

ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ನಂ:ಕಂ.ಲೋಕ್.ಬಿಸಿಡಿ 2529/2018

ಬಹುಮಹಡಿ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:03/07/2019

ನೋಟೀಸು

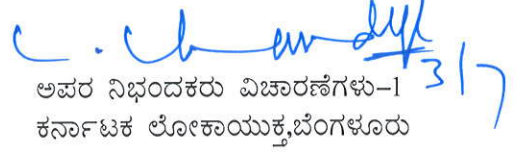
ವಿಷಯ: ಹೆಚ್.ಎಸ್.ದೊರೈಸ್ವಾಮಿ ಎಂಬುವವರು ನಮ್ಮ ಸಂಸ್ಥೆಯಲ್ಲಿ ನೀಡಿರುವ ದೂರಿನ
ಕುರಿತು.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ತಮಗೆ ಈ ಮೂಲಕ ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದಂತೆ
ತಮಗೆ ಈ ಮೂಲಕ ತಿಳಿಯ ಪಡಿಸುವುದೆಂದರೆ, ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರು ಹೊರಮಾವು ಕೆರೆಗೆ
ಸಂಬಂಧಪಟ್ಟಂತೆ ದಿನಾಂಕ: 26-06-2019 ರಂದು ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿದ್ದು,
ಆದೇಶದಲ್ಲಿ ತಿಳಿಸಿರುವಂತೆ ಕ್ರಮ ವಹಿಸತಕ್ಕದ್ದು.

ಸದರಿ ಪ್ರಕರಣವನ್ನು ದಿ.12-09-2019 ರಂದು 3-00 ಗಂಟೆಗೆ ಗೌ.ಲೋಕಾಯುಕ್ತರವರ ಮುಂದೆ ವಿಚಾರಣೆಗಾಗಿ
ನಿಗದಿಪಡಿಸಿದೆ.

ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದನ್ವಯ


ಅಪರ ನಿಭಂದಕರು ವಿಚಾರಣೆಗಳು-1
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ, ಬೆಂಗಳೂರು

- 1) The C.E.O., Namma Bangalore foundation, 2nd floor, No54, Rockline centre, Richmond Road, Bangalore.
- 2) Smt. Bhupradha, Assistant Executive Engineer, BBMP, LAKES, Bangalore
- 3) The Tahsildar, Bangalore East Taluk, Bangalore.
- 4) The Joint Director of Land Records, K.G.Road, Bangalore
- 5) The Chairman, BWSSB, Cauvery Bhavan, Bangalore
- 6) The Commissioner, BBMP, N.R.Square, Bangalore
- 7) The Secretary, , Karnataka Pollution Control Board, Church street, Bangalore.
- 8) Deputy Commissioner, Bangalore Urban Dist, Bangalore

KARNATAKA LOKAYUKTA, BENGALURU

No.Compt/LOK/BCD-2529/2018/ARE-1

Date : 26.06.2019

HORAMAVU LAKE -

O R D E R

On behalf of the complainant Sri H.S.Doreswamy, Sri Lakshmikanth is present. On behalf of BBMP, Bengaluru, Smt.Bupradha, Assistant Executive Engineer is present.

2) Smt.V.Vijayalakshmi, Advocate has filed the objection statement along with the valakath on behalf of Sri M.Puttanna and Sri G.Rajanna. The same is placed on record. A copy of the objections filed is made available to Sri Lakshmikanth and Smt.Bupradha, Assistant Executive Engineer, BBMP, Bengaluru, and both have acknowledged the receipt of the same. It is the case of the objectors that out of 37 acres and 14 guntas of land in Survey No.83 of Horamavu Village, K.R.Puram Hobli, land measuring 14 acres was purchased by one Sri Thigalara Patel Payappa by means of a registered sale



deed dated 16.02.1891. A xerox copy of the same is produced along with the statement of objections. Smt.V.Vijayalakshmi, Advocate further submits that the successors of the said Sri Thigalara Patel Payappa are the absolute owners and are in possession of the said property and it is not the lake property. Further, she submitted that there are around 150 to 200 houses, which have been constructed in the said area and taxes have been remitted by the said residents. It is her further submission that around 23 acres and 14 guntas of gomal land located ^{close} to the said 14 acres of land in respect of which the objectors have made the claim is covered by sanitary water which emanates bad smell and causes health hazard. However, she submitted that the objectors have no claim on the said land.

3) Sri Lakshmikanth and Smt.Bupradha of BBMP to file their response, to the objection statement filed by Smt.V.Vijayalakshmi by the next date of hearing.

4) In my earlier order dated 20.02.2019, I had directed the Tahsildar, Bengaluru East Taluk to evict the unauthorized occupants in Survey No.83 and 77 of Horamavu Agara lake. In



the light of the objections filed by Smt.V.Vijayalakshmi, Advocate, on behalf of the objector, it is necessary to notify the persons likely to be effected before any steps are taken by the Tahsildar, as directed by me in my earlier order dated 20.02.2019. He is required to issue notice to the persons in occupation of 14 acres of land in Survey No.83, in respect of the objections filed by Sri M.Puttanna and Sri G.Rajanna, R/o.Nagavarapalya, C.V.Raman Nagar Post, Bengaluru through her Advocate Smt.V.Vijayalakshmi and take appropriate decision in accordance with law.

