

**Karnataka Lokayukta**

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

CASE NUMBER **COMPT/LOK/BCD/4379/2015**District : **Bangalore (U)****BY :****1. B.S. NARAYAN,**No. 19/1, Chikkabanasawadi Main Road, OMBR  
Layout, BENGALURU.

560033

Mobile/Landline: 09066575974

**COMPLAINANT/S****AGAINST :****1. PRABHULING KAVALIKATTI,**Joint Commissioner, East Zone, BBMP, Mayohall,  
BENGALURU.

560001

**2. RANGASWAMY,**Superintending Engineer, East Division, BBMP,  
18th Floor, Utility Building, BENGALURU.**3. Deputy Commissioner**

Bangalore Urban District Bangalore

**4. Tahsildar**

Bangalore East Taluk Bangalore

**5. Chief Engineer**

Lakes, BBMP, Bengaluru.

**6. Executive Engineer**

BWSSB (East), Indiranagar, Bengaluru.

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

Received From : By Hand Received.

Received On : 07-12-2015

**Seal and Signature****Complaint stands  
allotted to :****DRE-3****SCRUTINY AND OPINION**

**KARNATAKA LOKAYUKTA: BENGALURU**

No:Compt/LOK/BCD/4379/2015

Date:13/01/2021

**ORDER**

This matter relates to Banaswadi lake. The Government of Karnataka by means of Order/Notification dated 11/12/2019 has directed the Bengaluru Development Authority (hereinafter referred to as 'BDA' for short) to hand over the lake in question to Bruhat Bengaluru Mahanagara Palike (hereinafter referred to as 'BBMP' for short) for development of the lake. Though this notification was issued as back as on 11/12/2019, it does not appear to have been handed over by the BDA.

2. The serious grievance in this complaint is that the garbage and effluents are being released to the lake in question. The BDA has also not taken any steps to prevent the discharge of the effluent substances to the lake. On account of failure to hand over the lake to the BBMP, the BBMP is not able to take further steps in the matter. This is a matter of serious concern.



3. By means of order dated 16/10/2020 at paragraph (47), I had approved paragraph 46 (i) & (ii) of the note submitted by the Secretary. It is useful to extract the said paragraphs which reads as here under:-

i) Notice will be issued to the Commissioner, BDA to take immediate steps to hand over the possession of the lake in question in favour of BBMP in terms of the Government Order dated 11.12.2019.

ii) Notice will be issued to the Respondent No.6 through Lokayukta Police to submit the status report with regard to the steps taken for preventing the entry of sewage into the lake in question.

Call on 22.12.2020

4. The Commissioner, BDA was directed to take immediate steps to hand over the possession of the lake in question to the BBMP and the matter was directed to be listed on 22/12/2020 for compliance of the said direction. The said direction has not been complied with. Therefore,



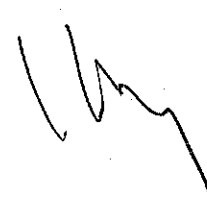
when the matter was listed before me on 23/12/2020, I had approved the note dated 22/12/2020 submitted by the Secretary. It is useful to extract paragraph (48) to (50) of the note sheet, which reads as here under:-

Received a report dated 27.02.2020 from the A.E.E., B.W.S.S.B., Bengaluru stating that no sewage is entering into the lake in question. Along with the report, the photographs showing the sanitary pipeline work taken up in the residential areas situated nearby the lake in question are also produced.

Report is not received from the Commissioner, BDA.

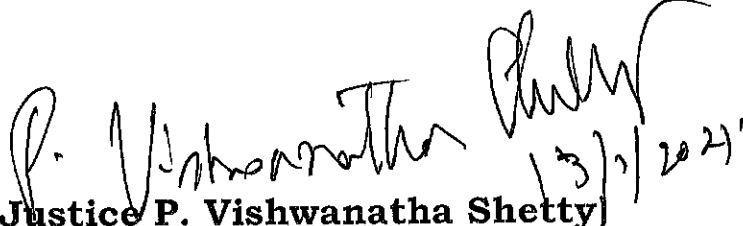
Hence, my lord, if approved, notice will be issued to the Commissioner, BDA to submit the status report as directed earlier and in the event of failure to submit the status report, he will be directed to depute any responsible officer to appear in person on 13.01.2021 at 3.00 P.M with explanation for the delay.

Call on 13.01.2021.



