

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

(2)

CASE  
NUMBER COMPT/LOK/BCD/2524/2018  
:

District : **Bangalore (U)**

**BY :**

**1. H.S. DORESWAMY,**

United Bangaluru, No. 54, Ground Floor, Richmond  
Road, BENGALURU. Order of Honble Lokayukta

Dated: 31/08/2018

09972099576

**COMPLAINANT/S**

**AGAINST :**

**1. COMMISSIONER,**

BBMP, Kaggadasapura Lake, BENGALURU.

**2. SECRETARY,**

Pollution Control Board, BENGALURU.

**RESPONDENT/S**

**Allegation/Grievance** Dereliction of Duty.  
**Brief :**

Received From : ARE-1 Sec

Received On : 04-09-2018

Seal and Signature

**Complaint stands** ARE-1  
**allotted to :**

**SCRUTINY AND OPINION**

45005

KARNATAKA LOKAYUKTA, BENGALURU

(4)


No:Compt/LOK/BCD-2524/2018 Date : 11-09-2018

ORDER

The complaint filed by Sri.H.S.Doreswamy for rejuvenation of lakes was originally registered in No.Compt/LOK/BCD-2253/2017. Subsequently, I passed an order for splitting of that complaint into several complaints confining to each one of the lakes in respect of which grievance has been made by Sri.H.S.Doreswamy. Accordingly, the grievance in respect of **Kaggadasapura Lake (Kaggalipura)** has been registered in this complaint.

2. While dealing with the grievance in respect of all the lakes in my order dated 17-01-2018, so far as **Kaggadasapura Lake (Kaggalipura)** is concerned, at paragraph 10 & 20 of the order, I have observed as follows:-

"10. The report submitted by Sri. B.V.Satish, Chief Engineer (Lakes), BBMP in respect of the lakes referred to in his report indicates that there has been large scale encroachment. Since 17 lakes are involved for survey and identification of the encroached portions, Sri. B.V.Satish prays for three months time. I find that that the request



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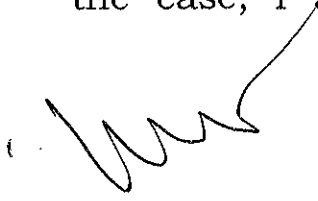
Lok/BED-2524/18 - A-

made is fair and reasonable. In the facts and circumstances of the case, three months time is granted to get all the 17/18 lakes referred to in his report surveyed and identified with reference to the encroachment made. It is also needless to point out that after survey and identification of the encroachment, the effective steps are required be taken by the BBMP to protect the lake from further encroachment and to prevent discharge of effluent substance and for the purpose of rejuvenating the said lakes”

“20. Sri. B.V.Satish, Chief Engineer has also agreed that by the next date of hearing, he will also submit a detailed project report indicating as to how each one of the lakes which are within the jurisdiction of Bruhat Bengaluru Mahanagara Palike referred to above, can be developed. The said statement is placed on record. All the authorities referred to above are required to file a status report with regard to the steps taken by the next date of hearing positively.”

3. It is noticed that, so far as **Kaggadasapura Lake (Kaggalipura)** is concerned, further report regarding the action taken by the respondents has not been placed in the present complaint. It is noticed by me that, after splitting up of this case, notice to the respondents of this newly registered case has not been issued.

4. Having regard to the facts and circumstances of the case, I am of the view that, apart from the



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respondents impleaded for the present case, it is desirable to implead the Chairman, BWSSB as Respondent-3, who has to submit the status report regarding the action taken for rejuvenation of **Kaggadasapura Lake (Kaggalipura).**

5. Office is directed to issue notice to all the respondents to submit status report as stated above by the next date of hearing.

6. Communicate this order to the complainant and to the respondents forthwith both by E-mail as well as by means of postal service.

**List this matter on 13-11-2018 at 3.00 p.m.**

*P. Vishwanatha Shetty*  
(Justice P. Vishwanatha Shetty) 11/9/2018,  
Lokayukta, State of Karnataka

ck\*

ARE-1)

7) 13/11/2018.

ARE-1.

ಸಾ. ಟಾಕಾಯುಕ್ತೆ -  
- ರವರ ಆದೇಶದಂತೆ  
ಸಂಬಂಧ ಪಟ್ಟ ಅಧಿಕಾರಿ -

- ಗೃಹಿಣಿ ನು.ಟಾಕಾಯುಕ್ತೆ

ಮಾಡಿದು, ಸಿಕ್ಕಿಸಿ ಮಾಡಿಸಿ. ೯ ಹಿರಿಯವರ ಅಧಿಕಾರ ವಹಿ ೧.13/11/18

ಪಿ.ಎ.ಎ. ಸಿ.ಟಿ.ಪಿ. ಕೋರ್ಟ್ ಮುಖಾಂತರ  
ಪತ್ರ ಸಂಖ್ಯೆ: ೨೩/10/18 ಬಾಂಧುತ್ವದ.

**KARNATAKA LOKAYUKTA : BENGALURU**

(9)

No: Compt/Lok/2524/2018/RE-1

Date: 13-11-2018.

**ORDER**

On behalf of Sri. H.S.Doreswamy, who is the Complainant in this case, Sri. N.R.Suresh is present.

2. Sri. T. Jagannath Rao, Deputy Conservator of Forest, Bruhat Bengaluru Mahanagara Palike is present.

3. Sri. S. Rajasekhar, Environmental Officer, Karnataka State Pollution Control Board, Bengaluru (herein after referred to as '**KSPCB**' for short) is present along with Sri. R.V.Bhat, Legal Officer of the KSPCB. He has filed a report along with the inspection report pertaining to the Kaggadasapura lake. It is useful to extract the said report which reads as hereunder:

“ಸಂಖ್ಯೆ: ಕರಾಮಾನಿಮ/ಹಿಪಅ/ಬೆಂ.ನಗರ/ಕಗ್ಗದಾಸಪುರ ಕೆರೆ/2018-19/ ದಿನಾಂಕ: 13-11-2018

ಇವರಿಗೆ,

ಅಪರ ನಿಭಂದಕರು ವಿಚಾರಣೆಗಳು-1,  
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಬಹುಮಹಡಿ ಕಟ್ಟಡ,  
ಬೆಂಗಳೂರು

ಮಾನ್ಯರೇ,

ವಿಷಯ:- ಶ್ರೀ. ಹೆಚ್.ಎಸ್. ದೊರೈಸ್ವಾಮಿ, ಎಂಬುವವರು ತಮ್ಮ ಸಂಸ್ಥೆಯಲ್ಲಿ ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು ವರದಿಯನ್ನು ಸಲ್ಲಿಸುತ್ತಿರುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ:- 1. ತಮ್ಮ ಕಛೇರಿ ಪತ್ರದ ಪತ್ರ ಸಂಖ್ಯೆ : ಲೋಕ್.ಬಿ.ಸಿ.ಡಿ 2524/2018,  
ದಿನಾಂಕ:24.09.2018.

2. ಮಂಡಳಿ ಕಛೇರಿ Authorization ಪತ್ರ ಸಂಖ್ಯೆ: PCB/WMC/2975/  
LKS/2018/3942, Dt:02.11.2018.

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ಮೇಲ್ಕಂಡ ವಿಷಯ ಮತ್ತು ಉಲ್ಲೇಖ ಪತ್ರಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯ ಸುತ್ತಮುತ್ತಲ ಜಾಗವನ್ನು ದಿನಾಂಕ: 05.11.2018, 07.11.2018 ಮತ್ತು 09.11.2018 ರಂದು

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ಮಂಡಳಿಯ ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳಾದ ಶ್ರೀ. ಎಸ್. ರಾಜಶೇಖರ್, ಪರಿಸರ ಅಧಿಕಾರಿ ಮತ್ತು ಶ್ರೀ.ವಿ.ರಮೇಶ್, ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ, ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ, ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ, ಇವರು ಸದರಿ ಸ್ಥಳವನ್ನು ಪರಿವೀಕ್ಷಣೆ ನಡೆಸಿ ಪರಿವೀಕ್ಷಣಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಮೇಲ್ಕಂಡ ಸದರಿ ಅಧಿಕಾರಿಗಳು, ಸಲ್ಲಿಸಿರುವ ಸದರಿ ಸ್ಥಳದ ಪರಿವೀಕ್ಷಣಾ ವರದಿ ಮತ್ತು ದಾಖಲಾತಿಗಳನ್ನು ತಮ್ಮ ಅವಗಾಹನೆಗಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಸಹಿ/-

ಹಿರಿಯ ಪರಿಸರ ಅಧಿಕಾರಿ  
ಬೆಂಗಳೂರು ನಗರ

**"INSPECTION REPORT OF KAGGADASAPURA LAKE, C.V.RAMAN NAGAR, BANGALORE**

Inspecting Officer	Sri. Rajashekara S. Environmental Officer, R.O.Bangalore City East
Officer accompanied	Sri. V.Ramesh Deputy Environmental Officer
Date of Inspection	05.11.2018, 7.11.2018 and 9.11.2018
Reference	Complaint filed from Sri.H.S. Doreswamy regarding pollution of lakes in Bangalore. Hon'ble Karnataka Lokyukta in the complaint No.LOK/BCD/2524/2018 dated: 11.09.2018

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Hon'ble Karnataka Lokyukta in the complaint No.LOK/BCD/2524/2018 dated: 11.09.2018 In respect of complaint regarding pollution of Kaggadasapura lake filed by Sri.H.S. Doreswamy. Kaggadasapura tank is situated in the middle of C.V.Raman Nagar area. The lake is under the control of BBMP for the operation and maintenance.

In view of the above complaint, the Kaggadasapura lake surrounding area mainly C.V Ramannagar, Nagavarapalya, Byrasandra, Kaggadasapura and Mallashpalya areas are inspected to verify the status of pollution control measures adopted by Industries and Apartments coming in the catchment area in respect of waste water generation and its disposal. During inspection following observations were made:

1. The primary source of water is storm water through storm water drains from the catchment area. The inlet storm water drains are located at Northern side of the Lake. The sewage is mainly entering the lake through Northeastern side of the storm water drain. As per the information of the BWSSB authorities during joint inspection on above dates the Sewage entering to storm water drains mainly from K.R Puram and M/s.Pai layout area.

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2. Presently lake water is not used for any purpose. The lake is filled with silt and covered with water hyacinth and other weeds. As per physical observation the entire lake is contaminated due to the entry of the sewage.
3. BWSSB has laid sewer network in the periphery of the tank for adjacent residential areas. Park and walking paths are developed in the lake area.
4. Garbage are dumped in the lake area near the Ganesha Temple of Malleshpalya.
5. During inspection, lake water sample was collected and handed over to laboratory for analysis, results are awaited.

A. Details of Industries coming under C.V.Ramannagar area as follows:

Name of the Industry	Activity	Consent status	STP and ETP Status	Compliance
M/s. Hindustan Aeronautics Ltd., Engineering division, No.9310, Old Madras road, Bangalore	Overhauling of Aero engines & related components	30.06.2021	STP and ETP are operating. STP capacity 200 KLD and ETP capacity 50 KLD. Treated water is being utilized for gardening.	Sample collected on 27.01.2018 is conforms to the standards prescribed by the Board.
M/s.HAL (Aerospace division) P.B.No7502, New Thippasandra Post, Bangalore	Light alloy structures & tanks for space vehicle PSLV & Missiles Prithvi for defense purpose only with electroplating	30.06.2021	STP and ETP are operating. STP capacity 100 KLD and ETP capacity 50 KLD. Treated water is being utilized for gardening.	Sample collected on 19.06.2018 conforms to the standards prescribed by the Board.
M/s. Bharath Earth Movers Ltd.,(Bangalore Complex), PB No.7501, New Thippasandra Post, Bangalore	Railway Coaches	30.06.2021	STP is under operation and effluent generated being offloaded to CETP	Sample collected on 28.08.2018 conforms to the standards prescribed by the Board.

B. Inspection of of Apartments located in the Kaggadasapura, Nagavarapalya, Byrasandra and Malleshpalya, C.V Raman nagar, Bangalore.

The Joint inspections of apartments were conducted along with the BWSSB authorities Mr.Dhananjay, AE, to verify the status of sewage disposal. During the inspection 44 Apartments were inspected. Out of 44 Apartments 5 apartments have provided the Sewage Treatment Plant and treated sewage is being used for gardening and other secondary purposes. Remaining apartments are discharging the sewage into BWSSB sewers. The list of the apartments provided the STP are as follows:

Name	Capacity of STP	Remarks
M/s. August Ventures Pvt Ltd., No.3, 1st B cross,	105 KLD STP	STP operating and earlier STP sample collected on 18.11.2016 is conforms to the

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Kaggadasapura		standards prescribed by the Board. Again Sample collected on 07.11.2018 and handed over to Board Laboratory for analysis.
M/s. Salarpuria Silver woods Owners Association, 15, Kaggadasapura	50 KLD STP	STP operating and earlier sample collected on 06.02.2014 is conforms to the standards prescribed by the Board. Now sample collected on 07.11.2018 and handed over to Board Laboratory for analysis.
M/s. Gopalan Enterprises,	500 KLD STP	STP operating and earlier STP sample collected on 17.7.2018 is conforming to standards prescribed by the Board.  Again sample collected on 09.11.2018 is handed over to Board Laboratory for analysis.
M/s. Brigade Paramount Residential apartment	75 KLD STP	Sample collected on 30.09.2017 is conforms to the standards prescribed by the Board except E-coli. STP not operating properly and it is under maintenance. Sample collected on 09.11.2018 is handed over to Board Laboratory for analysis.
M/s. Purvankara "Purva Seasons", Banniganahalli, Nagavarapalya, Kaggadasapura Main road, Bangalore	425 KLD STP	STP under repair. Temporarily Sewage is being transported to outside agency. Notice issued on 05.11.2018.

