

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION NO. 13/2023**

IN THE MATTER OF:

V Paramesh

...APPLICANT

Versus

Additional Chief Secretary

Forest, Environment & Ecology Department and Ors.

...RESPONDENTS

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Filed By



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Date: 12.03.2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

O.A.No.13/2023(SZ)

BETWEEN:

SRI. PARAMESH. V

.....APPLICANT

Versus

THE ADDITIONAL CHIEF SECRETARY,
FOREST, ENVIRONMENT,
AND ECOLOGY DEPARTMENT,
BENGALURU AND OTHERS

.....RESPONDENTS

**REPLY STATEMENT OF THE RESPONDENT NO.2-DEPUTY
COMMISSIONER, BENGALURU URBAN DISTRICT, BENGALURU**

MOST RESPECTFULLY SHOWETH:

1. The appellant has filed the above petition for issuance of direction to the respondent authorities to stop and take strict actions against the respondent No.10 relating to the ongoing construction activities in the storm water drain/stream/Nala buffer zone, and review issued NOC and approval and to maintain the storm water drain/stream/Nala and its buffer zone free from any encroachments, etc.,
2. Relating to the claim of the applicant this authority has issued the direction to the concerned Tahsildar, Bengaluru East Taluk to conduct the spot inspection and submit the report immediately. The jurisdictional Tahsildar as per his report, the spot inspection was conducted in Sy.No.3/1A3, 8/5, 30/3 and 9/7 of Sadaramangala Village on 24-07-2023 and a sketch was prepared which was submitted along with the report. The report of the Jurisdictional Tahsildar including sketch is



produced herewith marked as **ANNEXURE-R-1 & ANNEXURE-R-2**. As per said report, following points has been placed on record.

- i) Presently there is an ongoing construction of an apartment in the name of United Projects Sun City Apartments in the said Survey Numbers.
- ii) There is a 'B' Kharab (Kaludari) of 0-01 ½ gunta in Sy. No.3/1A, 'B' Kharab (Kaludari) of 0-01 1/4 gunta in Sy. No.8/5, 'B' Kharab (Kaludari) of 0-01 1/4 gunta in Sy No. 30/3, 'B' Kharab (Saravu-Small Canal) of 0-02 gunta in 9/7 and 'B' Kharab (Saravu-Small Canal) of 0-03 ½ gunta in 30/3.
- iii) During the spot inspection the owners of the land were present and produced the orders of the Deputy Commissioner for change of Kharab Land for deviation of kaludari (walk path) vide order no LND(E)/CR/195/2021-22, dated:24.12.2021 as at **ANNEXURE-R-3** of the Report.
- iv) The Survey records have not been changed to reflect the said order of the Deputy Commissioner for change of Kharab Land for deviation of kaludari (walk path) that is order no.LND(E)/CR/195/2021-22, dated 24.12.2021.
- v) An endorsement was issued by the Chief Engineer, Lakes, Bengaluru Urban District stating that buffer does not apply to Saravu (Small Canal) Kharab land as at **ANNEXURE-R-4** of the Report.



vi) Further, it is reported that as per the order of the Deputy Commissioner, Bengaluru Urban District vide No.LND(E)/CR/195/2021-222, dated:24.12.2021 original 'B' Kharab (Saravu) of 0-02 gunta in Sy. No.9/7 and 'B' Kharab (Saravu-Small Canal) of 0-03.08 Gunta in Sy. No.30/3 has been deviated for 0-05.12 Guntas in Sy No.3/1A3 and 0-01 Guntas in Sy No.9/7 as per Section 28(1) of The Karnataka Land Revenue Rules, 1969.

vii) The Chief Engineer, Lakes, BBMP has issued an endorsement on 27.08.2021 stating the small canal as shown in middle of the Sy. No. 9/7 and 30/3 is only a lead drain and the said lead drain does not belong to any buffer zone, further as per the Deputy Commissioner's order the deviated extent of 0-05.15 Guntas should now be reserved for the Lead drain.

3. Therefore, the report of the Tahsildar including the sketch goes to show that there is no any construction in the buffer zone as contended by the applicant.

WHEREFORE, the Respondent No.2- Deputy Commissioner, Bengaluru Urban District, Bengaluru respectfully prays that this Reply Statement may kindly be taken on record for kind perusal of this Hon'ble Tribunal, in the interest of justice and equity.


Deputy Commissioner,
Bengaluru Urban District,
Bengaluru

DATE:02-02-2024.

Annexure R-1

GOVERNMENT OF KARNATAKA

OFFICE OF THE TAHSILDAR, BENGALURU EAST TALUK, K.R.PURA

NO: N.R/CR/26/22-23

Dated: 30-08-2023

Encl: Supporting Records.

To

Special Deputy Commissioner (Enforcement)
Prevention of Unauthorized Construction Cell,
Bengaluru Urban District,
Kandaya Bhavan, K.G. Road,
Bengaluru-560009.

