Print

Karnataka Lokayukta

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

CASE

NUMBER COMPT/LOK/BCD/2525/2018

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, Vibhuthipura Lake, BENGALURU.

2. SECRETARY,

Pollution Control Board, BENGALURU.

3) The chairman. BWSSB-B'Tour RESPONDENT/S

Allegation/Grievance Dereliction of Duty.

Received From:

ARE-1 Sec

Received On:

04-09-2018

J. 29-19 Seal and Signature

Complaint stands

allotted to:

ARE-1

SCRUTINY AND OPINION

KARNATAKA LOKAYUKTA, BENGALURU

No:Compt/LOK/BCD-2522/2018 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 **Vibhuthipura Lake** 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 **Vibhuthipura Lake** 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 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 **Vibhuthipura Lake** 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 respondents impleaded for the present case, it is desirable to implead the Chairman, BWSSB as

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Respondent-3, who has to submit the status report regarding the action taken for rejuvenation of **Vibhuthipura Lake.**

- 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_i m.

Justice P.Vishwanatha Shetty)

Lokayukta, State of Karnataka

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ARE-1)

7) 13/11/2018.

ARE-1

क्राफिलकाति . तम

रेक्टर एक्टरिकेट रिक्टर

- वत्मक्र हो क्रिक्टावर विकार

गर्छ देखान्द्र भिष्ट्रभा

. ಹಾರಿಯ ಬೆಕ್ಟ್ ಸ್ಟರಾದಿಯ

KARNATAKA LOKAYUKTA: BENGALURU

No: Compt/Lok/BCD-2525/2018/ARE-1

Date: 13-11-2018

ORDER

On behalf of Sri. H.S.Doreswany, who is the Complainant in this case, Sri. N.R.Suresh and Smt. Chaitanya are present.

- 2. Sri. T. Jagannath Rao, Deputy Conservator of Forest, Bruhat Bengaluru Mahanagara Palike is present.
- 3. Sri. Lakshman, Senior Environmental Officer is present along with R.V.Bhat, Legal Officer, on behalf of Karnataka State Pollution Control Board, Bengaluru (hereinafter referred to as **'KSPCB'** for short).
- 3. Sri. Lakshman has filed a status report dated 13-11-2018. It is useful to extract the said report, which reads as follows:

"ಸಂ. ಕರಾಮಾನಿಮಂ/ಹಿಪಅ/2018-19

ದಿನಾಂಕ: 13-11-2018

ಇವರಿಗೆ, ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-1, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬಹುಮಾಡಿ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೆ,

ವಿಷಯ:

ವಿಭೂತಿಪುರ ಕೆರೆಗೆ ಸಂದಂಧಿಸಿದಂತೆ ಶ್ರೀ ಹೆಚ್ ಎಸ್. ದೊರೆಸ್ವಾಮಿಯವರು ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತ ಸಂಸ್ಥೆಗೆ ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.

ಉಲ್ಲೇಖ:-

- 1. ಮಂಡಳಿಯ ಕೇಂದ್ರ ಕಛೇರಿಯ ದೂರಿನ ಸಂಖ್ಯೆ COMPTL/LOK/BCD/2525/2018.
- 2. ಮಂಡಳಿಯ ಅಧಿಕಾರಿಗಳು ಕೆರೆಯ ಪರಿವೀಕ್ಷಣೆ ನಡೆಸಿದ ದಿನಾಂಕ: 05.10.2018.
- 3. ಮಹದೇವಪರ ಪ್ರಾದೇಶಿಕ ಕಛೇರಿಯ ಮಂಡಳಿಯ ಕೇಂದ್ರ ಕಛೇರಿಗೆ ಬರೆದಿರುವ ಪತ್ರ ಸಂಖ್ಯೆ 1123, ದಿನಾಂಕ: 10.10.2018.
- 4. ಮಹದೇವಪರ ಪ್ರಾದೇಶಿಕ ಕಛೇರಿಯಿಂದ ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ, ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ ಹಾಗು ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿಯವರಿಗೆ ಬರೆದಿರುವ ಪತ್ರ ದಿನಾಂಕ: 25.10.2018.

ಮೇಲಿನ ವಿಷಯ ಮತ್ತು ಉಲ್ಲೇಖಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಶ್ರೀ ಹೆಚ್ ಎಸ್. ದೊರೆಸ್ವಾಮಿಯವರು ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ರವರಿಗೆ ನೀಡಿದ ದೂರಿನ ಅನ್ವಯ, ಮಂಡಳಿಯ ಕೇಂದ್ರ ಕಛೇರಿಯವರು ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ, ಮಹದೇವಪರಕ್ಕೆ ಪತ್ರ ಬರೆದು ಕೆರೆಯ ಪರಿವೀಕ್ಷಣೆ ಮಾಡಿ ವರದಿ ಸಲ್ಲಿಸುವಂತೆ ಸೂಚಿಸಿರುತ್ತಾರೆ. ಅದರಂತೆ ಮಂಡಳಿಯ ಅಧಿಕಾರಿಗಳ ದಿನಾಂಕ: 05.10.2018 ರಂದು ಪರಿವೀಕ್ಷಣೆಯನ್ನು ಮಾಡಿ ದಿನಾಂಕ: 10.10.2018 ರಂದು ವರದಿಯನ್ನು ಕೇಂದ್ರ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ವರದಿಯ ಸಾರಾಂಶವನ್ನು ತಮ್ಮ ಅವಗಾಹನೆಗೆ ಈ ಕೆಳಕಂಡಂತೆ ನೀಡಲಾಗಿದೆ:

- ಈ ಕೆರೆಯು ಸುಮಾರು 45 ಎಕರೆಯಷ್ಟು ವಿಸ್ತಾರವಾಗಿದ್ದು, ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧೀಕಾರದವರು ಎರಡು ವರ್ಷಗಳ ಹಿಂದೆ ಕೆರೆಯನ್ನು ಪುನರ್ಚೇತನಗೊಳಿಸಿದ್ದು ಪ್ರಸ್ತುತ ದುಸ್ಥಿತಿಯಲ್ಲಿದೆ ಹಾಗು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯ ವತಿಯಿಂದ ಮತ್ತೆ ಪುನರ್ಚೇತನಗೊಳಿಸುವ ಕಾರ್ಯವನ್ನು ಕೈಗೆತ್ತಿಕೊಳ್ಳಲಾಗಿದ್ದು ಸದರಿ ಕಾರ್ಯವು ಪ್ರಗತಿಯಲ್ಲಿದೆ.
- ಕೆರೆಯ ಸುತ್ತ ಬೇಲಿಯನ್ನು ಹಾಕಿದ್ದು ಕೆಲವು ಜಾಗಗಳಲ್ಲಿ ಸದರಿ ಕೆಲಸವು ಭೂವಿವಾದದಿಂದಾಗಿ ಅಪೂರ್ಣಗೊಂಡಿದೆ.

