

Karnataka Lokayukta
(Under Section 7 of the Karnataka Lokayukta Act, 1984)

CASE
NUMBER COMPT/LOK/BCD/2346/2018

District : Bangalore (U)

BY :

1. JAYARAM R.

No. 14, Karitimmanahalli, 1st Cross Road,
Chamarajapet, Mysore Road,
BENGALURU.

560018

09845332381

COMPLAINANT/S

AGAINST :

1. DEPUTY COMMISSIONER,
D.C. Office, BENGALURU URBAN
District.

2. KOLIWADA,

Ex Minister, Kere Ottuvari Teravu
Karyacharane Samithi, BENGALURU.

3. TAHASILDAR,

Taluk Office, Bengaluru North Taluk,
BENGALURU URBAN District.

4. GENERAL OF POLICE,
BBMP, BENGALURU.

5. MAYOR,

BBMP, BENGALURU.

RESPONDENT/S

Allegation/Grievance Dereliction of Duty.
Brief :

Received From : In Person.

Received On : 21-08-2018

Seal and Signature

Complaint stands ARE-1
allotted to :

SCRUTINY AND OPINION

KARNATAKA LOKAYUKTA

No:Compt/LOK/BCD-2346/2018 Date:29-01-2020

ORDER

Sri Shivaraju, Tahsildar, Bengaluru North Taluk is present. Smt Revati Kampli, ADLR, Bengaluru North Taluk, is present along with Sri Girish, Surveyor, Bengaluru North Taluk.

2. Smt Revati Kampli, ADLR submitted that, since, the lake area in question is within the city area, it does not fall within her jurisdiction to survey the lake in question.

3. It is also pointed out in the course of discussion that, in the Koliwad Committee report only survey No.8 measuring 3 acres 16 guntas has been pointed out as lake area. It is pointed out by Sri Girish, Surveyor that the revenue records show that Sy.No.10 is a private property (Patta land) and there is no lake.



4. It is reported by the TAC that, since there is no cooperation by the ADLR of Bengaluru North Taluk, they were unable to conduct investigation and submit report. Tahsildar, North Taluk submitted that, he will give full cooperation to the TAC.

5. Since, Smt Revati Kampli, ADLR submitted that, since, the lake area in question is within the city area, it is not necessary for the TAC to conduct investigation. The ADLR, City Survey is directed to conduct survey of lake in question. The Tahsildar is directed to conduct an enquiry with regard to the status of the land and submit a report to DRE-3 by the next date of hearing. In the meanwhile, issue notice to the Senior Environmental Officer, Bengaluru City, he may examine the lake and submit report by the next date of hearing. Issue notice to the BWSSB to file the status report by the next date of hearing. Issue notice to the complainant for his presence on the next date of hearing.

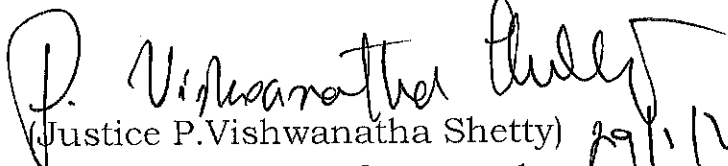


-20-

6. Communicate this order to all the parties concerned.

List this matter on 16th April 2020 at 03.00

p.m.


(Justice P. Vishwanatha Shetty) 29/4/2020
Lokayukta, State of Karnataka

ck*

DRE-3)

copied para. 6.

LOK/BCD/2346/2018

DRE-3)

This matter was directed to be listed on 16/04/2020. However, in view of the Circular No.LOK/Admin-1/60/2019-20 dated 24/03/2020 and Official Memorandum dated 20/04/2020, the functioning of Lokayukta Institution was suspended from 24/03/2020 to 03/05/2020 ~~due~~ to prevent the spread of COVID-19 Pandemic outbreak. Hence, this matter could not be listed on that day.


Issue notice to the parties as directed in the order by Hon'ble Lokayukta dated 29/01/2020 and list this matter on 30/07/2020 at 3.00 p.m.

Complied para.


DRE-3

BWSSB letter dt. 20-3-2020 & 28-5-2020
received.

KS PCB Report dt. 19-3-2020 & 27/5/2020
received.

ADLR, B'lore North letter dt. 17/6/2020
received. & submitted for kind orders.


H6. Secretary :

In view of the oral
instructions of Hon'ble
Lokayukta, the

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matter is adjourned
to 15-10-2020



Complied.

As per O.M. No:LOK/Reg/Complaints/2020, dated:28.05.2020 this file is transferred from DRE-3 to Secretary to Hon'ble Lokayukta.

Tahasildar, B'lore North
Report dt: 12-8-2020 received.

A.c. B'lore Urban letter
dt: 19.6-2020 received.

→ Report is not received from
the Surveyor, Bengaluru North
Talak, Bengaluru.

