

ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ

ನಂ:ಕಂ.ಲೋಕ್.ಬಿಸಿಡಿ 2524/2018

ಬಹುಮಹಡಿ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:07/06/2019

ನೋಟೀಸು

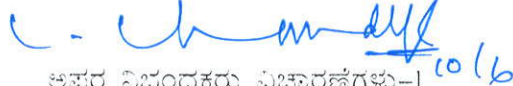
ವಿಷಯ: ಹೆಚ್.ಎಸ್.ದೊರೈಸ್ವಾಮಿ ಎಂಬುವವರು ನಮ್ಮ ಸಂಸ್ಥೆಯಲ್ಲಿ ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ತಮಗೆ ಈ ಮೂಲಕ ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದಂತೆ ತಮಗೆ ಈ ಮೂಲಕ ತಿಳಿಯ ಪಡಿಸುವುದೆಂದರೆ, ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರು ಕಗ್ಗದಾಸಪುರ ಕೆರೆಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ದಿನಾಂಕ: 28-05-2019 ರಂದು ಹೊರಡಿಸಿರುವ ಆದೇಶವನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿದ್ದು ಆದೇಶದ ನಿರ್ದೇಶನದಂತೆ ಕ್ರಮ ವಹಿಸತಕ್ಕದ್ದು.

ಮುಂದುವರೆದು ಸದರಿ ಪ್ರಕರಣವನ್ನು ದಿನಾಂಕ:05-09-2019 ರಂದು 3-00 ಗಂಟೆಗೆ ಮುಂದಿನ ವಿಚಾರಣೆಗೆ ನಿಗದಿಪಡಿಸಿದೆ.

ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದನ್ವಯ


ಅಪರ ನಿಭಂದಕರು ವಿಚಾರಣೆಗಳು-1
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,ಬೆಂಗಳೂರು

- 1) Sri. C.E.O., Namma Bangalore foundation, 2nd floor, No54, Rockline centre, Richmond Road, Bangalore.
- 2) Sri. K.V.Ravi, Executive Engineer, BBMP(Lakes), Bangalore
- 3) Sri. Rangaswamy, Executive Engineer, BWSSB, Bangalore
- 4) S.Rajashekar, Environmental Officer, Bangalore city(east), Karnataka State Pollution Control Board, Nisarga Bhavan, Thimmaiah Road, 7th D Main, Shivanagar, Bangalore. No.23224830
- 5) Sri. H.R.Ravi, Surveyor, Bangalore East Taluk, Bangalore.
- 6) The Deputy conservator of Forest, BBMP(Lakes) Bangalore
- 7) Tahsildar, Bangalore East Taluk, Bangalore.

KARNATAKA LOKAYUKTA : BENGALURU

No: Compt/Lok/BCD-2524/2018/ARE-1

Date: 28-05-2019

O R D E R

On behalf of Sri. H.S.Doreswamy, who is the Complainant in this case, Sri. Lakshmikanth is present along with others.

2. On behalf of Bruhat Bengaluru Mahanagara Palike, Bengaluru (herein after referred as '**BBMP**' for short), Sri. K.V.Ravi, Executive Engineer, BBMP (Lakes) is present along with Sri.Lingegowda, Assistant Executive Engineer, BBMP (Lakes).

3. On behalf of Bengaluru Water Supply and Sewerage Board, Bengaluru (herein after referred to '**BWSSB**' for short), Sri. Rangaswamy, Executive Engineer is present.

4. On behalf of Karnataka State Pollution Control Board, Bengaluru (herein after referred to as '**KSPCB**' for short), Sri. S.Rajasekhar, Environmental Officer, Bengaluru City (East) is present, along with Sri. Ramesh, Deputy Environmental Officer.