Page 2 of 5

- ಕೆರೆಗೆ ರೊಚ್ಚು ನೀರು ಹರಿಸುತ್ತಿದ್ದ ಸಣ್ಣ ಪುಟ್ಟ ಚರಂಡಿಗಳನ್ನು ಮಾರ್ಗ ಬದಲಿಸಿ ಒಳಚರಂಡಿ ವ್ಯವಸ್ಥೆಗೆ ಸಂಪರ್ಕ ಕಲ್ಪಿಸಲಾಗಿದೆ. ಆಧ್ಯಾಗ್ಯೂ ಲಾಲ್ ಬಹದ್ದೂರ್ ಶಾಸ್ತ್ರಿ ನಗರ ಕಡೆಯಿಂದ ಬರುವ ಮುಖ್ಯ ತೆರೆದ ಚರಂಡಿಯಿಂದ ರೊಚ್ಚು ನೀರು ಕೆರೆಯ ಅಂಗಳಕ್ಕೆ ಸೇರುತಿದ್ದು, ಅದು ಪರಿಪೂರ್ಣವಾಗಿ ಕೆರೆಗೆ ಹರಿದು ಹೋಗದಂತೆ ಒಂದು ಒಡ್ಡನ್ನು ನಿರ್ಮಿಸಲಾಗಿದೆ.
- ಹಾಲಿ ಕೆರೆಗೆ ಒಳಹರಿವು ಕಡಿಮೆಯಾಗಿದ್ದು, ಹೆಚ್ಚು ಕಡಿಮೆ ಕೆರೆಯು ಬತ್ತಿ ಹೋಗಿದ್ದು ನೀರು ಸಸ್ಯಗಳು, ಕೆಸರು ಹಾಳೆ ಗಿಡ (water hyacinth) ಮುಂತಾದುವುಗಳು ನಶಿಸಿಹೋಗಿದ್ದು ಕೆಲವು ಕುರುಚುಲು ಹಾಗು ಹುಲ್ಲಿನಂತಹ ಸಸ್ಯ ಪ್ರಭೇದಗಳು ಬೆಳೆದಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ.
- ಕೆರೆಯ ಏರಿಯ ಮೇಲೆ ಕೆಲವು ಜಾಗಗಳಲ್ಲಿ ಘನತ್ಯಾಜ್ಯ ವಸ್ತುಗಳನ್ನು ವಿಲೇವಾರಿ ಮಾಡಿರುವುದು ಕಂಡುಬಂದಿದ್ದು, ಕೆರೆಯ ಆವರಣದಲ್ಲಿ ಕಿಡಿಗೇಡಿಗಳು ಸುಳಿದಾಡುವುದನ್ನು ಸೂಚಿಸುತ್ತದೆ.

ಮೇಲಿನ ವಿಚಾರಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪ್ರಾದೇಶಿಕ ಕಛೇರಿ, ಮಹದೇವಪರದವರು ದಿನಾಂಕ: 25.10.2018 ರಂದು ಈ ಕೆಳಕಂಡವರಿಗೆ ಪತ್ರವನ್ನು ಬರೆದಿದ್ದಾರೆ:

- 1. ಅಭಿಯಂತರ ಅಧಿಕಾರಿ-1, ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ, ಕುಮಾರ ಪಾರ್ಕ್: ಕೆರೆಯ ಸುತ್ತ ಬೇಲಿಯನ್ನು ಹಾಕಿ, ಕಿಡಿಗೇಡಿಗಳು ಸುಳಿದಾಡದಂತೆ ಸರಹದ್ದನ್ನು ಭದ್ರಗೊಳಿಸಲು ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ಕೋರಲಾಗಿದೆ. ಪತ್ರದ ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ 1 ರಲ್ಲಿ ಲಗತ್ತಿಸಲಾಗಿದೆ.
- 2. ಮುಖ್ಯ ಅಭಿಯಂತರು, ಕೊಳಚೆ ನೀರು ನಿಭಾವಣೆ ವಿಭಾಗ, ಬೆಂಗಳೂರು ನೀರು ಸರಬರಾಜು ಮತ್ತು ಒಳಚರಂಡಿ ಮಂಡಳಿ, ಕಾವೇರಿ ಭವನ: ಲಾಲ್ ಬಹದ್ದೂರ್ ಶಾಸ್ತ್ರಿನಗರ ಕಡೆಯಿಂದ ತೆರೆದ ದೊಡ್ಡ, ಮಳೆ ನೀರಿನ ಚರಂಡಿಯಲ್ಲಿ ಹರಿದು ಬರುತ್ತಿರುವ ರೊಚ್ಚು ನೀರು ಕೆರೆಗೆ ಸೇರದಂತೆ ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ಕೋರಲಾಗಿದೆ. ಪತ್ರದ ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ 2 ರಲ್ಲಿ ಲಗತ್ತಿಸಲ್ತಾಗಿದೆ.
- 3. ಜಂಟಿ ಆಯುಕ್ತರು, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ, ಮಹದೇವಪುರ: ಕೆರೆಯ ಏರಿಯ ಮೇಲೆ ಈಗಾಗಲೇ ಸುರಿದು ಗುಡ್ಡೆಯಾಗಿರುವ ಘನ ತ್ಯಾಜ್ಯ ವಸ್ತುವನ್ನು ತೆರವುಗೊಳಿಸಿ, ಮುಂದೆ ಅಂತಹ ವಿಲೇವಾರಿಗಳು ಅಲ್ಲಿ ಜರುಗದಂತೆ ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ ಕೋರಲಾಗಿದೆ. ಪತ್ರದ ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ 3 ರಲ್ಲಿ ಲಗತ್ತಿಸಲಾಗಿದೆ.

ಮಂಡಳಿಯ ಪತಿಯಿಂದ ದಿನಾಂಕ: 05.10.2018 ರಂದು ಸಂಗ್ರಹಿಸಿದ ಕೆರೆಯ ನೀರಿನ ಮಾದರಿಯ ವಿಶ್ಲೇಷಣಾ ವರದಿಯ ಪ್ರಕಾರ ನೀರಿನ ಗುಣಮಟ್ಟವು ಕೇಂದ್ರ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ ನಿಗಧಿಪಡಿಸಿರುವಂತೆ ವರ್ಗ D ನಲ್ಲಿರುತ್ತದೆ ಹಾಗು ಸದರಿ ನೀರನ್ನು Propagation of wildlife and fisheries ಗೆ ಉಪಯೋಗಿಸಬಹುದಾಗಿರುತ್ತದೆ. ಈ ಮೇಲ್ಕಂಡ ವಿಚಾರಗಳನ್ನು ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರ ಅವಗಾಹನೆಗಾಗಿ ವಂದನೆಗಳೊಂದಿಗೆ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ಅಡಕ: ಮೇಲಿನಂತೆ

ಸಹಿ/–

ಹಿರಿಯ ಪರಿಸರ ಅಧಿಕಾರಿ ಬೆಂಗಳೂರು ಪೂರ್ವ ವಲಯ".

Page 3 of 5

LOK BCD-2525/18 9-

- Smt. Chaitanya pointed out that a portion of the 4. lake has been encroached. It is needless to point out that if any portion of the lake has been encroached, the encroachment has to be removed. For the said purpose, it is desirable to get the lake surveyed. The Bruhat Bengaluru Mahanagara Palike to coordinate with the Survey Department and get the lake surveyed for the said Issue notice to Assistant Director of Land purpose. Records, Bengaluru South and also to the Tahsildar, Bengaluru South. The Tahsildar shall take immediate steps to get Vibhuthipura lake surveyed and fix up the boundaries. On such survey, the Bruhat Bengaluru Mahanagara Palike to fix up the boundary and fence the This is required to be done by the next date of lake. hearing.
- 5. Sri. T.Jagannath Rao, submits that de-silting work has been completed and drain has already been constructed and other development activities including fencing is going on. He submitted that he will file the



report within the next date of hearing showing the full developmental activities carried out by Bruhat Bengaluru Mahanagara Palike.

6. Communicate this order to the parties.

List this case on 12-02-2019 at 03-00 p.m.

atha Shetty),

Lokayukta, Karnataka State.

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इ०६०० वे कर्षे डे अपने,

हिल्लाहर मेर्डिस कार्य

क्षा न्या क्षेत्रक स्ट्रिस भारतिक स्ट्रिस

ध्येनकार हितिहे छात्वान्ध

क्रिक्टिन किन्द्र , किन्द्रिन क्रि

किर्यष्ट्रियान्द्रि . १६ त्य हि

8105/51/11 : कि र्युर्ट क्

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Page 5 of 5 Cores Chare

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819 B; 21/01/2019

KARNATAKA LOKAYUKTA, BENGALURU

No:Compt/LOK/BCD-2525/2018 Date: 12-02-2019

ORDER

No one is present on behalf of the complainant.

