ನಂ:ಕಂ.ಲೋಕ್.ಬಿಸಿಡಿ 2525/2018

ಬಹುಮಹಡಿ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು,ದಿನಾಂಕ:27/06/2019

ನೊಟೀಸು

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

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂದಪಟ್ಟಂತೆ ತಮಗೆ ಈ ಮೂಲಕ ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದಂತೆ ತಮಗೆ ಈ ಮೂಲಕ ತಿಳಿಯ ಪಡಿಸುವುದೆನೆಂದರೆ, ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರು ವಿಭೂತಿ ಕೆರೆಗೆ ಸಂಬಂದಪಟ್ಟಂತೆ ದಿನಾಂಕ: 06–06–2019 ರಂದು ಹೊರಡಿಸಿರುವ ಆದೇಶದ ನಕಲನ್ನು ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿದ್ದು, ಆದೇಶ ನಿರ್ದೇಶನದಂತೆ ತಾವು ಕೈಗೊಂಡ ಕ್ರಮದ ವರದಿಯೊಂದಿಗೆ ದಿನಾಂಕ:20–08–2019 ರಂದು 3–00 ಗಂಟೆಗೆ ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಮುಂದೆ ಹಾಜರಾಗಲು ಈ ಮೂಲಕ ತಿಳಿಸಿದೆ.

ಗೌರವಾನ್ವಿತ ಲೋಕಾಯುಕ್ತರವರ ಆದೇಶದನ್ವಯ

ಅಪರ ನಿಭಂದಕರು ವಿಚಾರಣೆಗಳು-7916 ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ,ಬೆಂಗಳೂರು

- 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 Chairman, BWSSB, Cauvery Bhavan, Bangalore
- 4) The Secretary, Karnataka Pollution Control Board, Church Street, Banbgalore.
- 5) The Assistant Director of Land Records, Bangalore East Taluk, Bangalore
- 6) The Tahsildar, Bangalore East Taluk, Bangalore.

KARNATAKA LOKAYUKTA: BENGALURU

No: Compt/Lok/BCD-2525/2018/ARE-1

Date: 06-06-2019

ORDER

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

2. Bhupradha, Assistant Executive Engineer. Bruhat Bengaluru Mahanagara Palike, Bengaluru (herein after referred to as 'BBMP' for short), is present. She has filed certain photographs showing the work taken up by the BBMP to develop the pathway surrounding the lake and also the steps taken to plant the plants. It is pointed out by her that an organization known as 'Say Trees' has taken up the work of planting the plants voluntarily they have come forward to plant the plants twice a week. Further she submitted that they are carrying out the work only on Holidays once in a week. According to her, if they execute the work of planting around 500 trees, it will take around three to four months. It is needless to point out that what is important is planting of the plants at the earliest. On account of voluntary labour of organization known as 'Say Trees' or by the Bruhat Bengaluru Mahanagara Palike, planting of trees cannot be allowed to be delayed for long time, as it has to be done before the rainy season comes to an end.

- 3. No one is present on behalf of the Bengaluru Water Supply and Sewerage Board (herein after referred to as 'BWSSB' for short) and Karnataka State Pollution Control Board (herein after referred to as 'KSPCB' for short).
- 4. A letter dated 06-06-2019 is filed on behalf of the Complainant. The said letter is placed on record. It is useful to extract the said letter, which reads as here under:

"ಗೆ, ಅಪರ ನಿಬಂಧಕರು, ವಿಚಾರಣೆಗಳು–1 ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತಕಛೇರಿ ಎಂ.ಎಸ್.ಬಿಲ್ಡಿಂಗ್, ಡಾ. ಬಿ.ಆರ್ಅಂಬೇಡ್ಕರ್ ವೀದಿ, ಬೆಂಗಳೂರು–560001 ದಿನಾಂಕ-06-06-2019

ಮಾನ್ಯರೇ,

ವಿಷಯ :ವಿಭೂತಿಮರಕರೆಯ ಬಗ್ಗೆ ಸ್ಥಿತಿಗತಿ ಪರದಿ ಸಲ್ಲಿಕೆ ಉಲ್ಲೇಖ :ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರಆದೇಶ ಸಂಖ್ಯೆ Comp/Lok/BCD-2525/2018.

ಕಂದಾಯ ಇಲಾಖಾ ದಾಖಲೆಗಳ ಪ್ರಕಾರವಿಭೂತಿಮರಕೆರೆಯುಬೆಂಗಳೂರು ಪೂರ್ವತಾಲ್ಲೂಕು, ಮಾರತ್ತಹಳ್ಳಿ ಹೋಬಳಿ, ವಿಭೂತಿಮರ ಸರ್ವೇ ನಂ 175ರಲ್ಲಿಒಟ್ಟು45ಎಕರೆ 18ಗುಂಟೆ ವಿಸ್ತೀರ್ಣವನ್ನು ಹೊಂದಿದೆ.

ಈ ಕೆರೆಯಲ್ಲಿ ಕೆಲವು ಸಮಸ್ಯೆಗಳಿದ್ದು, ಅವುಗಳನ್ನು ಈ ಕೆಳಗಿನಂತೆ ತಿಳಿಸಲಾಗಿದೆ.

