

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION NO.132 OF 2023 (SZ)**

IN THE MATTER OF:

Smt. Vilasini Ramkumar and Ors.

... APPLICANTS

Versus

State of Karnataka and Ors.

...RESPONDENTS

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**Darpan KM
Standing Counsel
State of Karnataka
LGF, K-6**

**Lajpat Nagar – III, New Delhi – 110 024
darpan.advocate@gmail.com | +91 98991 25060**

Date: 21.03.2026

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
Southern Zone, AT CHENNAI
ORIGINAL APPLICATION NO.132 OF 2023 (SZ)

IN THE MATTER OF:

Vilasini Ramkumar & Ors.

... Applicant(s)

Versus

State of Karnataka & Ors.

... Respondent(s)

AFFIDAVIT FILED BY THE CHIEF SECRETARY TO
THE GOVERNMENT OF KARNATAKA – RESPONDENT No. 1

I, Dr. Shalini Rajneesh W/o Dr. Rajneesh Goel aged about 58 years, presently working as Chief Secretary, Government of Karnataka, Bengaluru do hereby solemnly affirm and State on oath as follows:

1. I am the Chief Secretary to Government, Government of Karnataka, and I am duly authorized to file this Affidavit of Compliance on behalf of the State of Karnataka in the above Original Application.



Shalini
(Dr. SHALINI RAJNEESH)
Chief Secretary

2. This Affidavit is filed in compliance with the directions issued by this Hon'ble Tribunal in O.A. No.132 of 2023 (SZ) on 13-01-2026. I have carefully gone through the directions of this Hon'ble Tribunal and submit the compliance as under.
3. It is respectfully submitted that, as per the report of the Deputy Commissioner, Bengaluru Urban District, dated: 20-03-2026, Survey No. 99 of Kembattahalli Village is not a waterbody as per the survey documents and Record of Rights maintained by the Revenue Department. The said Survey Number is a private land measuring 01 Acre 38 Guntas (including 02 Guntas Kharab) as per the Akarbandh maintained in the Survey Department. The said land was subsequently subdivided into Hissa Nos. 99/1, 99/2, 99/3 and 99/4. All such Hissa numbers were thereafter acquired and developed into a residential layout by the Bengaluru Development Authority (BDA), and residential sites have been allotted to beneficiaries, many of whom have constructed houses on their respective sites.
4. It is respectfully submitted that Survey No. 99 is presently depicted as a waterbody in the 'Dishaank' mobile application; however, such depiction is only indicative in nature and subject to verification with original survey records, and necessary steps are



Shalini
(Dr. SHALINI RAJNEESH)
Chief Secretary

being initiated to rectify the same in accordance with authenticated survey documents. The Disclaimer is mentioned as follows:

“The digital boundaries shown in the app may not exactly match the land boundaries on the ground. These boundaries are notional and are meant only for locating land parcels and their adjacent properties and cannot be used for any legal purpose or measurement. Though care has been taken to correlate village and survey numbers with the Bhoomi database, discrepancies may occur. Any such disputes or corrections shall be brought to the notice of the Survey Settlement and Land Records (SSLR) Department for rectification separately.”

5. It is further submitted that, as per the available survey documents pertaining to Survey No. 99, including the Tippani, Atlas, Second Reclassification Tippani and Akarbandh, the said land is not classified as a waterbody. In view of the same, the question of demarcating the entire extent of Survey No. 99 as encroachment does not arise, and accordingly, encroachment details have not been reflected in the sketch.



Shalini
(Dr. SHALINI RAJNEESH)
Chief Secretary

6. It is respectfully submitted that the temple in question is situated in Survey No. 3 of Kembattahalli Village, classified as a lake as per survey and revenue records, and forms part of the identified encroached area. However, as per the Chief Engineer, Zone-1, Bengaluru South City Corporation, the temple existed prior to the lake being handed over to the Bruhat Bengaluru Mahanagara Palike (now Greater Bengaluru Authority), and local residents state that it has been in existence since ancient times with continuous religious practices. It is further submitted that the structure is protected under Section 3 of the Karnataka Religious Structures (Protection) Act, 2021, as it existed prior to the commencement of the Act and there is no material to show that any removal proceedings were pending as on that date; hence, no coercive action for its removal is warranted.
7. It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to accept this Compliance Affidavit and pass such further orders as deemed fit in the interest of justice and equity.