- 2. Smt. Bhupradha, Assistant Executive Engineer, BBMP, Bengaluru is present.
- 3. In my order dated 13-11-2018, I had directed the Assistant Director of Land Records (ADLR for short), Bengaluru South Taluk as well as the Tahsildar, Bengaluru South Taluk to get the lake in question surveyed and fix up the boundaries. Pursuant to the said order, communication dated 11-12-2018 has been sent by the ADLR, Bengaluru South District addressed to the ARE-1 pointing out that the Vibhutipura Lake does not fall within his jurisdiction and it comes within the jurisdiction of Bengaluru East Taluk.
- 4. In the light of the said communication, it is necessary to issue notice to the ADLR, Bengaluru East Taluk and the Tahsildar, Bengaluru East Taluk

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Lox/BCD-2525/18: 2

to comply with the direction given by me at paragraph 4 of my earlier order dated 13-11-2018. It is useful to extract paragraph 4 of the said order, which reads as hereunder:

"4. Smt. Chaitanya pointed out that a portion of the lake has been encroached. It is needless to point out that if any portion of the lake has been encroached, the encroachment has to be removed. For the said purpose, it is desirable to get the lake surveyed. The Bruhat Bengaluru Mahanagara Palike to coordinate with the Survey Department and get the lake surveyed for the said purpose. Issue notice to Assistant Director of Land Records, Bengaluru South and also to the Tahsildar, Bengaluru South. The Tahsildar shall take immediate steps to get Vibhuthipura lake surveyed and fix up the boundaries. On such survey, the Bruhat Bengaluru Mahanagara Palike to fix up the boundary and fence the lake. This is required to be done by the next date of hearing."

- 5. In the light of the statement of ADLR, Bengaluru South Taluk, ADLR, Bengaluru East Taluk and the Tahsildar, Bengaluru East Taluk are directed to take immediate steps to get the lake surveyed and fix up the boundaries after removal of encroachment.
- Smt. Bhupradha submitted that the de-silting 6. work, construction of Sewage diversion drain work has already been completed and pathway improvement work is to be done. She further pointed out that the security room is also been constructed and Home guards have been deployed. The statement made by her is placed on record. She has filed certain photographs showing the status of the area before de-silting and thereafter. She further pointed out that, in respect of pathway, the BBMP is required to lay Cabal and the said work will be completed within the period of two months from today and the said statement is placed on record.
- 8. In the light of the statement of ADLR, Bengaluru South Taluk, the ADLR and the Tahsildar

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of Bengaluru East Taluk are directed to get the Vibhutipura Lake surveyed and fix up the boundaries after removal of encroachment within a period of eight weeks from today and file the status report with regard to the steps taken.

9. Communicate this order to all the parties concerned.

List this matter on 6^{th} June 2019 at 3.00 p.m.

Justice P. Vishwanatha Shetty)

Lokayukta, State of Karnataka

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ARE-1)

9) <u>06/06/2019.</u> - Entertals of 6 - Entertals 6 tab

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दिशाधिक वास्त्र केरा केरा है।

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ADLR, (south).

ADLR (East TQ),

3084028 (East TQ)

- ಕವೆಲಂಡ ಅನುಪಾಲನಾ

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भीकृष्टी कि विवयक वि क्रिकी

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ARET

KARNATAKA LOKAYUKTA: BENGALURU

No: Compt/Lok/BCD-2525/2018/ARE-1

Date: 06-06-2019

ORDER

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

Bhupradha, Assistant Executive 2. Engineer, Smt. Bruhat Bengaluru Mahanagara Palike, Bengaluru (herein after referred to as 'BBMP' for short), is present. She has filed certain photographs showing the work taken up by the BBMP to develop the pathway surrounding the lake and also the steps taken to plant the plants. It is pointed out by her that an organization known as 'Say Trees' has taken up the work of planting the plants voluntarily they have come forward to plant the plants twice a week. Further she submitted that they are carrying out the work only on Holidays once in a week. According to her, if they execute the work of planting around 500 trees, it will take around three to four months. It is needless to point out that what is important is planting of the plants at the earliest. On account of voluntary labour of organization known as 'Say Trees' or by the Bruhat Bengaluru Mahanagara Palike, planting of trees cannot be allowed to be delayed for long time, as it has to be done before the rainy season comes to an end.

- 3. No one is present on behalf of the Bengaluru Water Supply and Sewerage Board (herein after referred to as 'BWSSB' for short) and Karnataka State Pollution Control Board (herein after referred to as 'KSPCB' for short).
- 4. A letter dated 06-06-2019 is filed on behalf of the Complainant. The said letter is placed on record. It is useful to extract the said letter, which reads as here under:

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ದಿನಾಂಕ-06-06-2019

ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು–1 ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತಕಭೇರಿ ಎಂ.ಎಸ್.ಬಿಲ್ಡಿಂಗ್, ಡಾ. ಬಿ.ಆರ್ಅಂಬೇಡ್ಕರ್ ವೀದಿ, ಬೆಂಗಳೂರು–560001

ಮಾನ್ಯರೇ,

ವಿಷಯ :ವಿಭೂತಿಮರಕೆರೆಯ ಬಗ್ಗೆ ಸ್ಥಿತಿಗತಿ ವರದಿ ಸಲ್ಲಿಕೆ ಉಲ್ಲೇಖ :ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಆದೇಶ ಸಂಖ್ಯೆComp/Lok/BCD-2525/2018.

ಕಂದಾಯ ಇಲಾಖಾ ದಾಖಲೆಗಳ ಪ್ರಕಾರವಿಭೂತಿಮರಕೆರೆಯುಬೆಂಗಳೂರು ಮೂರ್ವತಾಲ್ಲೂಕು, ಮಾರತ್ತಹಳ್ಳಿ ಹೋಬಳಿ, ವಿಭೂತಿಮರ ಸರ್ವೇ ನಂ 175ರಲ್ಲಿಒಟ್ಟು45ಎಕರೆ 18ಗುಂಟೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ.

ಈ ಕೆರೆಯಲ್ಲಿ ಕೆಲವು ಸಮಸ್ಯೆಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಈ ಕೆಳಗಿನಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

- 1. ಈ ಕೆರೆಯು ಕೋಳಿವಾಡ ಸಮಿತಿಯ ವರದಿ ಮತ್ತುಕಂದಾಯ ದಾಖಲೆಗಳ ಪ್ರಕಾರಒಟ್ಟು 3 ಎಕರೆ 13 ಗುಂಟೆ ಒತ್ತುವರಿಯಾಗಿದೆ.
- 2. ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರ (Comp/Lok/BCD-2525/2018-ದಿನಾಂಕ 12–02–2019) ಆದೇಶದಂತೆ ವಿಭೂತಿಮರ ಕೆರೆ ಸರ್ವೇ ಮಾಡಲು 8 ವಾರಗಳ ಗಡುವನ್ನು ನೀಡಲಾಗಿದ್ದು, ಇನ್ನು ಈ ಕೆರೆಯ ಸಮೀಕ್ಷೆ ಆಗಿರುವುದಿಲ್ಲ. ಹಾಗಾಗಿ ಈ ಕೆರೆಯನ್ನು ಸರ್ವೇ ಶೀಪ್ರ ಮಾಡಿ ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸಬೇಕಿದೆ.
- 3. ಈ ಕೆರೆಗೆಕಸವನ್ನು ಸುರಿಯಲಾಗುತ್ತಿದ್ದು, ಇದನ್ನುತಡೆಗಟ್ಟಬೇಕಿದೆ.
- 4. ಈ ಕೆರೆಗೆ ಕೊಳಚೆ ನೀರುಮಳೆಕಾಲುವೆ ಮೂಲಕ ಹರಿದು ಬರುತ್ತಿದ್ದು, ಇದನ್ನುತಡೆಗಟ್ಟಬೇಕಿದೆ.

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Page 2 of 5

5. ಈ ಕೆರೆಯ ಸುತ್ತಮುತ್ತಲ ಪ್ರದೇಶಗಳಿಂದ ಕೊಳಚೆ ನೀರು ಹರಿದುಕೆರೆ ಸಂಪೂರ್ಣ ಕಲುಷಿತಗೊಂಡಿದೆ. ಉದಾ: ಕೆಂಪಣ್ಣರಸ್ತೆಯ ಕಡೆಯಲ್ಲಿ ಮತ್ತು ಅಪ್ಸಾ ಕಛೇರಿಯ ಬಳಿ ಯು.ಜಿ.ಡಿ ನೀರು ನೋರಿಕೆಯಾಗುತ್ತಿದೆ, ಕೊಳಚೆ ನೀರು ಕೆರೆಗೆ ಹರಿಯುವುದನ್ನು ತಡೆಗಟ್ಟಬೇಕಿದೆ.

