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BAC

ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ಸಂಖ್ಯೆ.ಕಂಪ್ಲೆಂಟ್/ಲೋಕ್/ಬಿಸಿಡಿ/2518/2018/ಕಾರ್ಯದರ್ಶಿಗಳು

ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ,
ಡಾ|| ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ,
ಬೆಂಗಳೂರು, ದಿ:12.11.2019.

ನೋಟೀಸ್

ವಿಷಯ:- ಹೆಚ್.ಎಸ್.ದೊರೈಸ್ವಾಮಿ ಎಂಬುವವರು ನಮ್ಮ ಸಂಸ್ಥೆಯಲ್ಲಿ
ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ತಮಗೆ ಈ ಮೂಲಕ ತಿಳಿಯಪಡಿಸುವುದೇನೆಂದರೆ, ಗೌರವಾನ್ವಿತ
ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದಂತೆ ಗೌಡನಪಾಳ್ಯ ಕೆರೆಯ ಒತ್ತುವರಿ ಹಾಗೂ ಅಭಿವೃದ್ಧಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ
ದಿನಾಂಕ:06.11.2019ರಂದು ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿದ್ದು, ಆದೇಶದಲ್ಲಿ
ತಿಳಿಸಿರುವಂತೆ ಕ್ರಮ ವಹಿಸತಕ್ಕದ್ದು ಹಾಗೂ ತಮ್ಮ ಅನುಪಾಲನಾ ವರದಿಯನ್ನು ದಿನಾಂಕ:05.02.2020ರೊಳಗಾಗಿ
ಈ ಕಚೇರಿಗೆ ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

ಮುಂದುವರೆದು, ಸದರಿ ಪ್ರಕರಣವು ದಿನಾಂಕ:05-02-2020 ರಂದು 3-00 ಗಂಟೆಗೆ
ಗೌ.ಲೋಕಾಯುಕ್ತರವರ ಮುಂದೆ ನಿಗದಿಪಡಿಸಿದೆ.

ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಕಾರ್ಯದರ್ಶಿಗಳು,
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,
ಬೆಂಗಳೂರು.

ಇವರಿಗೆ,

1. The C.E.O., Namma Bangalore Foundation, 2nd Floor, No.54,
Rockline Centre, Richmond Road, Bangalore.
2. The Special Deputy Commissioner, Bangalore Urban District,
Bangalore.
3. The ADLR, Bangalore South Taluk, Bangalore.
4. Smt. Bhupradha, Assistant Executive Engineer, BBMP, Lakes,
Head Office, Bangalore.
5. Sri. C.R.Raghavendra, Assistant Executive Engineer, BWSSB,
Cauvery Bhavana, Bangalore.

KARNATAKA LOKAYUKTA, BENGALURU

No:Compt/LOK/BCD-2518/2018 Date : 06-11-2019

ORDER

On behalf of the complainant Sri.H.S.Doreswamy, Sri Lakshminath is present. He has submitted a letter dated 06-11-2019, the same is placed in the file.

2. On behalf of BBMP Smt Bhupradha, Assistant Executive Engineer is present along with Smt. Usha, Assistant Engineer.

3. On behalf of BWSSB, Sri C.R.Raghavendra, Assistant Executive Engineer is present.

4. The Assistant Director of Land Records has filed a survey report dated 27-06-2019 along with the sketch. Survey report submitted shows that, land measuring 3 acres out of 9 acres 2 guntas covering lake has been encroached upon. In my order dated 03-07-2019 at paragraph 10, I have observed as follows:

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"10. For the purpose of taking effective steps for removal of encroachment, I am of the view, it would be in the interest of justice, to issue notice to the Deputy Commissioner, Bengaluru Urban District. Accordingly, issue notice to the Deputy Commissioner, Bengaluru Urban District. The Tahsildar, Bengaluru South who was impleaded as respondent No.5 and Deputy Commissioner, Bengaluru Urban District are directed to take steps for removal of illegal encroachment and file a status report by the next date of hearing."