Sir,

Subject: Regarding filing report in the matter of case registered in the Hon'ble National Green Bench Tribunal in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk.

- Reference:-
1. Letter Number: 13/2023 Dt: 28-02-2023 of the Hon'ble National Green Bench Tribunal, Chennai.
 2. Your Office Letter Number: VG/ENB/E/CR/201/22-23 dt: 15-7-2023.
 3. Letter Number: D.T/N.C.R/Y/CR.60/22-23 Dt: 09-08-2023 of the Deputy Tahsildar, K.R. Pura Taluk Office.
 4. Report Number: R.I/Y/P;R.649/22-23 Dt: 09-08-2023 of the Revenue Inspector, White Field Circle.

With reference to the above subject in Reference (2), in respect of Case Number: O.A.13/2023 registered case in the Hon'ble National Green Bench Tribunal, in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk, directed to conduct spot investigation alongwith Taluk Land Surveyor regarding

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encroachment of Rajakaluve in Sadaramangala Village and to file Sketch and Report.

Therefore, obtained the Report from the Revenue Officers and with Taluk Surveyors and verified, as per dated 24/7/2023, the spot investigation of Land of Sy. No.3/1A3, 8/5, 30/3 and 9/7 of Sadaramangala Village, had been conducted, found carrying out the construction of Apartment Building Construction Work by name UNITED PROJECT SUNCITY in the above Sy. Nos. In the matter of encroachment of Rajakaluve in respect of Case Number: O.A. 13/2023 registered in the Hon'ble National Green Tribunal, the Taluk Surveyors made measurement (Survey) regarding Encroachment of Canal and Buffer Zone. Further, filed Sketch and Report as per Memo No: ADLR (PH)OTHERS/164/23-24 dated 27/07/2023 of the Assistant Director of Land Records. In the Sketch and Report filed, containing as hereunder.

1. As per Case Number: O.A. 13/2023 registered in the Hon'ble National Green Tribunal, and Letter Number: NCR/CR/26/2022-23 dated 14/03/2023 of the Tahsildar and Memo No: ADLR (PH)OTHERS/164/23-24 dated 27/07/2023 of the Assistant Director of Land Records, the measurement is made and Sketch is prepared.
2. As per Survey Records, in Sy. No.3/1A3, there is 0-01 ½ Guntas of area regarding Pathway, 0-01 ¼ Guntas of area regarding Pathway in Sy.No.8/5, 0-02 Guntas of area regarding Saravu in Sy.No.9/7 and 'B' Kharab of 0-03 ½ Guntas in Sy.No. 30/3.

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3. Concerned Holders (Hiduvalidars) present during survey provided copy of Order of Track Direction of Saravu as per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, copy of the said Order is enclosed in the file alongwith Sketch.
4. As per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, the area is Saravu Track Diversion taken place, the present land is lying vacant as per present condition. As per the said Order, the Saravu Track Diversion taken place is not adopted entries in Survey Records.
5. They issued Report that in Endorsement issued as per Letter Number: BBMP/C.E(SWD)/P.R/603/2122 dated 27/8/2021 of Chief Engineer, Storm Water Drain BBMP, issued endorsement that the Buffer will not apply for the said Saravu, the Holders (Hiduvalidars) present during survey provided copy of Endorsement.

Regarding Saravu 0-02 Guntas in Sy. No. 9/7 of Sadaramangala Village, there is original Kharab and 0-03.08 Guntas in 30/3 there is original Kharab, the track Diversion is made, under Rule 28(1) of Karnataka Land Revenue Rules, 1969, as per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, Bengaluru Urban District, Bengaluru, diverted the track of land of extent 0-05.12 Guntas in Sy.No. 3/1A3 and 0-01 Guntas in Sy.No. 9/7, and passed order subject to the condition. (copy of the said Order is enclosed) and Sketch of Related Track Diversion is also enclosed. Verified regarding constructed building in violation of Buffer zone indicated in the said case,

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in the Endorsement Number: BBMP/C.E(SWD)P.R/603/2021-22 dated: 27/08/2021 issued by Bruhat Bengaluru Mahanagara Palike Chief Engineer, Storm Water Drain, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bengaluru, the Water Canal shown in centre part of Sy. No.9/7 and 30/3 as per Village Map in Sy. No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk is Lead of Drain (Connecting Canal), and issued Endorsement opining that it does not belong to Category of any First, Second, Third Stage and any Buffer Zone will not apply and the said Nala is already diverted track for Sy. No. 3/1A3, so 0-05.15 Guntas in the said Area should be reserved for Lead of Drain (Samparka Kaluve).