ಈ ಮೇಲಿನ ಸಮಸ್ಯೆಗಳನ್ನು ಶೀಘ್ರ ಪರಿಹರಿಸುವ ನಿಟ್ಟಿನಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳಿಗೆ ತಾವ ರ್ರಆದೇಶ ನೀಡಬೇಕೆಂದು ತಮ್ಮಲ್ಲಿ ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.

ಧನ್ಯವಾದಗಳೊಂದಿಗೆ,

ಇಂತಿ ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಎನ್ಆರ್ ಸುರೇಶ್, ಸಂಚಾಲಕರು, ಯುನೈಟೆಡ್ ಬೆಂಗಳೂರು".

- 5. In the letter it is pointed out that, garbage is being thrown into the lake and also affluent substance is also being discharged to the lake and on account of that lake water is completely polluted. The copy of the letter is handed over to Smt. Bhupradha, Asst. Executive Engineer.
- On the last date of hearing, I had directed the ADLR, 6. Bengaluru East Taluk and the Tahsildar, Bengaluru East Taluk to get Vibhuthipura Lake surveyed and fix up the boundaries after removal of the encroached area, within a period of eight weeks from that day. No one is present on behalf of the ADLR, Bengaluru East Taluk and also Tahsildar, Bengaluru East. The office records show that the been served. notices them have sent Smt. Bhupradha submits that she has also communicated them requesting them to get the lake surveyed and she has not received any communication until now about the survey work being carried out.

Page 3 of 5

- 7. In the light of what is stated above, I am of the view, that it would be in the interest of justice, to give one more opportunity to the ADLR, Bengaluru East Taluk and also to the Tahsildar, Bengaluru East Taluk, to get Vibhuthipura lake surveyed and fix up the boundaries after removal of the encroachments, if any. They are given eight weeks time from today to do the needful.
- 8. It is needless to point out that the officials in charge of BWSSB and Storm Water Drain of BBMP are required to take effective steps to prevent discharge of affluent substance to the lake and also disposal of waste to the lake, as pointed out by Sri. M. Lakshmikanth, in his letter referred to above, who is representing the Complainant Sri. H.S.Doreswamy.
- 9. Sri. M. Lakshmikanth also can give a representation to BWSSB and to the concerned engineer of Storm Water Drain of BBMP and all other concerned to take effective measures to prevent discharge of affluent substance to the lake and also the disposal of other garbage and waste materials to the lake.
- 10. I am sure, the Guards stated to have been posted by the BBMP will take care of disposal of the waste material into the lake and BBMP will take steps to prosecute the persons who indulge in disposal of the waste materials to the lake and pollute the lake.

11. **List this case on 20-08-2019 at 03-00 p.m.** By the next date of hearing, all the concerned officers of BBMP, BWSSB and KSPCB to file status report with regard to the steps taken by them.

12. Communicate this order to the all the Respondents

i.e., BBMP, BWSSB and KSPCB.

Justice P. Vishwanatha Shetty),

Lokayukta,

Karnataka State.

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म्बारि भारति पार्टिक

हिन्दी प्राथमा हिन्दी

. किला कार्यक

ARET

KARNATAKA LOKAYUKTA, BENGALURU

p/als - 22019

No:Compt/LOK/BCD-2525/2018 Date: 12-02-2019

ORDER

On behalf of complainant Sri.H.S.Doreswamy, Sri Lakshmikanth is present. Smt Amreen Khadri and Smt. Satyavathi representing Vikasa Team, who are the residents of the lake area, are present.

- 2. Smt. Bhupradha, Assistant Executive Engineer (Lakes), BBMP, Bengaluru is present along with Smt. N.K.Sapna, Assistant Engineer, BBMP.
- 3. Sri Ravindrakumar, Executive Engineer, BWSSB is present along with Sri S.Raghu, Executive Engineer, BWSSB, Sri V.Prakash, Assistant Executive Engineer, BWSSB and Sri Yeshant, Assistant Engineer, BWSSB.
- 4. Though in my order dated 06-06-2019 at paragraphs 6 & 7, I had directed the ADLR, Bengaluru East Taluk and the Tahsildar, Bengaluru East Taluk to get Vibhuthipura Lake surveyed and fix up the boundaries after removal of the

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encroached area etc., and given eight weeks time, but no one is present on behalf of the ADLR & the Tahsildar, Bengaluru East Taluk. It is useful to extract paragraphs 6 & 7 of the said order, which reads as hereunder:

- "6. On the last date of hearing, I had directed the ADLR, Bengaluru East Taluk and the Tahsildar, Bengaluru East Taluk to get Vibhuthipura Lake surveyed and fix up the boundaries after removal of the encroached area, within a period of eight weeks from that day. No one is present on behalf of the ADLR, Bengaluru East Taluk and also Tahsildar, Bengaluru East. The office records show that the notices sent to them have been served. Smt. Bhupradha submits that she has also communicated them requesting them to get the lake surveyed and she has not received any communication until now about the survey work being carried out.
- 7. In the light of what is stated above, I am of the view, that it would be in the interest of justice, to give one more opportunity to the ADLR, Bengaluru East Taluk and also to the Tahsildar, Bengaluru East Taluk, to get Vibhuthipura lake surveyed and fix up the boundaries after removal of the encroachments, if any. They are given eight weeks time from today to do the needful."
- 5. In the light of what is stated above, issue show-cause notice to the ADLR, Bengaluru East

Taluk and also to the Tahsildar, Bengaluru East Taluk for failure to comply with my order dated 06-06-2019 and submit their explanation by the next date of hearing. They are also directed to comply with the directions in my order dated 06-06-2019 extracted above, by the next date of hearing.

6. So far as BWSSB is concerned, a status report dated 20-08-2019 is filed on behalf of the Chief Engineer, BWSSB. It is useful to extract the same, which reads as hereunder:

ವಿಷಯ: ಶ್ರೀ ಹೆಚ್.ಎಸ್. ದೊರೈಸ್ವಾಮಿ ರವರು ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರಿಗೆ ಸಲ್ಲಿಸಿರುವ ದೂರಿನ ಕುರಿತು ಅನುಸರಣ ವರದಿಯನ್ನು ಸಲ್ಲಿಸುವ ಬಗ್ಗೆ. ಉಲ್ಲೇಖ: 1) ಸಂ.ಕಂ.ಲೋಕ್.ಬಿಸಿಡಿ/2525/2018/ಎಆರ್ಇ–1 ದಿ.6.6.2019. 2) ಸಂ.ಬೆಂಜಮಂ/ಕಾನಿಅ(ಆ)–1/1107/2019–20 ದಿ.19.8.2019

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ತ್ರೀ ಹೆಚ್.ಎಸ್. ದೊರೈಸ್ವಾಮಿ ರವರು ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರಿಗೆ ದೂರು ಸಲ್ಲಿಸಿದ್ದು, ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ತ್ರೀ ಎನ್. ಸುರೇಶ್, ಸಂಚಾಲಕರು, ಯುನೈಟೆಡ್, ಬೆಂಗಳೂರು ರವರು ದಿ.6.6.2019 ರಂದು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರವರಿಗೆ ಪತ್ರ ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ಪತ್ರದಲ್ಲಿ ವಿಭೂತಿಪುರದ ಕೆರೆಗೆ ಕೊಳಚೆ ನೀರು ಮಳೆ ನೀರು ಕಾಲುವೆ ಮೂಲಕ ಹರಿದು ಬರುತ್ತಿದ್ದು, ಇದನ್ನು ತಡೆಗಟ್ಟಬೇಕೆಂದು ಕೋರಿರುತ್ತಾರೆ.

