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ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ಸಂ:ಕಂ.ಲೋಕ್.ಬಿ.ಡಿ 2253/2017

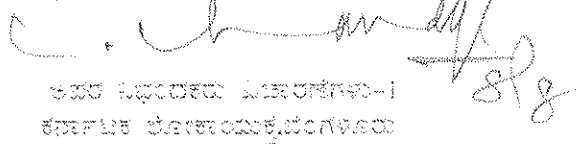
ಬಹುಮಹಡಿ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:08/08/2018

ಸೂಚನೆ

ವಿಷಯ: ಹೆಚ್.ಎಸ್.ನೊರ್ಮೆಸ್ತಾಮಿ ಎಂಬುವವರು ನಮ್ಮ ಸಂಸ್ಥೆಯಲ್ಲಿ ನೀಡಿರುವ ದೂರಿನ
ಕುರಿತು.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ತಮಗೆ ಈ ಮೂಲಕ ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶವಂತೆ
ತಮಗೆ ಈ ಮೂಲಕ ತಿಳಿಯ ಪಡಿಸಿರುವುದರಿಂದ, ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರು ದಿನಾಂಕ: 02-08-2018 ರಂದು
ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿದ್ದು, ಆದೇಶದಲ್ಲಿ ತಿಳಿಸಿರುವ ಪರದಿ/ಪಾಹಿತಿಯೊಂದಿಗೆ
ದಿನಾಂಕ:11-09-2018 ರಂದು 3-00 ಗಂಟೆಗೆ ಋಜು ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಮುಂದೆ ಹಾಜರಾಗತಕ್ಕದ್ದು.

ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದನ್ವಯ


ಅಪರ ನಿರ್ದೇಶಕರು ವಿಚಾರಣೆಗಳು-1
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತಬೆಂಗಳೂರು

To:

- 1) Sri.Sridar Pappishetty, C.E.O., Namma Bangalore foundation, 2nd floor, No54, Rockline centre, Richmond Road, Bangalore.
- 2) Sri. Bettegowda, Chief Engineer,[SWD],BBMP, Bangalore, 9480683438
- 3) Sri. Manjappa, Tahsildar, Bangalore South Taluk, Bangalore,9448612740
- 4) Sri. Santhosh, Assistant Director of Land Records, Bangalore South, Bangalore,9900193192
- 5) Smt. B.S. jayalakshmi, Executive Engineer, BWSSB, Cauvery Bhavan, Bangalore.9845444096
- 6) Sri. Sathish, Chief Engineer, BBMP,{lakes} Bangalore
- 7) Sri. Kumar Eshwat, Assistant Executive Engineer, Slum clearance Board, Bangalore
- 8) Sri. Malligaiah, Assistant Executive Engineer, Slum clearance Board, Bangalore
- 9) Sri. Bharath Kumar, Assistant Executive Engineer,STP Plant, BWSSB, Bangalore.9036560649
- 10)Sri.R.V.Bhat, Law Officer, Karnatka Pollution control Board, Bangalore
- 11) Sri. Niranjan, Assistant executive Engineer, Irrigation Department, Bangalore
- 12) Sri. Kotreshh, Assistant Engineer, Irrigation Department, Bangalore
- 13) Sri. Siddaramaiah, Enviornmental Officer, Karnatka Pollution control Board, Ramnagar

- 14) Sri. Kumaraswamy, Chief Engineer, Karnataka Pollution control Board, Bangalore
- 15) Sri. G. Rammiah, Chairman, Byramangala Grama Panchayath, Byramangala
- 16) The Chief Officer, Town Municipal Council, Bidadi
- 17) The P.D.O. Bidadi, Bidadi
- 18) The Assistant executive Engineer, Minor Irrigation Department, Bangalore
- 19) Sri. Anilkumar, Environmental officer, Karnataka Pollution control Board, Bangalore
- 20) Pro. K.S. Bhat, Trustee of Sarakki Lake Improvement Trust, Sarakki Lake Area, D-101, Laburnum Brigade Millennium, J.P. Nagar, Bangalore, Ph.no.8073109569
- 21) Sri. Jaganath, Deputy Conservator of Forest, Bangalore Urban Dist.