5. Sri. Ravi H.R., Surveyor, Bengaluru East is present along with Sri. Yadunandan. P, Surveyor.

6. The complainant has filed a statement dated 28-05-2019. The statement of the Complainant indicates the work required to be attended to, by the authorities. It is useful to extract the said statement, which reads as here under:

ದಿನಾಂಕ-28-05-2019

ಗೆ,

ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು-1

ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಘೇರಿ

ಎಂ.ಎಸ್.ಬಿಲ್ಡಿಂಗ್, ಡಾ.ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ, ಬೆಂಗಳೂರು-560001

ಮಾನ್ಯರೇ,

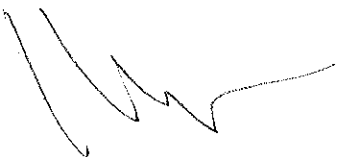
ವಿಷಯ : ಕಗ್ಗದಾಸಪುರಕೆರೆಯ ಬಗ್ಗೆ ಸ್ಥಿತಿಗತಿ ವರದಿ ಸಲ್ಲಿಕೆ

ಉಲ್ಲೇಖ : ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಘೇರಿ ಸಂಖ್ಯೆ Comp/Lok/BCD-2524/2018

(Dated : 12-03-2019)

ಕಂದಾಯ ಇಲಾಖಾ ದಾಖಲೆಗಳ ಪ್ರಕಾರ ಕಗ್ಗದಾಸಪುರಕೆರೆಯು ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರಂ ಹೋಬಳಿ, ಕಗ್ಗದಾಸಪುರ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 141ರಲ್ಲಿ 32 ಎಕರೆ 16 ಗುಂಟೆ ಮತ್ತು ಬೈರಸಂದ್ರಗ್ರಾಮದ ಸರ್ವೆ ನಂ 5ರಲ್ಲಿ 14 ಎಕರೆ 24 ಗುಂಟೆ ಇದ್ದು, ಒಟ್ಟು ಈ ಕೆರೆಯು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ.

ದಿನಾಂಕ 12-03-2019 ರಂದು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರು ಹೊರಡಿಸಿರುವ ಆದೇಶದಂತೆ ದಿನಾಂಕ 22-05-2019 ರಂದು ಭೂದಾಖಲೆಗಳ ಸಹಾಯಕ ನಿರ್ದೇಶಕರು-ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಬಿ.ಬಿ.ಎಂ.ಪಿ, ಬಿಡಬ್ಬೂವನ್‌ಎಸ್‌ಬಿ, ಕರ್ನಾಟಕ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳ ಜೊತೆಯಲ್ಲಿ ಜಂಟಿ ಸರ್ವೆಯನ್ನು ಪ್ರಾರಂಭಿಸಿರುತ್ತಾರೆ. ಯುನೈಟೆಡ್ ಬೆಂಗಳೂರು ತಂಡದ ಸದಸ್ಯರು ಈ ಸರ್ವೆಯಲ್ಲಿ ಭಾಗವಹಿಸಿದ್ದು, ಪ್ರಸ್ತುತ ಕೆರೆಯ ಸ್ಥಿತಿಗತಿಯ ಬಗ್ಗೆ ಈ ಕೆಳಗೆ ತಿಳಿಸಲಾಗಿದೆ.



1. ಈ ಕೆರೆಯು ಕೋಳಿವಾಡ ಸಮಿತಿಯ ವರದಿ ಮತ್ತು ಕಂದಾಯ ದಾಖಲೆಗಳ ಪ್ರಕಾರ ಒಟ್ಟು 47 ಎಕರೆ ವಿಸ್ತೀರ್ಣ ಹೊಂದಿದ್ದು, ಅದರಲ್ಲಿ 3 ಎಕರೆ 35 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣ ಒತ್ತುವರಿಯಾಗಿದೆ. (ಕಂದಾಯ ದಾಖಲೆಗಳನ್ನು ಲಗತ್ತಿಸಲಾಗಿದೆ). ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರ ಆದೇಶದಂತೆ ಕೆರೆಯ ಸರ್ವೆ ಕಾರ್ಯ ಪ್ರಾರಂಭವಾಗಿದ್ದು, ಶೀಘ್ರ ಒತ್ತುವರಿಯನ್ನು ತೆರವುಗೊಳಿಸುವಂತೆ ತಾವು ಆದೇಶಿಸಲು ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.
2. ಕೆರೆಗೆ ತ್ಯಾಜ್ಯವನ್ನು ಸುರಿಯಲಾಗುತ್ತಿದ್ದು, ಇದನ್ನು ತಡೆಗಟ್ಟಬೇಕಿದೆ.
3. ಸುತ್ತಮುತ್ತಲ ಪ್ರದೇಶಗಳಿಂದ ಕೊಳಚೆ ನೀರು ಹರಿದು ಕೆರೆ ಸಂಪೂರ್ಣ ಕಲುಷಿತಗೊಂಡಿದೆ. ತ್ಯಾಜ್ಯ ನೀರು ಕೆರೆಗೆ ಹರಿಯುವುದನ್ನು ತಡೆಗಟ್ಟಬೇಕಿದೆ.
4. ಈ ಕೆರೆಗೆ ತ್ಯಾಜ್ಯ ನೀರು ಸಂಸ್ಕರಣಾ ಘಟಕವನ್ನು ಸ್ಥಾಪಿಸಬೇಕಿದೆ.