**C. Kaggadasapura Lake Sample:**

Lake water sample was collected from year 2010 to 01.08.2018 is tabulated and enclosed. Most of the time samples are conforms to the Class 'D' and Class 'E' standards. Recent sample collected on 01.08.2018 is conforming with Class 'E' standards. The analysis report as follows:

Sl. No	Parameter	Unit	Results
1	pH @ 25°C	pH Unit	6.5
2	Biochemical Oxygen Demand (3 Days @27°C)	Mg/l	8
3	Chemical Oxygen Demand	Mg/l	136
4	Conductivity	µs/cm	1061
5	Dissolved oxygen	Mg/l	1.8
6	Nitrate	Mg/l	7.0
7	Fluoride as F	Mg/l	0.7



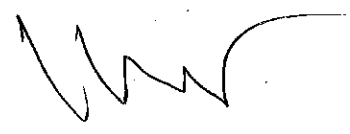
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8	Total Dissolved solids	Mg/l	720
9	Sulphate	Mg/l	47
10	Total Coliforms	MPN/100 ml	920 x 10 <sup>3</sup>
11	Sodium absorption Ratio	-	4.1
12	Free Ammonia	Mg/l	0.03
13	Chloride as Cl	Mg/l	191
14	Boron	Mg/l	<0.1
15	Ammonical Nitrogen as N	Mg/l	19
16	Total Hardness as CaCO <sub>3</sub>	Mg/l	200
17	Dissolved Phosphate as PO <sub>4</sub>	Mg/l	0.33
18	Sodium as Na	Mg/l	133
Inference: Conforms to 'Class E' Irrigation, Industrial cooling, controlled waste disposal			

During inspection on 7.11.2018 the lake water sample was collected for analysis and submitted to Board laboratory for analysis. The results are awaited.

Sd/-  
Environmental Officer  
Bangalore City East".

4. Sri. T. Jagannath Rao, Deputy Conservator of Forests submitted that they have sought a sum of Rs.8.5 crores from the Government of Karnataka and Government is willing to release the said amount. He further submitted that as soon as the funds released, developmental activities will be taken up and he will be able to show substantial progress within three weeks from the date of release of the funds. His statement is placed on record.



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5. Sri. N.R.Suresh made certain grievances with regard to the width of the bunds. It is open to the Complainant to give a representation setting out his grievances and the remedial measures to develop the lake to Sri. Jagannath, within three months from today. On such representation is given, the Respondents will consider the same and take appropriate decision in the matter.

6. It is pointed out that name of the lake is wrongly spelt as 'Kaggalipura' instead of 'Kaggadasapura' in my order dated 11-09-2018. The office is directed to carry out the correction and refer the lake in question as 'Kaggadasapura Lake'.

List this case on 12-03-2019 at 03-00 p.m.

*P. Vishwanatha Shetty*  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
Karnataka State. 13/11/2018

AS\*

12/03/2019

ARE-1

ನಿ. ಲೋಕಾಯುಕ್ತೆ  
-ರವರ ಆದೇಶದಂತೆ  
ಎದುರುಪಾರ್ಥಿ ನೋಟಸ್  
ಹಾಕಿ ಮೊದಲು, ನ್ಯಾಯಾಲಯ  
ಮುಂದಿಡಿದೆ.

**KARNATAKA LOKAYUKTA : BENGALURU**

No: Compt/Lok/BCD-2524/2018/ARE-1

Date: 12-03-2019.

**ORDER**

On behalf of Sri H.S.Doreswamy, who is the Complainant in this case, Sri. Lakshmikanth is present.

2. The notice of proceedings was served on Bengaluru Water Supply and Sewerage Board, Bengaluru (herein after referred to as '**BWSSB**' for short) and Bruhat Bengaluru Mahanagara Palike, Bengaluru (herein after referred to as '**BBMP**' for short). Sri. M. Devaraju, Additional Chief Engineer, BWSSB is present. Smt. Bhupradha, Assistant Executive Engineer (Lakes), BBMP is present.

3. Sri. R.V.Bhat, Law Officer of Karnataka State Pollution Control Board, Bengaluru (herein after referred to as '**KSPCB**' for short) is present along with Sri. D.R. Kumaraswamy, Deputy Environmental Officer, KSPCB, Bengaluru North and Sri. S. Rajasekhar, Environmental Officer, Regional Office, Bengaluru City East, KSPCB.



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Lok/BCD-2524/2018

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4. Sri. R.V.Bhat, Law Officer has filed a status report dated 11-03-2019. It is useful to extract the status report filed by KSPCB, which reads as here under:

"No.PCB/BCE/2018-19/

Date: 11.03.2019

To,

The Additional Registrar Enquirey-1,  
Office of the Honorable Karnataka Lokayuktha,  
M.S Building, Dr.B.R.Ambedkar Veedi,  
Bangalore-560001.

Sir,

Sub : Submission of status report of Kaggadasapura lake -reg.

- Ref : 1. Honorable Lokayuktha Complaint No.Comp/LOK/BCD-2524/2018 dtd.11.09.2018.  
2. Submission of Status report of Kaggadasapura Lake by RSEO, Bangalore City vide letter dtd.739 dtd.13.11.2018.  
3. Notice of Proposed Directions issued from Board Office to BWSSB vide No.399 dtd.24.01.2019  
4. Inspection of Kaggadasapura lake by the officers of this Office on 01.02.2019  
5. Personal hearing held on 26.02.2019.

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With reference to the above subject, as per Honorable Lokayuktha Complaint cited under ref (1), status report of Kaggadasapura lake was submitted vide letter cited under ref(2). In view of the discharge of sewage into the lake through storm water drain, Karnataka State Pollution Control Board has issued Notice of Proposed Directions under the provisions of Water (Prevention and Control of Pollution) Act 1974 to BWSSB vide No.399 dtd.24.01.2019(copy enclosed). Further, to verify the status, Kaggadasappura lake was inspected by the Officers of Regional Office, Bangalore City East on 01.02.2019. The details are as follows;

The lake is under the control of BBMP for the operation and maintenance. The custodian of the lake is Revenue Department. The extent of the lake is 47 acres as per BBMP records. The Kaggadasapura lake area and inlet storm water drains were inspected on 01.02.2019. During inspection following observations were made:

1. The primary source of water is entering through the storm water drains from the catchment area. The inlet storm water drains are located at Northern side of the Lake. The sewage is mainly entering the lake through North side of the storm water drain. The other inlet storm water drain is located at the western side of the lake. As per the information given by the BWSSB authorities, the sewage is entering from the northern side ie., upstream area from K.R.Puram and Pai Layout.
2. During the inspection it is noticed that the sewage is entering into the lake through the storm water drain at north side of the lake. Sample of storm water drain entering to the lake from the Northern side was collected before joining the lake and the sample of lake water collected at eastern side of the lake for the purpose of analysis.
3. Presently lake water is not used for any purpose. The lake is filled with silt and covered with water hyacinth and other weeds. As per physical observation the entire lake is contaminated due to the entry of the sewage.
4. BWSSB has laid sewer network in the periphery of the lake for adjacent residential areas.
5. Towards north and eastern side of the lake garbage is dumped on the bund line.
6. The sample of the lake water collected at the eastern side of the lake on 01.02.2019 is conforming to the Class 'E' standards ie., water suitable for Irrigation, Industrial Cooling, controlled waste disposal. Analysis reports are enclosed herewith for kind reference.

Further, in view of Notice of Proposed Directions issued to BWSSB, a personal hearing was conducted before Chairman, KSPCB on 26.02.2019. The Chairman, BWSSB has attended the personal hearing and requested 18 months time for establishment of STP to treat the sewage entering into Kaggadasapura lake.

This is for your kind information.

Yours faithfully,

Sd/-

Environmental Officer  
Bangalore City East".

Encl: As above



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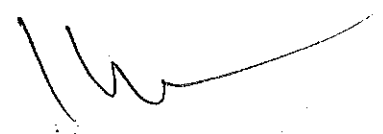
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The report indicates that Kaggadasapura lake is spread out in an area of 47 acres as per BBMP records and the said lake was inspected by Environmental Officer on 01-02-2019 and during the inspection he had collected samples of water in the lake. The KSPCB on an earlier occasion also had filed a detailed report on 13-11-2018. The said report was extracted in my order dated 13-11-2018. The report dated 13-11-2018 submitted by the Environmental Officer, KSPCB and the report dated 11-03-2019 indicates that the quality of water in the lakes falls under Class 'E' Standard. It is pointed out that 'E' Standard is unfit for either human consumption or for animals and also for portable use. According to KSPCB, it is used only for industrial cooling and irrigation. Along with the report, the notice dated 22-01-2019 issued to the Chairman, BWSSB, Cauvery Bhavan, Bengaluru is also enclosed. The said notice requires BWSSB to take immediate remedial measures set out in the notice. Even in the earlier report, the KSPCB has set out the steps that are required to be taken by the BWSSB and BBMP. The



notice also indicates that substantial amount has also been released to give financial assistance of Rs.16.57 Crores in three installments of 40%, 40% and 20%, to carry out certain steps including establishing 5 MLD STP near the lake.

5. Smt. Bhupradha, Asst. Executive Engineer (Lakes), BBMP is present. On behalf of BBMP, status report has not been filed setting out the steps they have taken in pursuance of the statement made by Sri.T.Jagannath Rao, Deputy Conservator of Forest, BBMP, on the last date of hearing on 13-11-2018. It is useful to refer Paragraph four (4) of my order dated 13-11-2018 wherein Sri. T. Jagannath Rao has submitted that he will be able to show substantial progress if financial assistance is given by the State Government. Smt. Bhupradhs has brought to my notice that State Government has released Rs.8.5 Crores on 01-02-2019 for the purpose of development of this lake. She submitted that since Code of Conduct has already been come into force in relation to Parliamentary Elections, BBMP is not able to take further



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steps in the matter. She also submits that as soon as the Code of Conduct is over, the BBMP will take effective steps to commence the tender process and take developmental activities to rejuvenate the lake. She expects that after completion of tender process, at least, keeping in mind, the nature of work to be executed, the BBMP may require about 8-10 months. The statement made by Smt. Bhupradha is placed on record.

6. Sri. Lakshmikanth appearing for the Complainant brought to my notice the averments made in the complaint, wherein it is observed as follows:

“Kaggadasapura Lake: Flow of untreated sewage and encroachment by private entities is damaging the lake. The lake has started to froth and if it is not stopped now then it may turn into another Bellandur. The exact encroachment as per the House Committee Report is 3 acres 27 guntas”.

The averments indicate that, on account of flow of entry of sewage water and encroachment, the lake is being



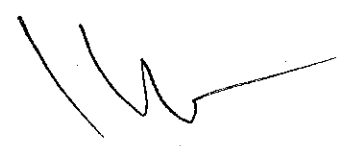
damaged and this has resulted in deterioration of quality of lake water and production of froth.

7. The report submitted by KSPCB also shows that the quality of water in the lake is highly polluted and it requires immediate attention by the concerned authorities of the State. The BWSSB has an obligation under Section 63 and 64 of The Bangalore Water Supply and Sewerage Act, 1964.

8. It is useful to extract Sections 63 and 64 of The Bangalore Water Supply and Sewerage Act, 1964 which reads as here under:

**“63. Vesting of sewers, etc., in Board.—**(1) On and from the date of coming into force of this Chapter, all public sewers, all sewers in, alongside or under any public street within the Bangalore Metropolitan Area, and all sewage disposal works whether constructed out of the municipal fund of the Bruhat Bangalore Mahanagara Palike of the Bruhat Bangalore Mahanagara or otherwise, and all works, materials and thing appertaining thereto, shall vest in the Board.

(2) All public and other sewers which are vested in the Board are hereafter in this Act referred to as Board sewers.



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(3) For the purpose of enlarging, deepening or otherwise repairing or maintaining any such sewer or sewage disposal work so much of the sub-soil appertaining thereto as may be necessary for the said purpose shall be deemed also to vest in the Board.

(4) All sewers and ventilation-shafts, pipes and all appliances and fittings connected with the sewerage works constructed, erected or set up out of the municipal fund of the Bruhat Bangalore Mahanagara Palike in or upon premises not belonging to the Bruhat Bangalore Mahanagara Palike whether,--

(a) before or after the commencement of this Act, and

(b) for the use of the owner or occupier of such premises or not,

Shall, unless the Bruhat Bangalore Mahanagara Palike has otherwise determined, or does any time otherwise determine, vest in the Board.

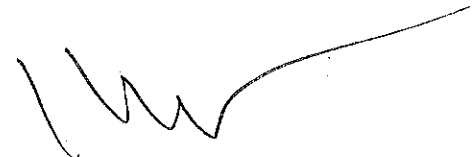
**64. Control of sewers and sewage disposal works.—**(1) All Government sewers, all sewage disposal works and all works, materials and things appertaining thereto shall be under the control of the Board.

(2) The Board shall maintain and keep in repair all Board sewers and sewage disposal works and shall construct as many new drains and sewage disposal works as may from time to time be necessary for effectual sewerage and sewage disposal of the Bangalore Metropolitan Area”.



9. In the light of the statutory obligation on the part of the BWSSB, it is needless to point out that they are required to take effective measures to prevent the entry of sewage to the lake. They are also required to establish STP and take other immediate steps. At this stage, Sri. M.Devaraju, Additional Chief Engineer, BWSSB pointed out that on 11-03-2019, they have called for tender for the purpose of installation of STP of 5 MLD at a cost of Rs.17.00 Crores and completion of the project would take 18 months. He pointed out that the nature of the work required to be executed for the purpose of installation of STP takes around 18 months. He pointed out that BWSSB also has taken de-silting programme for the removal of debris inside the pipeline and they also called for tenders to prevent discharge of sewage to the Storm Water Drain.

10. One of the grievances of the Complainant, as could be seen from the averment made in the complaint is encroachment of the lake bed/lake area. It is necessary to get this grievance examined. For the said purpose, issue notice to the Tahsildar, Bengaluru East and also the Joint



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Director of Land Records, to survey the Kaggadasapura Lake and verify as to whether there is any encroachment of the lake area/lake bed. If there is any encroachment of the lake bed, it is needless to point out, the Tahsildar is required to take immediate steps for removal of encroachment and assist BWSSB, BBMP and KSPCB to rejuvenate and maintain the lake in all possible manners.

11. The Joint Director of Land Records and Tahsildar, Bengaluru East shall **get the land surveyed by the Surveyor on or before 15<sup>th</sup> of May 2019 and submit the report.**

12. In the mean while, the Complainant is reserved liberty to file an additional statement setting out the details of the steps to be carried out by the authorities, **within two weeks from today.** If such a statement is filed, all the authorities concerned are directed to examine the same and take appropriate steps.



13. Communicate this order to the parties.

List this case on 28-05-2019 at 03-00 p.m.