Therefore, regarding encroachment of Canal of Sy. No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk and Report and sketch of Assistant Director of Land Records, Bangalore East Taluk and copy of Order of Track Diversion issued by the Deputy Commissioner given by United Projects Suncity present in the spot during survey and in accordance with Report of Number: BBMP/C.E(SWD)P.R/603/2021-22 dated: 27/08/2021 issued by Bruhat Bengaluru Mahanagara Palike Chief Engineer, Storm Water Drain, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bengaluru, issued Endorsement that it will not apply to Buffer Zone, the said endorsement and Factum as alongwith Report of Deputy Tahsildar/Revenue Inspector, is filed for your perusal and for further action.

Yours faithfully,

SD/-
Tahsildar
Bengaluru East Taluk
K.R.Pura

Number: D.T(WF)/NCR/CR/60/22-23 Office of the Deputy Tahsildar,
Whitefield Taluk Office, K.R.Pura Hobli,
Bengaluru East Taluk,
Dated: 09-08-2023

REPORT

Subject: Regarding case registered in the Hon'ble National Green Tribunal in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk.

Reference:- 1) File Number: RI (WF)P.R/649/22-23 of the Revenue Inspector.

With reference to the above subject and reference, the report has been obtained from the concerned Revenue Inspector. In respect of Case Number: O.A.13/2023 registered case in the Hon'ble National Green Bench Tribunal, in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk, as directed to conduct the spot investigation with Taluk Land Surveyors regarding encroachment of Rajakaluve in Sadaramangala Village and to file Report alongwith Sketch and Report, the matter has been verified. Accordingly as per Report filed by the Taluk Land Surveyor verifying the spot and filed report alongwith sketch, and in accordance with Report filed by the concerned Revenue Inspector and Village Administrators, the Factum Report is enclosed and filed for your perusal for further action.

Yours faithfully,

SD/-
Deputy Tahsildar
White Field Taluk Office,
Bengaluru East Taluk.

No. RI(WF) P.R/649/2022-23

REPORT

Subject: Regarding case registered in the Hon'ble National Green Bench Tribunal in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk.

Reference:- 1) Case Number: O.A.13/2023 of the Hon'ble National Green Bench Tribunal.

2) Number: NCR/CR/26/22-23 of the Hon'ble Tahsildar.

3) Memo No: ADLR(PH)OTHERS/164/23-24 of the Assistant Director of Land Records.

4) Number: NCR/CR/60/22-23 of the Office of Deputy Tahsildar.

5) Report of Village Administrator, Hoodi Revenue Circle.

With reference to the above subject in Reference (2), in respect of Case Number: O.A.13/2023 registered case in the Hon'ble National Green Bench Tribunal, in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk, as directed to conduct spot investigation alongwith Taluk Land Surveyor regarding encroachment of Rajakaluve in Sadaramangala Village and to file report alongwith Sketch, on dated 24/07/2023 the Village Administrator, of Hoodi Village Revenue Circle, Village Assistant and alongwith Taluk Surveyors have conducted spot investigation as per dated 24/7/2023 of Land of Sy.No.3/1A5, 8/5, 30/3 and 9/7 of Sadaramangala Village. Found carrying out the construction of Apartment Building Construction Work by name UNITED PROJECT SUNCITY in the above Sy. Nos. In the matter of

-2-

encroachment of Rajakaluve in respect of Case Number: O.A. 13/2023 registered in the Hon'ble National Green Tribunal, the Taluk Surveyors made measurement (Survey) regarding Encroachment of Canal and Buffer Zone. Further, filed Sketch and Report as per Memo No: ADLR (PH)OTHERS/164/23-24 dated 27/07/2023 of the Assistant Director of Land Records. In the Sketch and Report filed, containing as hereunder.

- 1) As per Case Number: O.A. 13/2023 registered in the Hon'ble National Green Tribunal, and Letter Number: NCR/CR/26/2022-23 dated 14/03/2023 of the Tahsildar and Memo No: ADLR (PH)OTHERS/164/23-24 dated 27/07/2023 of the Assistant Director of Land Records, the measurement is made and Sketch is prepared.
- 2) As per Survey Records, in Sy. No.3/1A3, there is 0-01 ½ Guntas of area regarding Pathway, 0-01 ¼ Guntas of area regarding Pathway in Sy.No.8/5, 0-02 Guntas of area regarding Saravu in Sy.No.9/7 and 'B' Kharab of 0-03 ½ Guntas in Sy.No. 30/3.
- 3) Concerned Holders (Hiduvalidars) present during survey provided copy of Order of Track Direction of Saravu as per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, copy of the said Order is enclosed in the file alongwith Sketch.
- 4) As per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, the area is Saravu Track Diversion taken place, the present land is lying vacant as per present condition. As per the said Order, the Saravu Track Diversion taken place is not adopted entries in Survey Records.
- 5) They issued Report that in Endorsement issued as per Letter Number: BBMP/C.E(SWD)/P.R/603/2122 dated 27/8/2021 of Chief Engineer, Storm Water Drain BBMP, issued endorsement that the Buffer Zone will not apply for the said Saravu, the Holders (Hiduvalidars) present during survey provided copy of Endorsement.

