

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

CASE  
NUMBER COMPT/LOK/BCD/3283/2018

District : **Bangalore (U)**

**BY :**

**1. SUO MOTO,**

As per the Order of Honble Lokayukta Dated:19/11/2018

**COMPLAINANT/S**

**AGAINST :**

**1. COMMISSIONER,**  
BBMP, BENGALURU.

**2. SECRETARY,**

Karnata State Pollution Control Board, BENGALURU.

**3. COMMISSIONER,**  
BDA, BENGALURU.

**4. CHIEF ENGINEER,**  
BWSSB, BENGALURU.

**RESPONDENT/S**

**Allegation/Grievance  
Brief :**

Dereliction of Duty.

Received From :

By Misc/506/2017/ARE-1 Dated: 14/11/2018

Received On :

20-11-2018

Seal and Signature

**Complaint stands  
allotted to :**

**ARE-1**

**SCRUTINY AND OPINION**

No.Compt/Misc./506/2017

Date : 11.5.2017

**O R D E R**

On behalf of Bengaluru Water Supply and Sewerage Board (herein after referred to as BWSSB) Sri Tushar Girinath, IAS, Chairman of the Board along with Sri Rama Krishna, Chief Engineer, of the Board is present.

2) On behalf of Bengaluru Development Authority (herein after referred to as BDA in short) Sri P.N.Nayak, Engineering Member is present. He submitted that since the Commissioner of BDA has gone over to Delhi on account of certain important official work, he has not been able to be present today. Sri P.N.Nayak, Engineering Member of BDA has filed the report on behalf of BDA pursuant to the order made by Lokayukta on 30.3.2017 and the same is placed on record.

3) On behalf of Bruhath Bengaluru Mahanagara Palike (herein after referred to as BBMP) Sri B.V.Satish, Chief Engineer of Lakes, BBMP is present along with Sri T.H.Avin, Head of Legal Cell.



- 4) Sri B.V.Satish submitted that since the Commissioner of BBMP is engaged in an important meeting, he has not been able to attend the proceedings today.
- 5) On behalf of Karnataka Lake Conservation and Development Authority (herein after referred to as KLCDA) Sri K.G.V.Murthy, Legal Advisor of the said Authority is present. He submitted that since the CEO Sri G.Vidyasagar is on leave and has gone out of country on account of some personal work, he has not been able to attend the proceedings today. He also brought to my notice that Sri G.Vidyasagar who is the CEO of the KLCDA had appeared before me on 30.3.2017 and sought permission of the Lokayukta to be absent himself from today's proceedings on account of his personal inconvenience.
- 6) On behalf of Karnataka State Pollution Control Board (herein after referred as KSPCB) Sri K.N.Shivalinge Gowda, Senior Environmental Officer and Sri Mahesh, Legal Assistant of KSPCB are present.
- 7) The comments/response has been filed to the notices issued by the Lokayukta on behalf of BBMP, BDA, KSPCB and KLCDA. However, so far as BWSSB is concerned Sri



Tushar Girinath, IAS, Chairman of the Board prayed for four days' time to file the response/comments of the BWSSB, with regard to the issues that have arisen for consideration in this proceeding.

8) The various aspects with regard to the steps taken to rejuvenate, protect and improve the quality of the water and conditions of the lake was thoroughly discussed by the Lokayukta with the various officers ~~recommending~~ representing the various authorities referred to above who are present today and they made their submissions and expressed their views on various aspects.

9) Sri Tushar Girinath, IAS has orally submitted that effective steps are being taken by the BWSSB to treat the Sewerage and to permit for discharge of only such water which are being treated. However Sri K.N.Shivalinge Gowda, Senior Environmental Officer of KSPCB brought to my notice the interim order passed by the National Green Tribunal (herein after referred to as N.G.T.) and submitted that pursuant to the interim order passed by the N.G.T. the KSPCB has issued Closure Order to 28 industries. He further submitted that the KSPCB has also issued closure orders to 32 Home Dying Units who are running unauthorisedly in the private houses



and effective steps are being taken by the Board to prevent discharge of waste substance to the Bellandur Lake by the industries and also by all the others concerned. He was also instructed to file Progress Report with regard to the steps taken by the KSPCB before the Lokayukta by the next date of hearing. The statement made by Sri K.N.Shivalinge Gowda is placed on record.

10) Sri P.N.Nayak, Engineering Member of BDA submitted that pursuant to the proceedings of the Lokayukta held on 30.03.2017, the BDA has taken steps to fence the lake boundaries and de-weeding activities in the Bellandur lake are being taken-up on war-footing basis. He points out that at least on an average 175 to 200 tonnes of weed is being removed/cleared from the Lake without there being serious hindrance like heavy rain/storm, The BDA should be able to clear the entire weed within about 4 – 5 months' from today. He also submitted that immediate measures are being taken for removal of weeds, cleaning of lake periphery, installation of aerators in the entire lake and for the said purpose designs have already been prepared and tenders have been called for. He also submitted that effective steps are being taken for improvement and maintaining conditions of the water quality



and to maintain high water quality in the lake and remove the polluted substance from the lake and from the surrounding area.

11) Sri B.V.Satish, Chief Engineer of Lakes, BBMP, submitted that with the assistance of the staff known as "Prahari" team the night patrolling of the lake has been taken-up to prevent illegal dumping of solid waste and the construction debris in the lake. He also pointed out that the BBMP has installed five CCTV cameras at five important places, where dumping activities are being carried out. He also pointed out that based on the order made by NGT the BBMP has proposed to impose/imposed penalty of rupees five lakhs on the persons who try to discharge sewerage/construction materials/polluted substance to the lake. He also submitted that at various places the sign boards have been installed notifying the members of the public, residents and the industrial units not to dump the solid waste or any other pollutant substance in the lake and further stated that three shifts of BBMP officials are deployed to watch the dumping of waste and discharge of solid substances. He assures the Lokayukta that pursuant to the steps taken jointly by the BBMP and other authorities who are before Lokayukta,



that the dumping of the waste and discharging of solid waste and construction substances have been completely stopped.

12) At this stage, I have no reason to dis-believe the statements made by the Officers referred to above. The statement made by the Officers are placed on record and all the authorities are directed to file their progress report by the next date of hearing setting out in detail of the steps each one of them have taken to prevent discharge of solid waste and polluted substance to Bellandur lake and also the steps taken by each of them to remove the weed and improve the quality of the water in the lake.

13) I have gone through the reports and heard the submissions made on behalf of various authorities referred to above. In my order dated 27.2.2017, I have stated that prima-facie the publication made both in "Indian Express" and "The Hindu" dated 27.2.2017 requires an investigation and a suo-motu action is required to be taken by the Lokayukta, State of Karnataka and the same would be considered after receipt of the report from the concerned authorities. Having gone through the report submitted by various authorities, and in the light of the submissions made on behalf of various authorities who are before me, I am of the opinion that in the



interest of justice and public interest, it is necessary to initiate suo-moto action. Accordingly it is ordered. Earlier, I had limited the action proposed, only against Belandur and Varthur lakes. Having regard to the statements and comments made by KLCDA, I am of the view that it would be in the interest of public to take effective steps and avoid maladministration in the matter of protection, conservation and preservation of all lakes in the State. In fact, the KLCDA has indicated in their comments that it is desirable to take effective steps to preserve all the lakes in the State of Karnataka and more particularly the Lakes situated in and around Bengaluru. It is needless to point out that every lake situated within the Bengaluru City are interlinked. The preservation of lakes to a larger extent would provide for recharge of ground water and improvement of overall environment and ecology of the Cities and Towns in the State.


14) Since I have taken a decision to monitor the conditions of the lakes situated throughout the State and avoid any maladministration by the concerned municipal authorities, corporations and town panchayaths, it is necessary to issue notice to the Principal Secretary, Urban Development Department, so that he can give necessary





instructions/directions to the concerned Municipal Authorities in the State who are primarily empowered with the responsibility of management of solid and liquid waste within the municipal areas. Accordingly issue notice. Several complaints are being received with regard to the mal-administration/derelection of duty by the municipal bodies/municipal corporations in managing the disposal of the solid waste and dumping of building construction materials, thereby causing pollution to the water and air within the municipal limits, by the Lokayukta.

15) Once the authorities concerned take effective steps to monitor and improve the conditions of the Bellandur and Varthur lakes and other lakes in the Bengaluru Urban and Rural districts, Lokayukta will be able to give appropriate directions for improving the conditions of other lakes in the State. However, before the Lokayukta takes effective measures by giving appropriate directions to the concerned to improve the lakes throughout the state, it is needless to point out that the authorities concerned on their own would take the effective, meaningful and purposeful action to improve the conditions of the lake with the joint efforts and association of



all concerned and also involving the members of public and if necessary by constituting a committees at the local level.

16) I would appreciate very much if the Principal Secretary to Government, Urban Development Department and the other departments who are empowered with the responsibility of maintaining and preserving the lakes in the State, issue appropriate directions/orders to the concerned Municipal Authorities/ Corporations and also communicate the relevant portion of this order to them so that they may take effective measures on that behalf.

17) Before passing this Order, I must observe that the officers representing various authorities referred to above are required to place it on record substantive progress and effective steps they have taken to improve the conditions of the Bellandur lake by the next date of hearing.

18) The statements made by the officers on behalf of the authorities referred to above, that once they show substantive progress in respect of the work undertaken for Bellandur lake, they would immediately place an action plan before Lokayukta in respect of Varthur lake is placed on record.



19) Communicate this order to all the parties who are already before the Lokayukta and issue notice to the Principal Secretary, Urban Development Department, Government of Karnataka as directed immediately with a copy of this Order.

List this on 1.06.2017 at 3.00 p.m.

*P. Vishwanatha Shetty*  
 (Justice P. Vishwanatha Shetty)  
 Lokayukta  
 State of Karnataka

*11/5/2017*

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**KARNATAKA LOKAYUKTA : BENGALURU**

NO: Compt/Misc./506/2017

Date: 01-06-2017

**ORDER**

On behalf of Karnataka State Pollution Control Board Sri. Vijay Kumar, Member Secretary is present. On behalf of Bengaluru Development Authority Sri P.N. Nayak, Engineer Member along with Sri. B.A.Muchandi, Law Officer is present. On behalf of BWSSB Sri. S.M. Ramakrishna, Chief Engineer is present. On behalf of Karnataka Lake Conservation and Development Authority (KLCDA) Sri. K.G.V.Murthy, Legal Advisor is present.

2. Sri. K.G.V.Murthy, Legal Advisor submitted that since the earlier Chief Executive Officer has been promoted and shifted, in his place new Chief Executive Officer has taken over charge today, on account of pre-appointment she has not been able to present today. Sri.T.H.Avin, Head of Legal Cell, Bruhat Bengaluru Mahanagara Palike is present.

3. On behalf of KLCDA Sri K.G.V.Murthy has filed comments/report and the same is placed on record. On behalf of Karnataka State Pollution Control Board, report is filed and the same is also placed on record. Sri. S.M.Ramakrishna, Chief Engineer of BWSSB has submitted that, as undertaken by BWSSB, a report was filed before the Lokayukta on 16-05-2017.



4. Sri. Vijay Kumar, Member Secretary, submitted that, in the light of the direction given by the National Green Tribunal, the Karnataka State Pollution Control Board had directed for closure of 78 industries located around Bellandur Catchment Area and thereafter they have conducted a joint inspection of those industries to ascertain which of those industries located in the area in question are discharging effluent substances above the prescribed limit and the report in respect of the sample sent to sample analyst in respect of 78 industries. Out of the samples sent for 78 industries, the samples in respect of 4 industries have come and since the samples show that those industries are discharging effluents within the prescribed limit, the said 4 industries are allowed to re-open and start operation. Sri. Vijay Kumar submitted that, in respect of the remaining 74 industries, reports are expected at any moment and after receipt of the same, it will be examined and such of those industries are discharging effluents within the prescribed limit, they will be allowed to operate. He also submitted that in respect of other industries if the effluents they discharge is above the prescribed limit, such of those industries would be given time and they can be again inspected after giving some time to improve the level of discharging of effluent substance and for that purpose a joint inspection will have to be take up again. In this direction, the Karnataka State



Pollution Control Board has already made an application before NGT seeking clarification on several aspects. The steps are being taken to get those applications listed before the Tribunal at the earliest. I find considerable force in the submission made by Sri. Vijay Kumar that an opportunity is required to be given to such of those industries who have been closed down now, as the pollution level, as at present, is more than the prescribed limit and as soon as they bring down the pollution level, the Officers of the Karnataka State Pollution Control Board would inspect such industries, to verify as to whether those industries have brought down the pollution level within the prescribed limit, so that, such of those industries who have brought down the pollution level can re-open and start functioning. Since there is a direction by the Tribunal to close down the industries, it is desirable that the Karnataka State Pollution Control Board makes specific request before the NGT on this aspect of the matter and seeks appropriate direction before the NGT as otherwise it will seriously jeopardize the industries which are not discharging or who are capable of bringing down the pollution level.