P. Vishwanatha Shetty  
(Justice P. Vishwanatha Shetty), 12/3/2019  
Lokayukta,  
Karnataka State.

AS\*

೧) 28/05/2019.

ARE-1.

ನಾ. ಅಧಿಕಾರಿಯುಕ್ತೆ -  
-ರವರ ಅಧಿಕಾರವಂತೆ  
ಎದುರುದಾರರಿಗೆ  
ನೋಟಿಸ್ ಜಾರಿ  
ಮಾಡುವು, ಸ್ವೀಕೃತಿ  
ಮಾಡಿಸಿದೆ.

ಬೃಹದಾಚಾರ್ಯರಿಗೆ ಜಿಂಟಿ  
ಇದೀಕರಿಸಿ, ಜಿಲ್ಲಾಧಿಕಾರಿ -  
-ಗಲ್ಲು ಕೆಳಗಿಳಿಸಿ, ಜಿಲ್ಲಾಧಿಕಾರಿ  
ನಗರ ಜಿಲ್ಲಾಧಿಕಾರಿ ಪತ್ರದ  
ಪ್ರತಿ ಮಾಡಿಸಿದೆ.

**KARNATAKA LOKAYUKTA : BENGALURU**

No: Compt/Lok/BCD-2524/2018/ARE-1

Date: 28-05-2019

**ORDER**

On behalf of Sri. H.S.Doreswamy, who is the Complainant in this case, Sri. Lakshmikanth is present along with others.

2. On behalf of Bruhat Bengaluru Mahanagara Palike, Bengaluru (herein after referred as '**BBMP**' for short), Sri. K.V.Ravi, Executive Engineer, BBMP (Lakes) is present along with Sri.Lingegowda, Assistant Executive Engineer, BBMP (Lakes).

3. On behalf of Bengaluru Water Supply and Sewerage Board, Bengaluru (herein after referred to '**BWSSB**' for short), Sri. Rangaswamy, Executive Engineer is present.

4. On behalf of Karnataka State Pollution Control Board, Bengaluru (herein after referred to as '**KSPCB**' for short), Sri. S.Rajasekhar, Environmental Officer, Bengaluru City (East) is present, along with Sri. Ramesh, Deputy Environmental Officer.



5. Sri. Ravi H.R., Surveyor, Bengaluru East is present along with Sri. Yadunandan. P, Surveyor.

6. The complainant has filed a statement dated 28-05-2019. The statement of the Complainant indicates the work required to be attended to, by the authorities. It is useful to extract the said statement, which reads as here under:

ದಿನಾಂಕ-28-05-2019

ಗೆ,

ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-1

ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಠೀರಿ

ಎಂ.ಎಸ್.ಬಿಲ್ಡಿಂಗ್, ಡಾ.ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ, ಬೆಂಗಳೂರು-560001

ಮಾನ್ಯರೇ,

ವಿಷಯ : ಕಗ್ಗದಾಸಪುರಕೆರೆಯ ಬಗ್ಗೆ ಸ್ಥಿತಿಗತಿ ವರದಿ ಸಲ್ಲಿಕೆ

ಉಲ್ಲೇಖ :ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಠೀರಿ ಸಂಖ್ಯೆ Comp/Lok/BCD-2524/2018

(Dated : 12-03-2019)

ಕಂದಾಯ ಇಲಾಖಾ ದಾಖಲೆಗಳ ಪ್ರಕಾರ ಕಗ್ಗದಾಸಪುರಕೆರೆಯ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಕಗ್ಗದಾಸಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ141ರಲ್ಲಿ 32 ಎಕರೆ 16 ಗುಂಟೆ ಮತ್ತು ಬೈರಸಂದ್ರಗ್ರಾಮದ ಸರ್ವೆ ನಂ 5ರಲ್ಲಿ 14 ಎಕರೆ 24 ಗುಂಟೆ ಇದ್ದು, ಒಟ್ಟು ಈ ಕೆರೆಯು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ.

ದಿನಾಂಕ 12-03-2019 ರಂದ ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರು ಹೊರಡಿಸಿರುವ ಆದೇಶದಂತೆ ದಿನಾಂಕ 22-05-2019 ರಂದು ಭೂದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು-ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬಿ.ಬಿ.ಎಂ.ಪಿ, ಬಿಡಬ್ಬೂವಿಸ್‌ಎಸ್‌ಬಿ, ಕರ್ನಾಟಕ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳ ಜೊತೆಯಲ್ಲಿ ಜಂಟಿ ಸರ್ವೆಯನ್ನು ಪ್ರಾರಂಭಿಸಿರುತ್ತಾರೆ. ಯುನೈಟೆಡ್ ಬೆಂಗಳೂರು ತಂಡದ ಸದಸ್ಯರು ಈ ಸರ್ವೆಯಲ್ಲಿ ಭಾಗವಹಿಸಿದ್ದು, ಪ್ರಸ್ತುತ ಕೆರೆಯ ಸ್ಥಿತಿಗತಿಯ ಬಗ್ಗೆ ಈ ಕೆಳಗೆ ತಿಳಿಸಲಾಗಿದೆ.

1. ಈ ಕೆರೆಯು ಕೋಳಿವಾಡ ಸಮಿತಿಯ ವರದಿ ಮತ್ತು ಕಂದಾಯ ದಾಖಲೆಗಳ ಪ್ರಕಾರ ಒಟ್ಟು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣ ಹೊಂದಿದ್ದು, ಅದರಲ್ಲಿ 3 ಎಕರೆ 35 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣ ಒತ್ತುವರಿಯಾಗಿದೆ. (ಕಂದಾಯ ದಾಖಲೆಗಳನ್ನು ಲಗತ್ತಿಸಲಾಗಿದೆ). ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರ ಆದೇಶದಂತೆ ಕೆರೆಯ ಸರ್ವೆ ಕಾರ್ಯ ಪ್ರಾರಂಭವಾಗಿದ್ದು, ಶೀಘ್ರ ಒತ್ತುವರಿಯನ್ನು ತೆರವುಗೊಳಿಸುವಂತೆ ತಾವು ಆದೇಶಿಸಲು ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.
2. ಕೆರೆಗೆ ತ್ಯಾಜ್ಯವನ್ನು ಸುರಿಯಲಾಗುತ್ತಿದ್ದು, ಇದನ್ನು ತಡೆಗಟ್ಟಬೇಕಿದೆ.
3. ಸುತ್ತಮುತ್ತಲ ಪ್ರದೇಶಗಳಿಂದ ಕೊಳಚೆ ನೀರು ಹರಿದು ಕೆರೆ ಸಂಪೂರ್ಣ ಕಲುಷಿತಗೊಂಡಿದೆ. ತ್ಯಾಜ್ಯ ನೀರು ಕೆರೆಗೆ ಹರಿಯುವುದನ್ನು ತಡೆಗಟ್ಟಬೇಕಿದೆ.
4. ಈ ಕೆರೆಗೆ ತ್ಯಾಜ್ಯ ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕವನ್ನು ಸ್ಥಾಪಿಸಬೇಕಿದೆ.

ಈ ಮೇಲಿನ ಸಮಸ್ಯೆಗಳನ್ನು ಶೀಘ್ರ ಪರಿಹರಿಸುವ ನಿಟ್ಟಿನಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳಿಗೆ ತಾವು ಆದೇಶ ನೀಡಬೇಕೆಂದು ತಮ್ಮಲ್ಲಿ ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.

ಧನ್ಯವಾದಗಳೊಂದಿಗೆ,

ಇಂತಿ ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಎನ್‌ಆರ್ ಸುರೇಶ್, ಸಂಚಾಲಕರು, ಯುನೈಟೆಡ್ ಬೆಂಗಳೂರು”

7. A report dated 27-05-2019 has been filed on behalf of Deputy Conservator of Forest, BBMP (Lakes). The same is placed on record. It is useful to extract the said report, which reads as follows:





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## “ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಕೆರೆಗಳು ರವರ ಕಛೇರಿ, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ,  
3ನೇ ಮಹಡಿ, ಅನೇಕ್ ಕಟ್ಟಡ-03, ಎನ್.ಆರ್ ಚೌಕ, ಬೆಂಗಳೂರು-02.

ಸಂ: ಉ.ಅ.ಸಂ/(ಕೆರೆಗಳು)/ಪಿ. ಆರ್/ 52 /2019-20

ದಿನಾಂಕ: 27/5/19

ರವರಿಗೆ,

ಅಪರ ನಿಬಂಧಕರು,  
ವಿಚಾರಣೆಗಳು-1  
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,  
ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಹೆಚ್.ಎಸ್. ದೊರೆಸ್ವಾಮಿ ಎಂಬುವವರು ಕಗ್ಗದಾಸಪುರ ಕೆರೆಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ  
ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.  
ಉಲ್ಲೇಖ: ತಮ್ಮ ಕಛೇರಿ ಪತ್ರ ಸಂಖ್ಯೆ: ಕಂ.ಲೋಕ್.ಮಿಸಲೇನಿಸ್ 2524/2018,  
ದಿನಾಂಕ: 19/3/2019.

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ಮೇಲ್ಕಂಡ ವಿಷಯ ಹಾಗೂ ಉಲ್ಲೇಖಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ  
ತಾಲ್ಲೂಕು, ಮಹದೇವಪುರ ವಲಯದಲ್ಲಿ ಬರುವ ಕಗ್ಗದಾಸಪುರ ಕೆರೆಗೆ ಕಗ್ಗದಾಸಪುರ ಸರ್ವೆ ನಂ.141  
ರ 32ಎಕರೆ 16ಗುಂಟೆ ಬೈರಸಂದ್ರ ಸರ್ವೆ ನಂ.5 ರ 14ಎಕರೆ 24ಗುಂಟೆ ಪ್ರದೇಶ ಸೇರಿದ್ದು, ಸದರಿ  
ಕೆರೆಯ ಬಗ್ಗೆ ಶ್ರೀ.ಹೆಚ್.ಎಸ್. ದೊರೆಸ್ವಾಮಿ ರವರು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರು, ಕರ್ನಾಟಕ ಸರ್ಕಾರ  
ರವರಲ್ಲಿ ದೂರು ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ದೂರಿನ ಬಗ್ಗೆ ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಲ್ಲಿ ನಂ:  
ಕಂ.ಲೋಕ್.ಮಿಸಲೇನಿಸ್ 2524/2018 ರಂತೆ ದಾಖಲಾಗಿದ್ದು, ಈ ಪ್ರಕರಣವು ದಿನಾಂಕ:12/3/2019  
ರಂದು ವಿಚಾರಣೆಗೆ ಬಂದ ಅವಧಿಯಲ್ಲಿ ಪಾಲಿಕೆಯಿಂದ ಸದರಿ ಕೆರೆಯನ್ನು ಅಭಿವೃದ್ಧಿ ಪಡಿಸಲು  
ರೂ.8.50ಕೋಟಿಗಳ ಅವಶ್ಯಕತೆಯಿದ್ದು, ಈ ಬಗ್ಗೆ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಲಾಗಿದ್ದು,  
ಅನುದಾನ ಬಿಡುಗಡೆಯಾದ ಕೂಡಲೇ ಅಭಿವೃದ್ಧಿ ಕೆಲಸಗಳನ್ನು ಕೈಗೊಳ್ಳಲಾಗುವುದು ಎಂದು ಮಾನ್ಯ  
ಲೋಕಾಯುಕ್ತರವರಲ್ಲಿ ವರದಿ ಸಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ.

ಮುಂದುವರೆದು ರಾಜ್ಯ ಸರ್ಕಾರದಿಂದ ಆದೇಶ ಸಂಖ್ಯೆ:ನಅಇ 375 ಎಂಎನ್‌ವೈ 2018,  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:01/02/2019 ರಂತೆ ರೂ.8.50ಕೋಟಿಗಳನ್ನು ಬಿಡುಗಡೆಮಾಡಲಾಗಿದ್ದು, ಸದರಿ  
ಕೆರೆಯಲ್ಲಿ ಆದ್ಯತೆ ಮೇರೆಗೆ ಕೊಳಚೆ ನೀರು ತಿರುವುಗಾಲು ವೆ ನಿರ್ಮಾಣ, ಸದರಿ ಕೆರೆಯಲ್ಲಿ  
ಕ್ರೋಢೀಕೃತವಾಗಿರುವ ಹೂಳನ್ನು ತೆಗೆಯುವುದು, ಏರಿ ನಿರ್ಮಾಣ ಮತ್ತು ಅಭಿವೃದ್ಧಿ, ಕೆರೆಯ ಗಡಿ  
ಭಾಗಕ್ಕೆ ಚೈನ್ ಲಿಂಕ್ ತಂತಿ ಬೇಲಿ ನಿರ್ಮಿಸುವುದು, ಒಳ ಹರಿವು ಹಾಗೂ ಹೊರ ಹರಿವುಗಳನ್ನು  
ನಿರ್ಮಿಸುವ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಈಗಾಗಲೇ ಟೆಂಡರ್ ಕರೆದಿದ್ದು, ಟೆಂಡರ್ ಅನುಮೋದನೆ ಕೋರಿ

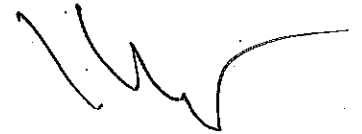
ಸರ್ಕಾರಕ್ಕೆ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ. ಸರ್ಕಾರದಿಂದ ಅನುಮೋದನೆ ದೊರೆತ ನಂತರ ಕೆಲಸಗಳನ್ನು ಪ್ರಾರಂಭಿಸಲಾಗುವುದು. ಎಂಬ ಮಾಹಿತಿಯೊಂದಿಗೆ ಸರ್ಕಾರದಿಂದ ಅನುಮೋದನೆಯಾಗಿರುವ ಕ್ರಿಯಾ ಯೋಜನೆಯ ಪ್ರತಿ ಹಾಗೂ ಟೆಂಡರ್ ನೋಟಿಫಿಕೇಷನ್ ಪ್ರತಿಗಳನ್ನು ತಮ್ಮ ಅವಗಾಹನೆಗೆ ಸಲ್ಲಿಸಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ  
ಕೆರೆಗಳು, ಬಿಬಿಎಂಪಿ”.