-3-

Regarding Saravu 0-02 Guntas in Sy. No. 9/7 of Sadaramangala Village, there is original Kharab and 0-03.08 Guntas in 30/3 there is original Kharab, the track Diversion is made, under Rule 28(1) of Karnataka Land Revenue Rules, 1969, as per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, Bengaluru Urban District, Bengaluru, diverted the track of land of extent 0-05.12 Guntas in Sy.No. 3/1A3 and 0-01 Guntas in Sy.No. 9/7, and passed order subject to the condition. (copy of the said Order is enclosed) and Sketch of Related Track Diversion is also enclosed. Verified regarding constructed building in violation of Buffer zone indicated in the said case, in the Endorsement Number: BBMP/C.E(SWD)P.R/603/2021-22 dated: 27/08/2021 issued by Bruhat Bengaluru Mahanagara Palike Chief Engineer, Storm Water Drain, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bengaluru, the Water Canal shown in centre part of Sy. No.9/7 and 30/3 as per Village Map in Sy. No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk is Lead of Drain (Connecting Canal), and issued Endorsement opining that it does not belong to Category of any First, Second, Third Stage and any Buffer Zone will not apply and the said Nala is already diverted track for Sy. No. 3/1A3, so 0-05.15 Guntas in the said Area should be reserved for Lead of Drain (Samparka Kaluve).

Therefore, regarding encroachment of Canal of Sy. No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk and Report and sketch of Assistant Director of Land Records, Bangalore East Taluk and copy of Order of Track Diversion issued by the Deputy Commissioner given by United Projects Suncity present in the spot during survey and in accordance with Report of Number: BBMP/C.E(SWD)P.R/603/2021-22 dated: 27/08/2021 issued by Bruhat Bengaluru Mahanagara Palike Chief Engineer, Storm Water Drain, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bengaluru, issued Endorsement that it will not apply to Buffer Zone, the said Endorsement records enclosed into the file and regarding encroachment of Rajakaluve,

-4-

the Report filed by the Assistant Director of Land Records of Taluk as per Report Number: ADLR/PHODI/OTHERS/164/2023-24 dated 27/07/2023 and alongwith Sketch and the Real Factum lying as per with Report of Village Administrators is filed for your perusal for further action.

SD/- 9/8/23
Revenue Inspector
White Field Circle,
Bengaluru East Taluk

REPORT OF VILLAGE ADMINISTRATOR

REPORT

Subject: Regarding case registered in the Hon'ble National Green Bench Tribunal in the matter of encroachment of Rajakaluve in Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk.

Reference:- 1) Case Number: O.A.13/2023 of the Hon'ble National Green Bench Tribunal.

2) Number: NCR/CR/26/22-23 of the Hon'ble Tahsildar.

3) Memo No: ADLR(PH)OTHERS/164/23-24 of the Assistant Director of Land Records.

4) Number: NCR/CR/60/22-23 of the Office of Deputy Tahsildar.

5) Report of Village Administrator, Hoodi Revenue Circle.

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- 1) As per Case Number: O.A. 13/2023 registered in the Hon'ble National Green Tribunal, and Letter Number: NCR/CR/26/2022-23 dated 14/03/2023 of the Tahsildar and Memo No: ADLR (PH)OTHERS/164/23-24 dated 27/07/2023 of the Assistant Director of Land Records, the measurement is made and Sketch is prepared.
- 2) As per Survey Records, in Sy. No.3/1A3, there is 0-01 ½ Guntas of area regarding Pathway, 0-01 ¼ Guntas of area regarding Pathway in Sy.No.8/5, 0-02 Guntas of area regarding Saravu in Sy.No.9/7 and 'B' Kharab of 0-03 ½ Guntas in Sy.No. 30/3.
- 3) Concerned Holders (Hiduvalidars) present during survey provided copy of Order of Track Direction of Saravu as per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, copy of the said Order is enclosed in the file alongwith Sketch.
- 4) As per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, the area is Saravu Track Diversion taken place, the present land is lying vacant as per present condition. As per the said Order, the Saravu Track Diversion taken place is not adopted entries in Survey Records.
- 5) They issued Report that in Endorsement issued as per Letter Number: BBMP/C.E(SWD)/P.R/603/2122 dated 27/8/2021 of Chief Engineer, Storm Water Drain BBMP, issued endorsement that the Buffer will not apply for the said Saravu, the Holders (Hiduvalidars) present during survey provided copy of Endorsement.