KARNATAKA LOKAYUKTA, BENGALURU

No.Compt/LOK/BCD-2253/2015/ARE-1. Date : 02.08.2018


O R D E R

SARAKKI LAKE

Sri H.S.Doreswamy, United Bengaluru who is the complainant is present along with Sri Sridhar Pebbisetty, Chief Executive Officer, Namma Bengaluru Foundation, Bengaluru. Prof.K.S.Bhat is present along with his Advocate Sri Hariprasad.

2) Sri Bette Gowda, Chief Engineer (Storm Water Drain), BBMP, Bengaluru is present on behalf of the BBMP. Sri Manjappa, Tahsildar, Bengaluru South Taluk, Bengaluru is present along with Sri Santhosh, Assistant Director of Land Records, Bengaluru South, Bengaluru. Smt.Jayalakshmi, Executive Engineer, BWSSB, Bengaluru, is present on behalf of BWSSB.



- 3) It is fairly submitted by Sri Hariprasad, Advocate that except fencing of the lake area all other major works has been substantially carried out and the remaining work is in progress. Sri Manjappa, Tahsildar, Bengaluru South Taluk, Bengaluru and Sri Santhosh, Assistant Director of Land Records, Bengaluru South, Bengaluru submitted that 25% of the total area required to be fenced has already been carried out and if they are given another two weeks time, they will complete the fencing of the remaining portion. Their statement is placed on record. Having regard to the facts and circumstances of the case, three weeks time is finally granted to the authorities to complete the remaining portion of the fencing work without fail.
- 4) It is also pointed out by Sri Sridhar Pebbisetty represented by Sri H.S.Doreswamy, in the connected complaint that though an assurance was given to complete the installation of the STP plant by 2018, the substantial work showing the progress has not yet been done. In response to the submission of Sri Sridhar Pebbisetty, Smt.Jayalakshmi, Executive Engineer, BWSSB, submitted that some civil work has been carried out
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and the construction of wet well, SBR Tank, pump house etc., has been carried out.

5) It is the grievance of the complainants more particularly Sri H.S.Doreswamy that without any justification, the work has been delayed. It is needless to point out that undue delay is required to be avoided in the matter of putting up of STP plant. I am sure, the concerned officers of the BWSSB will bestow their attention and do the needful without giving any scope for the grievance to be made by the complainant. The BWSSB to file the Status Report by the next date of hearing setting out the details of the work carried out till the date of filing of the report. **The Chief Engineer, BBMP, Storm Water Drain and the Tahsildar and Assistant Director of Land Records, Bengaluru South, Bengaluru are directed to file the Status Report showing the progress of the work they have carried out by the next date of hearing.**

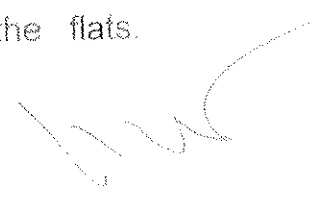


SUBRAMANYAPURA LAKE

Smt.Chaitanya representing the UFRWA (United Federation of Residents Welfare Associations) is present. Sri Babu representing Hanuma Hills Residents Welfare Association is present along with Sri Pebbisetty representing Sri H.S.Doreswamy.

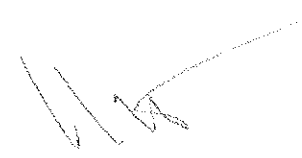
2) Sri Bette Gowda, Chief Engineer, Storm Water Drain, Bengaluru submitted that since Sri Satish, Chief Engineer (Lakes) is indisposed, he is on leave. However, if Sri Satish, Chief Engineer is on leave, it is expected that some other officer who is in charge of his position would either attended or he should ask someone to represent the BBMP, Lake.

3) Sri Kumar Eshwar, Assistant Executive Engineer, is present along with Sri Maligaiah, Assistant Engineer, Slum Clearance Board, Bengaluru and submitted that out of the total 90 flats, around 50% of the flats have been occupied and remaining around 50% of the flats are required to be occupied and since there is some delay on their part in paying 10% of the contribution, they could not be moved to the flats.