ಈ ಮೇಲಿನ ಸಮಸ್ಯೆಗಳನ್ನು ಶೀಘ್ರ ಪರಿಹರಿಸುವ ನಿಟ್ಟಿನಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳಿಗೆ ತಾವು ಆದೇಶ ನೀಡಬೇಕೆಂದು ತಮ್ಮಲ್ಲಿ ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.

ಧನ್ಯವಾದಗಳೊಂದಿಗೆ,

ಇಂತಿ ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/--

ಎನ್‌ಆರ್ ಸುರೇಶ್, ಸಂಚಾಲಕರು, ಯುನೈಟೆಡ್ ಬೆಂಗಳೂರು”

7. A report dated 27-05-2019 has been filed on behalf of Deputy Conservator of Forest, BBMP (Lakes). The same is placed on record. It is useful to extract the said report, which reads as follows:



“ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ

ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಕೆರೆಗಳು ರವರ ಕಛೇರಿ, ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ,
3ನೇ ಮಹಡಿ, ಅನೇಕ್ಸ್ ಕಟ್ಟಡ-03, ಎನ್.ಆರ್ ಚೌಕ, ಬೆಂಗಳೂರು-02.

ಸಂ: ಉ.ಅ.ಸಂ/(ಕೆರೆಗಳು)/ಪಿ. ಆರ್/ 52 /2019-20

ದಿನಾಂಕ: 27/5/19

ರವರಿಗೆ,

ಅಪರ ನಿಬಂಧಕರು,
ವಿಚಾರಣೆಗಳು-1
ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,
ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಹೆಚ್.ಎಸ್. ದೊರೆಸ್ವಾಮಿ ಎಂಬುವವರು ಕಗ್ಗದಾಸಪುರ ಕೆರೆಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ
ನೀಡಿರುವ ದೂರಿನ ಕುರಿತು.

ಉಲ್ಲೇಖ: ತಮ್ಮ ಕಛೇರಿ ಪತ್ರ ಸಂಖ್ಯೆ: ಕಂ.ಲೋಕ್.ಮಿಸಲೇನಿಸ್ 2524/2018,
ದಿನಾಂಕ: 19/3/2019.

ಮೇಲ್ಕಂಡ ವಿಷಯ ಹಾಗೂ ಉಲ್ಲೇಖಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಬೆಂಗಳೂರು ಪೂರ್ವ
ತಾಲ್ಲೂಕು, ಮಹದೇವಪುರ ವಲಯದಲ್ಲಿ ಬರುವ ಕಗ್ಗದಾಸಪುರ ಕೆರೆಗೆ ಕಗ್ಗದಾಸಪುರ ಸರ್ವೆ ನಂ.141
ರ 32ಎಕರೆ 16ಗುಂಟೆ ಬೈರಸಂದ್ರ ಸರ್ವೆ ನಂ.5 ರ 14ಎಕರೆ 24ಗುಂಟೆ ಪ್ರದೇಶ ಸೇರಿದ್ದು, ಸದರಿ
ಕೆರೆಯ ಬಗ್ಗೆ ಶ್ರೀ.ಹೆಚ್.ಎಸ್. ದೊರೆಸ್ವಾಮಿ ರವರು ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರು, ಕರ್ನಾಟಕ ಸರ್ಕಾರ
ರವರಲ್ಲಿ ದೂರು ಸಲ್ಲಿಸಿದ್ದು, ಸದರಿ ದೂರಿನ ಬಗ್ಗೆ ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತದಲ್ಲಿ ನಂ.
ಕಂ.ಲೋಕ್.ಮಿಸಲೇನಿಸ್ 2524/2018 ರಂತೆ ದಾಖಲಾಗಿದ್ದು, ಈ ಪ್ರಕರಣವು ದಿನಾಂಕ:12/3/2019
ರಂದು ವಿಚಾರಣೆಗೆ ಬಂದ ಅವಧಿಯಲ್ಲಿ ಪಾಲಿಕೆಯಿಂದ ಸದರಿ ಕೆರೆಯನ್ನು ಅಭಿವೃದ್ಧಿ ಪಡಿಸಲು
ರೂ.8.50ಕೋಟಿಗಳ ಅವಶ್ಯಕತೆಯಿದ್ದು, ಈ ಬಗ್ಗೆ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಲಾಗಿದ್ದು,
ಅನುದಾನ ಬಿಡುಗಡೆಯಾದ ಕೂಡಲೇ ಅಭಿವೃದ್ಧಿ ಕೆಲಸಗಳನ್ನು ಕೈಗೊಳ್ಳಲಾಗುವುದು ಎಂದು ಮಾನ್ಯ
ಲೋಕಾಯುಕ್ತರವರಲ್ಲಿ ವರದಿ ಸಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ.