-3-

Regarding Saravu 0-02 Guntas in Sy. No. 9/7 of Sadaramangala Village, there is original Kharab and 0-03.08 Guntas in 30/3 there is original Kharab, the track Diversion is made, under Rule 28(1) of Karnataka Land Revenue Rules, 1969, as per Order Number: LND(E)CR/195/2021-22 dated 24/12/2021 of the Deputy Commissioner, Bengaluru Urban District, Bengaluru, diverted the track of land of extent 0-05.12 Guntas in Sy.No. 3/1A3 and 0-01 Guntas in Sy.No. 9/7, and passed order subject to the condition. (copy of the said Order is enclosed) and Sketch of Related Track Diversion is also enclosed. Verified regarding constructed building in violation of Buffer zone indicated in the said case, in the Endorsement Number: BBMP/C.E(SWD)P.R/603/2021-22 dated: 27/08/2021 issued by Bruhat Bengaluru Mahanagara Palike Chief Engineer, Storm Water Drain, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bengaluru, the Water Canal shown in centre part of Sy. No.9/7 and 30/3 as per Village Map in Sy. No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk is Lead of Drain (Connecting Canal), and issued Endorsement opining that it does not belong to Category of any First, Second, Third Stage and any Buffer Zone will not apply and the said Nala is already diverted track for Sy. No. 3/1A3, so 0-05.15 Guntas in the said Area should be reserved for Lead of Drain (Samparka Kaluve).

Therefore, regarding encroachment of Canal of Sy. No.3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Pura Hobli, Bengaluru East Taluk and Report and sketch of Assistant Director of Land Records, Bangalore East Taluk and copy of Order of Track Diversion issued by the Deputy Commissioner given by United Projects Suncity present in the spot during survey and in accordance with Report of Number: BBMP/C.E(SWD)P.R/603/2021-22 dated: 27/08/2021 issued by Bruhat Bengaluru Mahanagara Palike Chief Engineer, Storm Water Drain, 9th Floor, Jayanagar Commercial Complex, Jayanagar, Bengaluru, issued Endorsement that it will not apply to Buffer Zone, the said Endorsement records enclosed into the file and regarding encroachment of Rajakaluve,

-4-

the Report filed by the Assistant Director of Land Records of Taluk as per Report Number: ADLR/PHODI/OTHERS/164/2023-24 dated 27/07/2023 and alongwith Sketch and the Real Factum lying as per with Report of Village Administrators is filed for your perusal for further action.

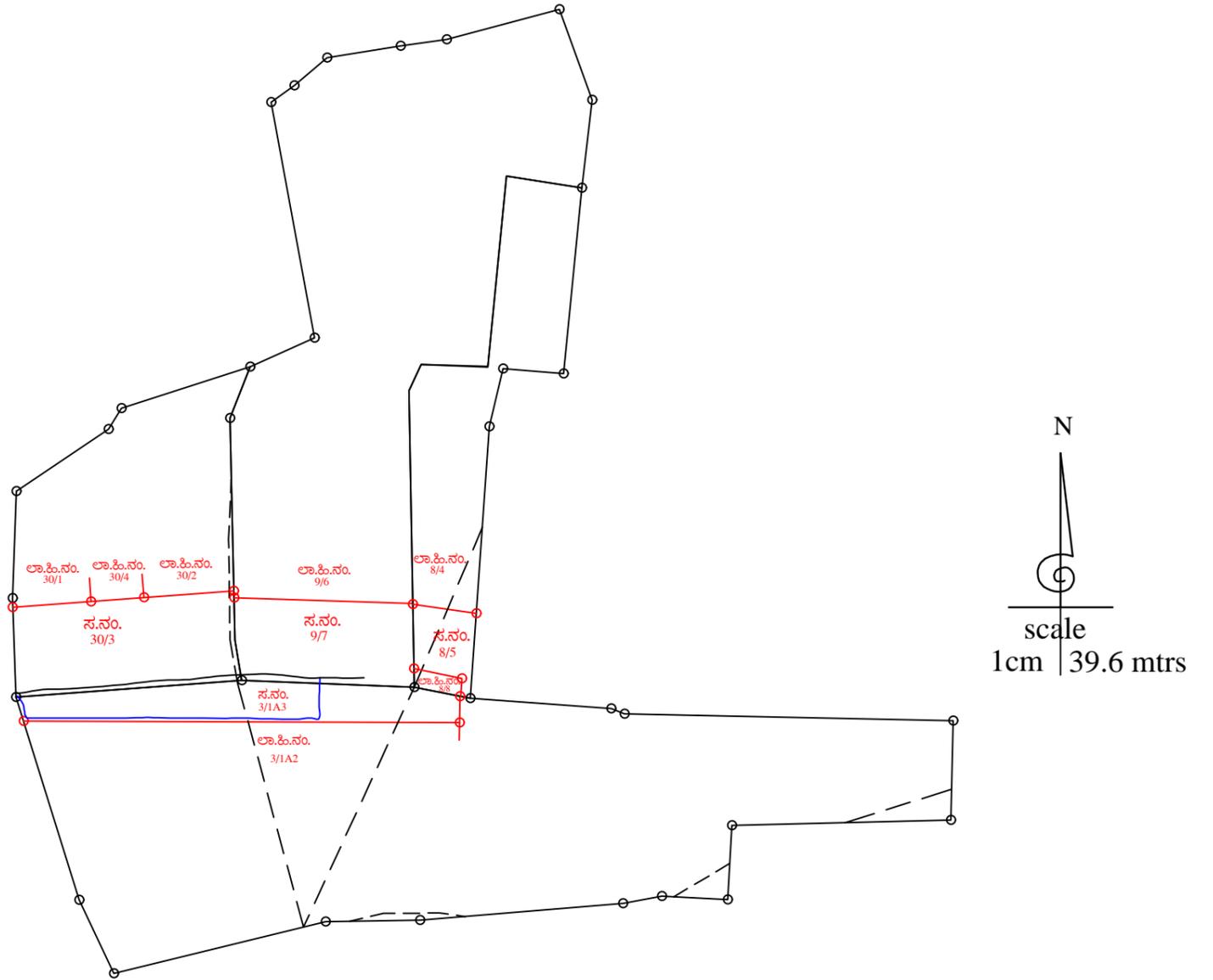
SD/- 9/8/23
Village Administrator
Hoodi Circle,
K.R.Pura Hobli,
Bengaluru East Taluk