However, Sri Kumar Eshwar, Assistant Executive Engineer and Sri Maligaiah, Assistant Engineer of Slum Clearance Board assured me that within about two weeks time all of them will be moved to the flats. The said statement is placed on record. They are given three weeks time to file the statement with regard to the steps they have taken to shift the occupants to the flats. A copy of the report filed may be sent to the complainant. Sri Jaganatha Rao, DCF who had pointed out several works undertaken by the BBMP, is not present today.

4) Sri Santosh, Assistant Director of Land Records, Bengaluru South, Bengaluru submitted that the survey details of Subramanyapura Kere has been completed and he will file the Status Report along with the sketch and the work carried out within a week from today. The said statement is placed on record. On filing of such report before the Lokayukta, a copy of the same may be made available to the complainant. On such report being filed, it is open to the representative of the complainant Sri H.S.Doreswamy to collect the copy of such report and file their rejoinder if required by the next date of hearing. However, it is also necessary to indicate that the



sheds which have been vacated by the occupants who have already shifted requires to be demolished immediately, to prevent some other third parties occupying the said sheds. The Status Report regarding the steps taken also to be filed within two weeks from today.

TALAGHATPURA LAKE

Since Sri Satish, Chief Engineer, BBMP Lakes, is not present, I am of the view, it would be desirable to adjourn the proceedings to the next date of hearing. However, it is pointed out by Smt.Chaitanya that it is desirable at least 2 or 3 toilets are provided near the Talaghatpura Lake, so that the public discharging the affluent substance (open defecation) is prevented.

VRUSHABAVATHY LAKE

Sri Bette Gowda, Chief Engineer (Storm Water Drain), BBMP is present and submitted that he has filed a report dated 20.03.2018, as directed earlier and along with the report he has produced certain photographs showing the progress done by



the BBMP. A copy of the report is made available to the complainant to file rejoinder, if required by the next date of hearing.

2) Sri Bette Gowda, Chief Engineer, BBMP (SWD), Bengaluru, submitted that he will file a comprehensive report setting out the progress showing within a week. He pointed out that the fencing, as directed has been completed and desilting is also done. He further pointed out that the BBMP is willing to put the fencing near Mylasandra Treatment Plant. But, he has not been able to do so because the demarcation of the area has not yet been made by BWSSB. However Sri Bharath Kumar, Assistant Executive Engineer, BWSSB submitted that it will be done by this week end, i.e., by Saturday evening. The said statement is placed on record. Sri Bette Gowda, Chief Engineer, to file the Status Report showing the progress regarding the STP plant.

3) Sri R.V.Bhat, Law Officer, Karnataka State Pollution Control Board has filed a Compliance Report complying with the direction made by me on the last date of hearing. Copy of



the Compliance Report is made available to the complainant to file his rejoinder if any by the next date of hearing.

BYRAMANGALA RESERVOIR

Smt. Nirmala, Trustee of Bengaluru Environmental Trust submitted that on account of pollution at Byramangala lake, it discharges pollutant substances and it results in serious health hazard problems. She submitted that she will file a detailed report on the basis of investigation, within two weeks time. The statement made is placed on record. She is directed to give a copy of the report to Sri Niranjan, Assistant Executive Engineer (in charge) and Sri Kotresh, Assistant Engineer. The officers of the Irrigation Department referred to above may examine the report that may be submitted by Smt. Nirmala and file their response setting out the remedial measures taken by them by the next date of hearing.

2) Sri Siddaramaiah, Environmental Officer, Ramanagara submitted that the Karnataka State Pollution Control Board had requested the Bidadi Industries Association to carry out the fumigation in the 18 effected villages and accordingly they have

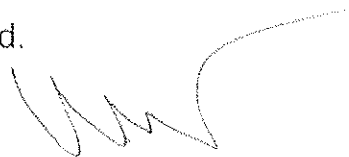


carried out the work and given a report and the said report has been placed as Annexure-3 along with the report submitted on behalf of the Karnataka State Pollution Control Board, Bengaluru.