Submitted for kind order

Received copy of Tahasildar letter No: 68/16-17 dt: 12/8/2020
K. K. (SWD west) dt: 9/10/2020

47. Secretary :-

LOK/BCD/2346/2018

47) Secretary)

Received a letter dated 20.03.2020 from the AEE, BWSSB, South Division-2, Bengaluru stating that lake in question does not come within their jurisdiction. However, the letter does not disclose as to who is the in-charge officer of BWSSB supervising the lake in question. A similar letter dated 28.05.2020 is also received from the BWSSB, Bengaluru. In this regard, a clarification would be sought from the AEE, BWSSB, South Division-2, Bengaluru.

48) Received a report dated 19.03.2020 and 27.05.2020 from the Senior Environmental Officer, KSPCB, Bengaluru stating that the whole area of the lake in question is made into park and prima-facie the Rajakaluve is encroached upon in the southern side of the lake in question.

49) Received a report dated 17.06.2020 from the ADLR, Bengaluru North Taluk stating that the Sy.No. 8 of Karethimmanahalli village is the lake area and not the Sy.No.10/2 and in this connection, the survey report has already been submitted to this authority on 29.01.2020.

50) Received a report dated 12.08.2020 from the Tahasildar, Bengaluru North Taluk stating that a

letter dated 12.08.2020 has been addressed to the Joint Commissioner, South Zone, BBMP to take steps for removing the encroachment in the lake in question and if the date is fixed for removing the encroachment, he will extend all his support to the BBMP for removal of encroachment. Along with the report the copy of letter addressed to the Joint Commissioner, South Zone, BBMP and survey sketch are produced.

51) Received a copy of letter dated 19.06.2020 from the Spl. Commissioner, Bengaluru Urban District addressed to the Tahasildar, Bengaluru North Taluk to take steps for removal of encroachment in the lake in question and submit report to this authority.

52) Hence, my lord, if approved;

(i) Notice will be issued to the AEE, BWSSB, South Division-2, Bengaluru to furnish the address of the officer who is in-charge of the lake in question to enable this office to send notice to take steps for preventing discharge of sewage into the lake in question.

(ii) Notice will be issued to the Tahasildar, Bengaluru North Taluk and the Joint Commissioner, South Zone, BBMP, Bengaluru to submit further action taken report about the steps

they have taken to remove the encroachment in the lake in question.

Call on 29.12.2020.

Submitted for kind orders.

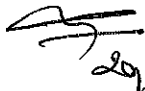

Secretary

53) Hon'ble Lokayukta)



17/12/2020

Comp. line para.

→ Joint Commissioner, South
B.B.M.P. letter dtd. 29.10.2020
received

54. Punjab on 18-1-2021

29/12

→ E.E. Storm water drain
Division, B.B.M.P. report
dtd. 17.12.2020 received.

→ Reports are not received from
the AEE, BWSSB and the
Tahsildar, Bengaluru
North Taluk
Submitted for kind orders

18/12/2020

55) Secretary

55. Received a letter dated 22.10.2020 from the Joint Commissioner, (South) BBMP, Bengaluru addressed to the Chief Engineer, BBMP, Bengaluru for submitting the status report to this authority.

56. Received a report dated 17.12.2020 from the Executive Engineer, BBMP, Bengaluru stating that on 15.12.2020 at 10.00 a.m all the concerned officers have gone to the lake in question for the purpose of removing the encroachment. However, due to non-availability of total station equipment, the concerned surveyor could not identify the encroachment made in the lake in question and therefore, they were not able to remove the encroachment in the lake in question.

57. Reports are not received from the AEE, BWSSB and the Tahasildar, Bengaluru North Taluk.

58. Hence, My Lord, if approved,

- i. Reminder will be issued to the AEE, BWSSB and the Tahasildar, Bengaluru North Taluk to submit

the status reports as directed earlier. In the event of failure to submit the reports, they will be directed to appear in person on 15.03.2021 at 3.00 p.m along with explanation for the delay.

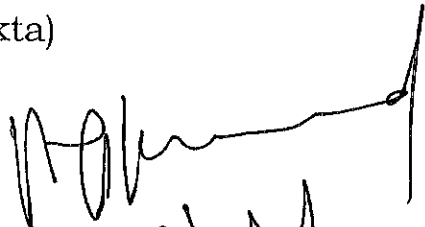
- ii. Notice will be issued to the Joint Commissioner, (South) BBMP, Bengaluru to submit further action taken report with regard to the steps taken for removal of encroachment in the lake in question.

Call on 15.03.2021.

Submitted for kind orders.



Secretary

59. Hon'ble Lokayukta)


20/1/2021


→ A.E.E, B.W.S.S.B, report
dtd, 22.02.2021 received.

→ Acknowledgements received
but reports are not received
from the Tahsilidar, Bengaluru
North Taluk and the Joint Commissioner,
South, B.B.M.P., Bengaluru


15/03/2021

60) Secretary:-

Issue reminder
to the Tahsildar
Bengaluru North
Taluk & Joint
Commission (South)
Bang. by 21-5-2024


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