8. The report extracted above indicates that a sum of Rs.8.50 Crores has been sanctioned by the Government for the purpose of development of lake in question. Along with the report, the notification for tender issued has also been filed indicating the methodology adopted for execution of the work and the period required for execution of the work. It is submitted by Sri. K.V.Ravi, Executive Engineer, BBMP (Lakes), that the tender submitted by the lowest bidder has been forwarded to the Government for approval and he is expecting that a final decision will be taken by the Government within about 15 days from today. It is needless to mention that the Government would examine the proposal submitted and take a decision at the earliest. It is his further submission



that once the tender is accepted, he expects the work to be completed by the end of May 2020 and submitted that unless the monsoon season is over, the developing of lake cannot be commenced.

8. Sri. Rajasekhar S, Environmental Officer, KSPCB, Bengaluru City East, submits that after the last date of hearing, no progress has been shown by the BBMP; no remedial steps have been taken by BBMP to improve the quality of the lake and installation of STP. He has filed a status report dated 24-05-2019. It is useful to extract the said report, which reads as here under:

**"KARNATAKA STATE POLLUTION CONTROL BOARD**

No.PCB/BCE/2019-20/

Date: 28 May 2019

To,

The Additional Registrar Enquirey-1,  
Office of the Honorable Karnataka Lokayuktha,  
M.S Building, Dr.B.R.Ambedkar Veedi,  
Bangalore-560001

Sir,

Sub : Submission of status report of Kaggadasapura lake -reg.

Ref : 1. Proceeding of the Kaggadasapura lake dt. 12.03.2019

2. Inspection of the lake regarding joint survey on 22.05.2019  
@@@@@

With reference to the above subject, the lake was inspected on 22.05.2019 during joint survey of the lake. Inspection report and present status of the lake is herewith enclosed for kind reference.

This is for your kind information.

Yours faithfully,

Sd/-

Environmental Officer,  
Bangalore City East".

Encl: As above

**"KARNATAKA STATE POLLUTION CONTROL BOARD**

No: PCB/BCE/2019-20/2019-20/184

Date: 24 May 2019

**INSPECTION REPORT OF KAGGADASAPURA LAKE, C.V.RAMAN NAGAR, BANGALORE**

Inspecting Officers	1. Sri. Rajashekara S. Environmental Officer, Bangalore City East 2. Sri. V.Ramesh, Deputy Environmental Officer
Date of Inspection	22.05.2019
Reference	Letter issued from the Assistant Director, Land Records, Bangalore East Taluq on 06.05.2019 regarding joint survey of Kaggadasapua lake.

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Kaggadasapura lake was inspected in view of the joint survey of the lake with BBMP, BWSSB and Namma Bengaluru Foundation. The lake is under the control of BBMP for the operation and maintenance. The custodian of the lake is Revenue Department. The extent of the lake is 47 acres as per BBMP records.

During inspection following observations were made:

1. The primary source of water is entering through the storm water drains from the catchment area. The inlet storm water drains are located at Northern side of the Lake. The sewage is mainly entering the lake through

(31)

North side of the storm water drain. The other inlet storm water drain is located at the western side of the lake.

2. During the inspection it is noticed that the sewage is entering into the lake through the storm water drain at north side of the lake. The sample of lake water collected at western side of the Kaggadasapura lake and handed over to the laboratory for analysis.
3. Presently lake water is not used for any purpose. The lake is filled with marshy grass covered with water hyacinth and other weeds. As per physical observation the entire lake is contaminated due to the entry of the sewage.
4. Sewage entering to the lake from Northern side is provided with concrete retaining side wall and is fenced to avoid the dumping of solid waste.
5. No progress of work with respect to cleaning/desilting of lake and installation of Sewage Treatment Plant.

Sd/-

Deputy Environmental Officer

Sd/-

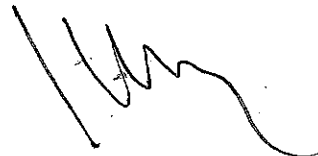
Environmental Officer  
Bangalore City East".

The report extracted above, indicates that the sewage water is entering into the lake through Storm Water Drain, etc., and the lake is filled with marshy grass covered with water hyacinth and other weeds, etc and the entire lake is contaminated due to entry of sewage water.



9. Sri. Ravi H.R, Surveyor, has submitted that as directed by me in my earlier order dated 12-03-2019, the survey of the lake has been done and within about four months, the report will be submitted before the Lokayukta. His statement is placed on record and he is directed to submit the survey report with copies served on the officers of BBMP, BWSSB, KSPCB, Tahsildar - Bengaluru East and also to the Complainant, on or before 04-06-2019. Sri. Ravi H.R, Surveyor, has fairly submitted that, as per the survey conducted by the department, they have noticed encroachment of the lake area.

10. I have extracted the statement made on behalf of the Complainant. As per the report of the House Committee the exact encroached area is 03 acres 27 guntas. However, Sri. Ravi. H.R, Surveyor submits that out of that the large extent of area of encroachment is already removed and the present encroached extent is around one acre.



(33)

11. Since it is admitted that encroachment of the lake area continues, the Tahsildar, Bengaluru East is directed to take all the necessary steps for removal of the entire encroachment as early as possible, at any event of the matter within eight weeks from the date of communication of this order.

12. It is admitted that before the lake was handed over to BBMP, the Bengaluru Development Authority (herein after referred to as 'BDA' for short), had already put up the fence surrounding the lake. However, some portion of the fencing has been removed on account of encroachment. The BBMP is directed to ensure necessary fencing is done as and when encroachments are removed, to protect the lake from further encroachment.

13. So far as BWSSB is concerned, in my order dated 12-03-2019, at Paragraph 7 of the order, I had noticed the submission made on behalf of KSPCB that the lake is highly polluted and it requires immediate attention by the



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concerned authorities of the State. It is useful to extract

Paragraphs 7 and 9 of my order, which reads as follows:

"7. The report submitted by KSPCB also shows that the quality of water in the lake is highly polluted and it requires immediate attention by the concerned authorities of the State. The BWSSB has an obligation under Section 63 and 64 of The Bangalore Water Supply and Sewerage Act, 1964".

"9. In the light of the statutory obligation on the part of the BWSSB, it is needless to point out that they are required to take effective measures to prevent the entry of sewage to the lake. They are also required to establish STP and take other immediate steps. At this stage, Sri. M.Devaraju, Additional Chief Engineer, BWSSB pointed out that on 11-03-2019, they have called for tender for the purpose of installation of STP of 5 MLD at a cost of Rs.17.00 Crores and completion of the project would take 18 months. He pointed out that the nature of the work required to be executed for the purpose of installation of STP takes around 18 months. He pointed out that BWSSB also has taken de-silting programme for the removal of debris inside the pipeline and they also called for tenders to prevent discharge of sewage to the Storm Water Drain".

14. Today, though Sri.Rangaswamy, Executive Engineer, is present on behalf of BWSSB, he submitted that since



(35)

Sri. Rajasekhar, Executive Engineer (Lake) in question is on leave, he is not able to make any statement with regard to the steps taken by BWSSB to reduce the pollutant substance in the lake. It is needless to point out that if remedial measures are not taken to remove the pollutant substance, the inaction on the part of the concerned officers will have to be considered as mal-administration within the meaning of Section 2(10) of the Karnataka Lokayukta Act, as it will have serious adverse effect on the environment and it is health hazardous. I am sure, the concerned officers of the BWSSB will consider this aspect of the matter seriously and take immediate remedial measures.

15. Further, Sri. Ravi K.V, Executive Engineer, BBMP (Lakes), also submitted that tender conditions also provide for sewage diversion drains and silt traps which will prevent discharge of pollutant substance to the main lake and only clean water will be discharged to the lake.



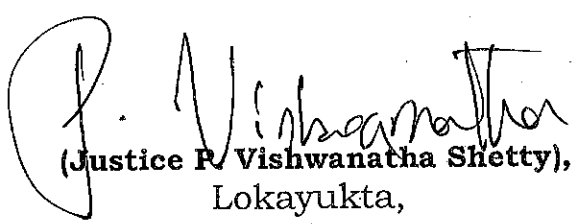
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16. The officers concerned will consider the suggestions given by the Complainant in his statement dated 28-05-2019 as extracted above and take appropriate steps, if need be.

17. In the light of the discussion made above, I am of the view, that it would be in the interest of justice to give three months time to show further progress in the matter.

18. Communicate this order to the concerned.

List this case on **05-09-2019 at 03-00 p.m.**

  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
Karnataka State. 28/5/19

AS\*

10) 05/09/2019.

ARE-1.

ನಾ. ಲೋಕಾಯುಕ್ತೆ -  
ರವರ ಆದೇಶದಂತೆ  
ಎದುರುದಾಶೆಗಾಗಿ ನೋಟೀಸ್  
ಹಾಲಿ ಮಾಡಿದ್ದು, ಸಿಕ್ಯೂರಿ  
ಮಾಡಿಸಿದೆ.

ADLR, ಬೆಂಗಳೂರು ಪ್ರೌಢ  
ಶಾಲೆಗಳಲ್ಲಿ ವ್ಯಾಜ್ಯಾಚಾರ್ಯರು  
ಜಿಂಟಿ ನಿರ್ದೇಶಕರು, ಜಿಲ್ಲಾಡಳಿತದಲ್ಲಿ  
ಕಚೇರಿ, ಬೆಂಗಳೂರು ರವರಲ್ಲಿ ಕಲ್ಪಿಸಿರುವ  
ಪ್ರತಿಷ್ಠೆ ಪ್ರತಿ ಮಾಡಿಸಿದೆ.

**KARNATAKA LOKAYUKTA, BENGALURU**

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No.Compt/LOK/BCD-2524/2018/ARE-1

Date : 05.09.2019

**KAGGADASPURA LAKE -**

**O R D E R**

On behalf of the complainant Sri H.S.Doreswamy, Sri Lakshmikanth is present. Sri R.V.Bhat, Law Officer, Karnataka State Pollution Control Board, Bengaluru is present along with Sri S.Rajshekar, Environmental Officer, East Range, Bengaluru and filed a Status Report dated 4.9.2019. It is useful to extract the same which reads as follows –

“ಸಂಖ್ಯೆ: ಕರಾಮಾನಿಮಂ/ಬೆನಪೂ/ಲೋಕಾಯುಕ್ತ/2019-20/809/

ದಿನಾಂಕ: 04.09.2019

ಇವರಿಗೆ,

ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-1,

ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,

ಬಹುಮಹಡಿ ಕಟ್ಟಡ,

ಬೆಂಗಳೂರು

ಮಾನ್ಯರೇ,

ವಿಷಯ : ಹೆಚ್.ಎಸ್.ದೊರೆಸ್ವಾಮಿಯವರು ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.

ಉಲ್ಲೇಖ: ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಪತ್ರ ಸಂಖ್ಯೆ: ಲೋಕ್.ಬಿಸಿಡಿ 2524/2018

ದಿನಾಂಕ. 07.06.2019

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ದಿನಾಂಕ 30.07.2019 ರಂದು ಈ ಕಛೇರಿ ವ್ಯಾಪ್ತಿಗೆ ಬರುವ ಕಗ್ಗದಾಸಪುರ ಕೆರೆ, ಸಿ.ವಿ.ರಾಮನ್ ನಗರ, ಬೆಂಗಳೂರು ಈ ಕಛೇರಿಯ

ಅಧಿಕಾರಿಗಳು ಪರಿವೀಕ್ಷಿಸಿ, ಪರಿವೀಕ್ಷಣಾ ವರದಿಯನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಪರಿಸರ ಅಧಿಕಾರಿ  
ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ

ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯ ಪರಿವೀಕ್ಷಣಾವರದಿ

ಪರಿವೀಕ್ಷಣೆ ಮಾಡಿದ ಅಧಿಕಾರಿಗಳ ಹೆಸರು	:	1. ರಾಜಶೇಖರ ಎಸ್. ಪರಿಸರ ಅಧಿಕಾರಿ ಪ್ರಾ.ಕ.ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ 2. ರಮೇಶ ವಿ, ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ
ಪರಿವೀಕ್ಷಣಾ ದಿನಾಂಕ	:	30.07.2019
ಪರಿವೀಕ್ಷಣಾ ಕೆರೆ	:	ಕಗ್ಗದಾಸಪುರ ಕೆರೆ, ಸಿ.ವಿ.ರಾಮನ್ ನಗರ, ಬೆಂಗಳೂರು

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ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ ಆರ್ ಪುರಂ ಹೋಬಳಿ, ಕಗ್ಗದಾಸ ಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 141 ರಲ್ಲಿ 32 ಎಕರೆ 16 ಗುಂಟೆ ಮತ್ತು ಭೈರಸಂದ್ರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 5 ರಲ್ಲಿ 14 ಎಕರೆ 24 ಗುಂಟೆಯಿದ್ದು ಒಟ್ಟು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ. ಕೆರೆಯ ಉಸ್ತುವಾರಿ ಅಭಿವೃದ್ಧಿ ಜವಾಬ್ದಾರಿಯನ್ನು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆ. ಸದರಿ ಕೆರೆಯನ್ನು ದಿನಾಂಕ 30.07.2019 ರಲ್ಲಿ ಈ ಕಛೇರಿಯ ಅಧಿಕಾರಿಗಳು ಪರಿವೀಕ್ಷಿಸಿ ಕೆಳಕಂಡಂತೆ ವರದಿ ನೀಡಲಾಗಿದೆ;

1. ಕೆರೆಗೆ ಉತ್ತರ ಭಾಗದಿಂದ ಹಾಗೂ ಪಶ್ಚಿಮ ಭಾಗದಿಂದ ಮಳೆ ನೀರಿನ ಚರಂಡಿ ಮೂಲಕ ಗೃಹತ್ಯಾಜ್ಯ ನೀರು (sewage) ಕೆರೆಯನ್ನು ಸೇರುತ್ತಿದ್ದು ಕೆರೆಯ ನೀರು ಮಲಿನವಾಗಿದೆ.
2. ಕೆರೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಹೂಳು ತುಂಬಿದ್ದು ಹಾಗೂ ಜೊಂಡು (weeds) ತುಂಬಿರುತ್ತದೆ. ಕೆರೆಯ ನೀರನ್ನು ಯಾವುದೇ ಚಟುವಟಿಕೆಗೆ ಬಳಸುತ್ತಿಲ್ಲ.
3. ಉತ್ತರ ಭಾಗದಿಂದ ಹರಿಯುತ್ತಿರುವ ಮಳೆ ನೀರು ಚರಂಡಿಯು ಸಿಮೆಂಟಿನ ತಡೆಗೋಡೆ ನಿರ್ಮಿಸಿ ಘನ ತ್ಯಾಜ್ಯ ವಿಸರ್ಜಿಸಿದಂತೆ ತಂತಿ ಬೇಲಿಯನ್ನು ಅಳವಡಿಸಲಾಗಿದೆ.
4. ಕೆರೆಯ ಅಂಗಳದಲ್ಲಿ ಎರಡು ಎಕರೆ ಭೂಮಿಯನ್ನು ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿಗೆ ರೊಚ್ಚು ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕ ಸ್ಥಾಪಿಸಲು ಗುರುತಿಸಲಾಗಿದೆ.
5. ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ, ಕೆರೆ ಸಂರಕ್ಷಣಾ ವಿಭಾಗದವರು ಕೆರೆ ಅಭಿವೃದ್ಧಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಟೆಂಡರ್ ಕರೆಯಲಾಗಿದೆ ಎಂದು ತಿಳಿಸಿರುತ್ತಾರೆ.

