and one Secondary and two Tertiary Rajakaluve are flowing outside the Total Land. It is pertinent to reiterate that the requisite Buffer Zone, as detailed in the Forward Foundation Judgment and clause 48 of the EC will be maintained. The same is evident from a bare perusal of the approved Development Plan which categorically demarcates the Total Land, the Buffer Zone being maintained and the area on which the actual construction, away from the Buffer Zone, will take place. It is also pertinent to reiterate that the Total Land was demarcated in the Plan as High Tech Industrial Area and therefore the intention was always to treat this land for the purpose of urbanization.

PARA 5

It is pertinent to assert that that the Form IA submitted by Respondent No.11 for the grant of EC is only an application expressing the desire of the promoter to commence a particular project. It is neither conclusive nor decisive on the project and is only a guiding factor. The appraisal committee of State Environmental Impact Assessment Authority ("SEIAA") consisting of experts from different fields, who, before granting the EC, circumspectly assess the Form 1A, conduct due site inspections coupled with independent and thorough



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approval from this authority and also Respondent No. 11 undertakes and confirms that that the required buffer zones will be maintained as prescribed by law as well as in compliance of the directions of the Hon'ble Tribunal in the Forward Foundation Judgment. The construction will be undertaken, only once the approvals are obtained, on the Construction Area which does not fall under the Buffer Zone. This is evident from a bare perusal of the approved Development plan.

PARA 4

The Appellant is trying to paint a picture that the EC suffers from non-application of mind and that appropriate safeguards to protect the water bodies and the environment have not been taken into account by the concerned authority while granting the EC. However, the fact of the matter is that the Appellant, in order to make a case, has misrepresented on oath to the Hon'ble Tribunal that there are three Rajakaluve flowing through the Project, whereas the correct fact is that there is only one Primary Rajakaluve flowing through portion of Sy No.63/2 and one Secondary and two Tertiary Rajakaluve are flowing outside the Total Land. It is pertinent to reiterate that the requisite Buffer Zone, as detailed in the Forward Foundation Judgment and clause 48 of the EC will be maintained. The same is evident from a bare perusal of the approved Development Plan which categorically demarcates the Total Land, the Buffer Zone being maintained and the area on which the actual construction, away from the Buffer Zone, will take place. It is also pertinent to reiterate that the Total Land was demarcated in the Plan as High Tech Industrial Area and therefore the intention was always to treat this land for the purpose of urbanization.

PARA 5

It is pertinent to assert that that the Form IA submitted by Respondent No.11 for the grant of EC is only an application expressing the desire of the promoter to commence a particular project. It is neither conclusive nor decisive on the project and is only a guiding factor. The appraisal committee of State Environmental Impact Assessment Authority ("SEIAA") consisting of experts from different fields, who, before granting the EC, circumspectly assess the Form 1A, conduct due site inspections coupled with independent and thorough

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evaluation and decides the necessary parameters and safeguards for a given project independently. Only after having fully satisfied itself, the EC is granted to a project proponent. The Hon'ble tribunal in R.Veermani V. The Secretary P.W.D, Chennai & Ors. 2013 SCC Online NGT 11 has held:-

"The EC is wisdom driven of the members of the committee and no doubt it is not driven by the Data and particulars furnished by the Promoter in the form alone. The Authority cannot place their decision on the application alone or the contents of the form."

That it is apropos to aver that in the present case too, the concerned authority, after an exhaustive study, consultation and taking into account all necessary parameters by the committee of Experts having fully satisfied itself, granted the EC to Respondent No.11. The EC, keeping in mind a particular project, entails a list of conditions to be complied with at pre and post construction stage so as to ensure protection/conservation of the water bodies, as well as the environment. Envisaging the area in which the construction is to take place, the EC requires the Respondent no. 11 to maintain the buffer zone in terms of the directions of the Hon'ble Tribunal in the Forward Foundation Judgment. Therefore the averment of the Appellant that the EC suffers from non-application of mind is baseless and misconceived.

It is further submitted that the Respondent No.11 is in the process of acquiring all requisite permissions and sanctions from the appropriate and competent authorities as required under the provisions of the relatable laws. As such Respondent No.11 being law abiding and eco-friendly, is committed to safeguarding the environment, and shall not commence the construction until all the requisite permissions/sanctions are not in order.