5. Sri. P.N. Nayak, on behalf of Bengaluru Development Authority and Sri K.G.V.Murthy, Legal Advisor, appearing on behalf of KLCDA jointly submitted that, though they have taken effective measures to remove the weeds and aeration, it is desirable to do one time cleaning after the stoppage of entry of sewage, which is required to be done

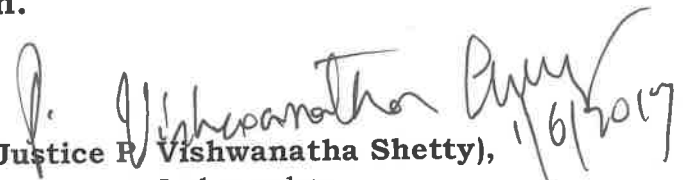


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by the BWSSB. It is their joint submission that many CMCs have been included as part of the Corporation, those areas are required to be severed. Otherwise, it will result in loss of huge public revenue causing loss of more than ₹600 to ₹700 Crores. While I find considerable force in their submission, I am of the view, it is desirable for them to file an 'Action Plan Report' as to how all these authorities proceed to take up the work and complete the work. The parties are given time till 20<sup>th</sup> June 2017 to file Joint Action Plan.

6. It is needless to point out that Joint Action Plan should be comprehensive in nature as to how the various authorities who are involved in improving the conditions of lakes are proceedings with their action plan. I also feel that, it is appropriate for me to visit both Bellandur and Varthur Lakes to have first hand information about the existing condition of the lakes and works already undertaken by the various authorities. Accordingly, inspection of those lakes are fixed on **20<sup>th</sup> June 2017 at 08-30 a.m.**

List this matter for further consideration on **29<sup>th</sup> June 2017 at 04-00 p.m.**

  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
Karnataka State.

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**KARNATAKA LOKAYUKTA : BENGALURU**

NO: COMPT/Misc.506/2017  
NO.COMPT/UPLOK/BCD/45/2017  
NO.COMPT/LOK/BCD/646/2016

Date: 29-06-2017.

**ORDER**

Hon'ble Upalokayukta Justice N. Ananda is present. Sri. Rakesh Singh, Commissioner, Bengaluru Development Authority along with Sri. P.N.Nayak, Engineer Member present. Sri. V.V. Satish, Chief Engineer, BBMP (incharge of Lakes), Sri N. Satish, Additional Chief Engineer (Waste Water Management), BWSSB, Smt. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority, Bengaluru, Sri. B.N.Ramesh Kumar, Chief Environmental Officer, Karnataka State Pollution Control Board, are present. I have heard all of them. In case No. Compt/Uplok/BCD-45/2017, Smt. Shubha, Secretary and Smt. Anitha, Member of Team Vikas are present, on behalf of the Complainant. It is their grievance that, lot of building debris and other waste materials are dumped into the vibhuthipura lake and on many occasions they have seen the building debris are





being dumped by using the Bruhat Bengaluru Mahanagara Palike vehicle. They submitted, they have reasonable grounds to believe that the concerned engineers/officials of BBMP are encouraging/helping others to dump building debris. If the grievance made out by Smt. Shubha and Smt. Anitha is true, it is a matter of serious concern and anguish and it clearly falls under 'mal-administration' on the part of the officials/authorities of the Bruhat Bengaluru Mahanagara Palike within the meaning of Section 2(10) of the Karnataka Lokayukta Act, 1984. The grievance requires investigation. Before that is done, I am of the view, it would be in the interest of justice and more particularly public health, to make an order, to give a direction in exercise of the power conferred on me under Section 12(1) of the Karnataka Lokayukta Act, to the Commissioner of BDA, Commissioner of Bruhat Bengaluru Mahanagara Palike, Chairman of BWSSB and Chief Executive Officer of Karnataka Lake Conservation and Development Authority, to immediately take remedial measures to redress the grievance made by the Complainant. By the above observation, made by me, it



should not be understood that I am accepting the grievance made by the Complainant at this stage. However, immediate remedial measure is required to be taken as indicated above. I am sure, the said measures would be taken expeditiously, and preferably within around eight weeks from today. Before parting with this order, I must also place it on record while the authorities have great responsibility and duty to protect and maintain the lakes, it would be desirable that, the local participation is involved and local people co-operate with the official concerned. In this regard Smt. Shubha and Smt. Anitha have assured me that, they will involve local NGOs and the residents and give full assistance to the authorities. Smt. Shubha submitted that the local people are willing to co-operate. I am of the opinion, it would be appropriate for me also to visit Vibhuthipura lake, and Diddanekkundi lake to have a first-hand information about the condition of the lake and the surrounding area.



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**NO.COMPT/LOK/BCD/646/2016**

In Case No. Compt/Lok/BCD-646/2016, the Complainant Sri. G.V.Subramanyam is present. He submitted that, Doddanekkundi lake has already been rejuvenated by the Bengaluru Development Authority and while they appreciate the work done by the Bengaluru Development Authority, they found, the present condition of the rejuvenated lake is highly unsatisfactory in as much as that the flow of water in to the lake is completely stopped and sewage water has been diverted and they request to allow 4 mld., of water out of 13 mld., of sewage water to enter the tank after treatment and the entire cost of STP will be borne through local and CSR fund for which many people are willing to spend. He also submitted that Rotary Club of Jeevan Bhima Nagar has also offered financial assistance for building up CSR funds through corporate sector. It is their prayer that the Lokayukta may give a direction to the concerned authorities to permit them to execute the project.



I appreciate the concern of the Doddanekkundi Tank Rejuvenation Association (NeTRA) for public health and their effort to maintain lake in question. I also appreciate their effort to maintain the lake by taking effective measures out of the CSR funds that they will be able to collect. The only request made by them is to direct the authorities to secure permission from the concerned authorities to install STP out of the funds of Nekkundi Tank Rejuvenation Association. I don't think the authorities can have any objections for the Association to install STP at proper place at their cost as indicated by them. In the light of observation made above, I am of the view it would be in the interest of justice to direct all the authorities concerned i.e., Bengaluru Development Authority, BBMP and BWSSB to permit the Association to install STP and co-operate with them subject to such conditions and terms that may be required to be imposed as per the regulations, rules and by laws of the concerned authorities. Sri. G.V.Subramanyam requested for further direction to the authorities for the purpose of maintaining park and various other matters. At this stage, I don't find



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it necessary to give any direction to the concerned authorities. It is open for the Association to give a detailed representation to the authorities concerned. I am sure if such a representation is given, the authorities will consider the request made in the representation objectively keeping in mind the public interest. It is also desirable and appropriate to visit Vibhuthipura Tank, Diddanekkundi lakes. **The visit of the lakes is fixed on 07-07-2017 at 09-00 a.m. and vibhuthipura lake will be visited first.**

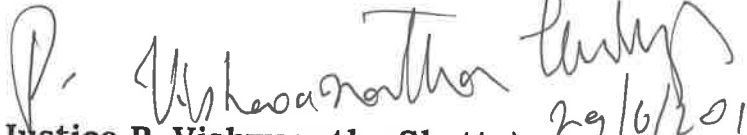
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On behalf of BDA, Action Plan has been filed. The same is placed on record. On behalf of Karnataka State Pollution Control Board, status report is filed. The same is placed on record. The Chief Engineer (Lakes), BBMP has filed status report. The same is placed on record. The authorities referred to above, are given eight weeks' time to show further progress in rejuvenating Bellandur lake. I am sure, the State Government will provide necessary funds, if required, to carry out the rejuvenation of Bellandur lake, in

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terms of the Action Plan suggested. However, I would very much appreciate if the Bengaluru Development Authority and all the authorities who are associated with rejuvenating Bellandur lake, Varthur lake and other lakes in Bengaluru Urban and Rural Districts, seriously explore the possibility of involving the industrial houses and NGO's to participate in lake rejuvenation and maintenance of the lakes to be rejuvenated. It is needless to point out public participation/ participation of NGOs and industrial houses go a long way in assisting the authorities in rejuvenation of the lakes and maintaining the same. List this case on **29<sup>th</sup> August 2017 at 04-00 p.m.**, for further consideration.

  
(Justice P. Vishwanatha Shetty), 29/6/2017,  
Lokayukta,  
Karnataka State.

AS\*

4.7.2017

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**KARNATAKA LOKAYUKTA : BENGALURU**

NO: Compt/Uplok/BCD-45/2017

Date: 19-07-2017

**ORDER**

Smt. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority is present. Sri. P.N.Naik, Engineer Member, Bengaluru Development Authority is present. Sri. B. Shivaprasad, Additional Chief Engineer along with Sri. Nithyananda Kumar, Additional Chief Engineer (Maintenance) and Sri. K.R.Ramakrishna, Executive Engineer (CMC) on behalf of BWSSB is present. Sri. S.N.Hegde, Assistant Conservator of Forest, Bruhat Bengaluru Mahanagara Palike (Lakes) is present along with Smt. Bhagyamma, Assistant Executive Engineer and Sri. Chandrasekhar, Assistant, Ward No.81, Vignananagar t. On behalf of VIKAS Team, Smt. Ambareen Qadri, President of the Association, along with Smt. Shubha Srinivas, Secretary, Smt. Anitha and Sri. Dattatreya Bhat, Members are present. Sri. Senthil Kumar representing Bhumi - NGO is present.





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Sri. Rajesh Bhat, Law Officer of Karnataka State Pollution Control Board along with Sri. C. Mahesh, Legal Assistant is present.

2. Though the meeting was fixed today at 12-00 Noon, on account of certain communication gap, only the Engineer Member of BDA and Smt. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority were present. Hence the meeting was adjourned to 03-15 p.m.

3. I have heard all the parties referred to above. After some discussion, it is broadly agreed upon by the parties, on the following:

Though the proposal was made by BWSSB to divert the sewage water from Vibhuthipura lake area to Kadubeesanahalli lake and provide a STP near Kadubeesanahalli lake, since it is suggested on behalf of VIKAS, that it would be in a larger public interest to provide a STP near Vibhuthipura lake itself which would enable discharge of the treated water to Vibhuthipura lake

and if the treated water is not discharged to Vibhuthipura lake, it eventually the said lake may dry up as it has to depend only on rain water, on behalf of BWSSB, it is agreed to install STP near Vibhuthipura lake. It is roughly estimated that for installation of 01 mld STP it would cost approximately Rs.2.00 crores. Initially installation of 2 mld STP is to be provided near Vibhuthipura lake. Sri. Nithyanand Kumar, Addl.Chief Engineer (Maintenance) is directed to submit a rough estimate of the cost required to be incurred for establishing 2 mld STP near Vibhuthipura lake and also to identify the place where the STP is required to be installed. It is needless to point out that the estimate of the cost for installation of STP required to be made includes the cost towards building, equipment and development of the lake, etc. Such **report should be filed within 15 days from today** and copy of the same may also be furnished to VIKAS Team, Bengaluru Development Authority, Karnataka State Pollution Control Board and Karnataka Lake Conservation & Development Authority. As noticed by me earlier, VIKAS Team has



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agreed to meet substantial amount that may be required to develop the lake, in respect of the following:

- a) To install minimum 2 mld STPs near Vibhuthipura lake:

It is stated by Sri. Dattatreya Bhat though he has discussed with some corporate sector for providing necessary funds for installation of STP and for other developmental activities in respect of Vibhuthipura lake, he requires some time to make a final commitment with regard to the total financial assistance that VIKAS Team will be able to provide for the development of the lake.

- b) Sri. Senthil Kumar, on behalf of Bhumi submitted that if boundaries is fixed to the lake, as agreed upon earlier, his Association will be willing to bear the substantial cost of the fencing.

- c) Sri. P.N.Nayak, Engineer Member pointed out that the Government has issued Order vide No. ಸಇ 449 ಬೆಂಗಳೂರು 2016 Bengaluru dated 14-09-2016 to hand over the management of Vibhuthipura lake to BBMP and it was agreed that BBMP should take over the management of Vibhuthipura lake. In view of the Government Order referred to above, it is needless to point out that it is the responsibility of the BBMP to take effective steps to manage the said lake in accordance with law, by securing necessary assistance from the local people, Bengaluru Development Authority, Karnataka Lake Conservation & Development Authority and Karnataka State Pollution Control Board.

- d) Immediately **BBMP** has to **provide** at least 03 **CC Cameras within four weeks from today** to have a vigil about the persons who dump the garbage on the lake. Immediately, BBMP to organize to put two securities at the lake area. Further BBMP will have to take effective steps to prevent any dumping of waste or garbage on the lake/near the lake.

It is needless to point out that NGT has already made an order directing the authorities to impose cost of Rs.5.00 lakhs on the people who dump the garbage on the lakes/near the lakes. Therefore, it is also needless to point out that the BBMP and other authorities, who are in charge of protecting the lake will have to obey the order made by NGT if necessary by imposing appropriate cost on the people, who indulge in dumping the garbage near/on the lake.

- e) At the time of spot inspection on 07-07-2017, an observation was made directing Smt. Vasanthi, Joint Commissioner of BBMP, Mahadevapura Zone to consider the request of the public and install CC Cameras at appropriate places to prevent dumping of debris, other unwanted materials and garbages. Till now, no step appears to have taken as per the proceedings recorded.

4. At the time of the inspection of lakes on 07-07-2017, it was recorded as follows:

“Shri. Srinivas, Taluk Surveyor submitted that the lake bound & its area has been surveyed during the year 2015-16 and marking have been done and encroached portions are also shown in red



colour in the map. The same is shown to me by him.

He pointed out the details of encroachments has been set out in the sketch prepared. The Tahasildar assured that immediate steps will be taken for removal of all the encroachments and would take steps for modification of the interim order, if any, granted by the court. The Surveyor submitted that he will file the sketch with necessary details of the encroachments to me on or before 12<sup>th</sup> of July 2017. The statement made is placed on record”.