5. As it can be seen from paragraph (50) of the note sheet, the Commissioner, BDA was directed to submit the status report as ordered earlier. On his failure to submit the status report, instead of directing him to be present personally, an order was made directing him to depute a responsible officer to appear in person on 13/01/2021 i.e., today at 3.00 p.m with an explanation for the delay. Sri Farooq Aslam, Assistant Engineer, BDA office, R.T. Nagar, Bengaluru appeared before me today. He submits that the Commissioner, BDA has forwarded the notice issued by this office to the Chief Engineer. Sri Farooq Aslam, Assistant Engineer, BDA office, R.T. Nagar seeks time to make his submission.

6. In the light of the request made by Sri Farooq Aslam, Assistant Engineer, this matter is adjourned to **22/01/2021** for compliance of the earlier order dated 23/12/2020.

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

LOK/BCD/4379/2015

52. Received a report dated 15.01.2021 from the Commissioner, BDA, Bengaluru stating that the Revenue Department has not handed over the lake in question to the BDA. Therefore, they are unable to comply with the direction issued by the Government in its order dated 11.12.2019. Further, the report indicates that the Revenue Department may directly hand over the lake in question to the BBMP. In this connection, the copy of the report submitted by the Commissioner, BDA, Bengaluru may be forwarded to the Principal Secretary to the Government, Revenue Department to take steps to hand over the lake in question to the BBMP as the lake in question is still in the control of Revenue Department. The copy of the report may also be forwarded to the Deputy Commissioner, Bengaluru Urban District to take appropriate steps to hand over the lake in question to the BBMP and submit report to this authority.



53. Hence, My Lord, if approved,

- i. The copy of the report dated 15.01.2021 submitted by the Commissioner, BDA, Bengaluru will be forwarded to the Principal Secretary to the Government, Revenue Department and the Deputy Commissioner, Bengaluru Urban District to take steps to hand over the lake in question to the BBMP so as to enable them to take up the developmental work of the lake in question and submit report to this authority.

Call on 15.02.2021.

Submitted for kind orders.

54. Hon'ble Lokayukta)

  
Secretary  
  
25/1/2021

→ Acknowledgements received,  
but reports are not received  
from the Principal Secretary  
to Government, Revenue  
Department and the D.C,  
Bengaluru Urban District.

Submitted for kind orders  
R  
15/02/2021

55) Secretary :-

Issue reminder  
to the principal  
Secretary to the  
Govt. Revenue  
Department by 26-3-  
2021  
R  
15/2

→ Copy of letter dtd. 26.02.2021  
received, from the Under Secretary to Govt.  
→ D.C., Bengaluru Urban District copy of  
report dtd. 16.03.2021 received.  
Submitted for kind orders.

R  
26/03/2021



56] I/c Secretary:-

Subj on 31-3-2021  
✓

57) Secretary:-

57. Received a copy of letter dated 26.02.2021 from the Addl. Chief Secretary to Government, Revenue Department, Bengaluru signed by the Under Secretary to Government Revenue Department(Land Grants-1) addressed to the Deputy Commissioner, Bengaluru Urban District, Bengaluru. The said letter indicates that a direction has been issued to the Deputy Commissioner, Bengaluru Urban District to take steps to hand over the lake in question to the BBMP and submit the status report to this authority.

58. Received a copy of letter dated 16.03.2021 from the Technical Assistant to

✓  
7/3/21

the Deputy Commissioner, Bengaluru Urban District, Bengaluru addressed to the Tahasildar, Bengaluru East Taluk to take steps to hand over the lake in question to the BBMP and submit report to this authority. But, no such report is received from the Tahasildar, Bengaluru East Taluk.

59. Hence, My Lord, if approved,

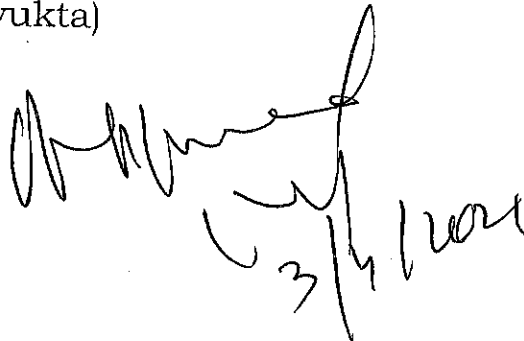
- i. Notice will be issued to the Deputy Commissioner, Bengaluru Urban District, Bengaluru and the Tahasildar, Bengaluru East Taluk to submit further action taken report with regard to handing over the lake in question to the BBMP.

Call on 15.05.2021.

Submitted for kind orders.

  
Secretary

60. Hon'ble Lokayukta)

  
3/4/2021

→ Reports are not received  
from the D.C., Bengaluru  
Urban District and the  
Tahsiladar, Bengaluru East  
Taluk.

Submitted for kind orders.

②  
12/05/2021

61) Secretary :-

Issue reminder  
by 27-7-2021