PARA 6, 7 & 8

The averments made under the said para are denied as false, incorrect and grossly misleading. It is denied that there is any violation of the Karnataka Municipal Corporation Act, 1976 [hereinafter, in short, "KMCA"] or any zoning regulation thereunder or under the

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Karnataka Town and Country Planning Act, 1961 (hereafter referred to as the "KTCP Act"). It is submitted that all permissions, approvals, sanctions required under the KTCP Act have been applied for by the Respondent No.11 and are supported with requisite information/documents confirming the compliance with the provisions of the KTCP Act. The contents of the paras under reply are negatively presumptuous and merit no consideration from the Hon'ble Tribunal. It is submitted by the Respondent No. 11 that they are in due compliance with the KTCP Act and the concerned zonal regulations. This being the case, Section 505 of the KMCA is not attracted in the present case. In the same breath it is submitted that Section 300 of the KMCA is also not attracted as no work has commenced in the present instance. In any event the Respondent No.11 undertake to only commence construction after having requisite permissions and approvals from the competent authorities and in accordance of applicable laws.

It is denied as false and incorrect to the extent that violations carried out and as well as the Authorities especially the KSPCB would invite strictures from the Hon'ble Tribunal. It is reiterated that there are no violations carried out by the Respondent No. 11 and thus there is no question of attracting strictures.

The contents of said para are denied as false and incorrect. It is denied that any ad hoc or for that matter any construction is taking place at the site. The Appellant is trying to paint a picture that construction activities are being undertaken without a valid consent being obtained under Section 25 of the Water Act or without the building plan. The Appellant is making false assertions to prejudice the mind of the Hon'ble Tribunal and strict action must be initiated against the Appellant in order to ensure that such false and frivolous publicity seeking Appeals are not filed. It is submitted that the Respondent no. 11 has applied for the necessary consent under Section 25 of the Water Act as well as the sanction plans and undertake to commence construction work upon obtaining all necessary approvals from the statutory authorities. It is reiterated that the Appellant is relying upon the photographs



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to falsely show construction activity, whereas, the correct fact is that only preparatory work towards contouring and landscaping of green belt so as to derive benefit of the upcoming monsoon has taken place. It is reiterated that the Respondent No.11 is not in violation of any law.

The contents of said para details the discretionary power of the State Pollution Control Board under Section 33 of the Water Act. It is denied that the Respondent No.11 has contravened any law which would lead to initiation of proceedings under Section 33 of the Water Act.

It is pertinent to mention that the allegations made under para 8 is completely denied as false and baseless. The Respondent No.11 have neither raised nor constructed any constructions of ground floor and first floor or model flat measuring 2,500 sq. ft. As accepted earlier, the Respondent No.11 have not undertaken any ad-hoc construction, that too without a sanctioned building plan and without the consent of BBMP ("Respondent No. 9"). It is reiterated that the Respondent No.11 are only taking preparatory steps towards contouring and landscaping with a view to maintain greenery on the total area and prepare for the upcoming monsoon.

Further, The Appellant is trying to create a prejudice in the minds of this authority by stating that the Respondent No.11 is carrying out construction activities, by placing on record photographs which do not convey the correct position. It is reiterated that the Respondent No. 11 are only undertaking preparatory steps for the purpose of contouring and landscaping and carrying out plantation and maintaining the greenery in the Total Area. It is further submitted that the same is being done to avail the benefits of the upcoming monsoon. It is reiterated that no damage to the ecosystem, whatsoever, is/will be caused by the Respondent No. 11. In fact, this Respondent No.11 has replied and submitted necessary documents to your notice dated 30.05.2018 vide notice no. Ward No. 150/TAMSHA/ PR/49/18-19.



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PARA 9

The contents of the said para are vehemently denied for the following reasons:

It is hereby denied that any illegal or highhanded act has been committed by or on behalf of the Respondent No.11. It is further denied that any illegal permission has been given or unauthorized construction has commenced in regard to the project over the subject land. Furthermore, it is also denied that any legally enforceable right of the Appellants including constitutional and fundamental right under Article 21 has been affected by any act of the Respondent No. 11. The Appellant be put to strict proof of the allegations made in the paragraph under reply. The allegations of the Appellant are uncorroborated and not evidence in support of such allegations is forthcoming.