5. In the light of the said order, the Special Deputy Commissioner, Bengaluru Urban District by means of his communication dated 28-08-2019 has directed the Tahsildar, Bengaluru South Taluk to take appropriate steps and to appear before me today. It is useful to refer to the said direction given by the Special Deputy Commissioner to the Tahsildar, which reads as hereunder:-

"... ಬೆಂಗಳೂರು ದಕ್ಷಿಣ ಅಲ್ಲೂರು, ಗೌಡನವಾಳ ಕೆರೆ ಜಮೀನಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಿನಾಂಕ: 03-07-2019 ರಂದು ಗೌರವಾನ್ವಿತ ನ್ಯಾಯಾಲಯವು ಹೇರಡಿಸಿರುವ ಆದೇಶದಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ನಿಯಮಾನುಸಾರ ಕ್ರಮ ಕೈಗೊಂಡು, ಕೈಗೊಂಡ ಕ್ರಮದ ಬಗ್ಗೆ ವರದಿಯೊಂದಿಗೆ ದಿನಾಂಕ: 06-11-2019 ರಂದು 3-00 ಗಂಟೆಗೆ ಗೌರವಾನ್ವಿತ ಪೋಲೀಸ್ ಠಾಣೆಯ ಮುಂದೆ ಪಾಪಿರಾಗಲು ಸೂಚಿಸಿರುತ್ತಾರೆ.

ಮಾತ್ರ ಗೌರವಾನ್ವಿತ ನ್ಯಾಯಾಲಯವು ಆದೇಶದಂತೆ ಅತಿ ಎಲ್ಲವಾಗ ನಿಯಮಾನುಸಾರ ಕ್ರಮ ಕೈಗೊಂಡು ಕೈಗೊಂಡ ಕ್ರಮದ

ವರದಿಯನ್ನು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರವರಿಗೆ ಪಾಪದಪಡಿಸಿ ಈ ಕಛೇರಿಗೆ
ಅನುಪಾಲನಾ ವರದಿ ಕಲ್ಪಿಸಲು ಸೂಚಿಸಿದೆ.”

6. However, notice was also issued to the Tahsildar, Bengaluru Taluk, directing him to submit the report pursuant to the order made by me earlier and the said notice was served on him on 15-07-2019. But, the Tahsildar is not present today.

7. In the light of what is stated above, instead of taking coercive steps in terms of Sec. 11 of the Karnataka Lokayukta Act against the Tahsildar, I am of the view, ends of justice would be met, if Show-cause notice is issued to the Tahsildar, directing him as to why action should not be taken against him for not complying with my direction dated 03-07-2019 made at paragraph 10 of the said order which is extracted above by the next date of hearing. He is also directed to be present along with the explanation for his non appearance and not complying with my earlier order on 03-07-2019.

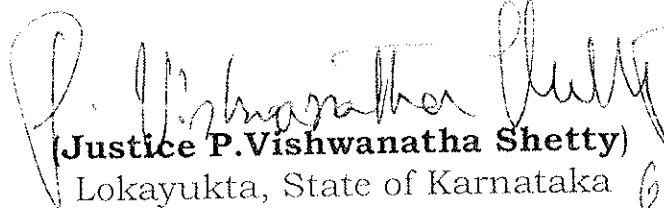
8. Smt. Bhupradha submitted that, a sum of Rs.4 crores has been sanctioned by the Government for

development of the lake and steps have already been taken to rejuvenate the lake and tenders have already ^{been} called and it is to be finalised. She further submitted that, it will take around two months time to finalise and to give the work order etc. She assures me that the lake will be developed and the steps will be taken to develop the lake without further loss of time. However, it is her submission that, the encroachment on the lake area is required to be removed without further loss of time and once the encroachment is removed, she will take steps to fence the lake area. The said statement made by Smt. Bhupradha is placed on record.

9. In the light of the survey report and earlier direction made by me, it is needless to point out that, the effective steps are required to be taken for removal of the encroachment by the Tahsildar and the Special Deputy Commissioner. The Tahsildar is directed to file the status report with regard to the steps taken for removal of the encroachment by the next date of hearing.

10. Communicate this order to all the parties concerned.

List this matter on 05-02-2020 at 3.00 p.m.


(Justice P. Vishwanatha Shetty)
Lokayukta, State of Karnataka 05/11/2019

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Secretary)