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6. ನೀರನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿವತಿಯಿಂದ ವಿಶ್ಲೇಷಿಸುತ್ತಿದ್ದು, ದಿನಾಂಕ 22.05.2019 ರಂದು ಸಂಗ್ರಹಿಸಿದ ಕೆರೆಯ ನೀರಿನ ಮಾದರಿಯು ಕೇಂದ್ರ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ 'ಕ್ಲಾಸ್ ಇ' ವರ್ಗಕ್ಕೆ ಒಳಪಡುತ್ತದೆ. ವಿಶ್ಲೇಷಣಾ ವರದಿಯನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ.
7. ಕೆರೆಯನ್ನು ಪುನರುಜ್ಜೀವನಗೊಳಿಸಿ ಅಭಿವೃದ್ಧಿ ಪಡಿಸಲು ಮತ್ತು ತ್ಯಾಜ್ಯ ನೀರಿನ ಸಂಸ್ಕರಣಾ ಘಟಕ ನಿರ್ಮಿಸುವ ಕಾರ್ಯಗಳು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಹಾಗೂ ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿ ಪ್ರಾರಂಭಿಸಬೇಕಾಗಿದೆ.

ಸಹಿ/-

ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ

ಸಹಿ/-

ಪರಿಸರ ಅಧಿಕಾರಿ  
ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ

2) The Karnataka State Pollution Control Board has made certain recommendations at item No.7 of the report extracted above, which indicates that the BBMP and the BWSSB authorities have to take steps to rejuvenate the lake for installation of sewerage treatment plant by them respectively.

3) On behalf of BWSSB Sri Rajashekara, Executive Engineer is present and he has filed a Status Report dated 31.8.2019. It is useful to extract the same which reads as follows –

“ಮೇಲಿನ ವಿಷಯದ ಬಗ್ಗೆ ಈ ಮೂಲಕ ತಿಳಿಯಪಡಿಸುವುದೇನೆಂದರೆ, ಬೆಂಗಳೂರು ಜಲಮಂಡಳಿಯು ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯ ಬಳಿ 5 ದಶಲಕ್ಷ ಲೀಟರ್ ದಿನಂಪ್ರತಿ ಸಾಮರ್ಥ್ಯದ ತ್ಯಾಜ್ಯ ನೀರು ಶುದ್ಧೀಕರಣ ಘಟಕವನ್ನು ನಿರ್ಮಿಸಲು ಒಂದು ಯೋಜನೆಯನ್ನು ರೂಪಿಸಿ ಈ ಕಾಮಗಾರಿಗೆ ಈಗಾಗಲೇ ಟೆಂಡರ್‌ಗಳನ್ನು ಕರೆಯಲಾಗಿದೆ. ಪೂರ್ವಾರ್ಹತೆಯುಳ್ಳ ಸಂಸ್ಥೆಗಳಿಂದ

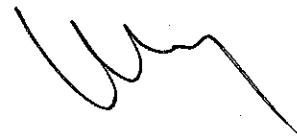


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ಟೆಂಡರ್‌ಗಳನ್ನು ದಿನಾಂಕ 05-09-2019ರಂದು ಸ್ವೀಕರಿಸಲು ನಿಗದಿಪಡಿಸಲಾಗಿದೆ. ಟೆಂಡರ್‌ಗಳನ್ನು ಸ್ವೀಕರಿಸಿ ಅವುಗಳ ಪ್ರಕ್ರಿಯೆ ಕಾರ್ಯ ಮಾಡಿ ಕಾಮಗಾರಿಯನ್ನು ಪೂರ್ವಾರ್ಹತೆಗಳ ಸಂಸ್ಥೆಗೆ ಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ನೀಡಲು ಸುಮಾರು ಎರಡು ತಿಂಗಳುಗಳ ಕಾಲಾವಕಾಶ ಬೇಕಾಗುವುದು. ಈ ಕಾಮಗಾರಿಯನ್ನು ಪೂರ್ಣ ಮಾಡಲು 18 ತಿಂಗಳುಗಳ ಅವಧಿಯನ್ನು ನಿಗದಿಪಡಿಸಲಾಗಿದೆ.

ಈ ಘಟಕದ ಕಾಮಗಾರಿಯನ್ನು ಪೂರ್ಣ ಮಾಡಿ ಘಟಕವನ್ನು ಕಾರ್ಯಚಾಲನೆ ಮಾಡಿದರೆ ಪ್ರಸ್ತುತ ಕಗ್ಗದಾಸಪುರ ಕೆರೆಗೆ ಹರಿಯುತ್ತಿರುವ ತ್ಯಾಜ್ಯ ನೀರನ್ನು ತಪ್ಪಿಸಲು ಸಾಧ್ಯವಾಗುವುದು ಹಾಗೂ ಈ ಘಟಕದಲ್ಲಿ ಸಂಸ್ಕರಿಸಿದ ತ್ಯಾಜ್ಯ ನೀರನ್ನು ಕೆರೆಗೆ ಹರಿಸುವುದರಿಂದ ಈ ಕೆರೆಯ ಮಾಲಿನ್ಯವನ್ನು ತಡೆಗಟ್ಟಲು ಸಾಧ್ಯವಾಗುವುದು.”

4) As it can be seen from the Status Report dated 31.8.2019, the BWSSB authorities have already taken steps to call for tenders for the purpose of installing 5 MLD Sewerage Treatment Plant. Sri R.V.Bhat, Law Officer of KSPCB also submitted that the KSPCB have released ₹ 6,62,96,000/- on 11.2.2019. In this connection, he has placed before me the proceedings dated 22.3.2019, held with BWSSB. The said proceeding is placed on record.



(H)

5) A Status Report is required to be filed with regard to the steps taken for installation of 5 MLD Sewerage Treatment Plant by the BWSSB and BBMP for rejuvenation of the lake by the next date of hearing.

6) Sri Ravi.H.R. Surveyor is present. He has filed a Status Report dated 4.6.2019. It is useful the extract the said Status Report, which reads as here under –

ಕರ್ನಾಟಕ ಸರ್ಕಾರ



“ನಂ. ಭೂ.ಸ.ನಿ/ಪೋ/ಇತರೆ/ 39/2019-20.

ಭೂದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರವರ ಕಛೇರಿ  
ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರ.  
ಬೆಂಗಳೂರು. ದಿನಾಂಕ: 04-06-2019.

ಮಾನ್ಯ ಭೂದಾಖಲೆಗಳ ಜಂಟಿ ನಿರ್ದೇಶಕರು  
ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಕಛೇರಿ  
ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ,  
ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಕಗ್ಗದಾಸಪುರ ಗ್ರಾಮದ  
ಕೆರೆಯ ಜಂಟಿ ಅಳತೆ ಬಗ್ಗೆ;

- ಉಲ್ಲೇಖ: 1. ಗೌರವಾನ್ವಿತ ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-1, ಕರ್ನಾಟಕ  
ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರ ನೋಟೀಸು ಸಂಖ್ಯೆ:  
ಕಂ.ಲೋಕ್.ಬಿಸಿಡಿ:2524/2018/2018, ದಿನಾಂಕ: 19-03-2019.  
2. ತಮ್ಮ ಕಛೇರಿ ಪತ್ರದ ಸಂಖ್ಯೆ: ಭೂ.ಜಂ.ನಿ/ತಾಂ(7)ವಿ.ವ:134/2018-19,  
ದಿನಾಂಕ: 29-03-2019.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು,  
ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಕಗ್ಗದಾಸಪುರ ಗ್ರಾಮದ ಕೆರೆ ಒತ್ತುವರಿಗೆ ಸಂಬಂಧಿಸಿದ  
ನಕ್ಷೆಯೊಂದಿಗೆ ವರದಿ ಸಲ್ಲಿಸಲು ಉಲ್ಲೇಖ(1) ರಂತೆ ಸೂಚಿಸಿ ಬಂದ ಪತ್ರದ ಮೇರೆಗೆ

ತುರ್ತಾಗಿ ಅಳತೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವೃತ್ತ ಭೂಮಾಪಕರನ್ನು ಅಳತೆ ಕಾರ್ಯಕ್ಕಾಗಿ ನಿಯೋಜಿಸಿ ಮೇಲ್ಕಂಡ ಕಗ್ಗದಾಸಪುರ ಕೆರೆ ಜಂಟಿ ಅಳತೆ ಕೆಲಸ ನಿರ್ವಹಿಸಿ ಒತ್ತುವರಿಗೆ ಸಂಬಂಧಿಸಿದ ನಕ್ಷೆಯೊಂದಿಗೆ ಸ್ಪಷ್ಟವಾದ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಉಲ್ಲೇಖ(2) ರಂತೆ ಸೂಚಿಸಲಾಗಿರುತ್ತದೆ.

ಮೇಲ್ಕಂಡ ಕೆ.ಆರ್.ಪುರ ಹೋಬಳಿ, ಕಗ್ಗದಾಸಪುರ ಗ್ರಾಮದ ಸ.ನಂ. 141 ಮತ್ತು ಬೈರಸಂದ್ರ ಗ್ರಾಮದ ಸ.ನಂ. 5 ರ ಕೆರೆ ಅಳತೆ ಕೆಲಸ ನಿರ್ವಹಿಸಿ ಒತ್ತುವರಿಗೆ ಸಂಬಂಧಿಸಿದ ನಕ್ಷೆಯೊಂದಿಗೆ ಸ್ಪಷ್ಟವಾದ ವರದಿ ಸಲ್ಲಿಸಲು ವೃತ್ತ ಭೂಮಾಪಕರಿಗೆ ಪ್ರಕರಣ ಹಂಚಿಕೆ ಮಾಡಲಾಗಿತ್ತು. ಭೂಮಾಪಕರು ಕಂದಾಯ ಇಲಾಖೆ ಹಾಗೂ ಬಿಬಿಎಂಪಿ ಇಲಾಖೆ ಅಧಿಕಾರಿಗಳೊಂದಿಗೆ ಜಂಟಿ ಅಳತೆ ಕೆಲಸ ನಿರ್ವಹಿಸಿ ಮೇಲ್ಕಂಡ ಸ.ನಂ.ಬರುಗಳ ಕೆರೆ ಒತ್ತುವರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ನಕ್ಷೆಯೊಂದಿಗೆ ಸ್ಪಷ್ಟವಾದ ವರದಿಯನ್ನು ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿದ್ದು ಭೂಮಾಪಕರು ಸಲ್ಲಿಸಿರುವ ಸದರಿ ಎರಡು ಪ್ರತಿ ನಕ್ಷೆಗಳನ್ನು ಈ ಕೂಡಲೆಗತ್ತಿಟ್ಟು ತಮ್ಮ ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಿದೆ.

ಸಹಿ/-

ಭೂದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು  
ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು  
ಬೆಂಗಳೂರು

ಪ್ರತಿಯನ್ನು:

ಗೌರವಾನ್ವಿತ ಅಪರ ನಿಬಂಧಕರು ವಿಚಾರಣೆಗಳು-1, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು ರವರ ಮಾಹಿತಿಗಾಗಿ ಒಂದು ಪ್ರತಿ ನಕ್ಷೆಯೊಂದಿಗೆ ಸಲ್ಲಿಸಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಭೂದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು  
ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು  
ಬೆಂಗಳೂರು”

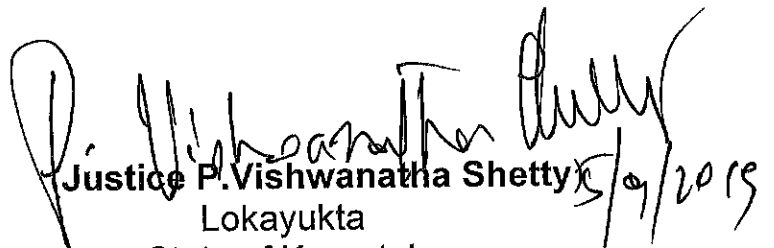
7) Along with the Status Report, he has filed a sketch. The sketch shows the encroachment of the lake bed. He submits a copy of the Survey Report of the lake and also the sketch showing the encroachment has already been served on the Tahsildar.



(13)

8) In the course of hearing Sri Jagadeesh who is a resident of Kaggadasapura submitted that one Sri Jalakanteshwara Temple is a very old temple, which is from the time of Chola Dynasty and one Sri Muneshwara temple is there in existence for the past several years. In the light of the statement made by Sri Jagadeesh, at this stage I do not find any justification for giving a specific direction for removal of the temple. However, it is needless to point out that all other encroachments, other than the road and park formed in public interest is required to be removed by the Tahsildar, Bengaluru East Taluk and the Status Report is required to be filed by the next date of hearing.

Communicate this order to the parties concerned. List this case on 19<sup>th</sup> November, 2019 at 3.00 p.m.