It is denied that the present project of the Respondent No.11 is in any manner illegal or will adversely impact the environment. It is further denied that the provisions of any law have been flouted by the Respondent No.11 or not implemented by the State. It is also submitted that in no way has the Project in question responsible for the water situation in the city of Bengaluru and the development of the said Project will not result in any damage, as has been falsely propagated in the NGT appeal, to the environment. As such, the Respondent No.11 is in due compliance with all the concerned statutory compliances and environmental safeguards. The Appellant states that the Authorities have failed in "implementing properly and efficaciously the various provisions of the Environmental laws and local laws including the Zoning regulations in the Revised master Plan...". However, the fact of the matter is that as per the Plan, the Subject Land was categorized as an "Industrial High Tech Area", subsequent to which it the land use was converted to Residential. The intent was to use the land for the purpose of urbanization. This being the case, even the present EC has been granted after taking into account the Plan. Therefore, in essence, the Authorities have ensured compliance with the zoning requirements detailed in the Plan and then issued the impugned EC.



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It is denied that any of the Respondent No.11 have flouted or are in non-compliance of any law or the directions stipulated by the Hon'ble Tribunal In the Forward Foundation Judgment. It is reiterated that the Appellant is making unsubstantiated averments which are not backed by any evidence. It is submitted that the Respondent No.11 have duly complied with the Forward Foundation Judgment and have maintained the requisite Buffer Zone from the water bodies, in conformity with the dictum laid down by the Hon'ble Tribunal in the afore stated case.

By stating that the subject land falls within the Buffer Zone of the Kaikondrahalli Lake or within the Buffer Zone of one primary or two tertiary Rajakaluve, the Appellant is trying to mislead the Hon'ble Tribunal into believing that the authorities have granted EC to construct within the Buffer Zone. It is reiterated that out of the total Land measuring 50382.92 sq. metres, the Construction Area is only approximately 10,842 sq. metres. From the aforesaid, it is rather evident that the Respondent No. 11 are in due compliance with the condition(s)/direction(s) of the EC and the Forward Foundation Judgment. The Buffer Zones, as can be seen from the Approved Development Plan, have been maintained as green belt in terms of the conditions stipulated in the EC and will be treated as a NO CONSTRUCTION ZONE. The Respondent No.11 has categorically submitted in their Form I submitted with the SEIAA that "a primary nala connecting to Kaikodrahalli lake is crossing across the Project site. 50m buffer on both side are provided as per NGT specifications." Furthermore, the Respondent No.11 has very categorically stated that, "Kaikondrahalli lake exist at a distance of 75m. Harlur/Kasavanahalli lake at a distance of 0.800km"

It is denied that the project will be constructed in an inherently eco-fragile environment within the Buffer Zone of the lake and the Rajakaluve. The Respondent No.11 has already highlighted the area in the Total Land where the construction will take place. It is vehemently denied that the Respondent No.11 is going to carry out any construction in the Buffer Zone. It is further denied that environmental load of the population envisaged to stay in the same would be more than what the ecosystem can withstand. It is humbly



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submitted that a Master Plan is circulated by the Development Authority only after having taken into consideration multifarious aspects of environment, population density, ecological impact etc.

It is humbly submitted that the issues cited in the corresponding paragraph are non-existent and highly presumptuous, as has been detailed hereinbelow.

It is denied that there has been any concealment or that the Respondent No.11 has supplied wrong information and thus there is no question of the EC being considered void ab initio. The SEIAA has, only after careful scrutiny and consideration of the same, granted the EC. Furthermore, the EC has been granted by the SEIAA, after having received the recommendation in this regard from the State Environment Assessment Committee [hereinafter, in short "SEAC"] in their meeting held on 25.11.2017. It is reiterated that the appraisal committee of SEIAA does not grant the EC on the basis of the information provided in the Form 1A. The Appraisal Committee, consisting of experts from different fields, circumspectly assess the Form 1A, conduct due site inspections coupled with independent and thorough evaluation and decides the necessary parameters and safeguards for a given project independently and only after completely satisfying itself grants an EC. In any event, it is reiterated herein that all concerned information, along with the supporting documents were duly provided to the SEIAA by the Respondent No.11 while seeking the EC. This being the case there exists no reason to raise doubts on the EC or the process by which it has been granted.

It is the submission of the Respondent No. 11 that there is no government policy / order applicable on the subject site in question. The question put to the Respondent No.11 was whether there is any government order /policy relating to the site. The question itself makes it abundantly clear that the details sought were specific to the site, and since there is no site specific government order/policy, the Respondent No.11 have stated "nil". In light of the same, it is apparent that there has been no non-disclosure on the part of the Respondent No.11.