ಮುಂದುವರೆದು ರಾಜ್ಯ ಸರ್ಕಾರದಿಂದ ಆದೇಶ ಸಂಖ್ಯೆ:ನಅಇ 375 ಎಂಎನ್‌ವೈ 2018,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ:01/02/2019 ರಂತೆ ರೂ.8.50ಕೋಟಿಗಳನ್ನು ಬಿಡುಗಡೆಮಾಡಲಾಗಿದ್ದು, ಸದರಿ
ಕೆರೆಯಲ್ಲಿ ಆದ್ಯತೆ ಮೇರೆಗೆ ಕೊಳಚೆ ನೀರು ತಿರುವುಗಾಲುವೆ ನಿರ್ಮಾಣ, ಸದರಿ ಕೆರೆಯಲ್ಲಿ
ಕ್ರೋಢೀಕೃತವಾಗಿರುವ ಹೂಳನ್ನು ತೆಗೆಯುವುದು, ಏರಿ ನಿರ್ಮಾಣ ಮತ್ತು ಅಭಿವೃದ್ಧಿ, ಕೆರೆಯ ಗಡಿ
ಭಾಗಕ್ಕೆ ಜೈನ್ ಲಿಂಕ್ ತಂತಿ ಬೇಲಿ ನಿರ್ಮಿಸುವುದು, ಒಳ ಹರಿವು ಹಾಗೂ ಹೊರ ಹರಿವುಗಳನ್ನು
ನಿರ್ಮಿಸುವ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಈಗಾಗಲೇ ಟೆಂಡರ್ ಕರೆದಿದ್ದು, ಟೆಂಡರ್ ಅನುಮೋದನೆ ಕೋರಿ



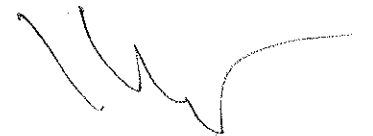
ಸರ್ಕಾರಕ್ಕೆ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸಲ್ಲಿಸಲಾಗಿರುತ್ತದೆ. ಸರ್ಕಾರದಿಂದ ಅನುಮೋದನೆ ದೊರೆತ ನಂತರ ಕೆಲಸಗಳನ್ನು ಪ್ರಾರಂಭಿಸಲಾಗುವುದು. ಎಂಬ ಮಾಹಿತಿಯೊಂದಿಗೆ ಸರ್ಕಾರದಿಂದ ಅನುಮೋದನೆಯಾಗಿರುವ ಕ್ರಿಯಾ ಯೋಜನೆಯ ಪ್ರತಿ ಹಾಗೂ ಟೆಂಡರ್ ನೋಟಿಫಿಕೇಷನ್ ಪ್ರತಿಗಳನ್ನು ತಮ್ಮ ಅವಗಾಹನೆಗೆ ಸಲ್ಲಿಸಿದೆ.

ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಉಪ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ
ಕೆರೆಗಳು, ಬಿಬಿಎಂಪಿ”.

8. The report extracted above indicates that a sum of Rs.8.50 Crores has been sanctioned by the Government for the purpose of development of lake in question. Along with the report, the notification for tender issued has also been filed indicating the methodology adopted for execution of the work and the period required for execution of the work. It is submitted by Sri. K.V.Ravi, Executive Engineer, BBMP (Lakes), that the tender submitted by the lowest bidder has been forwarded to the Government for approval and he is expecting that a final decision will be taken by the Government within about 15 days from today. It is needless to mention that the Government would examine the proposal submitted and take a decision at the earliest. It is his further submission



that once the tender is accepted, he expects the work to be completed by the end of May 2020 and submitted that unless the monsoon season is over, the developing of lake cannot be commenced.