5. Sri. Srinivas, Taluk Surveyor is not present even though he was informed to present today at 12-00 Noon. As per the proceedings recorded, extracted above, the Surveyor was to file the sketch with necessary details before the Lokayukta on or before 12<sup>th</sup> July 2017. However, he has not filed any sketch.

Though Sri. Tejas Kumar, Tahsildar, Bengaluru (East), had assured the Lokayukta that he would take immediate steps for removal of encroachments etc., and if there is any interim order passed by any court, he will take steps for modification of interim order, he

has not filed any status report with regard to the steps taken by him for removal of encroachment. He is also not present though meeting was fixed today. The **Tahsildar to file his status report** with regard to the action taken as observed in the proceedings dated 07-07-2017 **on or before 28<sup>th</sup> July 2017**. He is also directed to explain as to why he has not been able to attend the meeting today.

6. Sri. Srinivas, Taluk Surveyor is also directed to submit explanation as to why he has not filed the sketch with the details of encroachment on or before 12<sup>th</sup> July 2017, as observed in the proceedings dated 07-07-2017 extracted above.

**The Tahsildar and Surveyor are directed to be present on 28<sup>th</sup> July 2017 at 04-30 p.m., with their explanation.**

7. **BBMP has to fix the gate within two weeks from today.** The key to be kept with the securities and VIKAS to monitor the gate/lake area with their security and also with the assistance of the security to be provided by BBMP.

8. In the light of the statement made by VIKAS, that there has been encroachment on the tank bund, the BDA in its statement has stated as follows:

“As instructed by the Hon’ble Lokayukta, the BDA Engineers have inspected the site of construction and insisted the building owners to produce the sanction building plan for verification. Building owners have informed that the building plans of the said buildings have been sanctioned by BBMP. But a copy of the same has not been produced to the BDA Engineers and it is also found that the distance from the lake boundary to the building (1) is 15 mtr., and to the building (2) is 1.5 mtr., buildings are having Ground Floor + 4 upper follows. Hence the BBMP authorities have to take necessary action and comply the Hon’ble Lokayukta”.

It is not disputed that the BDA Zonal Regulation provides that at least margin of 30 Mtr., of buffer zone, is required to be maintained from the lake boundary to the building, in respect of which building proposed to be constructed. The report of the BDA shows that two buildings referred to in the report have come up in violation of zonal regulations viz., building No.1 is located within the area of 15 mtrs.,

from the lake boundary and the building No.2 is located within 1.5 mtrs., from the lake boundary. Prima-facie, the said construction appears to be illegal and unauthorized, as it is put up in contravention of the zonal regulations.

9. Smt. Bhagyamma, Asst. Executive Engineer on behalf of BBMP is not able to tell me whether BBMP has given any license, as the granting of license permitting to put up the two buildings referred to above, is within the purview of Town Planning Department. It is needless to point out that the BBMP is required to take proper steps to prevent the further construction of the building referred to above if it is being constructed in contravention of the Bengaluru Development Authority Zonal Regulations. The BBMP to file its status report with regard to the steps taken in respect of the buildings referred to above which are being constructed near the lake in contravention of the zonal regulations, by the next date of hearing.

10. The grievance is made on behalf of VIKAS, that the BBMP should be directed to remove the unauthorized huts



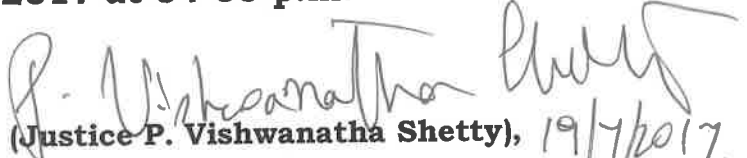
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which have come up in the area is concerned, at this stage, I don't propose to make any order on the said request. However, BBMP is required to prevent putting up of any fresh/new unauthorized construction/encroachment on the lake bed area.

Communicate this order to all the parties.

Call on **09<sup>th</sup> August 2017 at 04-00 p.m.**

  
(Justice P. Vishwanatha Shetty), 19/7/2017.  
Lokayukta,  
State of Karnataka.

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**KARNATAKA LOKAYUKTA, BENGALURU**

Date: 25-07-2017.

**ORDER**

As scheduled on the previous occasion, visited the lakes of Chinnappanahalli, Munekolalu today (25.07.2017) between 9:00 A.M. to 1:00 P.M. to have first hand information about the condition of the said lakes & surrounding areas.

Also visited the lakes of Kaikondarahalli and Agara at the request of Smt. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority, Bengaluru.

The following are the officers present during the spot inspection.

- 1) Shri. H.M. Nanjundaswamy,  
Registrar, Karnataka Lokayukta,  
Bengaluru.
- 2) Shri. Chandra Mallegowda,  
Additional Registrar of Enq-1,  
Karnataka Lokayukta,  
Bengaluru.
- 3) Smt. Sri. V.V. Satish,  
Chief Engineer, BBMP (in-charge of Lakes),  
Bengaluru.



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- 4) Shri. N. Satish,  
Additional Chief Engineer (Waste Water  
Management), BWSSB, Bengaluru.
- 5) Smt. Seema Garg,  
Chief Executive Officer of Karnataka Lake  
Conservation & Development Authority, Bengaluru,
- 6) Shri. Krishna Rao,  
(Replaced officer for Shri. Vijayakumar)  
Member Secretary of  
Karnataka State Pollution Control Board,  
Bengaluru.
- 7) Sri. B.N. Ramesh Kumar,  
Chief Environmental Officer, Karnataka State  
Pollution Control Board, Bengaluru.
- 8) Shri. Jagannath Rao,  
Deputy Conservator of Forest,  
BBMP, Bengaluru.
- 9) Officers/Officials of Lake Conservation &  
Development Authority.
- 10) Officers/Officials of Pollution Control Board.

Smt. Swetha Vijaya Kumar, Corporator of the Ward  
No. 85, Shri. Vijaya Kumar, Shri. Prabhu Shankar Rai  
(President, Chinnappanahalli Lake Rejuvenation  
Committee), Shri. Natesh Gowda & other surrounding  
residents were also present during the spot inspection.



**CHINNAPPANAHALLI LAKE**

Residents residing around the lake; Smt. Swetha Vijaykumar, Corproator of the area, Shri. Natesh Gowda, Shri. Prabhu Shankar Rai (President, Chinnappanahalli Lake rejuvenation Committee) and several other residents around the lake are present. They made several suggestions and the steps required to be taken by the authorities.

It was pointed by the officers of BBMP that the steps had already been taken to divert the sewage water to Munekolalu Lake. At this stage it was felt & a suggestion was made if an STP near Chinnappanahalli Lake itself is installed, treated water will flow to the lake and the same will remain throughout the year instead of diverting the sewage water to Munekolalu lake.


On account of financial constraint, the officials of BBMP expressed their inability to install STP plant near Chinnappanahalli Lake for the present. At this stage, the residents pointed out the possibility of raising substantial fund to install STP plant near the lake and in that event necessary permission and support must be extended by the authorities including BBMP and Pollution Control

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Board. For the purpose of exploring the possibility of raising substantial fund from the resident of the area and CSR, the Corporator of the ward and other residents have agreed to conduct a meeting with the people residing surrounding area, apartments and public at the earliest.

It was suggested by Shri. Prabhu Shankar Rai and others during the course of inspection to direct the concerned officer to get sanctioned the solar lights to the walking path surrounding lake, as the walkers are facing problem to walk during the late evening i.e., 6:30 P.M. to 7:30 P.M. On this issue, the Corporator of the area has undertaken to do the needful.

It was also pointed out by the people present during the course of inspection that the sewage water from the nearby apartment buildings is being let to the park adjacent to the lake by the residents of the apartment, which is stinking. On this point, the Hon'ble Lokayukta has directed the officers of Pollution Control Board Smt. Vijayalakshmi, Regional Environmental Officer, Pollution Control Board and Shri. C. Puttaraju. Environmental Officer who are present to take note of the grievance of the public and take effective steps to prevent overflowing of



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sewage water to the park from the apartment surrounding the lake. It was pointed out by the officers that the apartment buildings surrounding the lake do not have STP plant and therefore untreated sewage water is being discharged. In view of what is stated above, a direction is issued to the concerned officers to issue Show Cause Notice to nearby apartments as to why action should not be taken in the light of the directions given by the NGT for discharging the sewage water to the park and take appropriate steps in accordance with law. The officials concerned have agreed to take appropriate steps as directed in accordance with law. The officials concerned have been directed to ensure that the untreated water should not be discharged to lake.

It is further suggested to fence the area surrounding the temple and also get the Ganesha Statue Immersion Pond cleaned. Shri. Sathish, Chief Engineer, BBMP has agreed to get the work done by 9<sup>th</sup> of August 2017 i.e., the date on which the next hearing is fixed.

#### **MUNEKOLALU LAKE**

Shri Natesh Gowda, resident of the area & who has shown interest in rejuvenation & maintenance of lake &

Shri. Jagannath Rao, DCF attached to BBMP submitted that around 5 lakhs liters of excess treated water in the nearby apartment complex is being discharged to the BWSSB main trunk line and if the residents of the flats and public intends, the said excess water can be organised to be discharged to the lake. He submits that for the said purpose a pipe line with the pump has to be installed. He further states that the Flat Owners have agreed to install the pump at their own cost and the BBMP is only required to lay the pipe line. He says that he will take steps to lay the pipe line for the said purpose. According to him they can start the work immediately, provided the Pollution Control Board makes an order modifying the earlier usage consent given to the apartment. Smt. Vijaya Lakshmi, Regional Environmental Officer, Pollution Control Board submitted that, if a request is made by the flat owners and public, she could modify the order earlier made without any lapse of time. It is desirable that Smt. Vijaya Lakshmi will take positive steps in the matter by consulting the flat owners & public.

Shri. Natesh Gowda, who is the resident of the area present during the spot visit has pointed out that one gate which needs to be installed has not yet been fixed.



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Shri. Sathish, Chief Engineer, BBMP is instructed to look into the grievance and provide the wicket gate wherever it is necessary. If gate is not required, the open space may be closed by fencing it.

It is generally agreed that with the assistance of the local peoples, the BBMP has to take effective steps to rejuvenate the lake by removing the weeds. However that can be done only after installation of necessary STP plants. It is agreed by the officers of the various authorities and resident of the surrounding area to attend the meeting scheduled on 9<sup>th</sup> of August 2017 at 3:00 P.M. in the office of Lokayukta.

### **KAIKONDARAHALLI LAKE**

One Smt. Dechamma (Mob. No. 9880063037), representative of MAPSAS present during the visit alleges that though there is an order of National Green Tribunal to maintain Buffer Zone of 30 Meters, people have constructed the structures all around the lake. Since construction activities were going on around the lake, she has been asked to file a complaint in the prescribed form. Smt. Dechamma has agreed to file a complaint.





**AGARA LAKE**

On the suggestion of Mrs. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority, Bengaluru, Agara lake is visited by the Hon'ble Lokayukta. Mrs. Seema Garg has stated that the development of Agara lake was taken by her department with an estimated cost of Rs. 16.10 Crores & the said project is going to be completed in another 8 to 10 months. The officers who were present during the visit have shown the progress of the work of development of the lake.


Hon'ble Lokayukta expressed his desire to visit the aforesaid lakes again after substantial progressive is made in the work to be taken by the authorities concerned.

List this matter on **9<sup>th</sup> August 2017 at 3:00 P.M.**

for further consideration.

  
Addl. Registrar (Enq-1)  
Karnataka Lokayukta.

'In my Presence'

  
(Justice. P. Vishwanatha Shetty),  
Lokayukta,  
State of Karnataka.

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9-8-2017

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**KARNATAKA LOKAYUKTA, BENGALURU**

NO.COMPT/UPLOK/BCD/45/2017  
NO.COMPT/LOK/BCD/646/2016

Date: 07-07-2017.

**ORDER**

As scheduled on the previous occasion, visited the lakes of Viboothipura and Doddanekkundi today (07.07.2017) between 9:00 A.M. and 12:30 Noon to have first hand information about the condition of the lakes and the surrounding areas.

The following are the officers present during the spot inspection.

- 1) Shri. H.M. Nanjundaswamy,  
Registrar, Karnataka Lokayukta,  
Bengaluru.
- 2) Shri. Chandra Mallegowda,  
Additional Registrar of Enq-1,  
Karnataka Lokayukta,  
Bengaluru.
- 3) Shri. P.N. Naik,  
Engineer Member,  
Bengaluru Development Authority,  
Bengaluru.
- 4) Smt. Sri. V.V. Satish,  
Chief Engineer, BBMP (in-charge of Lakes),  
Bengaluru.



- 5) Shri. N. Satish,  
Additional Chief Engineer (Waste Water Management),  
BWSSB, Bengaluru.
- 6) Smt. Seema Garg,  
Chief Executive Officer of Karnataka Lake Conservation &  
Development Authority, Bengaluru,
- 7) Sri. B.N. Ramesh Kumar,  
Chief Environmental Officer, Karnataka State Pollution  
Control Board, Bengaluru.
- 8) Officers/Officials of Lake Conservation & Development  
Authority.
- 9) Officers/Officials of Pollution Control Board.
- 10) Officers/Officials of Revenue Department.


The members of VIKAS (Viboothipura Kere Abhivrudhi Mattu Samrakshana Samithi & NeTRA (Nekkundi Tank Rejuvenation Association) were also present during the spot inspection.