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There are three Rajakaluve passing through the Project. The Respondent No.11 submits that the Appellant is purposely misleading the Hon'ble Tribunal. Reference is made to the approved Development Plan. It is also submitted that the Form-1 categorically states that there is only one primary Rajakulewas passing through the site. Furthermore, it is trite to note that no secondary and/or tertiary Rajakulewas are passing through the Total Area. Regardless, the buffer area has been maintained by the Respondent No. 11 from all the water bodies in or around the Total Land, in accordance with the guidelines laid down by the Hon'ble Tribunal in the Forward Foundation Judgment.

It is denied as false, vague and vexatious that there has been any fraudulent concealment or misinformation which would make the Total Area unfit for construction. It is also denied that the EC is liable to be revoked in terms of Regulation 8(vi) of the notification of 2006. It is denied that the Project site is unfit for construction of a project of the magnitude as alleged. It is reiterated that the Appellant is deliberately trying to show that the construction is planned in the Buffer Zone, which is not true at all.

PARA 10

Further, in reply to the said contents of the para, we would like to substantiate the same with the permissible usage provided under Zonal Regulations, 2015 which provides for norms to be followed in respect of buffer of valley/ drain.

4.12.2) Regulations

i. Permissible land uses:

- 1) *Uses permissible Include: Sports grounds, stadium, playgrounds, parks, swimming pools, cemeteries, garden land and crematoria.*
- 2) *Uses permissible under special circumstances by the authority: Open air theatres, indoor recreational uses, dwelling for watch and ward, sports clubs, libraries, milk booths, HOPCOMS, the area of such use shall not exceed 5% of the total area and shall not be more than G+ 1 floor in any case.*
- 3) *Setbacks for the above will be decided by the Authority taking into account the surrounding development and traffic scenario in that area.*



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ii. Valley/ drain

Within the demarcated buffer for the valley the following uses are allowed:

- 1) Sewerage Treatment Plants and Water treatment plants*
- 2) Roads, pathways, formation of drains, culverts, bridges, etc which will not obstruct the water course, run offs, channels.*
- 3) In case of water bodies a 30.0 m buffer of 'no development zone' is to be maintained around the lake (as per revenue records) with exception of activities associated with lake and this buffer may be taken into account for reservation of park while sanctioning plans.*
- 4) If the valley portion is a part of the layout/ development plan, then that part of the valley zone could be taken into account for reservation of parks and open spaces both in development plan and under subdivision regulations subject to fulfilling section 17 of KTCP Act, 1961 and sec 32 of BDA Act, 1976.*
- 5) Any land falling within the valley for which permission has been accorded either by the Authority or Government, and then such permission shall be valid irrespective of the land use classification in the RMP 2015. Fresh permissions for developments shall not be accorded in valley zone.*

Hence, there is no valid ground as to why the request for building plan and building license be refused since for the above reasons, we have clearly followed the directions provided under the judgment of NGT in O.A. No. 222/2014.

PARA 11

In reply to the said para, it is denied that there is any violation of the Karnataka Municipal Corporation Act, 1976 [hereinafter, in short, "KMCA"] or any zoning regulation thereunder or under the Karnataka Town and Country Planning Act, 1961 (hereafter referred to as the "KTCP Act"). It is submitted that all permissions, approvals, sanctions required under the KTCP Act have been applied for by the Respondent No.11 and are supported with requisite information/documents confirming the compliance with the provisions of the KTCP Act. The contents of the paras under reply are negatively presumptuous and merit no consideration from the Hon'ble Tribunal. It is submitted by the Respondent No. 11 that they are in due



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compliance with the KTCP Act and the concerned zonal regulations. This being the case, Section 505 of the KMCA is not attracted in the present case. In the same breath it is submitted that Section 300 of the KMCA is also not attracted as no work has commenced in the present instance. In any event the Respondent No.11 undertakes to only commence construction after having requisite permissions and approvals from the competent authorities and in accordance of applicable laws.

It is denied that the Total Area contains within itself Rajakaluve and Buffer Zone of the lake which would mean that any activity without the consent of the KSPCB would legitimately cause such pollution as envisaged under Section 33 of the Water Act. It is denied that any violation of Section 25 of the Water Act has taken place. It is further reiterated that as there is no violation, the provisions of Section 33 of the Water Act are attracted. The Respondent No.11 seeks liberty to rely upon the correct interpretation of the judgment *Mohan Singh & Ors. V. International Airport Authority of India & Ors.*, at the time of arguments. It is denied that there is any present or future harm that will be caused. It is reiterated that an expert panel, after having considering all the parameters has granted the present EC. It is vehemently denied that any of the Authorities have violated their statutory duties in any manner.