  
Justice P. Vishwanatha Shetty  
Lokayukta  
State of Karnataka

\*v|

9) Additional Registrar of Enq.1

(11)

ನೀ ಲೋಕಾಯುಕ್ತರವರ ಆವಿರದಂತೆ  
ಸಂಬಂಧವು ಅಧಿಗಂಭೀನ ಆವಿರದ  
ಪ್ರಕಾರವನ್ನು ರವಾನಿಸಿ, ಸ್ವೀಕೃತಿ ಪಡೆದು,  
ಸದರಿ ಸ್ವೀಕೃತಿಯನ್ನು ಕಡತದಲ್ಲಿರಿಸಿ.  
ಇನ್ನು ಸದರಿವಿಷಯದ ವರದಿ ಬಂದಿರುವುದಿಲ್ಲ  
ಯಾವುದೇ ಯುಂಟಿನ ಆವಿರಕ್ಕೆ ಸಲ್ಲುವೆ.  
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KARNATAKA LOKAYUKTA, BENGALURU

No.Compt/LOK/BCD-2524/2018/ARE-1

Date : 19.11.2019

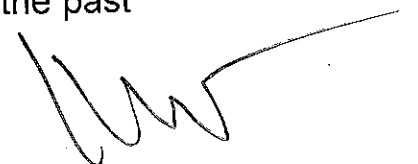
KAGGADASPURA LAKE -

O R D E R

On behalf of the complainant Sri H.S.Doreswamy, Sri Lakshmikanth is present. Sri R.V.Bhat, Law Officer, Karnataka State Pollution Control Board, Bengaluru is present along with Sri S.Rajshekar, Environmental Officer, East Range, Bengaluru, On behalf of BBMP Smt.Bupradha, Assistant Executive Engineer (Lakes), BBMP, Bengaluru is present. The Tahsildar, Bengaluru East Taluk is not present.

2) In my Order dated 5.9.2019 at para-8, I have observed as follows –

"8) In the course of hearing Sri Jagadeesh who is a resident of Kaggadasapura submitted that one Sri Jalakanteshwara Temple is a very old temple, which is from the time of Chola Dynasty and one Sri Muneshwara temple is there in existence for the past





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several years. In the light of the statement made by Sri Jagadeesh, at this stage I do not find any justification for giving a specific direction for removal of the temple. However, it is needless to point out that all other encroachments, other than the road and park formed in public interest is required to be removed by the Tahsildar, Bengaluru East Taluk and the Status Report is required to be filed by the next date of hearing.”

3) I have indicated that except the removal of two temples located in the lake area, all other encroachments are required to be removed by the Tahsildar, Bengaluru East Taluk and the Status Report is required to be filed by today. Neither the Tahsildar, Bengaluru East Taluk is present nor the Status Report is filed.

4) However, having regard to the facts and circumstances of the case, I am of the view, it would be in the interest of justice to give one more opportunity to the Tahsildar, Bengaluru East Taluk to comply with my earlier Order dated 5.09.2019 referred to at para-8. It is made clear that



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by the next date of hearing, if effective steps are not ~~Being~~ taken, I will be constrained to take action against the Tahsildar, Bengaluru East Taluk, for not complying with my order.

5) The sketch filed indicates that the portion marked in red ink, road has been encroached and in the yellow ink, there is a private encroachment. Smt.Bupradha, Assistant Executive Engineer, BBMP, Bengaluru submitted that in tender notification dated 11.11.2019 a sum of Rs.8 crores has been sanctioned for the development of this lake. When sufficient money has been allotted for the development of the lake, it is needless to point out no unauthorized encroachment can be allowed to continue either in the lake or lake bed area.

6) A report dated 19.11.2019 has been filed by Sri Rajashekara.S, Environmental Officer, KSPCB, Bengaluru. It is useful to extract the said report which reads as hereunder –

“ಸಂಖ್ಯೆ: ಕರಾಮಾನಿಮಂ/ಬೆನಪೂ/ಲೋಕಾಯುಕ್ತ/2019-20/

ದಿನಾಂಕ: 19.11.2019

ಇವರಿಗೆ,  
ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-1,  
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,  
ಬಹುಮಹಡಿ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು



ಮಾನ್ಯರೇ,

ವಿಷಯ : ಹೆಚ್.ಎಸ್.ದೊರೆಸ್ವಾಮಿಯವರು ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.  
ಉಲ್ಲೇಖ: ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಪತ್ರ ಸಂಖ್ಯೆ: ಲೋಕ್.ಬಿಸಿಡಿ 2524/2018  
ದಿನಾಂಕ. 19.09.2019

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ದಿನಾಂಕ 14.11.2019 ರಂದು ಈ ಕಛೇರಿ ವ್ಯಾಪ್ತಿಗೆ ಬರುವ ಕಗ್ಗದಾಸಪುರ ಕೆರೆ, ಸಿ.ವಿ.ರಾಮನ್ ನಗರ, ಬೆಂಗಳೂರು ಈ ಕಛೇರಿಯ ಅಧಿಕಾರಿಗಳು ಪರಿವೀಕ್ಷಿಸಿ, ಪರಿವೀಕ್ಷಣಾ ವರದಿಯನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗಾಗಿ ಹಾಗೂ ಮುಂದಿನ ಕ್ರಮಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಪರಿಸರ ಅಧಿಕಾರಿ  
ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ

ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯ ಪರಿವೀಕ್ಷಣಾವರದಿ

ಪರಿವೀಕ್ಷಣೆ ಮಾಡಿದ ಅಧಿಕಾರಿಗಳ ಹೆಸರು	: 1.ಮೊಹಮ್ಮದ್ ಮಿರ್ಜಾ ಅಮೀನುಲ್ಲಾ ಬೇಗ್ ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ ಪ್ರಾ.ಕ.ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ 2. ವಿಶಾಲಾಕ್ಷಿ, ಸಹಾಯಕ ಪರಿಸರ ಅಧಿಕಾರಿ
ಪರಿವೀಕ್ಷಣಾ ದಿನಾಂಕ	: 14.11.2019
ಪರಿವೀಕ್ಷಣಾ ಕೆರೆ	: ಕಗ್ಗದಾಸಪುರ ಕೆರೆ, ಸಿ.ವಿ.ರಾಮನ್ ನಗರ, ಬೆಂಗಳೂರು

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ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ ಆರ್ ಪುರಂ ಹೋಬಳಿ, ಕಗ್ಗದಾಸ ಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 141 ರಲ್ಲಿ 32 ಎಕರೆ 16 ಗುಂಟೆ ಮತ್ತು ಭೈರಸಂದ್ರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 5 ರಲ್ಲಿ 14 ಎಕರೆ 24 ಗುಂಟೆಯಿದ್ದು ಒಟ್ಟು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ. ಕೆರೆಯ ಉಸ್ತುವಾರಿ ಅಭಿವೃದ್ಧಿ ಜವಾಬ್ದಾರಿಯನ್ನು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆ. ಸದರಿ ಕೆರೆಯನ್ನು ದಿನಾಂಕ 14.11.2019 ರಲ್ಲಿ ಈ ಕಛೇರಿಯ ಅಧಿಕಾರಿಗಳು ಪರಿವೀಕ್ಷಿಸಿ ಕೆಳಕಂಡಂತೆ ವರದಿ ನೀಡಲಾಗಿದೆ;

1. ಕೆರೆಗೆ ಉತ್ತರ ಭಾಗದಿಂದ ಹಾಗೂ ಪಶ್ಚಿಮ ಭಾಗದಿಂದ ಮಳೆ ನೀರಿನ ಚರಂಡಿ ಮೂಲಕ ಗೃಹತ್ಯಾಜ್ಯ ನೀರು (sewage) ಕೆರೆಯನ್ನು ಸೇರುತ್ತಿದ್ದು ಕೆರೆಯ ನೀರು ಮಲಿನವಾಗಿದೆ.

2. ಕೆರೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಹೂಳು ತುಂಬಿದ್ದು ಹಾಗೂ ಜೊಂಡು (weeds) ತುಂಬಿರುತ್ತದೆ. ಕೆರೆಯ ನೀರನ್ನು ಯಾವುದೇ ಚಟುವಟಿಕೆಗೆ ಬಳಸುತ್ತಿಲ್ಲ.
3. ಉತ್ತರ ಭಾಗದಿಂದ ಹರಿಯುತ್ತಿರುವ ಮಳೆ ನೀರು ಚರಂಡಿಯು ಸಿಮೆಂಟಿನ ತಡೆಗೋಡೆ ನಿರ್ಮಿಸಿ ಘನ ತ್ಯಾಜ್ಯ ವಿಸರ್ಜಿಸಿದಂತೆ ತಂತಿ ಬೇಲಿಯನ್ನು ಅಳವಡಿಸಲಾಗಿದೆ.
4. ಕೆರೆಯ ಅಂಗಳದಲ್ಲಿ ಎರಡು ಎಕರೆ ಭೂಮಿಯನ್ನು ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿಗೆ ರೊಚ್ಚು ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕ ಸ್ಥಾಪಿಸಲು ಗುರುತಿಸಲಾಗಿದೆ. ರೊಚ್ಚು ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕದ ನಿರ್ಮಾಣ ಕಾರ್ಯ ಆರಂಭವಾಗಿರುವುದಿಲ್ಲ.
5. ಕೆರೆಯ ಪರಿವೀಕ್ಷಣೆ ವೇಳೆಯಲ್ಲಿ ಕೆರೆಯ ನೀರಿನ ಮಾದರಿಯನ್ನು ಸಂಗ್ರಹಿಸಿ ಕೇಂದ್ರ ಪ್ರಯೋಗಾಲಯಕ್ಕೆ ವಿಶ್ಲೇಷಣೆಗಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.
6. ನೀರನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯಿಂದ ವಿಶ್ಲೇಷಿಸುತ್ತಿದ್ದು, ದಿನಾಂಕ 30.07.2019 ರಂದು ಸಂಗ್ರಹಿಸಿದ ಕೆರೆಯ ನೀರಿನ ಮಾದರಿಯು ಕೇಂದ್ರ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ 'ಕ್ಲಾಸ್ ಡಿ' ವರ್ಗಕ್ಕೆ ಒಳಪಡುತ್ತದೆ. ವಿಶ್ಲೇಷಣಾ ವರದಿಯನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ.
7. ಕೆರೆಯನ್ನು ಪುನರುಜ್ಜೀವನಗೊಳಿಸಿ ಅಭಿವೃದ್ಧಿ ಪಡಿಸಲು ಮತ್ತು ತ್ಯಾಜ್ಯ ನೀರಿನ ಸಂಸ್ಕರಣಾ ಘಟಕ ನಿರ್ಮಿಸುವ ಕಾರ್ಯಗಳು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ಹಾಗೂ ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿ ಪ್ರಾರಂಭಿಸಬೇಕಾಗಿದೆ.

ಸಹಾಯಕ ಪರಿಸರ ಅಧಿಕಾರಿ

ಸಹಿ/-

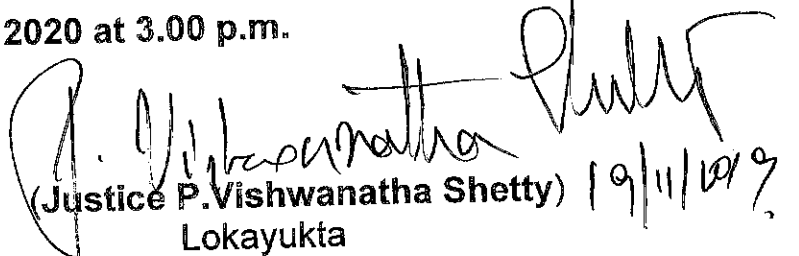
ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ  
ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ

7) The report submitted indicates the steps that are required to be taken by the BBMP and BWSSB authorities and a copy of the report has been made available to the engineers of the BBMP and BWSSB. It is needless to point out that the BWSSB and BBMP is required to take effective steps for development of the lake and more particularly steps are required to be taken in the light of the indication made by the KSPCB.



Communicate this order to the parties concerned. List

this case on 31<sup>st</sup> January, 2020 at 3.00 p.m.

  
 (Justice P. Vishwanatha Shetty) 19/11/2019  
 Lokayukta  
 State of Karnataka

\*vi

8) Deputy Registrar of Enq.3

*confused para. I*

*ACKnowledgment received.*

*Report not received &  
 submitted for said orders.*

*oo*

*9) ORE-3*



-7-

**KARNATAKA LOKAYUKTA : BENGALURU**

(51)

No: Compt/Lok/BCD-2524/2018/Secy.

Date: 31-01-2020

**ORDER**

On behalf of the Complainant Sri. H.S.Doreswamy, Sri. Lakshmikanth M of Namma Bengaluru Foundation is present.

2. Sri. C.Siddaramaiah, Senior Environmental Officer, Karnataka State Pollution Control Board (herein after referred to as '**KSPCB**' for short), Zonal Office, Bengaluru North is present along with Sri. Rajashekara S, Environmental Officer, Bengaluru City East, Sri. M.M.Ameenulla Baig, Deputy Environmental Officer and Sri. R.V.Bhat, Law Officer.

3. Smt.Bhupradha, Assistant Executive Engineer, Bruhat Bengaluru Mahanagara Palike (Lakes) is present, along with Smt. Sapna, Assistant Engineer (Lakes).

4. Though the notice of this proceeding is served on Sri. Tajus Kumar, Tahsildar, Bengaluru East Taluk, Bengaluru, neither he is present nor any other <sup>official</sup> from the



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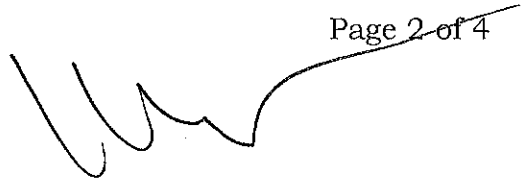
52

office of the Tahsildar is present. In my order dated 19-11-2019 at Paragapha 4, I have observed as follows:

"4) However, having regard to the facts and circumstances of the case, I am of the view, it would be in the interest of justice to give one more opportunity to the Tahsildar, Bengaluru East Taluk to comply with my earlier Order dated 5.09.2019 referred to at para-8. It is made clear that by the next date of hearing, if effective steps are not being taken, I will be constrained to take action against the Tahsildar, Bengaluru East Taluk, for not complying with my order".