### **VIBOOTHIPURA LAKE**


Shri. Tejas Kumar, Tahasildar, Bengaluru East Taluk is present. The grievance of the public surrounding the lake is that there has been encroachment on the lake bed. The concerned Surveyors, Tahasildar, Assistant Director of Land Records and District Administration to examine the encroachment and take immediate steps for removal of the encroachment. The Corporator Shri. Nagarj has assured his full



cooperation in clearing the encroachments. The members Smt. Shubha and Smt. Amreen, who are representing VIKAS trust, also submitted that their trust and members will extend full support for the purpose of development of the lake. Further they assured that they will provide necessary security to the lake, provided the authorities also post necessary security to watch the lake area during night time. It is the grievance of the trust that the authorities of BBMP are colluding with the people who dump the garbage to the lake bed. However, this statement is denied by the officials of BBMP.

 Shri. Srinivas, Taluk Surveyor submitted that the lake bund & its area has been surveyed during the year 2015-16 and marking have been done and encroached portions are also shown in red colour in the map. The same is shown to me by him.

He pointed out the details of encroachments has been set out in the sketch prepared. The Tahasildar assured that immediate steps will be taken for removal of all the encroachments and would take steps for modification of the interim order, if any granted by the court. The surveyor submitted that he will file the sketch with necessary details of



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the encroachment to me on or before 12<sup>th</sup> of July 2017. The statement made is placed on record.

Smt. Amreen, member of VIKAS pointed out that two apartments are coming up next to the lake without leaving 30 Meters margin as required under the BDA Regulation, 2015. If the statement is true, the authorities have to take immediate steps to prevent the construction of apartments which is stated to be located abutting to the lake and within 30 Meters margin. Shri. P.N. Naik, Engineer Member of BDA and Smt. Vaasanthi, Joint Commissioner of BBMP, Mahadevapura Zone who are present during the spot inspection have assured to examine the matter and to take appropriate action.

Smt. Vaasanthi, Joint Commissioner of BBMP Mahadevapura Zone has been directed to consider the request of public and install CC Camera at appropriate places to prevent dumping of debris, other unwanted materials & garbage.



**DODDA NEKKUNDI LAKE**

Shri. Subramanayam, present President of NeTRA and Shri. Vishwanath Herale, former President of that Association with other members of NeTRA, general public and officers of BDA, BBMP, BWSSB, Lake Development Authority etc are present. It is the submission of the members of NeTRA that the following work is required to be done;

- (i) De-weeding has to be done immediately.
- (ii) Discharge of sewage has to be treated before letting to the lake.
- (iii) They submit that 7 MLD STP is required to be installed.

The members of NeTRA submitted that they will organise fund for the cost of installation of 7 MLD STP subject to the condition that the remaining fund is to be provided by the authorities/BWSSB. Total cost required for the purpose will be around 14 Crores.

Shri. Chinnaiah who is the member of NeTRA submitted that use of Bio Technology for treating sewage water is required to be done on a pilot project basis with the 2 MLD first. In






response to the said statement, Shri. Jagannathrao, Officer of <sup>M. B. B. M. X</sup> (Lake Development Authority) submitted that the suggestion made by the Chinnaiah is tried at Kundalli Lake and Savalakere lake and he is satisfied that it is working in good condition. In that background, it may not be necessary to try again on pilot project basis. The officers of BDA, BBMP, Forest, Lake Development Authority submitted that they will extend full co-operation to the Association (NeTRA) in all the steps they may take to improve the condition of lake & maintain the same as permissible under law.

The Association members submitted that earlier a decision was taken to fence the remaining 50% of the lake area and for the said purpose money is required to be sanctioned by the BDA. However Shri. P.N. Naik, Engineer Member of BDA submitted that till now no decision has been taken to sanction funds. Since the Association has come forward to meet the cost of 7 MLD STP at a huge cost, it is reasonable that BDA should consider funding the remaining 50% of fencing work. Shri. P.N. Naik, Engineer Member of BDA has assured to submit his response within two weeks.

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Smt. Vaasanthi, Joint Commissioner of BBMP Mahadevapura Zone has been directed to consider the request of public and install CC Camera at appropriate places to prevent dumping of debris and other unwanted materials & garbage.

List this case on **19<sup>th</sup> July 2017 at 12-00 Noon** for further consideration.

  
(Justice. P. Vishwanatha Shetty), 7/7/2017.  
Lokayukta,  
State of Karnataka.

19-7-2017

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**KARNATAKA LOKAYUKTA : BENGALURU**

NO: COMPT/Misc.506/2017  
NO: COMPT/UPLOK/BCD/45/2017  
NO: COMPT/LOK/BCD/646/2016

Date: 09-08-2017

**ORDER**

**Chinnappanahalli Lake:**

Smt. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority along with Sri.K.G.V.Murthy, Legal Advisor is present.

2. Sri. V.V.Satish, Chief Engineer, Bruhat Bengaluru Mahanagara Palike (incharge of Lakes), Sri. Jagannatha Rao, Deputy Conservator of Forest, BBMP, are present.

3. Smt. Swetha Vijaykumar, Corporator of the area is present along with other residents of the area.

4. Sri. V.V. Satish, Chief Engineer, submitted that pursuant to the direction given by the Lokayukta, by means of order dated 25-07-2017, he has carried out the following directions:

- i. BBMP has fenced the area surrounding the temple;
- ii. Got cleaned the immersion pond provided for immersion of Ganesha statues/idols.



Sri. V.V.Satish has produced photographs showing the fencing of the surrounding temple area and also cleaning the pond. The photographs are placed on records.

5. Smt. Swetha Vijaykumar and other residents admitted that the work referred to above has been carried out by the BBMP. Smt. Swetha Vijaykumar submitted that, as assured by her on the last date of hearing, she would take immediate steps to get the solar lights installed surrounding the lake. The said submission is placed on record.

6. It was suggested by Smt. Swetha Vijaykumar, Corporator and Sri. Vijayakumar Reddy, Sri. Aravind Keerthi, Smt. Vidya Chaudhuri, Smt. Indira - residents of Chinnappanahally Lake area that they may have to raise at least a sum of Rs.1.50 Crore for the purpose of installing STP near Chinnappanahalli Lake. At this stage, Sri. Vijayakumar Reddy, submitted that, from his family Trust known as 'H.Thippa Reddy Foundation Trust' he will be able to organize and provide at least a sum of Rs.10.00 lakhs for the purpose of installing STP. The others referred to above, submitted that, they need some time to contact the corporate sector and find out their response for donating substantial money out of CSR funds. They submitted that they need at least six weeks time from the time the authorities of BBMP give the estimate and drawing.

7. Sri. V.V.Satish, Chief Engineer and Sri. Jagannatha Rao, Deputy Conservator of Forests of BBMP submitted that within five days from today they will give the estimate/project report and drawing to the residents to give a rough idea as to how they can go about to install STP. They agreed to give copies to Sri.Vijayakumar Reddy and Smt. Swetha Vijayakumar and Sri. Aravind Keerthy and Smt. Vidya Chaudhuri. Sri. Aravind Keerthy also assured everyone here that he will actually associate himself with all the residents of Chinnappanahally Lake area to organize funds and guide the members of the area to organize fund and more particularly from corporate sector.

8. Sri. V.V.Satish, Chief Engineer and Sri. Jagannatha Rao, Deputy Conservator of Forests of and also Smt.Vasanthi, Joint Commissioner of BBMP assured their full official support to the residents in their effort to install STP. Their statement is placed on record.

9. Sri. Vijayakumar Reddy also submitted that he along with his family members has already handed over an area measuring 1000 ft. length x 5 ft. width of land to enable for flow of sewage water surrounding the lake in Sy.Nos. 21, 22 and 23 of Chinnappanahalli, which is on the western side of the lake. Pursuant to the handing over possession of the said portion of the land a large extent work has also been done for the purpose of sewage. Sri. Ramakrishna

K.R, Executive Engineer, BWSSB submitted that, the remaining work will be done within two weeks. The statement of Sri. Ramakrishna K.R is placed on record. Sri. Vijayakumar Reddy also graciously agreed to consider executing Relinquish Deed conveying the title in respect of the property referred to above after discussing and securing the consent of his family members. For this he requires another eight weeks time. The Relinquishing Deed has to be executed in favour of Commissioner of BBMP. However, it is made clear that the statement made by Sri. Vijayakumar Reddy about his handing over 100 ft. x 5 ft., length of land etc., should not be understood as Lokayukta or anyone also in anyway approving the title in respect of the said property one way or the other.

10. It is pointed out by the residents of the area, the UGD work to connect the discharge of sewage water on the road running from apartments measuring about 200-300 meters work has not been carried out. Sri. Ramakrishna and Sri. Ramanand to speak to the concerned officers of BWSSB and suggest to them the work required to be done in the light of the suggestion made by the residents by the next date of hearing. Smt. Vijayalakshmi, Regional Environmental Officer, Karnataka State Pollution Control Board, Bengaluru, has submitted that she has visited some apartment there. In some of the apartments which are having less than 50 apartments, do not come under the control of Pollution Control Board. She submitted that the

discharge of sewage water from the building which contains of 50 as lesser number of apartments may have to be linked with BWSSB sewerage line and since the sewerage line has not yet been done, the discharge of sewage water problem has arisen. The BWSSB has to take effective steps to attend the problem regarding discharge of sewage water from the buildings which are having less than 50 apartments. The progress report with regard to the discussion and the decision taken above, to be filed by the next date of hearing, by all the concerned.

List this on 08-11-2017 at 03-00 p.m.

**Munekolalu Lake:**

Smt. Vijayalakshmi, Regional Environmental Officer submitted that since the residents/owners of the association are due substantial money to Pollution Control Board towards renewal or grant of sanction to existing license, she could not made any order modifying the license conditions, as assured by her on the last date of hearing (i.e., on 25-07-2017). She submitted that she has already approached Vintage Owners Association and they have agreed to submit the application along with the payment of the amount due within five days time. She assured that needful would be done as assured by her on the late date of hearing within two weeks from today and submit a report to the Lokayukta, provided the <sup>necessary</sup> number of



applications is made by the Association after payment of the amount due.

2. Sri. V.V. Satish, Chief Engineer submitted that needful will be done as stated on the last date of hearing with regard to the fixing of gate if need be.

**Kundalahalli Lake:**

It is pointed out that there is a land belonging to KIADB and a private person. In the said land on the south west garbage and debris are being dumped which emanate poisonous smell and health hazard. The Joint Commissioner, Bruhat Bengaluru Mahanagara Palike is to examine the grievance made and take the remedial measures and also to submit status report by the next date of hearing.

**List this on 08-11-2017 at 03-00 p.m.**

**Doddanekkundi Lake:**

Sri. P.N. Nayak, Engineer Member of Bengaluru Development Authority has submitted that about two days back Rs.1.00 Crore has been sanctioned for the purpose of fencing remaining 50% of the lake area and BDA will commence the fencing work within about 10-12 days time.

2. With regard to the grievance of President and other members of NeTRA, Sri. P.N. Nayak submitted that already a provision is made with regard to the electrification and



work will commence about 10-12 days. The above statement made by Sri. P.N.Nayak is placed on record.

3. Sri.Subramanya submitted that as they assured on the last occasion, they will install 4 mld STP at the earliest point of time. However, he submitted that the Association requires some time to organize the funds. He also suggested that the authorities may be directed to furnish estimate, design and cost including sketch/drawing, which is required for installing STP.

4. Sri. V.V.Satish, Chief Engineer, on my suggestion, though the lake does not fall within his jurisdiction, agreed to provide the design, estimate, etc., referred to above, to NeTRA within two weeks time. It is needless to mention that the President and other members of the Association are required to give all assistance to Sri. V.V.Satish, Chief Engineer to prepare the necessary estimate and the plan. Sri. Subramanya and other members of the Association submitted that they commence the work within about three months time from today i.e., from the date Sri. V.V.Satish furnishes the project, estimate, etc. The said statement is placed on record.

4. Members of VIKAS Team and Sri. Dattatreya Bhat submitted that they have taken positive steps to organize collection of funds. They submitted that they hope to start the work for installation of STP within a period of three months. Sri. V.V.Satish, Chief Engineer and other officers

of BBMP assured their co-operation to the Association in the matter of installation of STP.

**Vibhuthipura Lake:**

Smt. Shubha Srinivas, Secretary of VIKAS Team submitted that they intend going for Bio-STP technology and in that connection, they have contacted 'ecoparadigm' (Paradigm Environmental Strategies (P) Ltd., and they intend to proceed with the work through them.

2. Smt. Vasanthi Amar Joint Commissioner, BBMP submitted that BBMP has already processed and taken effective steps for installing 44 CC Cameras, as assured on the last occasion and they were only required to identify the building with the assistance of the Association to install CC Cameras and only installation work is required to be done. She submitted that she will be able to get it done within about 10 days time.

3. Sri. Tejas Kumar, Tashildar, Bengaluru (East) and Survey Supervisor Sri. Krishna are present and they submitted that some portion of the land measuring about 13 guntas which have been encroached, the encroachments have been removed.

4. Since it is stated that are some slum occupants and also colony known as Shivashakti Colony, I am of the view, it would be in the interest of justice to suggest Sri. V.V.Satish, Chief Engineer and Tahsildar Sri. Tejas

Kumar and Survey Supervisor Sri. Krishna, to inspect the area and to give a status report and to suggest the ways and means by which the lake area could be protected/fenced. The Revenue authorities to explore the possibility of either shifting the slum people or take other steps to rehabilitate them if permissible. On the last occasion, on behalf of Bhoomi, it was submitted that they will meet the expenditure of fencing.