It is vehemently denied that there is any ground for setting aside the EC or requiring to remediate loss to the environment. It is humbly submitted that neither has any loss been caused, nor will it be caused. The EC has been granted by the concerned authority after recommendation being given by the expert committee. The Appellant is making presumptuous and vague allegations which are not supported by any expert report/findings.

The Appellant continues to reiterate false and incorrect averments. It is reiterated that Buffer Zone is maintained from all the water bodies in the vicinity. It is further reiterated that Respondent No. 11 have not misrepresented or concealed any facts and hence the EC



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must not be rejected. It is further denied that the impugned order granting EC lacks application of mind. The conditions entailed in the EC are not generic but specific to the present Project. The case of Forward Foundation has been complied with. The condition of the Forward Foundation judgment quoted by the Appellant in para C was a specific condition imposed upon the BWSSB therein keeping in mind the violations committed as per the facts detailed in the said judgment. It is vehemently denied that there will be any concrete construction or laying of foundation, providing amenities such as bench/table/ etc. within the Buffer Zone. It is reiterated that in terms of the EC, which categorically refers to the Buffer Zone requirement detailed in the Forward Foundation Judgment, there will be no construction in the Buffer Zone. It is correct that levelling of excavated soil cannot be permitted in the Buffer Zone. However, it is submitted that the Respondent No. 11 are not carrying out as on date and undertake not to carry out any construction within the Buffer Zone. This being the case, there is no question of revoking the EC. It is denied that any ground has been set forth in the Appeal for revoking the EC. The directions detailed in the Forward Foundation Judgment are entailed in the EC and the Respondent No. 11 undertake to comply with the same in full letter and spirit.

It is denied that the authorities have allowed any sort of construction within the Buffer Zone.

It is denied that by the grant of the EC there has been any violation of the statutory provisions of the Environment Act of 1986 or any judgment of the Hon'ble Tribunal. Keeping in mind the growing environmental concerns, strict conditions have been incorporated in the EC for the Respondent No.11. The EC envisages a strict formulation of the guidelines laid down by the Forward Foundation case and other statutes.

It is vehemently denied that any adverse impact will be caused to the Buffer Zones. It is further submitted that no construction will be undertaken in the defined Buffer Zones in



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the Total Area. It is further submitted that the construction undertaken in the Construction Area will adhere to the conditions specified in the EC. It is further submitted that the conditions imposed in the EC are analogous to the conditions stipulated in the EIA notification of 2005 as well as the Forward Foundation Judgment. Thus the apprehension of the Appellant is only an assumption which has no reliable basis.

The allegations of the Appellant are derived from incorrect facts. The Appellant, by placing reliance on the photographs, is falsely accusing the Respondent No.11 of having undertaken temporary construction within the Buffer Zones without a valid sanction plan. It is reiterated that the Respondent No.11 are in the process of obtaining the necessary approvals. With regard to the allegation of temporary construction, it is reiterated that the Respondent No.11 have only undertaken preparatory work towards contouring and landscaping to avail benefits of the upcoming monsoon. There is no question of any adverse impact on the environment / ecology. From the aforesaid, it is evident that the Appellant is only making hollow, false and incorrect assertions thereby misleading this Authority and harassing the Respondent No.11. It is submitted that the Respondent No.11, is not in violation of the directions of this Authority in the Forward Foundation Judgment or any other statutory compliance.

It is denied that the Project Proponents have colluded with the Authorities or that any of the direction(s) of the Hon'ble Tribunal or any other statutory provisions have been violated by the Respondent No.11. It is further denied that the project will have any adverse effect let alone destroy the eco-system services associated with the lake or the Rajakaluve and it is also denied that the EC should be set aside. It is further denied that there is any ground for any of the Respondent No.11 to pay substantial sum or for that matter any sum towards restoration as no damage has been caused to the environment as has been falsely alleged by the Appellant.



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It is denied that there has been any violation of the Forward Foundation Judgment or any regulation of the Plan. It is submitted by the Respondent No.11 that the Buffer Zone around the lake and the Rajakaluve has been maintained as per the directions of the Hon'ble Tribunal in Forward Foundation Judgment, which expanded the buffer area from 30 m. to 75 m.