ಮುಂದುವರೆದು, ಸದರಿ ಕೆರೆಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶವನ್ನು ಸಹಾಯಕ ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಭಿಯಂತರರು(ಪೂ)–4 ರವರು ಪರಿವೀಕ್ಷಣೆ ನಡೆಸಿ ಕೆಂಪಣ್ಣ ರಸ್ತೆ ಹಾಗೂ ಅಪ್ಸಾ ಕಚೇರಿಯ ಬಳಿ ಕೆಲವು ಒಳಚರಂಡಿ ಕೊಳವೆಗಳು ಒಡೆದು ಹೋಗಿದ್ದ ಕಾರಣ ಒಳಚರಂಡಿ ನೀರು ಮಳೆ ನೀರು ಕಾಲುವೆಗೆ ಹರಿಯುತ್ತಿದ್ದು,

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ಆದ್ದರಿಂದ ಸದರಿ ಒಳಚರಂಡಿ ಕೊಳವೆಗಳನ್ನು ಕೂಡಲೇ ಬದಲಾಯಿಸಿದ್ದು, ಪ್ರಸ್ತುತ ತ್ಯಾಜ್ಯ ನೀರು ವಿಭೂತಿಮರ ಕೆರೆಗೆ ಹರಿಯದಂತೆ ನಿಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ ಎಂದು ತಮ್ಮ ಆದ್ಯ ಗಮನಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ಆದುದರಿಂದ ಸಧರಿ ಪ್ರಕರಣದಿಂದ ಜಲಮಂಡಲಿಯನ್ನು ಕೈಬಿಡಬೇಕೆಂದು ಈ ಮೂಲಕ ವಿನಯ ಪೂರ್ವಕವಾಗಿ ಪ್ರಾರ್ಥಿಸಿಕೊಳ್ಳುತ್ತೇವೆ."

It is pointed out by Sri Ravindrakumar that, 7. they have rectified the damaged pipelines and now provided for a smooth passage of sewage water. While this position is admitted by Sri Lakshmikanth and Smt. Amreen, they pointed out that, on account of narrowing down of the width of the Rajakaluve, no water is being supplied to the lake. This is a matter on which BBMP is required to examine and take appropriate steps for free flow of water to the lake from Rajakaluve. The BBMP is given eight weeks time to take appropriate steps to improve the position of the Rajakaluve and to provide free flow of water to the lake. Smt. Bhupradha is instructed to coordinate with the concerned engineer of the Strom Water Drain and take appropriate steps in the matter and communicate this order Smt. Malathi, Executive Engineer (Strom Water Drain). BBMP for appropriate steps/action.

Smt. Amreen Khadri had assured me that, she will also coordinate with Smt. Malathi. The said statement is placed on record.

- 8. In the course of hearing, it is brought to my notice that, certain people residing around the lake are throwing waste/garbage to the lake, this is the matter of serious concern. It is needless to point out that, it is the duty of the BBMP to prevent such waste/garbage being throwing to the lake and to take appropriate action to prosecute such persons who indulged in throwing waste/garbage to the lake. The Officer who is in charge of the Solid Waste Management, BBMP is to prevent such incidents being taken place in the future and submit a status report in that regard.
 - 9. Smt. Bhupradha submitted that, a proposal for installation of 1½ MLD STP is sent to the government and for that purpose another proposal for sanction of rupees 4 crores also has been sent to the government and since the proposal is approved, after calling for tender, steps would be taken to

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install 1½ MLD STP. The said statement is placed on record. I am sure the authorities who are in charge of the approval of the proposal would consider the request of the BBMP and take appropriate decision for the approval of the proposal without further loss of time.

10. Communicate this order to all the parties concerned.

List this matter on 27-11-2019 at 3.00 p.m.

(Justice/P. Vishwanatha Shetty)
Ibokayukta, State of Karnataka

ck*

ARE-1)

E.E. BBMP Letter dt 21-11-19.

received.

Tahasildan Letter dt 1 26/7/19 recurred.
BUSSB, CE, Letter dt 5 26/11/19 recurred.

KARNATAKA LOKAYUKTA, BENGALURU

No. Compt/Lok/BCD-2525/2018

Date: 27.11.2019

ORDER

On behalf of the complainant Sri. Doreswamy, Sri. Lakshmikantha is present.

On behalf of BBMP Sri. Mohan Krishna, Chief Engineer (Lakes), BBMP is present along with Smt. Bhupradha, Assistant Executive Engineer (Lakes), Mahadevapura Zone, BBMP, Bengaluru.

Smt. Malathi, Executive Engineer, Storm Water Drain Division, BBMP is present.

Sri. Ravindra Kumar, Executive Engineer, BWSSB, Bengaluru is present.

Sri. Santhosh, ADLR, Bengaluru East Taluk is present. He submitted that since the Tahasildar is held up in a court proceedings in a civil dispute, he has not been able to appear today. It is his submission that the steps were taken to survey the encroached portion of the lake area on 19.11.2019 and since there were some objections raised by the certain local people, the survey work has

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been deferred to 07.12.2019. He submitted that the survey work would be carried out on 07.12.2019 and report will be submitted on that behalf. He also pointed out that after the survey work is completed, the effective steps would also be taken for removal of the encroachers.

On behalf of BBMP, Smt. Bhupradha, Assistant Executive Engineer has submitted a status report dated 27.11.2019. It is useful to extract the same which reads as hereunder;

"ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಹಾಗೂ ಉಲ್ಲೇಖ ಪತ (1) ಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಶ್ರೀ. ಹೆಚ್.ಎಸ್. ದೊರೆಸ್ವಾಮಿ, ಬೆಂಗಳೂರು ರವರು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರವರು, ಕರ್ನಾಟಕ ಸರ್ಕಾರ ರವರಲ್ಲಿ ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು ವಿಭೂತಿಪುರ ಗಾಮದ ಸರ್ವೆ ನಂ:175 ರಲ್ಲಿರುವ ವಿಭೂತಿಪುರ ಸರ್ಕಾರಿ ಕೆರೆಯ ಬಗ್ಗೆ ದೂರನ್ನು ಸಲ್ಲಿಸಿದ್ದ ಮೇರೆಗೆ, ಸದರಿ ಪಕರಣವನ್ನು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತ ರವರು ದಿನಾಂಕ: 20.08.2019 ರಂದು ವಿಚಾರಣೆ ಕೈಗೊಂಡು, ಸದರಿ ದೂರಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಲು ಉಲ್ಲೇಖ (1) ರಲ್ಲಿ ಆದೇಶಿಸಿರುತ್ತಾರೆ.

ದಿನಾಂಕ: 20-2-2019 ಮುಖ್ಯ ಅಭಿಯಂತರರು, ಬೃಹತ್ ನೀರು ಗಾಲುವೆ ರವರಿಗೆ ಉಲ್ಲೇಖ (3) ರಂತೆ ವಿಭೂತಿಮರ ಕೆರೆಯ ಕೋಡಿಯಿಂದ ನೀರು ಸರಾಗವಾಗಿ ಹರಿಯಲು ಯಾವುದೇ ರಾಜಕಾಲುವೆ ಇಲ್ಲದ ಕಾರಣ ಕೆರೆಯಿಂದ ಯಾವುದೇ ಕೊಳಚೆ ನೀರು ಹೊರಗೆ ಹೊಗುತ್ತಿರುವುದಿಲ್ಲ ಈ ಬಗ್ಗೆ ತಮ್ಮ ವತಿಯಿಂದ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೋರಿ ಈ ಕಛೇರಿಯಿಂದ ಪತ್ರವನ್ನು ರವಾನಿಸಲಾಗಿರುತ್ತದೆ. ಮಾಹಿತಿಗಾಗಿ ಪ್ರತಿಯನ್ನು ಲಗತ್ತಿಸಿದೆ.