The said order has not been complied. In the light of what is stated above, **issue Show Cause Notice to the Tahsildar, Bengaluru East Taluk, as to why recommendation should not be made to the Government under Section 12(3) of the Karnataka Lokayukta Act, for not complying with my earlier orders, by the next date of hearing. In the mean while, it is needless to point out that he is at liberty to comply with the earlier direction given.**

5. On behalf of KSPCB, inspection report dated 30-01-2020 has been filed in respect of Kaggadasapura





Lake. It is useful to extract the same, which reads as here under:

“ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯ ಪರಿವೀಕ್ಷಣಾವರದಿ

ಪರಿವೀಕ್ಷಣೆ ಮಾಡಿದ ಅಧಿಕಾರಿಗಳ ಹೆಸರು	:	1. ರಾಜಶೇಖರ ಎಸ್ ಪರಿಸರ ಅಧಿಕಾರಿ ಪ್ರಾ.ಕ.ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ 2. ಎಂ.ಎಂ.ಅಮೀನುಲ್ಲಾ ಬೇಗ್, ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ
ಪರಿವೀಕ್ಷಣಾ ದಿನಾಂಕ	:	28.01.2020
ಪರಿವೀಕ್ಷಣಾ ಕೆರೆ	:	ಕಗ್ಗದಾಸಪುರ ಕೆರೆ, ಸಿ.ವಿ.ರಾಮನ್ ನಗರ, ಬೆಂಗಳೂರು

\*\*\*\*\*

ಕಗ್ಗದಾಸಪುರ ಕೆರೆಯು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ ಆರ್ ಪುರಂ ಹೋಬಳಿ, ಕಗ್ಗದಾಸ ಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 141 ರಲ್ಲಿ 32 ಎಕರೆ 16 ಗುಂಟೆ ಮತ್ತು ಭೈರಸಂದ್ರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 5 ರಲ್ಲಿ 14 ಎಕರೆ 24 ಗುಂಟೆಯಿದ್ದು ಒಟ್ಟು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ. ಕೆರೆಯ ಉಸ್ತುವಾರಿ ಅಭಿವೃದ್ಧಿ ಜವಾಬ್ದಾರಿಯನ್ನು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ವ್ಯಾಪ್ತಿಗೆ ಬರುತ್ತದೆ. ಸದರಿ ಕೆರೆಯನ್ನು ದಿನಾಂಕ 28.01.2020 ರಲ್ಲಿ ಈ ಕಛೇರಿಯ ಅಧಿಕಾರಿಗಳು ಪರಿವೀಕ್ಷಿಸಿ ಕೆಳಕಂಡಂತೆ ವರದಿ ನೀಡಲಾಗಿದೆ;

1. ಕೆರೆಗೆ ಉತ್ತರ ಭಾಗದಿಂದ ಹಾಗೂ ಪಶ್ಚಿಮ ಭಾಗದಿಂದ ಮಳೆ ನೀರಿನ ಚರಂಡಿ ಮೂಲಕ ಗೃಹತ್ಯಾಜ್ಯ ನೀರು (sewage) ಕೆರೆಯನ್ನು ಸೇರುತ್ತಿದ್ದು ಕೆರೆಯ ನೀರು ಮಲಿನವಾಗಿದೆ.
2. ಕೆರೆಯಲ್ಲಿ ಸಂಪೂರ್ಣ ಹೂಳು ತುಂಬಿದ್ದು ಹಾಗೂ ಜೊಂಡು (weeds) ತುಂಬಿರುತ್ತದೆ. ಕೆರೆಯ ನೀರನ್ನು ಯಾವುದೇ ಚಟುವಟಿಕೆಗೆ ಬಳಸುತ್ತಿಲ್ಲ.
3. ಕೆರೆಯ ಅಂಗಳದಲ್ಲಿ ಎರಡು ಎಕರೆ ಭೂಮಿಯನ್ನು ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿಗೆ ರೊಚ್ಚು ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕ ಸ್ಥಾಪಿಸಲು ಗುರುತಿಸಲಾಗಿದೆ. ರೊಚ್ಚು ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕದ ನಿರ್ಮಾಣ ಕಾರ್ಯ ಆರಂಭವಾಗಿರುವುದಿಲ್ಲ.
4. ಕೆರೆಯ ಪರಿವೀಕ್ಷಣೆ ವೇಳೆಯಲ್ಲಿ ಕೆರೆಯ ನೀರಿನ ಮಾದರಿಯನ್ನು ಸಂಗ್ರಹಿಸಿ ಕೇಂದ್ರ ಪ್ರಯೋಗಾಲಯಕ್ಕೆ ವಿಶ್ಲೇಷಣೆಗಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.
5. ನೀರನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿವತಿಯಿಂದ ವಿಶ್ಲೇಷಿಸುತ್ತಿದ್ದು, ದಿನಾಂಕ 14.11.2019 ರಂದು ಸಂಗ್ರಹಿಸಿದ ಕೆರೆಯ ನೀರಿನ ಮಾದರಿಯು ಕೇಂದ್ರ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿಯ 'ಕ್ಲಾಸ್ ಡಿ' ವರ್ಗಕ್ಕೆ ಒಳಪಡುತ್ತದೆ. ವಿಶ್ಲೇಷಣಾ ವರದಿಯನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗೆ ಲಗತ್ತಿಸಲಾಗಿದೆ.

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6. ಕೆರೆಯನ್ನು ಅಭಿವೃದ್ಧಿ ಪಡಿಸುವ ಹಾಗೂ ತ್ಯಾಜ್ಯ ನೀರಿನ ಸಂಸ್ಕರಣಾ ಘಟಕ ನಿರ್ಮಿಸುವ ಕಾರ್ಯಗಳು ಪ್ರಾರಂಭಿಸಬೇಕಾಗಿರುತ್ತದೆ.

ಸಹಿ/-  
ಉಪ ಪರಿಸರ ಅಧಿಕಾರಿ

ಸಹಿ/-  
ಪರಿಸರ ಅಧಿಕಾರಿ  
ಬೆಂಗಳೂರು ನಗರ ಪೂರ್ವ

6. Smt. Bhupradha, submitted that the BBMP has already taken steps to invite tender for the purpose of rejuvenation of Kaggadasapura lake and the tender is required to be approved by the Government and the rejuvenation of the lake may commence within a month's time and it may take around one year time<sup>to complete</sup>. She also pointed out that once the encroachments are removed, the lake will be completely fenced.

7. Communicate this order to the parties concerned.

List this case on **23-04-2020 at 03-00 p.m.**

*P. Vishwanatha Shetty*  
(Justice P. Vishwanatha Shetty), 23/4/2020  
Lokayukta,  
Karnataka State.

AS\*

*Complied para, 7  
on 5/2/2020*

*NBF*

LOK/BCD/2524/2018

DRE-3)

This matter was directed to be listed on 23/04/2020. 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, to prevent the spread of COVID-19 Pandemic outbreak. Hence, this matter could not be listed on that day.

Issue notice to both the parties.

List this matter on 14/07/2020 at 3.00p.m.

*Copied para.*

*[Signature]*  
DRE-3

*Report not received  
from concerned parties  
& submitted for kind orders.*

*[Signature]*

11. Secretary

*In view of the  
oral discussion of  
Hon'ble Lokayuktas  
this matter is  
adjourned to 7-10-2020*

*[Signature]*

7/10

*Copied para*

(56)

-12-

E.O. KSPCB Report dt 14-7-2020  
received.

→ Reports are not received from  
other concerned parties.

2/10/2020

12. I/c Secretary)

Put up on 15/10/2020

2/10

→ Report dt d. 5.10.2020  
received from the Environmental  
Officer, Bengaluru City East.  
Submitted for lead order

15/10

13. Secretary :-

13) Secretary)

Received reports dated 14.07.2020 and 05.10.2020 from the Environmental Officer, Bengaluru City East, KSPCB stating that the drainage water is entering into the lake in question, the quality of the water in the lake in question is D-class etc.,

14) Received a report dated 07.10.2020 from the Chief Engineer, Lakes, BBMP stating that on 31.03.2020, work order relating to the developmental work of lake in question was issued and the work is required to be taken up. However, in the Writ Petition No.38401/2014, the Hon'ble High Court of Karnataka has made an order on 21.10.2019 not to take up further construction in the lake area, creating islands in the lake and for installing statues. Therefore, they are not in a position to take up developmental work of lake in question in view of the interim order passed by the Hon'ble High Court of Karnataka and an interlocutory application is also filed to vacate the interim order.

15) As per the order of Hon'ble Lokayukta dated 31.01.2020, a show cause notice was issued to the Tahasildar, Bengaluru East Taluk as to why a recommendation should not be made to the Government under Sec. 12(3) of the KL Act for not complying with the earlier order dated 19.11.2019

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directing him to take steps for removal of encroachment in the lake in question. Though, the show cause notice was served upon the Tahasildar, Bengaluru East Taluk, he has not submitted his reply. However, one more opportunity may be given to him for submitting his explanation to the show cause notice.

16) Hence, my lord, if approved;

(i) Notice will be issued to the Chief Engineer, Lakes, BBMP to take effective steps for contesting and early disposal of the matter pending before the Hon'ble High Court of Karnataka in W.P. No 38401/2014.

(ii) Notice will be issued to the authorities of BWSSB to submit a status report about the installation of 5 MLD capacity STP near the lake in question.

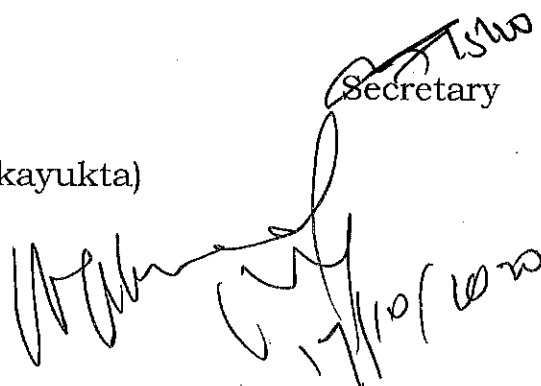
(iii) Reminder will be sent to the Tahasildar, Bengaluru East Taluk to comply with the order of Hon'ble Lokayukta dated 19.11.2019 and also submit his explanation to the show cause notice issued to him without fail.

Call on 14.12.2020.

Submitted for kind orders.

Secretary

17) Hon'ble Lokayukta)

  
17/10/2020



(59)

→ Letter from the complainant  
ddt. 8.11.2020 received.

→ Add. Chief Engineer,  
BWSSB report ddt. 10/11/2020  
received

→ Reports are not received from  
the C.E., Lakes, B.B.M.P and  
the Tahasildar, Bengaluru  
East Taluk.

Submitted for kind orders.

Ⓟ  
14/12/2020

18] Secretary :-

18) Secretary)

Received a report dated 12.11.2020 from the Additional Chief Engineer (SWM)-3, BWSSB, Bengaluru stating that in view of the interim order passed by the Hon'ble High Court of Karnataka in W.P. No. 38401/2014, they are not in a position to take up the developmental work relating to the lake in question.

19) Received a letter dated 02.11.2020 from the complainant Sri. H.S. Doreswamy about his present address and requesting to forward the copies of all correspondence relating to his complaints to the address mentioned in the said letter. Therefore, in the cause title of the note sheet, the present address of the complainant is required to be updated.

20) The reports are not received from the Chief Engineer (Lakes) BBMP and Tahasildar, Bengaluru East Taluk.

21) Hence, my lord, if approved;

(i) Reminder will be issued to the Chief Engineer (Lakes), BBMP to submit the status report as directed earlier and in the event of failure to submit the status' report, he will be directed to depute any responsible officer/official

to appear in person on **30.01.2021 at 3:00 P.M.** with explanation for the delay.

(ii) Reminder will be issued to the Tahasildar, Bengaluru East Taluk to submit the status report as directed earlier and in the event of failure to submit the status report, he will be directed to be present in person on **30.01.2021 at 3:00 P.M.** with explanation for the delay.

(iii) The present address of the complainant Sri. H.S. Doreswamy will be updated in the cause title of note sheet and the copy of this note will be forwarded to him for his information.

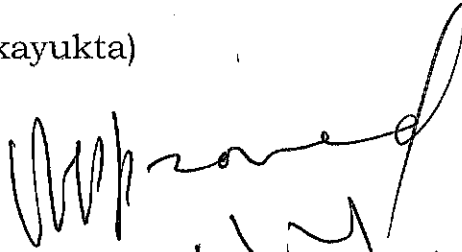
Call on 30.01.2021.

Submitted for kind orders.

  
Secretary

22) Hon'ble Lokayukta)

*Complined.*

  
18/12/2020

*→ Chief Engineer, Lakes,  
B.B.M.P. report dtd. 20.01.2021  
received.*

*→ Acknowledgement received,  
but report is not received  
from the Tahasildar,  
Bengaluru East Taluk.  
Submitted for kind orders  
29/01/2021*

93) Secretary :

LOK/BCD/2524/2018  
30.01.2021

23) Secretary)

Received a report dated 20.01.2021 from the Chief Engineer (Lakes), BBMP stating that in order to get the interim order vacated by the Hon'ble High Court in W.P. No. 38401/2014, an Interim Application has been filed by the BBMP. The copy of the Interim Application filed in the said writ petition is also produced along with the report.

24) By means of an order dated 31.01.2020, the Hon'ble Lokayukta has directed to issue Show Cause Notice to the Tahasildar, Bengaluru East Taluk as to why a recommendation under Sec. 12(3) of the Karnataka Lokayukta Act should not be made to the Competent Authority for not complying with the earlier orders passed by the Hon'ble Lokayukta. It is useful to extract the para-4 of the order dated 31.01.2020, which reads as hereunder:

4. *Though the notice of this proceeding is served on Sri. Tejus Kumar, Tahsildar, Bengaluru East Taluk, Bengaluru, neither he is present nor any other official from the office of the Tahsildar is present. In my*

order dated 19-11-2019 at Paragapha 4, I have observed as follows:

"4) However, having regard to the facts and circumstances of the case, I am of the view, it would be in the interest of justice to give one more opportunity to the Tahsildar, Bengaluru East Taluk to comply with my earlier Order dated 5.09.2019 referred to at para-8. It is made clear that by the next date of hearing, if effective steps are not being taken, I will be constrained to take action against the Tahsildar, Bengaluru East Taluk, for not complying with my order".