It is denied that there are secondary and tertiary nalas flowing through the Total Land. It is also denied that the Authorities have discounted the provisions of the Municipal laws. It is reiterated that there is only one primary Rajakaluve flowing through portion of Sy No.63/2 and the requisite Buffer Zone will be maintained qua the said Rajakaluve as well as the other waterbodies around the Total Land. The Appellant is repeatedly levelling incorrect and baseless allegations against the Respondent No. 11 in order to malign their reputation and cause harassment, for which heavy strictures and penalty should be imposed upon the Appellant by the Hon'ble Tribunal.

It is vehemently denied that the Respondent No.11 have not applied for the grant of EC in accordance with the law and the zonal and sectoral development plans have not been complied with. The Respondent No.11 has ensured that the specific distances, as detailed in the Forward Foundation Judgment, are maintained as Buffer Zones. It is submitted that the judgments relied upon the Appellant in the para under reply are a matter of record and the Respondent No.11 seek liberty of the Hon'ble Tribunal to refer and rely upon the correct interpretation of the said judgments.

It is denied that the judgment of the Hon'ble Tribunal has been violated by the Respondent No.11. It is absolutely denied that the Respondent No.11 has played any fraud on the environment or that the Authorities are hands in gloves with the Respondent No.11 in this regard. Per contra, the Respondent No.11 are environmentally responsible and aware developers/ builders who have always been sensitive towards the ecological impacts of urbanization, and in regard the Respondent No.11 has also received several awards in this regard.



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Reply to the objections from B.M. Associates, Advocates and Consultants and restraining order passed by the High Court of Karnataka in MFA NO. 52/2001 arising out of O.S. No. 4287/2000

PARA 13, 14, 15, 16, 17 & 18

The contents of this paragraph are not true. In fact, the Complaint submitted by B.M. Associates, Advocates on behalf of their client Mrs. Susheelamma are completely baseless. Mrs. Susheelamma do not have any right over the project lands as stated in their complaint. The information regarding pending litigation bearing O.S.No.4287/2000 before the City Civil Court, Bangalore, has already been disclosed to all authorities wherever we have obtained the approvals including Bangalore Development Authority. The Complainant has suppressed the real facts of the case while submitting their complaint.

It is pertinent to describe the correct facts of the above civil suit which will enable your goodself to understand the true facts of the case. This case is originally filed by one Mrs. Anitha, in the year 2000 against her brother Mr.P.Ramprasad, her sister P.Rajitha, and paternal aunts Mrs.Susheelamma, Mrs.Radhamma, Mrs.Leelamma, Mrs.A.C.Shamala, seeking partition of their family properties including the project lands. During the pendency of the suit the parties decided to settle their dispute and accordingly Mrs.Anitha, her brother P.Ramprasad and her sister P.Rajitha entered into a registered Partition Deed dated 21.08.2003 wherein they partitioned family properties including the project lands. *The said Susheelamma and Radhamma two Paternal aunts joined the above registered partition suit and have signed as concurring witnesses to the Partition stating that neither they nor children/their legal heirs shall have any right whatsoever in respect of the schedule lands therein including the project lands. Further, the said Susheelamma in her Written Statement has clearly stated that she has given up her share in the Schedule Properties including the project lands.* Thus, the said Susheelamma has declared and confirmed that she has no right, title and interest over the Suit Schedule Properties including projects lands back in the year 2003 and is now estopped from denying the pleadings filed by her as well

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as her consent given under the said registered Partition Deed. Further to the said Partition Deed, Mrs.Anitha and Ramprasad have conveyed the project lands to third parties and we have purchased the project lands from the Third Parties i.e., Microgate Trading Co. Pvt. Ltd., and Teknopoint Trading Co. Pvt. Ltd., in the year 2016. This being the case, the said Susheelamma who has no right, title or interest in the Suit Schedule Properties including project lands has been filing false complaints with mala fide intention to harass us. Moreover, we are not party to the said suit and any allegation to this extent are baseless.