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ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ ವಶದಲ್ಲಿ 149 ಜೀವಂತ ಬೆಂಗಳೂರು ಪ್ರೆಕೆ ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆರೆಗಳಿದ್ದು, ವಿಭೂತೀಪುರ ಗಾಮದ ಸರ್ವೆ ನಂ: 175 ರಲ್ಲಿರುವ ವಿಭೂತೀಮರ ಕೆರೆಯನ್ನು ಹಂತ ಹಂತವಾಗಿ ಅಭಿವೃದ್ಧಿ ಪಡಿಸಲಾಗುತ್ತಿದ್ದು, ಸದರಿ ನೇ ಸಾಲಿನ ಪಾಲಿಯ ಕೆರೆಯ ಅಭಿವೃದ್ಧಿಗಾಗಿ 2019–20 ಆಯವ್ಯಯದಲ್ಲಿ ರೂ. 4.00 ಕೋಟಿಗಳನ್ನು ಮೀಸಲಿರಿಸಲಾಗಿದ್ದು, ಆಹ್ವಾನಿಸಲಾಗಿರುತ್ತದೆ. ದಿನಾಂಕ: 6–11–2019 ರಂದು ಟೆಂಡರ್ (1.00 ಲಗತ್ತಿಸಿದೆ. ಮಾಹಿತಿಗಾಗಿ ಪ್ರತಿಯನ್ನು, ಸಾಮರ್ಥ್ಯದ ಕೊಳಚೆ ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕ ಕಾಮಗಾರಿ, ಗೆಜೇಬೋ ಕಾಮಗಾರಿ. ನಿರ್ಮಾಣ ಪಾಥ್ವೇ ಸುಧಾರಣಾ ವ್ಯಾಯಮ ಮತ್ತು ಮಕ್ಕಳ ಆಟಿಕೆಗಳ ನಿರ್ಮಾಣ ಕಾಮಗಾರಿಗಳು) ವಿಚೂತಿಪುರ ಕೆರೆಯ 19-11-2019 ರಂದು ದಿನಾಂಕ: ಮೋಜಣಿದಾರರು ಪ್ರದೇಶದಲ್ಲಿರುವ ಒತ್ತುವರಿಗಳನ್ನು, ಗುರುತಿಸಿಕೊಡುವ ಸಂದರ್ಭದಲ್ಲಿ ಸ್ಥಳೀಯ ಮುಖಂಡರು ಹಾಗೂ ಸಾರ್ವಜನಿಕರು ಕೆಲಸಕ್ಕೆ ಅಡ್ಡಿಪಡಿಸಿರುವುದರಿಂದ ಸ್ಥಳದಲ್ಲಿ ಹಾಜರಿದ್ದ ಮೋಜಣಿದಾರರು ತಮ್ಮ ಮೇಲಿನ ಅಧಿಕಾರಿಗಳಿಗೆ ಈ ಬಗ್ಗೆ ತಿಳಿಸಿ ಸ್ಥಗಿತಗೊಳಿಸಿರುತ್ತಾರೆ. ಮೋಜಣಿದಾರರು ಕೆಲಸವನ್ನು ಮೋಜಣಿದಾರರ ಮಹಜರ್ ಪತ್ರವನ್ನು ಮಾಹಿತಿಗಾಗಿ ಲಗತ್ತಿಸಿದೆ.

ಮೇಲ್ಕಂಡ ಅಂಶಗಳನ್ನು ತಮ್ಮ ಮಾಹಿತಿಗಾಗಿ ಮತ್ತು ಅವಗಾಹನೆಗಾಗಿ ಸಲ್ಲಿಸಿದೆ".

The status report extracted above indicates the developmental work taken up by the BBMP. Smt. Bhupradha submits that after the tender is finalised, to complete the rejuvenation work of the lake would take around 11 – 12 months excluding monsoon.



Smt. Malathi, Executive Engineer, Storm Water Drain Division, BBMP, Bengaluru has submitted a status report dated 21.11.2019. It is useful to extract the same, which reads as hereunder;

"ಮೇಲ್ತಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, Э,С. ಹೆಚ್.ಎಸ್.ದೊರೆಸ್ವಾಮಿ ರವರು ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ಕರವರಿಗೆ ದೂರು ಸಲ್ಲಿಸಿದ್ದು, ಉಲ್ಲೇಖ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿರುವ ನಡುವಳಿಗಳ **४०७** र्ह (७) ನೀಡಿರುವ ರಲ್ಲಿ ಸೂಚನೆಗಳಂತೆವಿಭೂತಿಮರ ಕೆರೆಯ ಒಳಹರಿವು ಭಾಗದಲ್ಲಿರುವ ಬೃಹತ್ ನೀರುಗಾಲುವೆಯ ಭಾಗವನ್ನು 2017–18 ನೇ ಸಾಲಿಗೆ ಅನುಮೋದನೆಯಾದ ಕಾಮಗಾರಿಯಲ್ಲಿ ಸೇರಿದ್ದು ಅನುಮೋದಿತ ಡಿ.ಪಿ.ಆರ್.ನಂತೆ ಮಾರ್ಚ್ 2019 ರಲ್ಲಿ ಟೆಂಡರ್ ಗುತ್ತಿಗೆದಾರರಿಂದ *ಕಾಂಕ್ರೀಟ್* ತಡೆಗೋಡೆಗಳನ್ನು ನಿರ್ಮಿಸಿ ಕಾಮಗಾರಿಯನ್ನು, ಪೂರ್ಣಗೊಳಿಸಲಾಗಿರುತ್ತದೆ. ಅಪ್ರಾ ಶಾಲೆಯ ಬಳಿ ಸದರಿ ಕಾಂಕ್ರೀಟಿಕರಗೊಳಿಸಿದ ಕಾಲುವೆಯ ಅಗಲವು ಸರಾಸರಿ 4ಮೀ ಅಗಲ 2.50 ಆಳದಂತೆ ಸಮಾಲೋಚಕರು ಮೀ ವಿನ್ಯಾಸದಂತೆ ನಿರ್ಮಿಸಿದ್ದು, ಕೆರೆಯನ್ನು ಸೇರುವ ಬಳಿ ಸರಾಸರಿ 6ಮೀ ಅಗಲ ಮತ್ತು 2.70 ಮೀ ಆಳದಂತೆ ನಿರ್ಮಿಸಲಾಗಿರುತ್ತದೆ. ನೂತನವಾಗಿ ನಿರ್ಮಿಸಿದ ಸದರಿ ರಾಜಕಾಲುವೆಯು 2019 ರ ಮಳೆಗಾಲದಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸಿರುವುದನ್ನು ಸಕ್ರೀಯವಾಗಿ ಗಮನಿಸಲಾಗಿರುತ್ತದೆ. ಇದರೊಂದಿಗೆ ಮಳೆಗಾಲದ ನಂತರದ ದಿನಗಳಲ್ಲಿ ಸ್ವಚ್ಚಗೊಳಿಸಿದ ಛಾಯಾಚಿತ್ರಗಳೊಂದಿಗೆ ತಮ್ಮ ಅವಗಾಹನೆಗೆ ಸಲ್ಲಿಸಿದೆ".

The status report extracted above indicates that the retaining wall has been constructed for the purpose of channelizing the flow of storm water to the lake after installing the STP. It is pointed out by her that the BBMP Lakes Division has to take steps for installing the STP.

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A status report dated 26.11.2019 has been submitted on behalf of BWSSB, wherein it is stated that immediately after the election code of conduct is over, BWSSB will call for tender to carry out the work referred to by them. The said statement is placed on record.

By the next date of hearing the authorities referred to above are directed to file their respective status report with regard to the steps taken by them for the purpose of survey of lake area, removal of encroachments, rejuvenation of the lake etc.,

List this matter on 17.03.2020 at 3:00 P.M.

Communicate this order to the parties concerned

P. Vishwanatha Shetty

Lokavukta.

State of Karnataka.

complied para.

de de dt-11-ja.

ADLR Report doi 10-2-2020 received.

ACK sureized of submitted by

Lind olders.

Date:17-03-2020

No:Compt/LOK/BCD-2525/2018/DRE-3

adj.Compt./ NCV/2020, dated:16.03.2020 this matter is adjourning to 03.06.2020 and issue notice to both parties to appear on 03.6.2020 at 3.00 P.M.

carplied above para.

DRE-3

BWSSB, CE. Lette dt 13-3-2020 Secured

other concernd officials Reports not received f subweited for the second orders.

Later received from Tahasildar, ett 2/6/2020, Secretary to Horible Lokayukta!

13. Secy. to Hon'ble Lokayukta)

Sri. Harish, Deputy Tahasildar, Varthur is present on behalf of Tahasildar, Bengaluru East Taluk and has submitted a letter dated 02.06.2020 seeking time to comply the orders of Hon'ble Lokayukta and submit report.