The said order has not been complied. In the light of what is stated above, **issue Show Cause Notice to the Tahsildar, Bengaluru East Taluk, as to why recommendation should not be made to the Government under Section 12(3) of the Karnataka Lokayukta Act, for not complying with my earlier orders, by the next date of hearing. In the mean while, it is needless to point out that he is at liberty to comply with the earlier direction given".**

(6A)

25) The Show Cause Notice in terms of the order extracted above was issued and it was served in office of the Tahasildar, Bengaluru East Taluk. However, he has neither submitted the reply to the show cause notice nor complied with the direction issued by the Hon'ble Lokayukta in the order dated 31.01.2020 i.e., for removal of encroachment in the lake in question. Therefore, as per the note dated 15.10.2020, which was approved by the Hon'ble Lokayukta on 17.10.2020, a reminder was issued to the Tahasildar, Bengaluru East Taluk to submit the status report complying with the order dated 31.01.2020 passed by the Hon'ble Loakyukta. Despite service of reminder, no report was received from the Tahasildar, Bengaluru East Taluk. Therefore, as per the note dated 17.12.2020, which was approved by the Hon'ble Loakyukta on 18.12.2020, a notice was issued to the Tahasildar, Bengaluru East Taluk with a direction to comply with the direction issued in the order dated 31.01.2020 without fail and in the event of failure to comply with the order referred to above, the Tahasildar was directed to be present in person on **30.01.2021 at 3:00 P.M.** with explanation for the delay.

26) Though, the said notice was served to the Tahasildar, Bengaluru East Taluk, he has neither appeared in person with explanation for the delay nor submitted any report for having complied with the directions issued in the earlier orders passed by the Hon'ble Lokayukta. Thus, it becomes clear that the Tahasildar, Bengaluru East Taluk has deliberately failed to comply with the direction issued by the Hon'ble Lokayukta in the order dated 31.01.2020 directing him to take steps for removal of encroachment in the lake in question. Even after service of show cause notice, he has failed to submit his reply.

27) It is ascertained from the office of Tahasildar, Bengaluru East Taluk that Sri. Ajithkumar Rai is working as Tahasildar since 11.12.2020 and he being the public servant (within the meaning of Sec. 2(12) of the Karnataka Lokayukta Act, he is bound to answer/respond to the notice sent from the institution of Lokayukta.

28) In this connection, it is useful to refer to the decision of Hon'ble Supreme Court in the case of **Secretary to Government and others V/s A.C.J. Britto**, reported in (1997) 3 SCC 387 wherein the Hon'ble Supreme Court has taken a view that failure on the part of employee to obey the direction given by

(66)

his/her superior officer to appear before the Medical Board amounts to misconduct. The principle declared by the Apex Court in the case of A.C.J. Britto referred to above would apply to the facts and circumstances of the present case. In the case on hand as observed earlier, the Tahasildar has failed to comply with the direction issued by the Hon'ble Lokayukta to take steps for removal of encroachment in the lake in question and submit report and as such it amounts to misconduct. It is useful to extract the relevant portion of the Judgment referred to above, which reads as follows;

*"The respondent, a Sub-Inspector of Police proceeded on casual leave from 13.11.1980 to 19.11.1980. Instead of resuming duty on 20.11.1980 he applied for medical leave and thereafter went on extending it continuously. The Superintendent of Police by his memos dated 22.04.1981 and 04.06.1981 directed him to appear before the District Medical Officer for being presented before the Medical Committee for examination regarding his fitness to return to duty but the respondent did not comply with the same. **Considering such omission on the part of the Sub-Inspector as an act of misconduct, a departmental enquiry was initiated against him and on being found guilty he was dismissed from service.** The respondent contended that in absence of any*



rule treating non-compliance with an order of a superior police officer or non-appearance before a Medical Board as an act of misconduct no disciplinary proceedings should have been initiated against him. Rejecting this contention, the Supreme Court Held;

The Rules applicable in the case do not specify acts of misconduct for which a delinquent officer can be punished. Rule 2 empowers the competent authorities to impose upon members of the Service penalties specified therein "for good and sufficient reason". Therefore, before holding that there was no justification to initiate disciplinary proceeding against the respondents, the Administrative Tribunal ought to have considered whether there was "good and sufficient reason" for initiating such proceedings against him. It was not justified in taking that view on the ground that such an act of delinquency has not been specified in the Rules as an act of misconduct. **Not obeying a legitimate order of his superior by a member of the Police Force has to be regarded as an act of indiscipline and would certainly provide a good and sufficient reason for initiating a disciplinary proceeding".**

29) The willful negligence on the part of the Tahasildar, Bengaluru East Taluk in not responding to the notice issued from the institution of Lokayukta would not only amounts to dereliction of duty, but also amounts to mal-administration within the meaning of Sec.2(10) of the Karnataka Lokayukta Act.) Therefore, in the facts and circumstances of this case, before making recommendation to the Competent Authority under Sec. 12(3) of the Karnataka Lokayukta Act for initiating disciplinary proceedings against the concerned Tahasildar, it is desirable to issue a final show-cause notice to the Tahasildar, Bengaluru East Taluk as to why a recommendation Under Sec.12(3) of Karnataka Loakyukta Act should not be sent to the Competent Authority for initiating Disciplinary Proceedings against him for not complying with the order made by the Hon'ble Lokayukta to take steps for removal of encroachment in the lake in question.

30) Hence, My Lord, if approved;

(i) Final Show Cause Notice will be issued to the Tahasildar, Bengaluru East Taluk by name as to why a recommendation Under Sec.12(3) of Karnataka Loakyukta Act should not be made to the Competent Authority for initiating Disciplinary Proceedings

(69)

against him for not complying with the order made by the Hon'ble Lokayukta.

(ii) The copy of this note will be forwarded to the Deputy Commissioner, Bengaluru Urban District to ensure that the Tahasildar, Bengaluru East Taluk to comply with the direction issued by the Hon'ble Lokayukta to take steps for removal of encroachment in the lake in question and submit report to this authority.

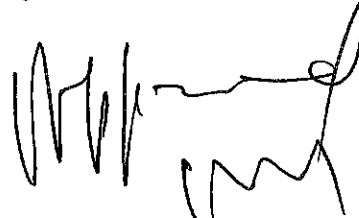
(iii) Notice will be issued to the Chief Engineer (Lakes), BBMP to submit the status report with regard to the status of W.P. No. 38401/2014 pending before Hon'ble High Court of Karnataka.

Call on 16.02.2021

Submitted for kind orders.

  
Secretary

31) Hon'ble Lokayukta)

  
2/2

Completed.

→ Acknowledgements received,  
but reports are not received  
from the Tahasildar, Bengaluru  
East Taluk; D.C., Bengaluru  
Urban District and the C.E.,  
Lake B.B.M.P.  
Submitted for kind orders

(R) 16/02/2021

LOK/BCD-2524/2018

16.02.2021

32) ~~Secretary~~  
Secretary)

Reports are not received from the Deputy Commissioner, Bengaluru Urban District, Chief Engineer, Lakes, BBMP and Tahasildar, Bengaluru East Taluk.

33) The final show cause notice was issued to the Tahasildar, Bengaluru East Taluk by name as to why a recommendation under Sec. 12(3) of the Karnataka Lokayukta Act, should not be made to the Competent Authority for initiating Disciplinary Proceedings against him for not complying with the order made by the Hon'ble Lokayukta. As per the endorsement submitted by the Police Inspector, Bengaluru City Division, Karnataka Lokayukta, the notice to the concerned Tahasildar was duly served upon him on 06.02.2021. However, he has not submitted his explanation nor present. Hence, it is desirable to make a recommendation under Sec.12(3) of the Karnataka Lokayukta Act, 1984 to initiate disciplinary proceedings against him. However, before making a recommendation under Sec. 12(3) of the Karnataka Lokayukta Act, 1984, an

(31)

observation note may be sent to the concerned Tahasildar.

34) Hence, my lord, if approved;

(i) An Observation Note will be sent to the Tahasildar, Bengaluru East Taluk seeking his explanation as to why a recommendation under Sec. 12(3) of the Karnataka Lokayukta Act, 1984 should not be made to initiate disciplinary proceedings against him and a Notice will be issued to the Tahasildar, Bengaluru East Taluk to be present in person on **10.03.2021 at 3:00 P.M.** with explanation for not complying with the orders of Hon'ble Lokayukta.

(ii) Notice will be issued to the Deputy Commissioner, Bengaluru Urban District to depute any responsible officer to appear before the Hon'ble Lokayukta on **10.03.2021 at 3:00 P.M.** along with reports with regard to the steps taken for removal of encroachment in the lake in question.

(iii) Notice will be sent to the Chief Engineer, Lakes, BBMP to submit the status report with regard to the status of W.P. No. 38401/2014 pending before the Hon'ble High Court of Karnataka and also to appear in

(12)

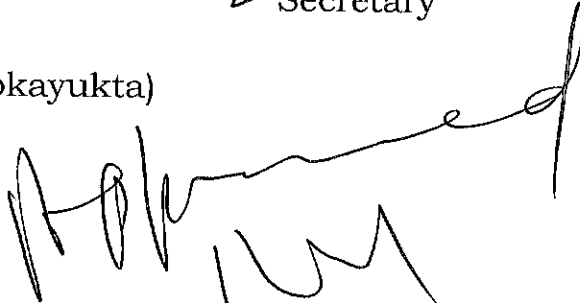
person for hearing of the matter on  
**10.03.2021 at 3:00 P.M.**

Submitted for kind orders.

Call on 10.03.2021.

  
Secretary

35) Hon'ble Lokayukta)

  
17/2

→ Received a report dtd. 15.2.2021  
from the Tahsildar, Bengaluru  
East Taluk. On 17/2/2021 at 12-p.m.

LOK/BCD/2517/2018

36. A report dated 15.02.2021 has been received on 17.02.2021 at 12.00 p.m from the Tahasildar, Bengaluru East Taluk. Therefore, for the present sending of an observation note to the Tahasildar, Bengaluru East Taluk may be deferred and a notice for his appearance on 10.03.2021 at 3.00 p.m as indicated in the note dated 16.02.2021 will be issued.

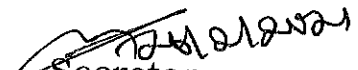
37. Hence, My Lord, if approved,

- i. Sending of the observation note to the Tahasildar, Bengaluru East Taluk ordered by Hon'ble Lokayukta in the order dated 17.02.2021 will be deferred for the present and notice for his appearance on 10.03.2021 at 3.00 p.m as indicated in the note dated 16.02.2021 will be issued.

Submitted for kind orders.

38. Hon'ble Lokayukta)


  
1/3/2021

  
Secretary

(71)

→ Letter dtd. 27.02.2021 to 01.2021 are received from the Complainant. Submitted for kind orders.

→ Acknowledgement received, but report is not received from the Chief Engineer, Lakes, B.B.M.P. Submitted for kind orders

  
9.03.2021



**KARNATAKA LOKAYUKTA, BENGALURU**

25

No:Compt/LOK/BCD-2524/2018 Date : 10-03-2021

**ORDER**

Sri B.T.Mohan Krishna, Chief Engineer, Lakes Division, Bruhath Bengaluru Mahanagara Palike, Bengaluru is present.

2. Sri M.B.G.Harish, Deputy Tahsildar, Vartur Nadakacheri, Bengaluru East Taluk is present along with Sri Pundalika Chavhan, Revenue Inspector and Smt. Malathi.K, Shirastedar, Enforcement Cell, Office of the Deputy Commissioner, Bengaluru Urban District.

3. The details of the encroachment is set out in the report dated 15-02-2021 submitted by the Tahsildar, Bengaluru East Taluk.

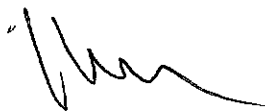
4. Sri B.T.Mohan Krishna, Chief Engineer submitted that, since an Interim Order status-quo *was* issued by the Hon'ble High Court in Writ Petition No.38401/2014, the effective steps could not be



(26)

taken to rejuvenate the lake, though a sum of Rupees Eight crore has been sanctioned from the government to rejuvenate the lake and the contract work was also entrusted to the contractor. He further submitted that, since recently status-quo granted by the Hon'ble High Court has been modified that there is no objection for the BBMP to develop the lake and to take steps for removal of the encroachment. It is his submission that, the encroachment could be removed only after the survey of the lake area and the same is required to be done by the concerned surveyor under the instruction of the ADLR, Bengaluru East Taluk.

5. In the light of <sup>what is</sup> ~~the reasons~~ stated above, I am of the view that, the only order that is required to be made is to direct the ADLR, Bengaluru East Taluk to get the lake area surveyed and identify the encroachment. The Tahsildar Bengaluru East Taluk and other concerned revenue officers are directed to

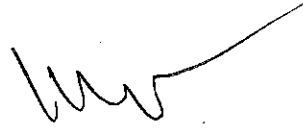


remove the encroachment in accordance with law.

6. The 2<sup>nd</sup> respondent is directed to instruct the concerned officers to visit the lake and submit status report with regard to the quality of the water in the lake and take steps to prevent entering effluent substance to the lake and submit an action taken report by the next date of hearing.

7. It is needless to point out that the Deputy Commissioner, Bengaluru Urban District is required to ensure that the ADLR, Bengaluru East Taluk to get the lake area surveyed and also encroachment ~~is~~ removed.

8. Sri B.T.Mohan Krishna, Chief Engineer prays for three months time to show substantial progress in the matter of rejuvenation of lake. Accordingly, three months time is granted to file the status report with regard to the rejuvenation of the lake by the Chief Engineer.

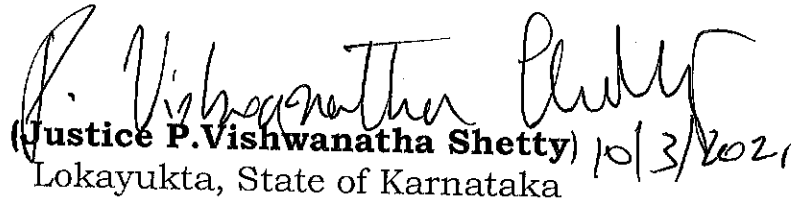


78

9. Issue notice to the ADLR, Bengaluru East Taluk. He is given six weeks' time to get the lake area surveyed and submit a report. Thereafter, the Tahsildar is given time to submit the report with regard to the action taken for the removal of encroachment by the next date of hearing.

10. Communicate this order to all the parties concerned.

**List this matter on 10-06-2021 at 3.30 p.m.**

  
(Justice P. Vishwanatha Shetty) 10/3/2021  
Lokayukta, State of Karnataka

ck\*

Secretary)

12

39. As directed by the order of Hon'ble Lokayukta in view of the surge in Covid-19 cases, the matter is adjourned to 09.07.2021. However, the respondents are directed to submit their up-to-date action taken reports by 09.07.2021 with regard to the steps taken for rejuvenation of lake in question as directed by the Hon'ble Lokayukta in the order dated 10.03.2021.

  
Secretary