VILLAGE : SADARAMANGALA

CIRCLE : KRISHNARAJAPURA

TALUK: BANGALORE EAST

Sketch showing Rajakaluve in Sy.No. 3/1A3, 8/5, 9/7, 30/3



1. In pursuance of the directions issued by the National Green Tribunal in file no. O.A.13/2023 and the letter bearing no. N.C.R.C.R.26/2022-23 dated 14.3.23 of the Tahsildar, Bangalore East Taluk and also the memo no. Bhu-Sa-Ni(phodi) Misc. 164/23-24 of the Assistant Director Of Land Records, Bangalore East Taluk the above said sketch has been prepared after verifying the spot and measuring.
2. — — This colour denotes foot path (kaludari) running in Sy.No. 3/1A3 to an extent of $0-01\frac{1}{2}$ guntas, in Sy.No. 8/5 to an extent of $0-01\frac{1}{4}$ guntas, in Sy.No. 30/3 to an extent of $0-01\frac{3}{4}$ guntas.
 — This colour denotes Nala (saravu) in Sy.no.9/7 to an extent of $0-02$ guntas, in 30/3 to an extent of $0-03\frac{1}{2}$ guntas both the foot path and saravu have been shown as 'B' Kharab in Akarbandh.
3. Pursuant to the Order No. LND(Po)CR 195/2021-22 dated 24.12.2021 the direction (Path) of the running Saravu previously existed has been deviated. In support of this a separate sketch is enclosed herewith for kind reference. The copy of above said order along with the sketch was produced by the holder of the said Sy.No at the time of spot inspection.
4. — This colour denotes deviated saravu but on the spot which is vacant and deviated saravu has not been incorporated in Survey records.
5. An endorsement issued by the Chief Engineer for Storm Water Drain B.B.M.P. Bangalore stating the buffer zone is not applicable to this Saravu. The copy of endorsement bearing No.B.B.M.P/CE/Bru Ni Ga/PR/603/21-22 dated 27-08-2021 was given to this authority by the holder of the Sy.No on the spot.

LAND SURVEYOR
A.D.L.R OFFICE
BANGALORE EAST TALUK

Annexure R-3

PROCEEDINGS OF THE OFFICE OF THE DEPUTY COMMISSIONER, BENGALURU URBAN DISTRICT, BENGALURU

Subject:- Requesting to issue Permission to divert the Track of Saravu 'B' Kharab in Sy. No. 3/1A3, 9/7 and 30/3, Sadaramangala Village, K.R.Pura Hobli, Bengaluru East Taluk.

Reference:- 1. Report No.LND(W)CR.64/21-22, Dated: 25.11.2021, of the Tahsildar, Bengaluru East Taluk.

2. Requisition dated: 25.10.2021 of Sri. R. Ramesh Babu, s/o A.Ramachandraiah Shetty, Bengaluru.

PREAMBLE:

Applicant Sri.R. Ramesh Babu s/o A.Ramachandraiah Shetty, Bangalore, as per Reference (2) filed requisition to divert the Track of Saravu 'B' Kharab in Sy. No. 3/1A3, 9/7 and 30/3, Sadaramangala Village, K.R.Pura Hobli, Bengaluru East Taluk.