Sri. Mohan Krishna, Chief Engineer (lakes), BBMP, Smt. Malathi, Executive Engineer, Storm Water Drain Division, BBMP, Smt. Bhupradha, Assistant Executive Engineer, Lakes, BBMP, Sri. Ravindra Kumar, Executive Engineer, BWSSB, Bengaluru and Sri. Santhosh, ADLR, Bengaluru East Taluk have not submitted status report as directed by the Hon'ble Lokayukta vide his Lordship's order dated 27.11.2019.

Hence, issue fresh notice to complainant and the officers referred to above to appear in person before the Hon'ble Lokayukta on 05.08.2020 at 3:00 P.M. with status reports.

Secy. to Hon'ble Lokayukta

Confred bour

LOK/BCD/2525/2018

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.

Ack received. But Report not received from Respondents 4 subscribed for skind orders.

Secretary:

As per the direction of Hon'ble Lokayukta, this matter is adjourned.

Issue intimation to the complainant and Reminder to the authorities concerned to submit the status report as directed in the earlier order dated 27.11.2019.

Call on 23.10.2020.

Compled pers.

Ack received but Reports

are not received from

the concerned authorities

Sabaie thed for Lind orders

P

33/10

17] Secretary:

LOK/BCD/2525/2018

17. Reports are not received from the Chief Engineer, lakes, BBMP, Bengaluru, the Executive Engineer, Storm Water Drain Division, BBMP, Bengaluru, the Assistant Executive Engineer, lakes, BBMP, Bengaluru, the Executive Engineer, BWSSB, Bengaluru, ADLR Bengaluru East Taluk, Bengaluru and the Tahasildar, Bengaluru East Taluk, Bengaluru.

18. Hence, My Lord, if approved, Reminder will be issued to the officers referred to above to submit reports as directed earlier.

Call on 30.12.2020.

Submitted for kind orders.

19. Hon'ble Lokayukta)

Secretary

-> halthout date letter received from the Clieg Engineer, Laker, B.B.M.P.

- ADLR, Bengalara Eard Talak report 01-10.20, 10.20,20 received.

-> Chief Engineer, Lakes B.BM.P Bengæleere report dtd. 7. U. 2020 received.

-> letter from the Complanant. det. 2112000 recoind.

-> E.E., S.W.D., report dtd. 4.12.2020

-> Acknowledgements received but reports are not received from the A. E. E. Lakes B.B.M.P. E.E. BWS.S.B. and the

Tahanildan. Bengaluru

Karl Taluk.

Sæbær Hed for kind orden 30/12/2010

20] Secretary:

Isme penindry to BBW P, BWS&D & Enhacide Buy Kan Talnic my 17-2-2421

Could hed.

-> Clief Ergeneer, Laker,
B.B.M.P. Bergalow report
dtd. 01. D2. 2021 received.

-> A.E.B. B.W.S.S.B report dtd. B.OZ. 204 received.

-> E.E., B. W.S.S. B report dtd. 06. 02.2021 roceived.

-> Acknowledgement received

but report is not received

from the Tahanildar,

Frengaloro Earl Taluk.

Submitted for kind orders

O-

17/02/2021

21) Secretary:

21) Secretary)

dated of letter Received copy a Engineer Executive the 06.02.2021 from (SE)-1, BWSSB, Bengaluru addressed to the (East)-1, BWSSB, Engineer Executive Bengaluru to submit the status report to this authority, as the lake in question is located within the jurisdiction of the said officer.

- 22) Received a report dated 08.02.2021 from the Executive Engineer (East)-1, BBWSSB, Bengaluru. The report submitted indicates that certain steps have been taken to prevent the entry of sewage into the lake in question. Along with the report, the photographs showing the work relating to laying of pipeline to prevent the entry of sewage into the lake in question are produced.
- 23) Received a report dated 04.12.2020 from the Executive Engineer, BBMP stating that they have addressed a letter to the ADLR, Bengaluru East Taluk for furnishing the survey sketch indicating the encroachment made upon the lake area so as to enable them to take steps for removal of encroachment. Further the report indicates that BBMP has

taken some steps to prevent the entry of sewage into the lake in question and also to fence the lake area.

- 24) Received a report dated 07.11.2020 from the Chief Engineer, Lakes, BBMP along with copy of the report dated 21.10.2020 submitted by him to this authority. The report submitted indicates that tender has been invited for installation of 1 MLD capacity STP and the letters have been addressed to the Tahasildar, Bengaluru East Taluk to remove the encroachment in the lake in question.
- Received a report dated 22.10.2020 from 25)the Tahasildar, Bengaluru East Taluk along with the survey report indicating the encroached portions of the lake area. According to the report, the Tahasildar, Bengaluru East Taluk is required to take steps for removal of encroachment.
- 26) Reports is not received from the Tahasildar, Bengaluru East Taluk.
- 27) Hence, my lord, if approved;
- (i) Reminder will be issued to the Tahasildar, Bengaluru East Taluk to submit the status report with regard to the steps taken by him for removal of encroachment in the lake

in question and in the event of failure to submit the status report by the next date of hearing, he will be directed to be present in person before the Hon'ble Lokayukta 29.04.2021 at 3:00 P.M. with explanation for the delay.

Notice will be issued to the Chief (ii)Engineer, Lakes, BBMP and the Executive Bengaluru to (East)-1, BWSSB, Engineer submit the further action taken report with regard to the steps taken for rejuvenation of lake in question.

Submitted for kind orders.

Call on 29.04.2021.

Hon'ble Lokayukta) 28)

-> Taharildar, Bengaloro East report oftd. 5/11/2020 received. -> letter frace the Couplainant -> letter frace the Couplainant oftd. 2-11.2021 received.

-> letten al-1d. 27.02.2021 of 02.012001
received from the Louplainant
Sabautted for kind orders.

KARNATAKA LOKAYUKTA, BENGALURU

No.Compt/LOK/BCD-2525/2018 (Vibhuthipura Lake)

Date: 10.03.2021

The complainant in this complaint had written two letters dated 02.01.2021 and 27.02.2021. It is useful to extract the contents of the said two letters which reads as hereunder –

<u>ORDER</u>

Letter dated 02.01.2021 -

"ಸ್ವಾಮಿ,

ನಾನು ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆಯಿಂದ ಮಾಹಿತಿ ಹಕ್ಕು ಕಾಯ್ದೆಯಡಿ ಬೃಹತ್ ಬೆಂಗಳೂರುಮಹಾನಗರಪಾಲಿಕೆಯ ವಶದಲ್ಲಿರುವ ಕೆರೆಗಳ ಅಭಿವೃದ್ಧಿಗೆ 2009–10 ರಿಂದ 2020–21ರವರೆಗೆ ಆಗಿರುವ ಖರ್ಚುಗಳ ವಿವರಗಳನ್ನು ಕೇಳಿದ್ದೆ.

ಬಿಬಿಎಂಪಿ ಎಕ್ಸಿಕ್ಯೂಟಿವ್ ಇಂಜಿನಿಯರ್ (ಕರೆಗಳ ವಿಭಾಗ) ಅವರು ಕಳಿಸಿರುವ ಪಟ್ಟಿಯ ಜಿರಾಕ್ಸ್ ಪ್ರತಿಯನ್ನು ತಮಗೆ ಸಲ್ಲಿಸುತ್ತಿದ್ದೇನೆ.

ಈ 12 ವರ್ಷಗಳಲ್ಲಿ ಬೆಂಗಳೂರಿನ 168 ಕರೆಗಳ ಮೇಲೆ ಸುರಿದಿರುವ ಹಣದ ವಿವರಗಳನ್ನು ಅವರು ನೀಡಿದ್ದಾರೆ.

ಈ 12 ವರ್ಷದಲ್ಲಿ ಕೆರೆಗಳನ್ನು ಶುದ್ದಿಗೊಳಿಸಿ, ಬೆಂಗಳೂರಿನ ಜನರಿಗೆ ಶುದ್ದ ನೀರು ಒದಗಿಸುವ ಸಲುವಾಗಿ ಒಟ್ಟು ಸುಮಾರು

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ಕೋಟಿ ರೂ.ಗಳನ್ನು ವ್ಯರ್ಥಮಾಡಿದೆ. ಕೆಲವು ಕೆರೆಗಳಾದರೂ ಶದ್ಧ ನೀರನ್ನು ಒದತಿಸುವ ಸ್ಥಿತಿಯಲ್ಲಿದೆಯೇ? ಈ ನಾಟಕಕ್ಕೆ ಕೂಡಲೇ ಇತಿಶ್ರೀ ಹಾಡಬೇಡವೆ?

