



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 1304 OF 2025 (GM-POL)

BETWEEN:

M/S ANJANEYA CONSTRUCTION
OFFICE AT KALAGHATTA,
VADDARAHATTI, HOLALAKERE,
CHITRADURGA DISTRICT - 577518
REPRESENTED BY ITS PROPRIETOR
SRI. V. MANJUNATH
S/O. LATE VENKATAPPA,
AGED ABOUT 51 YEARS

...PETITIONER

(BY SRI. BHAT GANAPATHY NARAYAN, ADVOCATE)

AND:

1. THE KARNATAKA STATE POLLUTION
CONTROL BOARD
PARISARA BHAVAN,
OFFICE AT NO.49,4TH
AND 5TH FLOOR,
CHURCH STREET,
BENGALURU - 560001
REPRESENTED BY ITS MEMBER SECRETARY

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NIRMALA
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Location:
HIGH COURT
OF
KARNATAKA



2. THE REGIONAL OFFICE
KARNATAKA STATE POLLUTION
CONTROL BOARD,
OFFICE AT CA NO.2,
3RD MAIN, KHB COLONY,
BEHIND PRAGATHI GRAMEENA BANK,
NEAR KHB OFFICE,
SADIQ NAGAR ROAD,
CHITRADURGA - 577 501
REPRESENTED BY ITS
ENVIRONMENTAL OFFICER

...RESPONDENTS

(BY SRI. A MAHESH CHOWDHARY, ADVOCATE FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY APPROPRIATE ORDER BY QUASHING THE IMPUGNED NOTICE DATED 31.12.2021, BEARING SI. No. KSPCB/RO/CTA/CONSENT FEE/2021-22/610, PASSED BY THE RESPONDENT No. 2, AS PER ANNEXURE-L, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA



ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition, *inter alia*, impugning a notice dated 31.12.2021, whereby the petitioner has been called upon to pay a sum of ₹7,66,250/- as the balance amount payable for Consent for Operation [**consent fee**]. The impugned notice indicates that the consent fee payable by the petitioner was computed at ₹9,16,250/-. However, an amount of ₹1,50,000/- was adjusted from the said amount.

2. Learned counsel for the petitioner has contested the impugned notice on a solitary ground. He states that the consent fee has been calculated according to a circular dated 14.12.2021, which was applicable to applications received between 12.11.2020 to 25.10.2021. He submits that his application was submitted on 09.11.2020, and therefore, the rates for the consent fee specified in the circular dated 14.12.2021 are not applicable for calculating the fee payable by the petitioner.

3. Briefly stated, the relevant facts leading to the present controversy are that on 17.09.2019, the petitioner established a



crusher unit under the Karnataka Regulation of Stone Crushers Act, 2011. It is stated that a joint inspection was conducted by the Deputy Director of Mines and Geology and other officials. The Conservator of Forests had also inspected the unit. The petitioner states that thereafter, the Deputy Commissioner issued a notification dated 30.11.2019 granting land to the extent of 2 acres and 20 guntas falling in Sy.No.30 of Marapura Village, B.Durga Hobli, Holalkere Taluk, Chitradurga District, for establishing a M-Sand unit.

4. The petitioner states that on 28.10.2020, permission in Form B1 was granted for the establishment of a stone crusher unit. Thereafter, on 09.11.2020, the petitioner applied for an NOC for consent to establish [CFE] from the Karnataka State Pollution Control Board [KSPCB]. On 25.11.2020, the petitioner applied for consent for operation [CFO] from KSPCB. The petitioner also made an online payment of ₹1,50,000/- on the said date, that is, on 25.11.2020.



5. It is material to note that the petitioner had also paid a fee of ₹12,500/- on 09.11.2020 in connection with his application seeking CFE.

6. As noted at the outset, the only controversy raised by the petitioner is whether the fee as specified in the circular dated 14.12.2021 is applicable to the application filed by the petitioner.

7. The petitioner's case that the fee demanded is erroneous is founded on the ground that the rates stipulated in the said circular – on which the fee is calculated – apply only to applications received during the period from 12.11.2020 to 25.10.2021. This leads us to the principal question, whether the petitioner had filed his application prior to 12.11.2020 as contended.

8. The documents on record clearly indicate that the petitioner applied for CFE in the prescribed format (numbered CfE-Fresh-96761) on 09.11.2020. The petitioner has also annexed a printout of the online payment receipt, which reflects that the petitioner made a payment of ₹12,500/- on 09.11.2020 in connection with his application No.96761. The said receipt mentions the inward type



as "CEF". Undisputedly, this indicates that the fee is for the CFE and not for CFO.

9. The petitioner had filed an application for CFO in the prescribed format (numbered as CfO-Fresh-97504). The said application was made on 25.11.2020. The petitioner has also annexed a printout of an online payment receipt, which reflects that a sum of ₹1,50,000/- was paid in connection with the said application. The receipt indicates the inward type as "COF", which clearly indicates that it was paid as consent fee –fee for the CFO. The online receipt also indicates that it is in connection with the application No.97504, which was the petitioner's application for Consent for Operation (CfO-Fresh-97504). There is no dispute that the said application was filed on 25.11.2020.

10. It is clear from the above that the petitioner was required to pay a separate fee for CFE and a separate fee for CFO. The impugned notice is in respect of fee payable for CFO. That application had been made by the petitioner after 20.11.2020 and thus fell within the period from 12.11.2020 to 25.10.2021.



11. Admittedly, the rates of fee specified in the circular dated 14.12.2021 are applicable to the applications received during the said period.
12. The petitioner's contention that it is charged a fee that was not stipulated in the circular dated 14.11.2021, is unmerited.
13. The petition is, accordingly, dismissed.
14. Pending IAs., also stand disposed of.

SD/-
(VIBHU BAKHRU)
CHIEF JUSTICE

SD/-
(C.M. POONACHA)
JUDGE

ND
List No.: 1 SI No.: 13