The cause of action under which the order was passed in the said M.F.A.No.52 and 212 / 2001 dated 18th March, 2012 was completely different and the said cause of action do not survive anymore and hence are not binding on us in any manner. In fact, pursuant to the said Order the parties have executed the above said registered Partition Deed and have settled their disputes and the suit was sought to be dismissed by the Civil Court. The said dismissal of the suit was challenged by Leelamma and A.C.Shamala and thereafter the suit was restored wherein Leelamma and A. C. Shamala got transposed as Plaintiffs No.2 and 3 in the above suit. The said Mrs. Leelamma and Mrs. Shyamala A.C. have on 21.7.2016 presented themselves before the Civil Court along with their legal counsels and submitted that they HAVE GIVEN UP THEIR CLAIM IN RESPECT OF SAID LANDS BELONGING TO US AND LAND BEARING SURVEY NO. 62 MEASURING 3 ACRES 2 GUNTAS AND LAND BEARING SURVEY NO. 63 MEASURING 6 ACRES 21 GUNTAS, ALL SITUATED AT KASAVANAHALLI VILLAGE. This being the case when there are no contesting Plaintiffs in the suit Mrs. Susheelamma having no right, title or interest in the project lands is trying to mislead this Authority by bringing only partial facts into light and by suppressing the actual facts of the case. Further, as far as the allegation about the alienation of project lands during the pendency of the suit is concerned, it is the Plaintiffs and Defendants who first entered into the registered Partition Deed dated 21.08.2003 and thereafter alienated the lands in favour of third parties and the project lands were purchased by us from third parties for valuable consideration.



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The allegations of the Complainants are false and are hereby denied as false. The Memo dated 21.07.2016 filed by Mrs.Radhamma and Shamala for giving up their claims and settling their rights for a valuable consideration in respect of the project lands and requesting the court to delete the said project lands from the suit. Further, it is pertinent to mention that it is falsely alleged by the Complainant that it is an order which was passed by the Civil Court on 21.07.2016, whereas, the true fact is that it was only a Memo for deletion which was filed on 21.07.2016 by Mrs.Radhamma and Shamala. The copy of the Memo has been annexed herewith for kind perusal of this Authority.

Respondent No. 11 hereby accepts the contents of this paragraph to the extent that we have submitted application for amalgamation of three Survey Numbers into one Plot and have obtained the Khatha Amalgamation. In this regard, we have obtained a special notice dated 07.10.2016, issued by the Joint Commissioner, BBMP, Mahadevpura, Banagalore, and also the Respondent No. 11 has paid a betterment charges to this Authority. Thereafter, this Authority has issued the Khatha Certificate and Khatha Extract in the name of Respondent No.11.

The allegations of this paragraph are completely baseless. There is no NGT Order passed as alleged in this paragraph. There was no such NGT CASE ADMITTED as on the date of submission of application / obtaining of approval from the authorities and till date, the matter before NGT has not been admitted. In fact, the Complainants are again misleading this Authority by referring to NGT case where there are no orders passed as on this day.

PARA 19

In reply to the said para,

- (i) We hereby reiterate that the Order sheet dated 21.07.2016 wherein the Mrs. Leelamma and Mrs. Shamala have signed for having submitted the Memo for deletion of Suit Schedule Item No. 7, 8 and 9 are annexed herewith as required by this Authority:



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- (ii) We are still awaiting the Consent for Establishment (CFE) by Karnataka State Pollution Control Board for the project; and
- (iii) The NOC by BWSSB, we have made an application for release of NOC as the project land is falling under 110 Villages which are now unified and the application is under process.

Thus, in view of the above, there are no contesting Plaintiffs in the case against us and there does not arise any cause of action for Mrs. Susheelamma to the said suit and her claim in respect of the suit Schedule Property is not subsisting. The said Susheelamma is estopped from denying her own pleadings and confirmations executed by her, now after a gap of more than 15 years. Thus, it is crystal clear that the Complainant is just taking advantage of the pending case where there are no orders against us and is filing false and baseless complaints to succeed in her ulterior motives.

In lieu of the he above, we request you not to consider the misleading contention raised by Mrs. Sushelamma. We hereby inform you that we shall abide by the ruling of the court in the said suit bearing O.S.No.4287/2000 and NGT, if any.

We are always committed to ethics and comply with all prevailing laws/regulations etc, under the said situation, we have taken adequate steps and followed the provision of the law required to be followed with utmost importance and obligated to follow the same if required in future. Hence for the reasons stated above and facts transverse hereunder, we request your goodself to withdraw the show cause notice and process the Building Plan and license and release the same at the earliest.

Thanking you,
Yours truly,
For Wonder Projects Development Private Limited,


Authorized Signatory

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