ಶಾವು ಈ ರೀತಿ ಪೋಲಾಗುತ್ತಿರುವ ಹಣವನ್ನು ತಡೆಗಟ್ಟಲು ಕಠಿಣ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ನೀವು ವಿಚಾರಣೆಗೊಳಪಡಿಸಿರುವ ಕೆರೆಗಳನ್ನಾದರೂ ದೋಷಮುಕ್ತಗೊಳಿಸುವ ಸರ್ಶ್ಯಾಯ ನಿಮ್ಮಿಂದಾಗಲಿ."

Letter dated 27.02.2021

"ದಿನಾಂಕ: 27-02-2021

ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರು, ಬೆಂಗಳೂರು, ಇವರಿಗೆ ನಮಸ್ಕಾರ.

ನಾನು ಈ ಹಿಂದೆ ಬಿ.ಬಿ.ಎಂ.ಪಿ ಕಚೇರಿಯಿಂದ ಬಂದಿರುವ 18 ಕೆರೆಗಳ ಮೇಲೆ ವರ್ಷ ವರ್ಷವೂ ಸುರಿಯುತ್ತಿರುವ ಹಣದ ವಿವರಗಳನ್ನು ತಮಗೆ ಕಳುಹಿಸಿದ್ದೆ.

ಯುನೈಟೆಡ್, ಬೆಂಗಳೂರು ವತಿಯಿಂದ ನಾನು ಸಲ್ಲಿಸಿರುವ ಕೆಲ ಅರ್ಜಿಗಳ ವಿಚಾರಣೆಯನ್ನು ತಾವು 3 ವರ್ಷದಿಂದ ನಡೆಸುತ್ತಿದ್ದೀರಿ.

ಈ ಕೆರೆಗಳಿಗೆ ಬಂದು ಬೀಳುತ್ತಿರುವ ಕಸದ ರಾಶಿ, ಆಗಿರುವ ಒತ್ತುವರಿಯ ತೆರವು, ಹರಿದು ಬರುತ್ತಿರುವ ಕೊಳಚೆ ನೀರು, ಕೆರೆಯ ಅಂಗಳದ ಸ್ವಲ್ಪ ಜಾಗವನ್ನು ಬಳಸಿಕೊಂಡಿರುವ ಬಹುಮಹಡಿ ಕಟ್ಟಡಗಳು ಇವೆಲ್ಲವೂ ತೆರವಾಗುವ ಮೊದಲು ಪ್ರತಿ ವರ್ಷವೂ ಬಿ.ಬಿ.ಎಂ.ಪಿ ಖರ್ಚು ಮಾಡುತ್ತಿರುವ ಇತರೇ ಲಕ್ಷಾಂತರ ರೂ.ಗಳನ್ನು ದುರ್ವ್ಯಯ ಮಾಡದಂತೆ



ತಡೆಗಟ್ಟುವ ಕೆಲಸವನ್ನು ತಾವು ಜರೂರಾಗಿ ಮಾಡಬೇಕೆಂದು ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇನೆ.

ಕೆರೆಗೆ ಮಲಿನ ನೀರು ಸೇರದಂತೆ, ಕಸಕಡ್ಡಿ ಕೆರೆಯಂಗಳದಲ್ಲಿ ಬೀಳದಂತೆ ಕ್ರಮಕೈಗೊಂಡಲ್ಲದೆ, ಕೆರೆಯ ಅಭಿವೃದ್ಧಿಯ ಹೆಸರಿನಲ್ಲಿ ಪ್ರತಿ ವರ್ಷ ಸುರಿಯುವ ಹಣ ದುರ್ವ್ಯಯವಾಗುತ್ತಿದೆ ಎಂಬುದು ನನ್ನ ಆಪಾದನೆ.

ಆದ್ದರಿಂದ, ಘನತೆವೆತ್ತ ತಾವು, ಕೆರೆ ಕಲುಷಿತವಾಗಲು ಬಿಡದಂತೆ ಮಾಡುವ ಖರ್ಚುಗಳನ್ನು ಕೂಡ ಬಹುದಂದು, ಈ ಕೆಲಸ ಮುಗಿಯುವವರೆಗೆ ಯಾವ ಕೆರೆಯಲ್ಲೂ ಬೇರೆ ಕೆಲಸಗಳನ್ನು ಕೈಗೊಂಡು ಪ್ರತಿ ವರ್ಷ ಲಕ್ಷಗಟ್ಟಲೆ ಹಣ ದುರ್ವ್ಯಯವಾಗದಂತೆ ಬಿ.ಬಿ.ಎಂ.ಪಿ ಗೆ ತಾಖೀತು ಮಾಡಲೇಬೇಕೆಂದು ವಿನಯಪೂರ್ವಕವಾಗಿ ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇನೆ.

ಈ ಕಟ್ಟುನಿಟ್ಟಾದ ಆರ್ಡರನ್ನು ತಾವು ಕೂಡಲೇ ಮಾಡದಿದ್ದರೆ ಇನ್ನೂ ನೂರು ವರ್ಷ ಕಳೆದರೂ ಬೆಂಗಳೂರಿನ ಒಂದು ಕೆರೆಯು ಸ್ವಚ್ಛಗೊಳ್ಳುವ ಸಂಭವವಿಲ್ಲ. ನಮ್ಮ ಗುರಿ ಈ ಕೆರೆಗಳ ನೀರು ಕುಡಿಯಲು ಯೋಗ್ಯವಾಗಬೇಕು. ಬೆಂಗಳೂರು ಜನರ ಕಾವೇರಿ ನೀರಿನ ಅವಲಂಬನೆ ಕಡಿಮೆಯಾಗಿ, ಈ ಕೆರೆಗಳ ನೀರನ್ನು ಜನ ಬಳಸುವುದಾಗಬೇಕು. ತಮ್ಮಿಂದ ಈ ಮಹತ್ತರ ಕೆಲಸ ಆಗಬೇಕು ಎಂಬುದು ನನ್ನ ಹಂಬಲ.

ತಮ್ಮ ವಿಧೇಯಕ, ಸಹಿ/– ಹೆಚ್.ಎಸ್. ದೊರೆಸ್ವಾಮಿ"

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- 2) As it can be seen from the contents of the letters extracted above, it is the grievance of the complainant that though substantial money has been spent for the development of the lakes, it has not produced the desired results, by rejuvenating the lakes up to the standard it is required to be rejuvenated. These are the matter which calls for investigation, after seeking the comments of the respondent. On account of prevailing Covid-19 situation, though the matter was being heard earlier, the above matter was not listed for some time. Having regard to the facts and circumstances of the case, it is desirable to fix this proceeding for hearing. The respondents are directed in the meanwhile to submit the Status Report with regard to the steps taken on the following matters —
- (i) Steps taken to rejuvenate the lake.
- (ii) For removal of the encroachment.
- (iii) The report of the Karnataka State Pollution Control Board, with regard to the quality of the water in the lake.
- (iv) Steps taken to prevent entry of sewage water in to the lake.
- (v) Steps taken for removal of garbage.



- (vi) Steps taken to fence the lake.
- (vii) The details of the NGOs if any who are associated in developing the lake.
- 3) Four weeks time is granted to file the report/comments as stated above. List this proceeding on 29.04.2021 at 3.30 p.m. Communicate this order to the complainant and his representative "Namma Bengaluru Foundation" and also the concerned respondents.

Justice P. Vishwanatha Shetty)

Lokayukta, State of Karnataka, Bengaluru

29. As directed by the order of Hon'ble Lokayukta in view of the surge in Covid-19 cases, the matter is adjourned 03.07.2021. However, the respondents are directed to submit their up-to-date action taken reports by 03.07.2021 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

-> Report is received procenthe E.E (WWM). B.W.S.S.B. Bengaloru.