8. Sri. Rajasekhar S, Environmental Officer, KSPCB, Bengaluru City East, submits that after the last date of hearing, no progress has been shown by the BBMP; no remedial steps have been taken by BBMP to improve the quality of the lake and installation of STP. He has filed a status report dated 24-05-2019. It is useful to extract the said report, which reads as here under:

"KARNATAKA STATE POLLUTION CONTROL BOARD

No.PCB/BCE/2019-20/

Date: 28 May 2019

To,

The Additional Registrar Enquiry-1,
Office of the Honorable Karnataka Lokayuktha,
M.S Building, Dr.B.R.Ambedkar Veedi,
Bangalore-560001

Sir,

Sub : Submission of status report of Kaggadasapura lake –reg.

Ref : 1. Proceeding of the Kaggadasapura lake dt. 12.03.2019

2. Inspection of the lake regarding joint survey on 22.05.2019
@@@@@

With reference to the above subject, the lake was inspected on 22.05.2019 during joint survey of the lake. Inspection report and present status of the lake is herewith enclosed for kind reference.

This is for your kind information.

Yours faithfully,

Encl: As above

Sd/-
Environmental Officer,
Bangalore City East".

"KARNATAKA STATE POLLUTION CONTROL BOARD

No: PCB/BCE/2019-20/2019-20/184

Date: 24 May 2019

INSPECTION REPORT OF KAGGADASAPURA LAKE, C.V.RAMAN NAGAR, BANGALORE

Inspecting Officers	1. Sri. Rajashekara S. Environmental Officer, Bangalore City East 2. Sri. V.Ramesh, Deputy Environmental Officer
Date of Inspection	22.05.2019
Reference	Letter issued from the Assistant Director, Land Records, Bangalore East Taluq on 06.05.2019 regarding joint survey of Kaggadasapura lake.

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Kaggadasapura lake was inspected in view of the joint survey of the lake with BBMP, BWSSB and Namma Bengaluru Foundation. The lake is under the control of BBMP for the operation and maintenance. The custodian of the lake is Revenue Department. The extent of the lake is 47 acres as per BBMP records.

During inspection following observations were made:

1. The primary source of water is entering through the storm water drains from the catchment area. The inlet storm water drains are located at Northern side of the Lake. The sewage is mainly entering the lake through

North side of the storm water drain. The other inlet storm water drain is located at the western side of the lake.

2. During the inspection it is noticed that the sewage is entering into the lake through the storm water drain at north side of the lake. The sample of lake water collected at western side of the Kaggadasapura lake and handed over to the laboratory for analysis.
3. Presently lake water is not used for any purpose. The lake is filled with marshy grass covered with water hyacinth and other weeds. As per physical observation the entire lake is contaminated due to the entry of the sewage.
4. Sewage entering to the lake from Northern side is provided with concrete retaining side wall and is fenced to avoid the dumping of solid waste.
5. No progress of work with respect to cleaning/desilting of lake and installation of Sewage Treatment Plant.

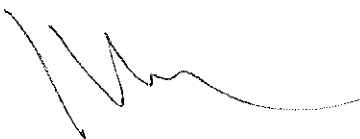
Sd/-

Deputy Environmental Officer

Sd/-

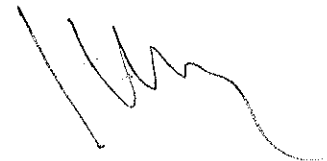
Environmental Officer
Bangalore City East".

The report extracted above, indicates that the sewage water is entering into the lake through Storm Water Drain, etc., and the lake is filled with marshy grass covered with water hyacinth and other weeds, etc and the entire lake is contaminated due to entry of sewage water.



9. Sri. Ravi H.R, Surveyor, has submitted that as directed by me in my earlier order dated 12-03-2019, the survey of the lake has been done and within about four months, the report will be submitted before the Lokayukta. His statement is placed on record and he is directed to submit the survey report with copies served on the officers of BBMP, BWSSB, KSPCB, Tahsildar - Bengaluru East and also to the Complainant, on or before 04-06-2019. Sri. Ravi H.R, Surveyor, has fairly submitted that, as per the survey conducted by the department, they have noticed encroachment of the lake area.