5. The Taluk Surveyor to comply with the direction given in the statement made on 07-07-2017 with a week.

6. Sri. Tejas Kumar has filed a report. The same is placed on record. The report submitted does not reflect the correct factual position with regard to proceedings pending before the court. He is directed to furnish the details regarding the proceedings pending before the court with reference to position as to whether any interim order granted by the court restraining the authorities from removal of the encroachment, etc.

7. Sri. Tejas Kumar, Tahsildar and Survey Supervisor Sri. Krishna submitted that they will take steps to finalize the survey and identify the boundary within ten days from today. However, they have pointed out, that the BBMP Engineers will have to put the boundary stones. Smt. M.S. Bhagyamma, has agreed to co-operate with the Tahsildar and ADLR. They submitted that they will be

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visiting the lake area for the purpose of survey for fixing the boundary on 17-08-2017 at 09-30 a.m.

8. It is pointed out by the members of the Association, some unauthorized construction is put up within the lake area. The Bruhat Bengaluru Mahanagara Palike Zonal Engineer Smt. Bhagyamma to examine the grievances and submit status report.

9. On behalf of the BBMP, it is submitted that six Home Guards have been employed as agreed on the last date of hearing. It is also submitted on behalf of BBMP that the Gate has also been fixed, as assured.

10. Smt. M.S.Bhagyamma, Asst. Executive Engineer, HAL Airport Sub-Division, BBMP submitted that with regard to two building in respect of objections were raised on the ground they have been constructed within the buffer zone of the lake, she has already written to the higher authorities, who have sanctioned the plan and she has also issued notice to builders to stop further construction of the building. She further submitted that she has also given a complaint to the local Police.

11. The Secretary and members of VIKAS Team submitted that the grant of license and the plan for construction of two buildings within the buffer zone, is totally illegal and unauthorized. It is needless to point out that, if building plan and the license had been granted in


violation of the Zonal Regulations, the concerned authorities will have to take remedial measures and withdraw the plan and license granted and stop further construction of the buildings in accordance with law. The Zonal Engineer i.e., Assistant Director of Town Planning, Office of the Joint Commissioner, Mahadevapura Zone, BBMP, White Field Main Road, Bengaluru-48 and the Joint Director of Town Planning, BBMP (North), N.R.Square, Bengaluru, are directed to **file status report within two weeks from today (i.e., on or before 23-08-2017).**

12. Further, it is needless to mention that the concerned authorities of the BBMP have a statutory obligation to ensure no construction is put up in violation of the Zonal Regulations 2015 and the license and plan granted by the BBMP.

13. Communicate the relevant portion of the order relating to unauthorized construction of two buildings referred to above to ADTP and JDTP, referred to above.

14. Communicate this order to the parties by post and also through e-mail.

**List this case on 08-11-2017 at 03-00 p.m.**

  
(Justice P. Vishwanatha Shetty), 9/8/2017.  
Lokayukta,  
State of Karnataka.

AS\*

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Misc - 506/17

Date: 10-08-2017

Sri. Manjunath Tavane, Assistant Director of Land Records, Survey Department, Bengaluru, is present along with Sri. Srinivasachar, Surveyor. Both of them submitted that they had not received the copy of the order dated 07-07-2015 wherein it has been directed to file survey sketch on or before 12-07-2017 and therefore, they could not be present on 19-07-2017. They also submitted that they have also not received the copy of the order dated 19-07-2017 wherein the explanation sought for from the Surveyor. Therefore, the Surveyor could not submit his explanation for his absence on 19-07-2017 and also not file report as agreed upon earlier.


2. I have no reason to disbelieve the statement made by the officers referred to above. Therefore, their explanation is accepted and the proceedings proposed to be initiated against them are hereby dropped.

3. Since they were not present on 09-08-2017 at the time of proceedings, both of them brought to my notice that in the light of the direction issued to survey the property and assist fencing of the lake area, that certain

areas which have been shown in 'Red colour' in the survey sketch prepared in No. SSLR/EST/TD/GC-25/2015-16 clearly indicates the encroached portion.

4. However, it is made clear that fencing of any area excluding the encroached portion will not confer any right to anyone who has encroached upon the lake bed or lake area who is in an unauthorized occupation of Tank Bed/Government/Municipal land. The authorities are at liberty to remove the encroachment of Tank Bed/Government/Municipal land, at any time, in accordance with law.

5. Further, it was pointed out by the Officers referred to above, that the authorities cannot be the parties for fencing the area excluding the encroached portion. In the light of the submission made by the Officers, in my view, the interest of justice will be served if the lake area which requires fencing (where there is no encroachment made) can be carried out.

  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
State of Karnataka.

**KARNATAKA LOKAYUKTA : BENGALURU**

No: Compt/Misc.506/2017  
Compt/Uplok/BCD-45/2017  
Compt/Lok/BCD-646/2016

Date: 29-08-2017

**ORDER**

Smt. Seema Garg, Chief Executive Officer of Karnataka Lake Conservation & Development Authority is present. Sri. Vedamurthy, Assistant Engineer is present on behalf of Bengaluru Development Authority.


2. The Bengaluru Development Authority has filed a report dated 08-11-2017. The same is placed on record.

3. No one is present on behalf of Karnataka State Pollution Control Board, Bruhat Bengaluru Mahanagara Palike and Bengaluru Water Supply and Sewerage Board.

4. The connected matters relating to other lakes were directed to be listed on 08-11-2017 at 03-00 p.m. Therefore, it is desirable that this matter is also directed to list on 08-11-2017 at 03-00 p.m.

5. In the mean while, the BDA and BWSSB are directed to file status report with regard to the steps taken in respect of the various matters indicated in my last order dated 09-08-2017.

List this case on 08-11-2017 at 03-00 p.m.

  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
State of Karnataka.



8. 11. 2017

ನೌ. ಲೋಕಾಯುಕ್ತರವರಿಗೆ  
ಆದೇಶದಂತೆ ನೋಟೀಸು  
ಬಿಡಿ ಮಾಡಿದ್ದು.

- 1) ಮುಖ್ಯ ಗ್ರಾಹಕರುಗಳು, ಕೆಳಿಗಳು  
ಇವರ ಪತ್ರ ದ. 23/10/17 ಮಂಡಿಸಿದೆ.
- 2) ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮೊಟ್ಟೆ ನಿಯಂತ್ರಣ  
ಮಂಡಳಿ ಇವರ ಪತ್ರ ದ. 16/9/17  
ಮಂಡಿಸಿದೆ.
- 3) ಬಿ.ಡಿ.ಎ, ಗ್ರಾಹಕರುಗಳ ಸಹಕಾರ  
ಪತ್ರ ದ. 25/9/17 ಮಂಡಿಸಿದೆ.
- 4) ಬಿ.ಬಿ.ಎಂ.ಡಿ, ಎ.ಡಿ.ಬಿ.ಡಿ ಇವರ  
ಪತ್ರ ದ. 15/9/17 ಮಂಡಿಸಿದೆ.

**KARNATAKA LOKAYUKTA : BENGALURU**

No: Compt/Misc.506/2017

Date: 08-11-2017

**ORDER**

**Chinnappanahalli Lake:**

Sri. V.V.Satish, Chief Engineer (incharge of Lakes), Bruhat Bengaluru Mahanagara Palike is present. No member of the public, who have shown interest on behalf of Chinnappanahalli Lake is present. Smt. Swetha Vijayakumar, Corporation of the area, on the last date of hearing had made a statement before me that she would take steps to install solar lights. However, no representation is made. Sri. Vijayakumar Reddy, Sri. Aravind Keerthi and other residents of Chinnappanahalli Lake area, who gave an assurance on the last date of hearing that they will mobilize funds to develop the lake and install STP are also not present.

**Munnekolalu Lake:**

Smt. Vijayalakshmi, Regional Environmental Officer, Karnataka State Pollution Control Board, Bengaluru, is

present. She submitted that, as stated by her on the last date of hearing, she had made an order modifying the conditions of license, for the purpose of letting sewage water to Munnekolalu Lake. She submitted a report dated 01-09-2017 and 16-09-2017. The said report is placed on record. Nobody is present on behalf of Monnekolalu Lake. Sri. V.V.Satish and Smt. Vijayalakshmi submitted that they had meeting with members of the public and steps have been taken to draw the treated water from the STP to the lake. They are to file status report by the next date of hearing with regard to the execution of the work.

**Doddanekkundi Lake:**

Sri. P.N.Nayak, Engineer Member, Bengaluru Development Authority submitted that street lights and fencing work is in progress. Sri. Chinniyappan, President of the NeTRA along with Sri. Subramanya and Sri. Vishwanatha Herale also submitted that fencing and electricity work is under progress and they are taking effective steps to put up STP as assured by them and they

have to file status report with regard to putting up of STP by the next date of hearing. The BDA to file status report by the next date of hearing.


**Vibhuthipura Lake:**

On behalf of Vibhuthipura Lake, no member of the public or representing the Lake is present.

**Bellandur Lake:**

Sri. P.N. Nayak, Engineer Member submitted that except the area which falls under Ambedkar Nagar, the rest of the area has been fully fenced. He submitted that since there are about 200 families residing in the said area, it is not possible to fence the said area till the steps are taken to re-settle the said families and steps are being taken to shift the said families and fence the area.

List this case on **29-01-2018 at 02-30 p.m.**

  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
Karnataka State.

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27-1-18

ARE. 1 - 67-

બચાવ કાર્ય

સંબંધ

સરકારી કાર્ય

સંબંધિત કાર્ય

કાર્યવાહી

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**KARNATAKA LOKAYUKTA**

No:Compt/Misc.506/2017

Date: 29-01-2018

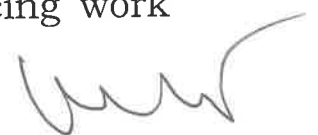
**ORDER**

**DODDANEKKUNDI LAKE:**

Sri Vinayak Sagar, Executive Officer, Bengaluru Development Authority is present along with Sri Vidhya Murthy, Assistant Engineer.

2. On behalf of NeTRA Association, it is submitted that the Bengaluru Development Authority was required to fence 450 meter length on the tank bund and out of that fencing of 150 meter remains to be carried out. They submitted that, unless the fencing is immediately done, it will have serious adverse effect on the lake. According to them, high priority will have to be given for fencing of the lake referred to above by the BDA.

3. The Executive Officer, BDA has submitted that efforts are being made to complete the work but on account of certain disputes raised by certain local persons, they could not complete the fencing work



Misc - 506/2017. 2 - 69 -

till now though an assurance was given by the Executive Engineer, BDA that the fencing would be done.

4. It is needless to point out that, to protect the lake, fencing has to be done without further loss of time. I am sure all the residents of the area would co-operate with the BDA and the concerned officers/engineers in completing the work relating to fencing and lighting etc. Six weeks time is granted to carry out the remaining work including the remaining work of fencing and lighting.

5. It is needless to point out that since the BDA is required to execute the work relating to remaining fencing and lighting, the same is required to be handed over to the Bruhath Bengaluru Mahanagara Palike immediately after execution of the work by complying with the procedure required.

6. The Bengaluru Development Authority to file status report with photographs with regard to the




completion of the fencing and lighting work before the next date of hearing.

6. On behalf of the NeTRA Association some problem regarding entering into MOU was pointed out. I am of the opinion, it is not necessary to deal with the said problem at this stage and this can be discussed in the presence of the Chief Executive Officer, KLCDA, at a later stage. Issue notice to the KLCDA.

6. Communicate this order to the parties concerned.

**List this case on 21-03-2018 at 2.30 p.m.**

  
(Justice P. Vishwanatha Shetty) 29/1/2018.  
Lokayukta, State of Karnataka

ck\*

ARE-1)



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**KARNATAKA LOKAYUKTA**

No:Compt/Misc.506/2017

Date: 29-01-2018

**ORDER**

**VIBHUTIPURA LAKE:**

Smt Ambareen Qadri, President, VIKAS Team is present. She submits that she is representing the residents of Vibhutipura Lake.

2. She has submitted that, subsequent to the last proceedings, the BBMP has taken some positive steps to protect the lake. According to her, for some time Home guards came to watch the lake, though at present they are not available. She also pointed out that the BBMP has already started the work and to the large extent drained out the water from the lake and she assured me that the local residents including her association will take other steps to prevent polluting the lake by discharge of any polluted substance etc.,

2. Sri Satish, Chief Engineer, BBMP submitted that a sum of Rs.3 crores (three crores) has been allotted to Vibhutipura Lake for its development. Pursuant to that, tender process is on and he hopes to start the work by February 2018 and completes

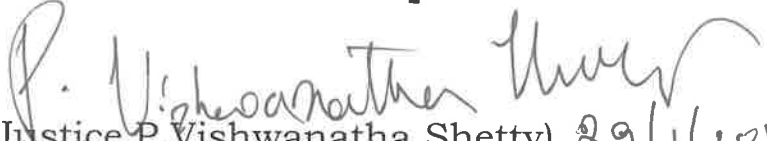


the work by another 6-8 (six to eight) months from February 2018.

3. As observed by me earlier, Smt Ambareen Qadri, President, VIKAS Team has also submitted that the BBMP has taken positive steps subsequent to the last hearing date. In the light of what is stated above, the proceeding relating to Vibhutipura Lake is directed to be listed on 10<sup>th</sup> July 2018 at 2.30 p.m.

