

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

Original Application No. 314/2019

(With report dated 21.06.2019)

The President, Advocates Association, Bangalore

Applicant(s)

Versus

State of Karnataka

Respondent(s)

Date of hearing: 16.10.2019

**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): None

For Respondent(s): Mr. Devraj Ashok, Advocate for State of Karnataka

ORDER

1. Vide order dated 06.05.2019, this Tribunal sought a factual and action taken report from a joint Committee comprising the Secretary, Urban Development, Karnataka, Member Secretary, State Pollution Control Board (SPCB) and the Bruhat Bengaluru Mahanagara Palike (BBMP) with reference to the allegation that there is encroachment of Raja Kaluve (drain) on North side of Vijaya College and on the West side which leads to Lalbagh by constructing a massive apartment complex named "Parasmani Regency-11" of about 200 flats in just 50,000 sqfts area in sites Nos. 426, 427, 428, 429, 430, 431, 432A, 433, 434, 435 in 7th main, 8th Cross, Jayangar 2nd Block, Off. R.V. Road, adjacent to Vijaya College, Bangalore – 560 011

by M/s Raja Rajeshware Buildcom Pvt. Ltd. having its Corporate office at #6711, "Sri Ranga" Netkallappa Circle, Basavanagudi, Bangalore-560004.

2. Accordingly, a report dated 21.06.2019 has been filed by the KSPCB based on inspection conducted by the Committee headed by Shri Mahendra Jain, IAS, Additional Chief Secretary, Government of Karnataka. On the subject of encroachment of the Raja Kaluve, it is reported that the drain is a 'Lead off Drain' connecting road side drains. The report further shows that there were violations with reference to constructions in the setback area. Preliminary notice was issued to stop constructions as the modified plan has not yet been released. There are unauthorized constructions without approval of BBMP for which action has been initiated by the BBMP.

3. In view of above, we are of the view that the matter can be disposed of with a direction that the deficiencies noticed in the report be remedied by taking appropriate action by the statutory authorities in accordance with law.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

October 16, 2019
Original Application No. 314/2019
DV