Tahsildar, Bengaluru East Taluk, as per Reference (1) filed Report, in the said Report, reported that in Column (3) of R.T.C. of Sy. No.3/1A3, Sadaramangala Village, K.R.Pura Hobli, Bengaluru East Taluk, there is Total Extent 1-19.08 A/g, out of this 0-01.08 Guntas is B Kharab, the balance is 1-18 A/G Extent and in R.T.C. Column (9) the land conversion sanctioned for 0-05 Guntas and 0-08 Guntas in the name of Smt.Anitha w/o N.Krishnamurthy and 1-00 Acres in the name of P.Krishnareddy s/o P.Papaiah Reddy. In Sy.No. 9/7, there is total extent of 1-22.08 A/G, out of this, 0-02 Guntas is 'B' Kharab, the balance is 1-20.08 A/G Extent and in R.T.C. Column 09, 1-20.08 A/G in the name of R.Ramesh Babu s/o A.Ramachandraiah, and in Sy.No.30/3, having Total Extent 2-07.08 A/G, out of this, 0-00.04 Guntas is 'A' Kharab, 0-05.04 Guntas is 'B' Kharab, the balance 2-02 A/G Extent and in RTC Column 09, the Khatha for Extent

2-02 is recorded in the name of P.K.Sathyapal s/o Late Kochchu Krishnana, the land conversion taken place.

Accordingly, the Taluk Surveyors made personal spot investigation and filed Survey Sketch, as per this Survey Sketch, in Sy.No.3/1A3 of Sadaramangala Village, K.R.Pura Hobli, as per Akarband having Extent Gross 1-19.08 A/G regarding Road there is Kharab of 0-01.08 Guntas, the balance is 1-18 A/G, in Sy. No.9/7 as per Akarband the extent gross is 1-22.08 Guntas regarding Saravu 0-02 Guntas balance is 1-20.08 A/G and in Sy. No.30/3 the extent gross is 2-07.08 A/G 'A' Kharab 0-00.04 Guntas, regarding Road 0-01.12 Guntas, regarding Saravu 0-03.08 Guntas Balance is 2-02 A/G.

In Saravu Track Driver in Sy. No.31/1A3 having 119.08 A/G regarding road 0-01.08 Guntas regarding Saravu 0-05.12 Guntas balance is 1-12.04 A/G. In Sy.No.9/7 having 1-22.08 A/G regarding Saravu Kharab 0-01 Guntas balance is 1-21.08 A/G, in Sy. No.30/3 having 2-07 A/G 'A' Kharab 0-00.04 Guntas regarding Road 0-01.12 Guntas, in the said Saravu Kharab Width will not occur any difference. In the Sketch shown without variation in Kharab Width and in Pathway, no any track diversion is made. As per Sketch, in Kharab Extent and the difference in 3/1A is 0-05.12 Guntas Kharab Extent has become more. In Sy.No.9/7, 0-01 Guntas Kharab Extent has become less and in Sy. No.30/3, 0-03.12 guntas Kharab Extent has become less. The Saravi will not have any difference if diversion is taken place and in the extent, the difference is found, have recorded more less extent in the Sketch. The Surveyors prepared sketch regarding making diversion of Track of Saravu Route of 0-05.12 guntas in Sy. No.3/1A3, Saravu of 0-01 Guntas in Sy. No.9/7. Accordingly, the

Applicants and Villagers having consent. In Villagers Mahazar, informed the Opinion that by diverting the Saravu Track, it will not cause any inconvenience to the Public.

Accordingly, in the matter of Track Diversion of Saravu Land of 0-05.12 Guntas in Sy. No.3/1A3 and 0-01 Guntas Extent in Sy. No.9/7, of Sadaramangala Village, K.R.Pura Hobli, Bengaluru East Taluk, the Tahsildar, Bengaluru East Taluk, Bengaluru, filed Proposal to take up action under Section 28-A and subrule of Karnataka Land Grant Rules, 1969 and to make diversion of track and enclosed the Sketch prepared by Taluk Land Surveyor and filed the Proposal.

Verified the proposal explained as shown above, on the basis of the Sketch filed by Surveyors by conducting measurement regarding diversion of Saravu Kharab situated in the said land and Proposal filed by the Tahsildar, Bengaluru East Taluk, Bengaluru, the Order has been passed as shown hereunder.

:ORDER:

Number: LND(E)CR/195/2021-22

Dated: 29.12.2023

As explained in the above shown preamble, there is Original Kharab regarding Saravu of 0-02 Guntas in Sy. No.9/7 and Original Kharab about Saravu of 0-03.08 Guntas in Sy. No.30/3 of Sadaramangala Village, K.R.Pura Hobli, Bengaluru East Taluk, if track is diverted, the based on the Report filed by Tahsildar, Bengaluru East Taluk, and Taluk Surveyors conducting measurement, ordered to make diversion of track of Land Extent 0-05.12 Guntas in Sy. No.3/1A3 and 0-01 Guntas Extent in Sy. No.9/7, under Rule 28 91) of Karnataka Land Revenue Rules, 1969 and by

reserving under Section 71 of Karnataka Land Revenue act, 1964, subject to the following conditions.