4. Communicate this order separately only to the Chief Engineer, BBMP and to Smt Ambareen Qadri, President, VIKAS Team.

**List this case on 10-07-2018 at 2.30 p.m.**

  
(Justice P. Vishwanatha Shetty) 29/1/2018.  
Lokayukta, State of Karnataka

ck\*

ARE-1)

**KARNATAKA LOKAYUKTA**

No:Compt/Misc.506/2017

Date: 29-01-2018

**ORDER**

**MUNEKOLALU LAKE:**

Sri Satish, Chief Engineer, BBMP is present. Smt. Vijayalakshmi, Regional Environmental Officer Karnataka State Pollution Control Board is present. However, nobody is present on behalf of Munekolalu Lake. Even on the last occasion, nobody was present on behalf of Munekolalu Lake.

2. Sri Satish, Chief Engineer submitted that on 26<sup>th</sup> January 2018, the Puravankara Reverie Apartment Residents Association has laid the pipeline from their STP to release the excess treated water to the lake. He submitted that he is satisfied with the work done.

3. In the light of what is stated above, I am of the view that the proceeding with regard to the Munekolalu Lake is required to be closed. However,




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if the concerned authorities do not take appropriate action/decision to protect the lake in the future, the liberty also is reserved to the residents of the Munekolalu Lake to move this authority, for any further direction.

Accordingly it is closed.

Communicate this order to the parties concerned.

  
(Justice P. Vishwanatha Shetty)  
Lokayukta, State of Karnataka 29/1/2018

ck\*

ARE-1)

**KARNATAKA LOKAYUKTA**

No:Compt/Misc.506/2017

Date: 29-01-2018

**ORDER**

**CHINNAPPANAHALLI LAKE:**

Sri Satish, Chief Engineer, BBMP is present.

2. On the last occasion Smt. Swetha Vijayakumar, Corporator of the area and others had made certain assures. However, they are not present today.

3. Sri Satish, Chief Engineer has submitted that the lake has been completely rejuvenated and no steps are required to be carried out by the BBMP.

4. In the light of what is stated above, I am of the view that the proceeding with regard to the Chinnappanahalli Lake is closed. However, if the concerned authorities do not take appropriate action/decision to protect the lake in the future, the liberty also is reserved to the residents of the Munekolalu Lake to move this authority, for any further direction.




Misc - 506/17.

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Accordingly it is closed.

Communicate this order to the parties  
concerned.

  
(Justice P. Vishwanatha Shetty) 29/1/2018  
Lokayukta, State of Karnataka

ck\*

ARE-1)

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**KARNATAKA LOKAYUKTA**

No:Compt/Misc.506/2017

Date: 29-01-2018

**ORDER**

**BELLANDUR LAKE:**

So for as Bellandur Lake is concerned, Sri Vidhya Murthy, Assistant Engineer submitted a report on behalf of the Bengaluru Development Authority. The same is placed on record.

2. The above said report deals with the cause of fire etc. Since the matter is being considered by the NGT, I do not propose to make any order/issue any direction at this stage.

3. However, it is point out that the fire had occurred on account of certain miscreants as pointed at document-3 at para-3. If it is so, it is needless to point out that, it is the duty of the concerned authorities to give a complaint to the jurisdictional police to prosecute the culprits. The miscreants/culprits who play with the valuable life's of the public cannot be allowed to go scot free on account of lack of vigil on the part of the authorities, to investigate and prosecute the culprits. I am sure, if a complaint is laid before the jurisdictional police, they will make a thorough investigation and would

Misc - 506/17.

..578-

take steps to prosecute the guilty without further loss of time and avoid any such eventuality in future. The concerned officials of the BDA are directed to pursue the matter with the jurisdictional police and also before the Commissioner of Police if need be for the purpose of effective investigation. The Bengaluru Development Authority to file the status report with regard to the action taken to book the culprits within four weeks and for the purpose of such other further directions, if need be on that behalf.

4. Communicate this order to the parties concerned.

**List this case on 10-07-2018 at 2.30 p.m.**

*P. Vishwanatha Shetty*  
(Justice P. Vishwanatha Shetty)  
Lokayukta, State of Karnataka  
29/1/2018

ck\*

ARE-1)

10/07/2018

ARE-1.

ನೌ. ಲೋಕಾಯುಕ್ತರ  
ಆದೇಶದಂತೆ ಮೂರು  
-ದಾರರಿಗೆ ನೋಟಿಸ್  
ಜಾರಿ ಮಾಡಿದ್ದು, ಸ್ವೀಕೃತಿ  
ಮಂಡಿಸಿದೆ.  
ಅಭಿಯಂತರ ಅಧಿಕಾರಿ-1  
ಬಿ.ಡಿ.ಎ. ಬೆಂಗಳೂರುರವರ  
ಹಸ್ತಕ್ಷೇಪ ಬಾಕಿರುತ್ತದೆ.



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**KARNATAKA LOKAYUKTA, BENGALURU**

No.Compt/Misc.506/2017/ARE-1


Date :10.07.2018

**O R D E R**

**BELLANDUR LAKE :**

This is a suo-motu proceeding. No one is present on behalf of the BDA. By means of my Order dated 29.01.2018, I had indicated that since the matter was being considered by NGT, I do not propose to make any Order or issue any direction at that stage. However, I had further directed the BDA to file a Status Report with regard to the action taken to book the culprits who had set fire etc., The Status Report has not been filed by the BDA.

2) In the light of what is stated above, this proceeding is adjourned to **16<sup>th</sup> August, 2018 at 3.00 p.m.** Intimate the parties concerned.

  
(Justice P. Vishwanatha Shetty) 10/7/2018  
Lokayukta  
State of Karnataka

\*vi

**KARNATAKA LOKAYUKTA, BENGALURU**

No.Compt/Misc.506/2017/ARE-1

Date :10.07.2018

**O R D E R****VIBHUTIPURA LAKE :**

Smt.Ambareen Qadri, President, VIKAS Team is present along with Smt.Sushma Kamath, Trustee, Sri Sudheer.P, Trustee and Sri Ranjith, Trustee, of VIKAS Team. However, nobody is present on behalf of the BBMP.

2) The complainant submitted that though a sum of ₹ 3 crores was sanctioned by the BBMP for development of the lake, from the last date of hearing no progress is made. In this connection she drew my attention to para-2 of my earlier Order dated 29.01.2018, which reads here as under –

“She has submitted that, subsequent to the last proceedings, the BBMP has taken some positive steps to protect the lake. According to her, for some time Home guards came to watch the lake, though at present they




8)

are not available. She also pointed out that the BBMP has already started the work and to the large extent drained out the water from the lake and she assured me that the local residents including her association will take other steps to prevent polluting the lake by discharge of any polluted substance etc.,"

- 3) Since no one is present on behalf of the BBMP, I find it is not proper to take-up the matter for consideration. Accordingly, this matter is adjourned. The BBMP to file the Status Report with regard to the steps taken in the light of the earlier observation made and extracted above.

Intimate the parties concerned. List this case on 16<sup>th</sup>

**August, 2018 at 3.00 p.m.**

  
(Justice P.Vishwanatha Shetty) 10/7/2018  
Lokayukta  
State of Karnataka

\*vi

- 4) Additional Registrar of Enq.1

**KARNATAKA LOKAYUKTA, BENGALURU**

No.Compt/Misc.506/2017/ARE-1

Date :10.07.2018

**O R D E R****DODDANEKKUNDI LAKE :**

Sri M.S.Chenniappan, President is present along with Sri G.V.Subramaniam, Trustee of Nekkundi Tank Rejuvenation Association (NeTRA), Bengaluru. However, nobody is present on behalf of the BDA and BBMP.

2) Sri M.S.Chenniappan and Sri G.V.Subramaniam submitted that subsequent to the last date of hearing, substantial progress has been shown by the BDA, by way of putting up of fencing and installation of pathway lighting etc., It is also pointed out by them that though the lake at present is in the custody of the BDA, steps are being taken to handover the lake to the BBMP. I find it is necessary, to hear the respondents.



Since, nobody is present on behalf of the respondents, the matter is adjourned to the next date.

Intimate the parties concerned. List this case on 16<sup>th</sup> August, 2018 at 3.00 p.m.

(Justice P. Vishwanatha Shetty) 10/7/2018.  
Lokayukta  
State of Karnataka

\*vi

3) Additional Registrar of Enq.1

16/08/2018.

ARE-1.

ಗೌ. ಲೋಕಾಯುಕ್ತರವರ  
ಆದೇಶವಂತೆ ಸಂಬಂಧಪಟ್ಟ  
ಅಧಿಕಾರಿಗಳಿಗೆ ನೋಟಿಸ್  
ಜಾರಿಯಾಗಿದ್ದು, ಸ್ವೀಕೃತಿ  
ಮಂಡಿಸಿದೆ.  
ಸಹಾಯಕ ವಿಜಯರ,  
ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ,  
ಬೆಂಗಳೂರುರವರ ಹತ್ರದ  
ತಾ: 08/08/2018 ಬಂದಿರುತ್ತದೆ.

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**KARNATAKA LOKAYUKTA : BENGALURU**

No: Compt/Lok/Misc.506/2017/ARE-1 Date: 16-08-2018

**ORDER**

**Vibhuthipura Lake:**

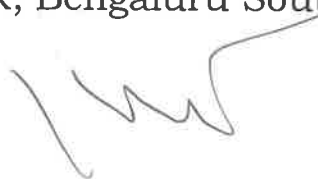
On behalf of VIKAS Team, Smt. Sushma Kamath, and Sri. Ranjith Kumar, who are the Members of the Trust are present. On behalf of Bruhat Bengaluru Mahanagara Palike, Bengaluru, Sri. T. Jagannatha Rao, Deputy Conservator of Forest (incharge of Lakes) is present.

2. It is the grievance of the complainants Smt. Sushma Kamath and Sri. Ranjith Kumar that though CC Cameras have been installed, they are not working. They also pointed out that they have seen only lady staff – Homeguards deputed to supervise the lake. It is their serious grievance that inspite of the earlier order made, effective steps have not yet been taken by the Bruhat Bengaluru Mahanagara Palike (hereafter referred to as 'BBMP' for short), to prevent construction of the apartment which is located within 30 Mtrs. from the lake boundary. They also pointed out that the entire lake area has not yet

been surveyed to find out the encroachment and for the purpose of putting up fence.

3. In response to the said grievance of the Complainant, Sri. T. Jagannath Rao, submitted that all the CC Cameras will be made functioning immediately within two weeks time and steps will be taken to put up the fencing where it has not been carried out. According to him, only in some places in between two beds, fencing work has to be done. He also pointed out unless the lake area is surveyed boundary is fixed, it will not be practically possible to identify the encroachment and fix up the boundary. He submits that if he is given two months time from today, he will be able to show substantial progress in the matter of development of lakes as indicated in my earlier order.

4. In my earlier order, I have indicated that the surveyor and the Tahsildar to get the lake surveyed and boundary identified. Further, it is needless to point out that it is absolutely necessary to survey the area of the lake and fix up the boundary. Unless that is done, encroachment cannot be identified. Therefore, a direction is issued to ADLR, Bengaluru South to get Vibhuthipura Lake surveyed



and boundary fixed. Three months time is granted to conduct the survey and fix the boundary from the date of communication of this order. He is also directed to file a status report with regard to the survey got done with reference to a sketch to be prepared showing the encroachment, if any. **Communicate this order to the ADLR, Bengaluru South, forth-with.**

5. Sri. T. Jagannatha Rao has filed a status report dated 14-08-2018. He has produced photographs of the works, that is being carried on for the purpose of desilting and slush removal. It is useful to extract relevant portion of the report, which reads as herunder:

“.....ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರು ವಿಭೂತೀಪುರ ಕೆರೆಗೆ ಭೇಟಿ ನೀಡಿದ ಸಂದರ್ಭದಲ್ಲಿ ನೀಡಿದ ನಿರ್ದೇಶನಗಳನ್ನು ಪಾಲಿಸಿ, ವಿಭೂತೀಪುರ ಕೆರೆಯನ್ನು ಅಭಿವೃದ್ಧಿ ಪಡಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗಿದೆ. ಮೊದಲನೇ ಹಂತದಲ್ಲಿ ಕೆರೆಯಲ್ಲಿ ಕ್ರೋಢೀಕೃತವಾಗಿದ್ದ ಕಳೆ ಮತ್ತು ಹೂಳನ್ನು ತೆಗೆದು ಹೊರಗೆ ಸಾಗಿಸುವ ಕೆಲಸಗಳನ್ನು ಕೈಗೊಳ್ಳಲಾಗಿದೆ. ಛಾಯಾಚಿತ್ರಗಳನ್ನು ಅನುಬಂಧ-1ರಲ್ಲಿ ಅವಗಾಹನೆಗಾಗಿ ಸಲ್ಲಿಸಿದೆ. ಕೆರೆಯ ಪ್ರದೇಶದ ರಕ್ಷಣೆಗಾಗಿ 2 ಪಾಳಿಯಲ್ಲಿ ತಲಾ 2 ಜನ ಗೃಹ ರಕ್ಷಕ ದಳದ ಸಿಬ್ಬಂದಿಗಳನ್ನು ದಿನಾಂಕ 07.08.2018ರಿಂದ ನೇಮಿಸಲಾಗಿದೆ.