5) Smt.Bupradha, Assistant Executive Engineer, BBMP, Bengaluru submitted that BBMP has already taken-up the developmental work in respect of Horamavu Agara lake located in Survey No.77, measuring around 51 acres and 34 guntas of land, which is inclusive of encroachment. Even according to the objectors also, they have no claim in respect of Survey No.77. The Joint Director of Land Records, K.G.Road, Bengaluru, has filed a Status Report dated 5.3.2019 along with the copy of the letter dated 26.3.2019 addressed to the Deputy Commissioner, Bengaluru Urban District, requesting to convey



a joint meeting in terms of my earlier order dated 20.2.2019. It is useful to extract the relevant portion of the said communication which reads as hereunder –

“With regard to above Subject and References, it is here by submitted that Hon’ble Karnataka Lokayuktha has passed Orders on 20-02-2019 in the above mentioned case. In this case, Sri H.S. Dorai Swamy had filed a complaint before Hon’ble Karnataka Lokayuktha alleging that **Horamavu and Horamavu agara Lake have been encroached** and further had appeal to give directions to the concerned Officers to evict the same.

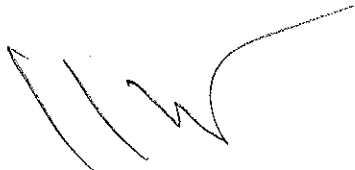
Hon’ble Karnataka Lokayuktha had directed the undersigned as per the Ref (1) and instructed the undersigned to conduct Joint Survey of Horamavu Lake of S.No.83 and Horamavu agara Lake of S.No 77.

Hon’ble Karnataka Lokayuktha in this same order has ordered to conduct Joint Survey along with-

1. Chairman BWSSB,
2. Commissioner BBMP,

Accordingly Joint Survey was conducted along with the Officers from the Revenue Department, Bangalore Water Supply and Sewage Board (BWSSB), Bangalore Development Authority, Bruhath Bangalore Mahanagara Palike and Pollution Control Board in the presence of complainant.

After spot inspection, A report has been submitted to Hon’ble Karnataka Lokhayuktha Vide reference No: Bhu.Jum.Ni.Tham(6) PR 228/2018-19, Dated: 18-02-2019. Along with the detailed sketch duly signed by DEO, Karnataka State Pollution Control Board, Surveyors, Survey Supervisors, Assistant Director of Land Records and undersigned is enclosed here-with.



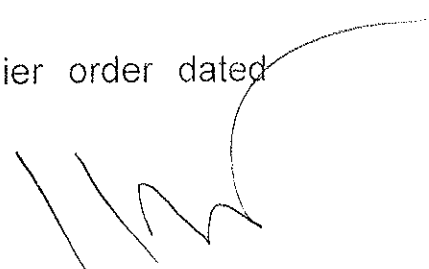
Hon'ble Karnataka Lokayuktha after perusing the report, has passed orders as per reference dated: 20-02-2019. The copy of the same has been received in this section the same is here-by being submitted to your kind-self along with the copy of the report of the under-signed along with the sketch.

I here-by submit the following for your necessary action.

1. Copy of the orders of the Hon'ble Karnataka Lokayuktha vide no. COMPT/LOK/BCD-2529/2018, Dated: 20-02-2019.
2. Copy of the report submitted to Hon'ble Karnataka Lokayuktha by the undersigned vide no: Bhu.Jum.Ni. Tham(6)PR 228/2018-19, Dated: 18-02-2019.
3. Sketch prepared in this regard showing the encroachment area.

In view of above a meeting involving the concerned Officers may kindly be convened immediately in ordered to comply the orders of Hon'ble Karnataka Lokayuktha."

6) Today, no one is present from the office of the Deputy Commissioner, Bengaluru Urban District. The Tahsildar, Bengaluru East Taluk, who has been directed to remove the encroachment and submit report is also not present. **Therefore, issue 'Show Cause Notice' to the Tahsildar, Bengaluru East Taluk** as to why action should not be initiated against him for non-compliance of my earlier order dated



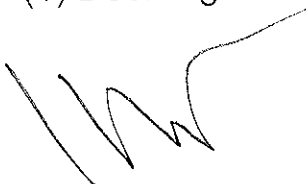
20.2.2019, regarding steps taken for removal of the encroachment and filing of Status Report. He is required to submit his explanation on the next date of hearing.

7) Sri Lakshmikanth is also directed to clarify as to what is the extent of land shown as encroachment in Survey No.83 of Horamavu village and Survey No.77 of Horamavu Agara in terms of Koliwada Commission and submit the records.

8) The officers concerned of the Karnataka State Pollution Control Board to examine the condition of land measuring 23 acres and 14 guntas of land in Survey No.83 of Horamavu village and submit their report with regard to the stagnation of water etc., The authorities of BBMP also to submit their Status Report with regard to the said 23 acres and 14 guntas of land.

9) Smt.Bupradha, Assistant Executive Engineer, BBMP, Bengaluru submitted that if the Tahsildar of Bengaluru East Taluk, as directed in my earlier Order dated 20.2.2019, removes the encroachment in Survey No.77, the following developmental work will be carried out immediately -


(1) Desilting the lake area/water body.



- (2) Ring bund formation and
(3) Diversion of sewerage line.

10) It is needless to point out that the Tahsildar, Bengaluru East Taluk, is directed to remove the encroachment in Survey No.77 in terms of my earlier Order dated 20.02.2019, by the next date of hearing and submit his report.

11) Communicate this order to the Deputy Commissioner, Bengaluru Urban District and the Tahsildar, Bengaluru East Taluk. List this case on **12th September, 2019 at 3.00 p.m.**


(Justice P. Vishwanatha Shetty) 26/6/2019
Lokayukta
State of Karnataka

*vi

12) Additional Registrar of Enq.1