- 1. ಈ ಕೆರೆಯು ಕೋಳಿವಾಡ ಸಮಿತಿಯ ವರದಿ ಮತ್ತುಕಂದಾಯ ದಾಖಲೆಗಳ ಪ್ರಕಾರಒಟ್ಟು 3 ಎಕರೆ 13 ಗುಂಟೆ ಒತ್ತುವರಿಯಾಗಿದೆ.
- 2. ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತರ (Comp/Lok/BCD-2525/2018-ದಿನಾಂಕ 12–02–2019) ಆದೇಶದಂತೆ ವಿಭೂತಿಮರ ಕೆರೆ ಸರ್ವೇ ಮಾಡಲು 8 ವಾರಗಳ ಗಡುವನ್ನು ನೀಡಲಾಗಿದ್ದು, ಇನ್ನು ಈ ಕೆರೆಯ ಸಮೀಕ್ಷೆ ಆಗಿರುವುದಿಲ್ಲ. ಹಾಗಾಗಿ ಈ ಕೆರೆಯನ್ನು ಸರ್ವೇ ಶೀಫ್ರ ಮಾಡಿ ಒತ್ತುವರಿ ತೆರವುಗೊಳಿಸಬೇಕಿದೆ.
- 3. ಈ ಕೆರೆಗೆಕಸವನ್ನು ಸುರಿಯಲಾಗುತ್ತಿದ್ದು, ಇದನ್ನುತಡೆಗಟ್ಟಬೇಕಿದೆ.
- 4. ಈ ಕೆರೆಗೆ ಕೊಳಚೆ ನೀರುಮಳೆಕಾಲುವೆ ಮೂಲಕ ಹರಿದು ಬರುತ್ತಿದ್ದು, ಇದನ್ನುತಡೆಗಟ್ಟಬೇಕಿದೆ.



5. ಈ ಕೆರೆಯ ಸುತ್ತಮುತ್ತಲ ಪ್ರದೇಶಗಳಿಂದ ಕೊಳಚೆ ನೀರು ಹರಿದುಕೆರೆ ಸಂಪೂರ್ಣ ಕಲುಷಿತಗೊಂಡಿದೆ. ಉದಾ: ಕೆಂಪಣ್ಣ ರಸ್ತೆಯ ಕಡೆಯಲ್ಲಿ ಮತ್ತು ಅಪ್ಸಾ ಕಛೇರಿಯ ಬಳಿ ಯು.ಜಿ.ಡಿ ನೀರು ಸೋರಿಕೆಯಾಗುತ್ತಿದೆ, ಕೊಳಚೆ ನೀರು ಕೆರೆಗೆ ಹರಿಯುವುದನ್ನು ತಡೆಗಟ್ಟಬೇಕಿದೆ.

ಈ ಮೇಲಿನ ಸಮಸ್ಯೆಗಳನ್ನು ಶೀಘ್ರ ಪರಿಹರಿಸುವ ನಿಟ್ಟಿನಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖಾ ಅಧಿಕಾರಿಗಳಿಗೆ ತಾವ ್ರಆದೇಶ ನೀಡಬೇಕೆಂದು ತಮ್ಮಲ್ಲಿ ವಿನಂತಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.

ಧನ್ಯಪಾದಗಳು ುದಿಗೆ,

ಇಂತಿ ತಮ್ಮ ವಿಶ್ವಾಸಿ

ಸಹಿ/-

ಎನ್ಆರ್ ಸುರೇಶ್, ಸಂಚಾಲಕರು, ಯುನೈಟೆಡ್ ಬೆಂಗಳೂರು".

- 5. In the letter it is pointed out that, garbage is being thrown into the lake and also affluent substance is also being discharged to the lake and on account of that lake water is completely polluted. The copy of the letter is handed over to Smt. Bhupradha, Asst. Executive Engineer.
- On the last date of hearing, I had directed the ADLR, 6. Bengaluru East Taluk and the Tahsildar, Bengaluru East Taluk to get Vibhuthipura Lake surveyed and fix up the boundaries after removal of the encroached area, within a period of eight weeks from that day. No one is present on behalf of the ADLR, Bengaluru East Taluk and also Tahsildar, Bengaluru East. The office records show that the notices sent them have been served. Smt. Bhupradha submits that she has also communicated them requesting them to get the lake surveyed and she has not received any communication until now about the survey work being carried out.

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- 7. In the light of what is stated above, I am of the view, that it would be in the interest of justice, to give one more opportunity to the ADLR, Bengaluru East Taluk and also to the Tahsildar, Bengaluru East Taluk, to get Vibhuthipura lake surveyed and fix up the boundaries after removal of the encroachments, if any. They are given eight weeks time from today to do the needful.
- 8. It is needless to point out that the officials in charge of BWSSB and Storm Water Drain of BBMP are required to take effective steps to prevent discharge of affluent substance to the lake and also disposal of waste to the lake, as pointed out by Sri. M. Lakshmikanth, in his letter referred to above, who is representing the Complainant SrieH.S.Doreswamy.
- 9. Sri. M. Lakshmikanth also can give a representation to BWSSB and to the concerned engineer of Storm Water Drain of BBMP and all other concerned to take effective measures to prevent discharge of affluent substance to the lake and also the disposal of other garbage and waste materials to the lake.
- 10. I am sure, the Guards stated to have been posted by the BBMP will take care of disposal of the waste material into the lake and BBMP will take steps to prosecute the persons who indulge in disposal of the waste materials to the lake and pollute the lake.

- 11. **List this case on 20-08-2019 at 03-00 p.m.** By the next date of hearing, all the concerned officers of BBMP, BWSSB and KSPCB to file status report with regard to the steps taken by them.
- 12. Communicate this order to the all the Respondents

i.e., BBMP, BWSSB and KSPCB.

Justice F. Vishwanatha Shetty),

Lokayukta,

Karnataka State.

AS*