3) Sri Pebbisetty brought to my notice my earlier observation with regard to the installation of STP by the Chief Officer, TMC and the PDO of Bidadi. It is useful to extract the relevant portion of the said Order dated 31.1.2018.

....."The residents of the area pointed out that they are every day suffering from mosquitoes bite. Some effective measures will have to be taken by the concerned authorities to minimize the mosquito nuisance.


It is needless to point out that the mosquito is a carrier of disease and therefore prima-facie it appears to me that the concerned authorities will have to examine this and take effective remedial measures. The Pollution Control Board should submit its report on this **within two weeks from today**. It is pointed out that M/s Toyota Company was taking steps for fumigation earlier and now it is stopped.



Shri. Kumaraswamy, Chief Engineer, Pollution Control Board is directed to explore the possibility of some corporate sectors taking up the fumigation programme under the Corporate Social Responsibility (CSR) of industries situated at Bidadi Industrial Area.

Shri. G. Ramaiah, Chairman, Byramangala Grama Panchayath submitted that he will convene a meeting of the Panchayath and take further effective steps to prevent the breeding of mosquitoes and keep the panchayath area in a clean and tidy manner. He submitted that he will submit his report in this regard **within a period of five weeks**. It is pointed out that the lake area falls within the jurisdiction of Town Municipal Council, Bidadi. Hence, the Chief Officer, TMC, Bidadi is also directed to comply this direction and submit his report **within a period of five weeks**.

Further, it is pointed out that though there is an obligation by the TMC to install STP, the same has not yet been installed. It is suggested by the residents that a direction may be given to the TMC to install required capacity STP without further loss of time. This requires to be considered by the Chief Officer, TMC and the



PDO, Byramangala Grama Panchayath. Notice may be issued to them only for the limited purpose of this issue."

4) Today neither the Chief Officer nor the concerned PDO of Bidadi is present and they have not yet filed their report. **Issue notices to the Chief Officer, TMC and the PDO directing them to file the Status Report with regard to the steps taken in the light of my observation extracted above.**

SUNWORTH APARTMENT

It is pointed out by Sri Pebbisetty who is representing Sri H.S.Doreswamy that the Vrushabavathi river flowing near Sunworth Apartment is stagnating because of illegal sand mining. It is pointed out that remedial measures have not yet been taken in spite of the directions given earlier.


2) I am of the view, it would be in the interest of justice to direct Sri Betté Gowda who is the Chief Engineer, BBMP Storm Water Drain and one of the officer – Assistant Executive Engineer/Assistant Engineer of Minor Irrigation Department



along with Sri Anil Kumar, Environmental Officer, Karnataka Pollution Control Board to visit the said places and submit a joint report with regard to the existing position of the river and also the remedial measures required to be taken etc.,

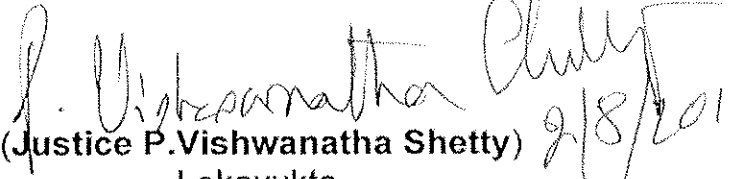
3) Sri Bette Gowda, Chief Engineer will be the Chairman of the Committee and all other members to co-operate with him. The Chief Executive Officer of the Zilla Panchayath, Ramanagara may also visit the spot and submit his report. It is agreed by Sri Bette Gowda and the Assistant Executive Engineer, Minor Irrigation Department that they will visit the spot on 8.8.2018 at 11.00 a.m. They shall submit their report as stated above, within a week thereafter to the Lokayukta.

4) Sri Manukul, Advocate appeared for Sri H.S.Doreswamy submitted that the reports by various authorities referred to in the earlier Order, has not been filed. In the light of what is stated above, the authorities concerned are directed to comply with the said direction by filing the report by the next date of hearing.



Communicate this Order to all the parties concerned.

List this case on 11th September, 2018 at 3.00 p.m.


(Justice P. Vishwanatha Shetty) 2/8/2018
Lokayukta
State of Karnataka

*v/

5) Additional Registrar of Enq.1