ಕೆರೆಗೆ ಹರಿದು ಬರುತ್ತಿರುವ ನೀರಿನ ಮಾರ್ಗವನ್ನು ಸ್ವಚ್ಛಗೊಳಿಸಿ ಕೊಳಚೆ ನೀರು ಕೆರೆಗೆ ಸೇರದಂತೆ ಕ್ರಮ ವಹಿಸಿ ಕೊಳಚೆ ನೀರು ತಿರುವುಗಾಲುವೆಯಲ್ಲಿ ಸರಾಗವಾಗಿ ಹರಿಯುವಂತೆ ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗಿದೆ. ಈ ಸಂಬಂಧ ಹೊಸದಾಗಿ ಸುಮಾರು 60 ಮೀಟರ್ ಚರಂಡಿ ನಿರ್ಮಾಣ ಮಾಡಬೇಕಾಗಿದ್ದು, ಕೆಲಸಗಳನ್ನು ಕೂಡಲೇ ಪ್ರಾರಂಭಿಸಲಾಗುವುದು.

ಕೆರೆಯ ಪ್ರದೇಶದಲ್ಲಿ ತೆಗೆದಿರುವ ಹೂಳನ್ನು ಹೊರಗೆ ಸಾಗಿಸುವ ಕೆಲಸಗಳು ಮುಗಿದ ಕೂಡಲೇ ಎಲ್ಲಾ ಅನವಶ್ಯಕ ಮಾರ್ಗಗಳನ್ನು ಮುಚ್ಚಿ ಅಗತ್ಯವಿರುವೆಡೆ

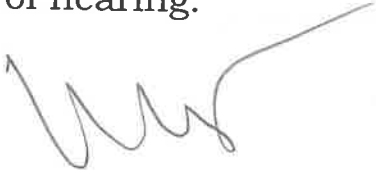


ಮಾತ್ರ ಗೇಟ್ ಸಾಲಭ್ಯಗಳನ್ನು ಕಲ್ಪಿಸಿ ಕೆರೆಯ ಪ್ರದೇಶಕ್ಕೆ ಚೈನ್ ಲಿಂಕ್ ತಂತಿಬೇಲಿ ನಿರ್ಮಿಸುವ ಕೆಲಸಗಳನ್ನು ಕೈಗೊಂಡು ಸಾರ್ವಜನಿಕರ ಉಪಯೋಗಕ್ಕೆ ನಡೆಗೈಪಥವನ್ನು ಪುನರ್ ನಿರ್ಮಿಸಲಾಗುವುದು. ಈ ಎಲ್ಲಾ ಕೆಲಸಗಳಿಗೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ರೂ.3.00 ಕೋಟಿಗಳ ಅನುದಾನವು ಬಿಡುಗಡೆಯಾಗಿದ್ದು, ಸದರಿ ಅನುದಾನದಲ್ಲಿ ಕಾಮಗಾರಿಗಳನ್ನು ಕೈಗೊಳ್ಳಲು ಗುತ್ತಿಗೆದಾರರನ್ನು ಈ-ಪ್ರೊಕ್ಯೂರ್‌ಮೆಂಟ್ ಮುಖಾಂತರ ನೇಮಿಸಿಕೊಳ್ಳಲಾಗಿರುತ್ತದೆ ಮತ್ತು ಈ ಎಲ್ಲಾ ಕಾಮಗಾರಿಗಳನ್ನು ಮುಂದಿನ 3 ತಿಂಗಳುಗಳೊಳಗೆ ಪೂರ್ಣಗೊಳಿಸಿ ಸಾರ್ವಜನಿಕರ ಉಪಯೋಗಕ್ಕೆ ಕೆರೆಯನ್ನು ತೆರೆದಿಡಲಾಗುವುದು .....

The report extracted above indicates the work that is being carried on by the BBMP.

6. It is also pointed out on behalf of the Complainants that de-silting work is not being done effectively. However, Sri Jagannatha Rao pointed out that regularly work is being carried and because of the heavy rain, BBMP could not show substantial progress. However, he assured that entire de-silting work will be completed within two weeks from today. The said statement is placed on record.

8. Further, so far as the grievance of the complainants with regard to the encroachment of buffer zone i.e., the construction of the building within 30 Mtrs., from the lake boundary is concerned, the Additional Director of Town Planning, BBMP is directed to submit the status report after inspection of the spot and file the same by the next date of hearing.



**List this case on 14-11-2018 at 2-30 p.m.**

**Doddanekundi Lake:**

Sri. G.V.Subramanyam, former President of NeTRA is present along with Sri. Ramesh Ponnuru and Sri. T.G.Somegowda, the Trustees of NeTRA. They fairly admitted that they have not established STP as promised on the last occasion. They submitted, since they are yet to be convinced with regard to the performance of biological STP, they did not take steps to establish STP. I am not convinced with the reasons given by Sri. G.V.Subramanyam on behalf of NeTRA. It is well known that the STPs are being installed in large number of lakes in Bengaluru City. Under these circumstances, at this stage, it cannot be accepted that, as they are not satisfied about the performances of S.T.P's the people are reluctant to donate to establish STP.

2. Sri. G.V.Subramanyam has given a letter dated 16-08-2018. The same is placed on record. At this stage, I do not find it necessary to make any order on that. It is open to the Complainant to give a letter to the authorities

directly. However, it is necessary to point out, if the lake is required to be kept clean and pollution free, STP is required to be established as assured earlier. At this stage, a submission was made by Sri. G.V.Subramanyam and others that there is some doubt expressed by the corporate sector, with regard to the authority of the association to move the corporate sector for necessary financial assistance for the purpose of establishing STP. This a matter for the Association to work out with the corporate sector. So far as entering into MOU is concerned, I am sure the authorities will consider it as per the normal terms. Further, it is also open to the corporate sector to directly take up the project of installing the STP and it is not necessary they should do through NeTRA only as observed by me earlier. It is a matter to be worked out between the association and the corporate sector. Ultimately what is important is installation of STP as assured earlier. I am sure that once the STP is installed as assured earlier, the authorities will extend all the cooperation to the Association or their nominees to protect and maintain the lake.



3. It is also pointed out by Sri. G.V.Subramanyam that there is a proposal to hand over the lake from BDA to BBMP. This position is not disputed by Asst. Executive Engineer and Asst. Engineer of Bengaluru Development Authority. However, Sri. T. Jagannatha Rao pointed out that unless the Government makes an order handing over the lake to Bruhat Bengaluru Mahanagara Palike, they cannot take any steps in the matter. I am sure, if the decision has already been taken by the authorities to hand over the lake from BDA to BBMP, there will not be any delay in making appropriate Government Order on that behalf.

**List this case on 14-11-2018 at 02-30 p.m.**

**Chinnappanahalli Lake:**

Nobody is present on behalf of the members of the public.

**Bellandur Lake:**

Sri. Vedamurthy, Assistant Executive Engineer, Bengaluru Development Authority is present along with Sri. Aravind, Asst. Engineer.




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2. Sri. Vedamurthy has also filed a report dated 16-08-2018 along with supporting documents dated 19-01-2018 and the same is placed on record.

Communicate with order to all the parties concerned.

**List this case on 14-11-2018 at 02-30 p.m.**

  
(Justice P. Vishwanatha Shetty), 16/8/2018  
Lokayukta,  
Karnataka State.

AS\*

14/11/2018

ಸೌ. ಲೋಕಾಯುಕ್ತೆ.

- ರವರ ಅಧ್ಯಕ್ಷದಂತೆ ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿ-
- ಗೆಜ್ಜೆ ನೋಟಿಸ್ ಜಾರಿ ಮಾಡಿದ್ದು, ಸ್ವೀಕೃತಿ ಮಾಡಿಸಿದೆ.
- AE, BDA ರವರ ಪತ್ರದ ಡಿ: 29/09/18 ಬಂದಿರುತ್ತದೆ.
- ಬೃಹದಾಖಲೆಗಳಲ್ಲಿ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು, ಬೆಂ. ದಕ್ಷಿಣತಾ.
- ರವರ ಪತ್ರದ ಡಿ: 24/09/18 ಬಂದಿರುತ್ತದೆ.



**KARNATAKA LOKAYUKTA, BENGALURU**

Date : 27.2.2017

**O R D E R**

I have gone through the paper publication appeared in "The Hindu" daily newspaper dtd.27.2.2017 at page 4, wherein it is observed that the lakes in Bengaluru more particularly Bellandur lake is in a very bad shape and neglected condition which seriously affects the citizens of Bengaluru. The similar publication has also appeared in "Indian Express" daily newspaper dtd.27.2.2017. Though, I am of the prima-facie view, that the publication made both in "Indian Express" and "The Hindu" dtd.27.2.2017, requires an investigation and a suo-motu action required to be taken by Lokayukta, State of Karnataka, however, for the present, I am of the opinion, it is desirable to get a report from the Bengaluru Development Authority, as well as the Lake Development Authority and Karnataka State Pollution Control Board, Bengaluru. Therefore, this order along with copy of the paper publications referred to above may be sent to Bengaluru Development Authority, Lake Development Authority and Karnataka State Pollution Control Board, to get their comments/report within four weeks from today. In the meanwhile the concerned authorities are instructed to take effective steps to improve the conditions of the lakes.

2. In the report, it may be indicated ~~the~~ the steps that are taken subsequent to the receipt of the order to improve the conditions of the lakes. Further, the Bengaluru Development Authority, Lake Authorities and Karnataka State Pollution Control Board, are directed to send their responsible officers on the date of hearing. The case is directed to be listed on 30.3.2017.

3. Copy of this report also may be communicated to the Additional Director General of Police, Karnataka Lokayukta, Bengaluru.

4. Register this case as miscellaneous.

*P. Vishwanatha Shetty*  
(JUSTICE P. VISHWANATHA SHETTY)  
LOKAYUKTA,  
STATE OF KARNATAKA

5. ARLO-1 (Complaint Sec.)

*peru*      *peru*  
*peru*

<sup>dt: 27-2-17</sup>  
6. Letter addressed to the -  
(1) Commissioner, BDA, Bengaluru  
(2) CEO, Lake Development Authority, Bengaluru &  
(3) chairman, K.S.P.C. Board, Bengaluru  
is put up in the file for kind perused  
and needed.

*27/2*

7. Honble Registrar -

*letter signed on 27/2/17.*  
*GA to Honble Registrar to*  
*to keep record.*

*[Signature]*  
*28/2*

8. ~~GA to Honble Registrar~~  
GA to Honble Registrar

9. Received Report No: 250002/2016-17 dated 25.3.2017, received  
CO-1/25-491/2016-17 dated: 25.3.2017, received  
from the Commissioner, BDA, Bangalore,  
along with its enclosures is put up in the  
file for kind perusal and needful.  
Submitted for kind orders.

27/3

10. Hon'ble Registrar -

place before Hon'ble Lokav-  
tan to kindly refer to ARE I  
to put up a detailed note.

Para 10 approved  
20/3/2017

11. ARE-I)

For putting up detailed note  
by 3/4

28/3

It is noticed that the case is not  
registered in Lokayukta section and  
therefore it is necessary to  
register the complaint before  
proceeding further. Hence place  
the file before Registrar for  
needful.

28/3



12) Registrar ]

pl. kindly print note  
before suitable documents in  
misc. case only.

  
30/3

13) ARE - 5 )

As per order dated 27.2.17  
letters are sent to

- 1) Commissioner, BDA, Bangalore
  - 2) CEO, Lake Development Authority
  - 3) Chairman KSPC, Board Bangalore
- to send responsible officer for  
the meeting today.

C. Chandrasekhar  
30/3

96  
15-1

**KARNATAKA LOKAYUKTA : BENGALURU**

(14) NO: Compt/Misc./506/2017

Date: 30-03-2017

**ORDER**

Sri. Rakesh Singh, Commissioner, Bengaluru Development Authority and Sri. P.N.Nayak, Engineering Member of Bengaluru Development Authority are present on behalf of Bengaluru Development Authority. The Bengaluru Development Authority has also filed its report. The Chief Executive Officer Sri. G. Vidyasagar, Lake Development Authority, Bengaluru is present along with his Legal Advisor Sri K.G.V. Murthy. Lake Development Authority has submitted its report. Sri K.D.Deshpande, Head of the Legal Cell, Bruhat Bengaluru Mahanagara Palike, is present on behalf of the Bruhat Bengaluru Mahanagara Palike. Sri B.N. Ramesh Kumar, Chief Environmental Officer, Karnataka State Pollution Control Board along with other officers, on behalf of Karnataka State Pollution Control Board, Bengaluru, is present and has submitted the report on behalf of Pollution Control Board.

2. Though BWSSB should have been notified by the Lokayukta while issuing notice to the other authorities, by over-sight, said notice was not issued. After hearing the officers referred to above, I am of the view, that it is just and necessary to notify and hear the BWSSB. The officers referred to above have also submitted that it is also desirable to hear BWSSB.

92  
2017/506/19

3. Sri K.D.Deshpande, Head of the Legal Cell on behalf of Bruhat Bengaluru Mahanagara Palike, submitted that Bruhat Bengaluru Mahanagara Palike has not received notice, but he is present here on oral communication received by him from this office today. Bruhat Bengaluru Mahanagara Palike is given three weeks time to file its report, as requested by Sri. K.D.Deshpande.

4. I have heard the submissions made by the officers referred to above with regard to the steps that are being taken to examine the condition of the lakes.

5. It is brought to my notice that, the Chief Secretary of State of Karnataka has visited Bellandur and Varthur Lakes and convened a meeting on 13-04-2017. It is also brought to my notice that an "Experts Committee" consisting of Experts was also constituted by the State Government with the Additional Chief Secretary as its Chairman and the said Committee has submitted its report to improve the conditions of the lakes both as short term and long term measures and the steps are being taken to implement the said report.