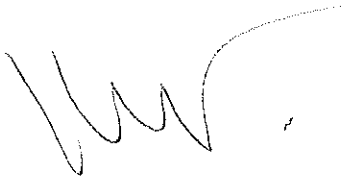
10. I have extracted the statement made on behalf of the Complainant. As per the report of the House Committee the exact encroached area is 03 acres 27 guntas. However, Sri. Ravi. H.R, Surveyor submits that out of that the large extent of area of encroachment is already removed and the present encroached extent is around one acre.



11. Since it is admitted that encroachment of the lake area continues, the Tahsildar, Bengaluru East is directed to take all the necessary steps for removal of the entire encroachment as early as possible, at any event of the matter within eight weeks from the date of communication of this order.

12. It is admitted that before the lake was handed over to BBMP, the Bengaluru Development Authority (herein after referred to as '**BDA**' for short), had already put up the fence surrounding the lake. However, some portion of the fencing has been removed on account of encroachment. The BBMP is directed to ensure necessary fencing is done as and when encroachments are removed, to protect the lake from further encroachment.

13. So far as BWSSB is concerned, in my order dated 12-03-2019, at Paragraph 7 of the order, I had noticed the submission made on behalf of KSPCB that the lake is highly polluted and it requires immediate attention by the



concerned authorities of the State. It is useful to extract Paragraphs 7 and 9 of my order, which reads as follows:


“7. The report submitted by KSPCB also shows that the quality of water in the lake is highly polluted and it requires immediate attention by the concerned authorities of the State. The BWSSB has an obligation under Section 63 and 64 of The Bangalore Water Supply and Sewerage Act, 1964”.

“9. In the light of the statutory obligation on the part of the BWSSB, it is needless to point out that they are required to take effective measures to prevent the entry of sewage to the lake. They are also required to establish STP and take other immediate steps. At this stage, Sri. M.Devaraju, Additional Chief Engineer, BWSSB pointed out that on 11-03-2019, they have called for tender for the purpose of installation of STP of 5 MLD at a cost of Rs.17.00 Crores and completion of the project would take 18 months. He pointed out that the nature of the work required to be executed for the purpose of installation of STP takes around 18 months. He pointed out that BWSSB also has taken de-silting programme for the removal of debris inside the pipeline and they also called for tenders to prevent discharge of sewage to the Storm Water Drain”.

14. Today, though Sri.Rangaswamy, Executive Engineer, is present on behalf of BWSSB, he submitted that since

Sri. Rajasekhar, Executive Engineer (Lake) in question is on leave, he is not able to make any statement with regard to the steps taken by BWSSB to reduce the pollutant substance in the lake. It is needless to point out that if remedial measures are not taken to remove the pollutant substance, the inaction on the part of the concerned officers will have to be considered as mal-administration within the meaning of Section 2(10) of the Karnataka Lokayukta Act, as it will have serious adverse effect on the environment and it is health hazardous. I am sure, the concerned officers of the BWSSB will consider this aspect of the matter seriously and take immediate remedial measures.

15. Further, Sri. Ravi K.V, Executive Engineer, BBMP (Lakes), also submitted that tender conditions also provide for sewage diversion drains and silt traps which will prevent discharge of pollutant substance to the main lake and only clean water will be discharged to the lake.

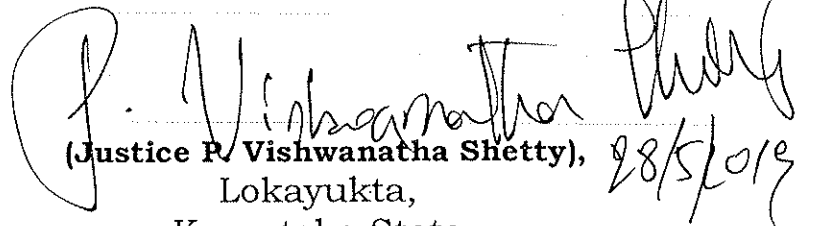


16. The officers concerned will consider the suggestions given by the Complainant in his statement dated 28-05-2019 as extracted above and take appropriate steps, if need be.

17. In the light of the discussion made above, I am of the view, that it would be in the interest of justice to give three months time to show further progress in the matter.

18. Communicate this order to the concerned.

List this case on **05-09-2019 at 03-00 p.m.**


(Justice P. Vishwanatha Shetty),
Lokayukta,
Karnataka State. 28/5/19

AS*