CONDITIONS

1. If cases filed in any Court regarding the proposed land, this order is subjected to final Judgment of the Court.
2. Shall not do anything detrimental manner or perishable permanently in this land.
3. Taluk Surveyors should prepare Sketch as per intended to shift the Kharab about Saravu Kind of the said Land.
4. District Technical Assistant and Gazetted Deputy Director of Land Records, Bengaluru District, shall make amendment in survey records as per the track change made in respect of the said land under Rule 73 of Karnataka Land Revenue Rules, 1966.
5. If this land is not utilized for the proposed Project, immediately shall return to Revenue Department.
6. Applicants shall register Additional Extent (Surrendering) to be reserved in Order for public purpose under Section 71 of Karnataka Land Revenue Act, 1964, in the name of Government in their own costs through Relinquishment Deed.
7. Tahsildar, Bengaluru East Taluk should prepare Survey Sketch with boundaries as per the said Order and transfer to the concerned and shall get register Relinquish Deed from the applicants and to enter in Pahani and Revenue Records and issue Compliance Report to this Office.

8. Found that any information given by the applicants is wrong, this Authority reserved right to rescind this Order.
9. The Taluk Administration and Applicants are responsible to keep watch so that the "B" Kharab land of Saravu Kind reserved as per Track Diversion should not be encroached and should be Open for Public.

SD/-
(J.MANJUNATH)
Deputy Commissioner,
Bengaluru District, Bengaluru.

Copy to:-

1. Principal Secretary, Revenue Department, Karnataka Government Secretariat, M.S. Building, Bengaluru, for information.
2. Assistant Commissioner, Bengaluru North Sub Division, Bengaluru, for information.
3. Technical Assistant to the Deputy Commissioner and Gazetted Deputy Director of Land Records, Bengaluru District, Bengaluru, alongwith sketch and report and informed to take up further action.
4. Tahsildar, Bengaluru East Taluk, directed to make entries in revenue records.
5. Applicants Sri.R.Ramesh Babu s/o A.Ramachandraiah Shetty, Sadaramangala Village, K.R.Pura Hobli, Bengaluru East Taluk, Bengaluru, for information.
6. Office copy.

SD/-
Deputy Commissioner,
Bengaluru District, Bengaluru.

Annexure R-4

BRUHAT BENGALURU MAHANAGARA PALIKE

CHIEF ENGINEER, STORM WATER DRAIN, 9TH FLOOR, JAYANAGAR
COMMERCIAL COMPLEX, JAYANAGAR, BANGALORE-560 011

Number: BBMP/CO(SWD)/P.R/603/2021-22

Dated: 27.08.2021

ENDORSEMENT

Subject: Regarding issue of Endorsement with regard to applying Buffer and Classification of nala flowing in North-South Part of Centre of Survey No.9/7 and 30/3 as per Village Map in Survey No.3/1A3, 8/5, 9/7 and 30/3, of Sadaramangala Village, K.R. Puram Hobli, Bengaluru East Taluk.

Reference: Your Requisition Letter Dated: 21.08.2021.

With reference to the above subject, as per Reference Letter, the spot of Survey No.3/1A3, 8/5, 9/7 and 30/3, of Sadaramangala Village, K.R. Puram Hobli, Bengaluru East Taluk, was verified on dated: 25.08.2021.

- The said Property in question verified with Sadaramangala Village Map, as requested in Requisition letter in question, the information has been requested regarding Nala coming in Centre of Total 04 Survey Numbers of Survey No. 3/1A3, 8/5, 9/7 and 30/3.
- Verified the Nala flowing in the property in question, i.e., in Centre of Survey no. 3/1A3, 9/7 and 30/3A, the said Nala locally starts in Survey No.9 and ends Road connecting from Sadaramangala to Hoskote. The said nala is found as Agriculture Land of One Line.
- Continuing, verified the said Property in question with Plan of R.M.P-2015, the said Nala is not referred.
- Continuing, found that the said Owners have diverted the track of Nala which existed in Survey No.09 and 30 and transferred into Survey No.3/1A3 and found that Excess (Surplus) 5.15 Guntas of Land is kept reserved for Water Canal. But in the said proposed place, the existence of any Water Canal (Nirugaluve) has not been found.

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In this background, the Endorsement has been issued with opinion that the Water Canal shown in Centre of Survey No.9/7 and 30/3 as per Village Map in • Survey No. 3/1A3, 8/5, 9/7 and 30/3 of Sadaramangala Village, K.R. Puram Hobli, Bengaluru East Taluk, is Lead of Drain (Samparka Kaluve), it does not belong to any Primary/Secondary/Third Stage Category and no any Buffer will apply and the said Nala has been diverted already into Survey No.3/1A3, so, 5.15 Guntas in the said area should be reserved for Lead of Drain (Samparka Kaluve).

SD/-27/8/2021
Chief Engineer
Storm Water Drain, BBMP

To

R.Gangadhar & S. Pradeep
Managing Partners
For M/s. United Projects,
No.317, Balanuru Village,
Kadugodi, Bangalore.