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25581383, 25589112
25588151, 25588270
25588142, 25586520

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ Karnataka State Pollution Control Board

“ಪರಿಸರಭವನ”, 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ.49, ಚರ್ಚ್‌ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ, ಭಾರತ
"Parisara Bhavana", 1st to 5th Floor, # 49, Church Street, Bengaluru - 560 001, Karnataka, INDIA

ಕರಾಮಾನಿಮಂ/49/ಎಲ್ ಇ ಹೆಚ್/2017

2924

ದಿನಾಂಕ 21 AUG 2017

ವಿಷಯ:- ರಿಟ್ ಅರ್ಜಿ ಸಂಖ್ಯೆ 35548/2017 ಬೆಂಗಳೂರು ಮಹಾನಗರ ಗಣೇಶ ಉತ್ಸವ ಸಮಿತಿ ವಿರುದ್ಧ ಕರ್ನಾಟಕ ರಾಜ್ಯ

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಮಾನ್ಯ ಉಚ್ಚನ್ಯಾಯಾಲಯವು ಅರ್ಜಿದಾರರಾದ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಗಣೇಶ ಉತ್ಸವ ಸಮಿತಿಯವರು ಸಲ್ಲಿಸಿದ ಸಾರ್ವಜನಿಕ ಹಿತಾಶಕ್ತಿಯುಳ್ಳ ರಿಟ್ ಅರ್ಜಿಯನ್ನು ವಜಾಗೊಳಿಸಿ, ಪ್ಲಾಸ್ಟರ್ ಆಫ್ ಪ್ಯಾರಿಸ್ ಗಣೇಶ ಮೂರ್ತಿ ಹಾಗೂ ಇತರೇ ಮೂರ್ತಿಗಳ ಮಾರಾಟ ಸಂಗ್ರಹಣೆ ಹಾಗೂ ಯಾವುದೇ ರೀತಿಯಾದ ಜಲಮೂಲದಲ್ಲಿ ವಿಸರ್ಜನೆಯನ್ನು ನಿಷೇಧಿಸಿ ಹೊರಡಿಸಿದ ಮಂಡಳಿಯ ಆದೇಶವನ್ನು ಎತ್ತಿ ಹಿಡಿದಿರುತ್ತದೆ. ತೀರ್ಪಿನ ಪ್ರತಿಯನ್ನು ಮಾಹಿತಿಗಾಗಿ ಮುಂದಿನ ಸೂಕ್ತ ಕ್ರಮಕ್ಕಾಗಿ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿ ಕೊಡಲಾಗಿದೆ.

ಪ್ರತಿ:


ಕಾನೂನು ಅಧಿಕಾರಿ

ಎಲ್ಲಾ ಪ್ರಾದೇಶಿಕ ಅಧಿಕಾರಿಗಳಿಗೆ ಹಾಗೂ ಹಿರಿಯ

ಪರಿಸರ ಅಧಿಕಾರಿಗಳಿಗೆ

24645/17

Guruswas Joshi

**IN THE HIGH COURT OF KARNATAKA
AT BENGALURU**

Dated this the 8th day of August, 2017

PRESENT:

**THE HON'BLE MR SUBHRO KAMAL MUKHERJEE,
CHIEF JUSTICE**

AND

THE HON'BLE MR JUSTICE P S DINESH KUMAR

Writ Petition Nos 35047 & 35448 of 2017 (GM-RES-PIL)

BETWEEN :

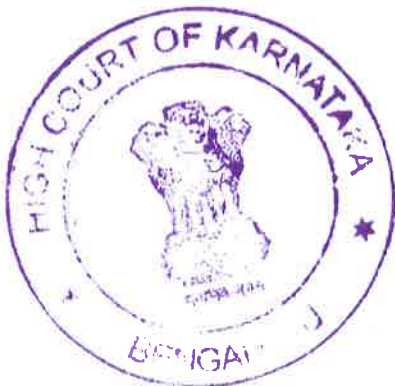
BENGALURU MAHANAGAR
GANESH UTSAVA SAMITI
(FEDERATION OF PUBLIC
GANESH UTSAVA COMMITTEE)
NO. 55, PRAHARI IST MAIN ROAD
SHESHADRIPURAM, BANGALORE-20
REPRESENTED BY ITS
GENERAL SECRETARY
SRI PRAKASH RAJU
S/O LAKSHMAN RAJU
AGED ABOUT 49 YEARS

... PETITIONER

(By Sri H R Showri, Advocate)

AND :

1. THE STATE OF KARNATAKA
REPTD BY ITS CHIEF SECRETARY
VIDHANA SOUDHA
BANGALORE-560001
2. KARNATAKA STATE POLLUTION
CONTROL BOARD
PARISARA BHAVAN
NO 49, 4TH & 5TH FLOOR



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CHURCH STREET
BANGALORE-560001
REPRESENTED BY ITS PRESIDENT

3. BRUHAT BANGALORE
MAHANAGARA PALIKE
HUDSON CIRCLE
BANGALORE-560001
REPTD BY ITS COMMISSIONER

4. POLICE COMMISSIONER
BANGALORE URBAN DISTRICT
OFFICE OF THE
POLICE COMMISSIONER

... RESPONDENTS

(By Sri R Devdas, Principal Govt Advocate, for R1 & R4;
Sri Gururaj Joshi, Advocate, for R2)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH
THE LETTER/PROCEEDINGS DATED 19.11.2016, VIDE ANNEXURE-
C, ISSUED BY THE R-2 AND ETC.,

THESE PETITIONS COMING ON FOR PRELIMINARY
HEARING, THIS DAY, **THE CHIEF JUSTICE** MADE THE
FOLLOWING:-

ORDER

Issue notice to the respondents.

Mr R Devdas, learned principal government advocate,
accepts notice for the respondent Nos 1 and 4.

Mr Gururaj Joshi, learned advocate, accepts notice
for the respondent No 2.



2. The Karnataka State Pollution Control Board decided, as a matter of policy, to prohibit use of plaster of paris and painted idols during the Ganesha festivals.

3. On an earlier occasion, a notification issued by the Pollution Control Board in this regard was confirmed by this Court. In the light of the said order passed by this Court, a circular banning use of plaster of paris and painted idols was sent to the officers concerned for enforcement.

4. In this circular dated March 14, 2017, by the Karnataka State Pollution Control Board, the Board directed that only the idols made of clay are to be allowed for immersion in water bodies.

5. We do not find any fault in the decision taken by the Pollution Control Board prohibiting plaster of paris and painted idols during the festival, as this endeavour would save the environment and the water bodies.



- 6. The writ petitions are, therefore, dismissed.
- 7. There will be no order as to costs.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**

*pjk

TRUE COPY'
[Signature]
 Section Officer 10/8/17
 High Court of Karnataka
 Bengaluru-560 001



- a) The date on which the application was made 9/8/17
- b) The date on which charges and additional Charges if any are called for
- c) The date on which charges and additional Charges are called for 10/8/17
- d) The date on which the copy is ready 10/8/17
- e) The date on which the copy is ready for delivery 10/8/17
- f) The date on which the applicant is required to appear in court 10/8/17
- g) The date on which the copy is delivered to the Applicant 11/8/17
- h) Examined by [Signature]