

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 281 /2019

Mahadevpura Parisara Samrakshane Mattu  
Abhivrudhi Samiti

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 09.05.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. P. Ramprasad and Mr. Eeshan Chaturvedi,  
Advocates

**ORDER**

1. The issue for consideration is the remedial action against violation of environment norms in the fragile buffer zone of Kaikondarahalli Lake at Bangalore.
2. Vide order dated 11.03.2019 joint Committee comprising Central Pollution Control Board (CPCB), Karnataka State Pollution Control Board (KSPCB), Bruhat Bengaluru Mahanagara Palike (BBMP) and the Bangalore Development Authority was required to furnish a factual and action taken report.

3. Accordingly, a report has been received vide letter dated 11.04.2019 concluding as follows:-

*“The joint inspection report reveals that, the Respondent has violated all the statutory provisions and constructed building in Sy. No. 71/1, 71/2, 72/2, 73 and 74/5B of Kasavanahalli village. Further, fabricated documents were used for getting the power connections to the buildings illegally constructed. The above illegal activities of the Respondent are affecting the environment, ecology and feeder canals of Kaikondarahalli Lake. The area is in ecologically sensitive zone, will have an adverse effect with these illegal activities. Once the ADLR submits the details survey report of Kaikondarahalli lake and the final report will be submitted for placing it before the Hon’ble Green Tribunal, Principal Bench, New Delhi.”*

4. Further report dated 27.04.2019 has been filed by KSPCB to the effect that Board has issued show cause notice to the project proponent for violation of Section 24 of the Water (Prevention and Control of Pollution) Act, 1974 and also written a letter to the Executive Engineer BESCO for disconnecting the power to the building constructed illegally, by fabricating documents.
5. In view of the acknowledged fact that the project has been illegally constructed, the KSPCB may take further necessary action which may include recovery of compensation for the damage caused for restitution of environment and prosecution of the persons responsible for violating the law.

Prayer of the applicant for closure order may also be considered. The applicant will be at liberty to give an updated representation of the action which is required to be focused for restoration of the environment which may be expressly adverted to in the report.

A report of further action taken may be furnished within two months by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com). The KSPCB may coordinate with BBMP and Bangalore Development Authority.

List for further consideration on 11.07.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

May 09, 2019  
Original Application No. 281 /2019  
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