6. After discussing several issues, it is felt, that before any final decision is taken by the Lokayukta, it is desirable that the senior officers of different authorities referred to above, can meet among themselves and give a concrete proposal both short term and long term with the time

schedule to improve/develop the Bellendur and Varthur Lakes which are the subject matters in these proceedings. They agreed to do so.


7. It is agreed, the Commissioner, Bengaluru Development Authority will act as Convener of the Team and I am sure all the officers present today and their nominees and also BWSSB <sup>will</sup> ~~shall~~ co-operate among themselves and come forward with the proposal/project with their time schedule by the next date of hearing to improve the conditions/development of the lakes in question.

8. Having regard to the facts and circumstances of the case and in the light of the discussion we had, it is desirable to give six weeks' time. In the meanwhile, as told earlier, the Bruhat Bengaluru Mahanagara Palike and Bengaluru Water Supply and Sewerage Board will file their report/response within three weeks.

Issue notice to BWSSB immediately.

List this case on 11<sup>th</sup> May 2017 at 11-30 A.M.

Communicate this order to all the parties.

  
**(JUSTICE P. VISHWANATHA SHETTY)**  
**LOKAYUKTA,**  
**KARNATAKA STATE.**

2014/MSC-506/12 99

15) ARE - I,

communicate the order of Hon'ble Lokayukta to all the parties mentioned in the order. and put up on 11-5-17

16) 11-5-17

C.E.O. KICDA.

Bengaluru - 250

ಇದರ ಕುರಿತು

KICDA/AS/Belanda/12-13/119.

ARE - I

8/14

20-9-5-17 ಈ ಕುರಿತು

ಇದರ ಕುರಿತು

✍

**KARNATAKA LOKAYUKTA, BENGALURU**

No.Compt/Misc.506/2017/ARE-1

Date :14.11.2018

**O R D E R****Doddanekundi Lake -**

Sri M.S.Chenniappan, President is present along with Sri G.V.Subramaniam, Ex-President of Nekkundi Tank Rejuvenation Association (NeTRA), Bengaluru. Pursuant to my order dated 16.8.2018, though the notice has been served on the Additional Director of Town Planning, BBMP, Bengaluru and Sri Vedamurthy, Assistant Executive Engineer, BDA, Bengaluru, nobody is present on behalf of BBMP and BDA.

2) However, Sri Vedamurthy.T, Assistant Engineer, BDA, Bengaluru has submitted a report dated 29.09.2018, wherein he has stated that the engineers concerned to Doddanekundi lake are Sri K.T.Thippeswamy, Technical Assistant-2 and Sri K.S.Swamy, Assistant Engineer, BDA, Bengaluru.

3) In the light of the request made in the said Status Report dated 29.09.2018 **issue notices to (1) Sri K.T.Thippeswamy,**



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Lok | BCD-3283/18

**Technical Assistant-2 & (2) Sri K.S.Swamy, Assistant Engineer, both working at BDA Head Office, Bengaluru.**

They are directed to submit their Status Report by the next date of hearing.

4) Sri M.S.Chenniappan in the course of the proceedings submitted that the Doddanekkundi lake is in the process of development and if its custody is handed over from BDA to the BBMP, developmental activities can be expedited. He further submitted that it is appropriate to give direction to the BDA, if it cannot proceed with the developmental activities to fully rejuvenate the lake. He also further submitted that the BDA has completed the task assigned by the Government and the BDA is now required to handover the lake to the BBMP for maintenance and further development of the lake. In the light of the said submission made by Sri M.S.Chenniappan, BDA to consider handing over the lake to the BBMP in accordance with law and such decision shall be taken by the BDA within eight weeks from the date of receipt of this Order.

5) I am of the view, it is also desirable to make the Commissioner, BBMP, Bengaluru as respondent to this

LOK/BCO-3283/18.<sup>3</sup>  
- 14 -


proceeding and the office shall implead Commissioner, BBMP, Bengaluru as respondent. BDA to file the Status Report with regard to the steps taken to handover the lake to the BBMP on or before 7<sup>th</sup> February 2019 at 3.00 p.m.

Communicate this order to the parties concerned. List this case on 7<sup>th</sup> February, 2019 at 3.00 p.m.

**Chinnappanahalli Lake -**

Nobody is present on behalf of the members of the public. Smt.Bupradha, Assistant Executive Engineer is present on behalf of the Commissioner, BBMP, Bengaluru.

List this case on 7<sup>th</sup> February, 2019 at 3.00 p.m.

  
(Justice P.Vishwanatha Shetty)  
Lokayukta  
State of Karnataka

\*vi

Additional Registrar of Enq.1

18/07/02/2019

ARE-1

ನಾ. ಲೋಕಾಯುಕ್ತೆ -  
-ರವರ ಆದೇಶದಂತೆ  
ಎದುರುದಾರರಿಗೆ ನೋಟಿಸ್  
ಕೂಲಿ ಮಾಡಿತ್ತು, ಸ್ವೀಕೃತಿ  
ಮಾಡಿಸಿದೆ.  
ಸಹಾಯಕ ಅಭಿಯಂತರರು.



ತಾಂತ್ರಿಕ ಸಹಾಯಕರು-೨ ಸಹಿ.

ಬೆಂಗಳೂರು ಅಭಿವೃದ್ಧಿ

ಪ್ರಾಧಿಕಾರ & ತಾಂತ್ರಿಕ

ಸಹಾಯಕರು - ೨, ಬೆಂ. ಅ. ಪ್ರ.

- ಸವರ ಪತ್ರದ ದಿ: 16/01/2019

ಬಿಂಬಿರುತ್ತದೆ.

) ARE-1

In this case in the order dtd: 11.9.2017 the following observation was made.

“in fact the KLCDA has indicated in their comments that it is desirable to take effective steps to preserve all the lakes in the state of Karnataka and more particularly the lakes situated in and around Bangalore”.

It is further observed in para 14 of the order as under “since I have taken a decision to monitor the conditions of the lakes situated throughout the state and avoid any mal-administration by the concerned municipal authority, corporation and town panchayath, it is necessary to issue notice to the principal secretary, Urban Development department, so that he can give necessary instructions/directions to the concerned municipal authorities in the state, who are primarily empowered with the responsibility of management of solid and liquid waste within the municipal areas. Accordingly issue notice. Several complaints are being received with regard to the mal-administration/derelection of duty by the municipal bodies / municipal corporations in managing the disposal

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Lok/BUD-3283/18

- 10-

of the solid waste and dumping of building construction materials thereby causing pollution to the water and air within the municipal limits, by the Lokayukta.”

After the above said order further action is not taken to monitor the lakes situated in different parts of the state outside the Bangalore city, which comes under the jurisdiction of district administration/minor irrigation department/local bodies.

Therefore it is desirable that a separate complaint is registered in respect of lakes situated in each district in the state impleading the following officers.

- (1) Principal Secretary to Government, Urban Development Department.
- (2) Secretary to the Government, minor irrigation Department.
- (3) Deputy Commissioner of the respective district.
- (4) Chief Executive officer of Zilla Panchayath of the respective district.
- (5) Secretary to the pollution control Board.
- (6) Environment Officer of the respective District.

Therefore orders may be passed for registering separate complaints in respect of the lakes situated in

each of the district by impleading the officers mentioned above as respondents.

*[Handwritten Signature]*  
ARE-1 20/11

17) Hon'ble Lokayukta)  
For Kind orders

*[Handwritten Signature]*  
20/11/2018

10B

10B -

**KARNATAKA LOKAYUKTA : BENGALURU**

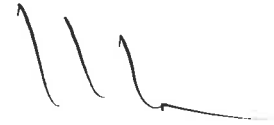
No: Compt/Lok/BCD-3283/2018/ARE-1

Date: 07-02-2019.

**ORDER**

Smt. Vijayalakshmi, Environmental Officer, Karnataka State Pollution Control Board and Smt. M.Deenapavana, Assistant Executive Engineer, Bengaluru Development Authority, Bengaluru, are present.

2. It is submitted by both of them that the matter is being monitored by the committee appointed by the National Green Tribunal (hereinafter referred to as 'NGT' for short) and the committee is monitoring developmental activities of both Varthur and Bellandur Lakes. It is also submitted by them that effective steps are being taken to protect lakes and to prevent encroachment, etc. Since the matter is being monitored by NGT in respect of Varthur and Bellandur Lakes, as observed by me in my earlier orders, it is not appropriate for me to give any directions to the authorities.



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-0-

3. The Bengaluru Development Authority, Bengaluru, Karnataka State Pollution Control Board, Bengaluru and the Bengaluru Water Supply & Sewerage Board, Bengaluru, are directed to file the status report with regard to the steps taken to protect the lakes referred to above, by the next date of hearing. On the next date of hearing, the officers of the said departments are not required to be present. It is sufficient if they file status report.

4. These proceedings are adjourned by six months.

List this case on **04-07-2019 at 03-00 p.m.**

*P. Vishwanatha Shetty*  
(Justice P. Vishwanatha Shetty),  
Lokayukta,  
Karnataka State. *7/4/2019*

AS\*

24/10

-lk-

18 )ARE-1

This case was posted on 4.7.2019.  
Since Hon'ble Lokayukta will not be in  
station on that day, this case will be taken  
up on 24.10.2019 at 3-00 PM for hearing  
with intimation to the parties.

*C. Chandrasekhar*  
ARE-1 3/7

10/10/19

Planning Director, Mysore  
letter dt: 15-5-2019.  
copy received & submitted  
for kind orders.


LOK/BCD-3283/2018

19) Sec to Hon'ble Lokayukta)

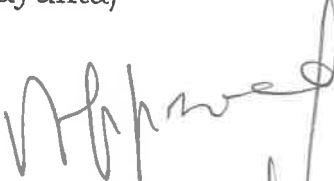

Reports are not received from BDA, KSPCB and BWSSB with regard to the steps taken by them to protect Varthur and Bellanduru lakes.

20) Hence, my lord, if approved, notice will be issued to BDA, KSPCB and BWSSB to submit the status report by 06.04.2020.

Submitted for kind orders.

  
Sec. to Hon'ble Lokayukta

21) Hon'ble Lokayukta)

  
  
25/10/2019

Complied para. 20.  
on 25/10/19



LOK/BCD/3283/2018

DRE-3)

22. This matter was directed to be listed on 06/04/2020. 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.

23. Issue reminder to BDA, KSPCB and BWSSB to submit status report by 26/08/2020.

*Complied Para.*

*[Signature]*  
DRE-3

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.

*Report not received  
from B.A.A, BWSSB &  
KSPCB. & submitted for  
kind orders.*

*24)* Secretary

LOK/BCD/3283/2018

24. Reports are not received from BDA, KSPCB and BWSSB with regard to the steps taken by them to protect Varthur and Bellanduru lakes.

25. Hence, my lord, if approved, one more reminder will be issued to BDA, KSPCB and BWSSB to submit the status report by 01.12.2020

Submitted for kind orders.

  
Secretary

26. Hon'ble Lokayukta

*Complied papers.*

*Approved  
27/8/2020*

*Acknowledgements received  
but reports are not received  
from the authorities of  
BDA, K.S.P.C.B and BWSSB.*

*Submitted for kind orders.*

*30/11/2020*

22] Secretary :-

Issue reminder  
to the concerned  
authorities to  
submit status  
report by  
22-3-2021.

*[Signature]*

Completed

-> E.E, B.D.A. report  
dtd. received.

-> Member Secretary K.S.P.C.B  
report dtd. 20.02.2021 received.

-> Chief Engineer (WWM). B.W.S.S.B.  
report dtd. 15.03.2021 received.

put up RSH  
by 21-5-2021

*[Signature]*

28) Secretary:-

29) Secretary:-

29. Received a report dated 15.03.2021 from the Chief Engineer (SWM), BWSSB. The report submitted indicates the steps taken by the BWSSB for installation of STPs at various places for preventing the discharge of untreated sewage into the lake in question.

30. Received a report dated 20.02.2021 from the Member Secretary, KSPCB, Bengaluru. The report submitted indicates the various steps taken by the KSPCB in accordance with the directions issued by the Hon'ble NGT.

31. It is relevant to point out that having noticed that the matter relating to the lake in question is pending before Hon'ble NGT, the Hon'ble Lokayukta in the order dated 07.02.2019 at Para-2 has observed as here under:

**“Since the matter is being monitored by NGT in respect of Varthur and Bellandur Lakes, as observed by me in my earlier orders,**

**it is not appropriate for me to give any directions to the authorities”.**

32. In the light of the order extracted above and also the report submitted by the authorities concerned, that the matter is still pending before Hon'ble NGT in respect of the lake in question, it is desirable to adjourn the matter awaiting the decision of the Hon'ble NGT. Further, in the meantime the concerned authorities may be informed to submit the status of the proceedings pending before the Hon'ble NGT.

33. Hence, My Lord, if approved,

- i. Notice will be issued to the authorities of BDA and KSPCB to submit the status report regarding the present status of the proceedings pending before the Hon'ble NGT with regard to the lake in question.

Call on 31.08.2021.

Submit for kind orders.

34. Hon'ble Lokayukta)

*Secretary*  
*29/5/2021*  
*My Lord, I have already*  
*to file the status*  
*report on the*  
*29/5/2021 regarding to the*  
*status. Other pending*  
*to the order pending*  
*in NGT.*  
*U/S/2021*