Wherefore, I respectfully pray that this Hon'ble Tribunal may be pleased to accept the above information in the interest of justice and equity.

DEPONENT



Shalini
(Dr. SHALINI RAJNEESH)
Chief Secretary

VERIFICATION

I, the above-named Deponent do hereby verify that all the facts stated in the affidavit are true to my knowledge and that no part thereof is false and nothing material is concealed there from.

Verified at Bengaluru on 21st day of 2026

Shalu
(DEPONENT (NEESH))
 Chief Secretary



SWORN TO BEFORE ME

T. Mallikarjuna
T. MALLIKARJUNA
 ADVOCATE & NOTARY PUBLIC
 GOVT. OF INDIA
 No. C-5, RAJA BHAVAN QUARTRES,
 RAJA BHAVAN, BANGALORE-560 001

21 MAR 2026

No of CORRECTIONS 3 (Three)

GOVERNMENT OF KARNATAKA

Office of the Deputy Commissioner

Bengaluru Urban District, Kandaya Bhawana, KG Road, Bengaluru-560009

No.Jari/CR-167/2025-26

Date:20-03-

2026

To,
The Additional Chief Secretary,
Revenue Department,
MS Building, Bengaluru.
Sir,

Sub : Regarding the case registered before the Hon'ble National Green Tribunal in Original Application No. 132/2023 (O.A. No. 312/2022) pertaining to land bearing Survey No. 99 of Kembathahalli Village, Uttarahalli Hobli, Bengaluru South Taluk."

Ref : 1. Case No. O.A. 132/2023 registered before the Hon'ble National Green Tribunal, Southern Zone.
2. Report of the Tahsildar, Bengaluru South Taluk bearing No. NCR(U)/CR/73/2022-23, dated 20.03.2026.

With reference to the subject cited above, a case has been registered before the Hon'ble National Green Tribunal, Southern Zone, Chennai in Original Application No. 132/2023 (O.A. No. 312/2022) pertaining to land bearing Survey No. 99 of Kembathahalli Village, Uttarahalli Hobli, Bengaluru South Taluk. In this regard, directions have been issued to inspect the alleged encroachment in the said land and to submit a detailed report along with survey sketch.

In this connection, the Assistant Director of Land Records has submitted the survey sketch. As per the said sketch and as stated in Para (1), the land bearing Survey No. 99 of Kembathahalli Village is originally a private patta (hiduvali) land, and as per the original survey records, no portion of the said land is classified as a lake. The entire extent of the land has been acquired by the Bangalore Development Authority (BDA). Subsequently, the BDA has formed layouts and allotted sites, and presently, the allottees have constructed buildings and are residing therein.

(For Kind Note: With regard to demarcation of Survey No. 99 as a water body in the "DISHAANK" mobile application, the marking of Survey No. 99 as a water body requires rectification in accordance with the survey records. Further, a disclaimer has already been provided to the public in the said mobile application as follows:

"The digital boundaries shown in the app may not exactly match the land boundaries on the ground. These boundaries are notional and are meant only for locating land parcels and their adjacent properties and cannot be used for any legal purpose or measurement. Though care has been taken to correlate village and survey numbers with the Bhoomi database, discrepancies may occur. Any such disputes or corrections shall be brought to the notice of the Survey Settlement and Land Records (SSLR) Department for rectification separately.")

As per Para (2), the original records of Survey No. 99 of Kembathahalli Village, including Tippani, Atlas, Second Reclassification records, and Akarband, do not indicate the land as a lake; rather, the land is classified as private patta (hiduvali) land. At present, the entire extent of Survey No. 99 has been acquired by the BDA and converted into residential sites; hence, the question of encroachment does not arise.

As per Para (3), it is observed from the current survey sketch that the disputed

temple structure is encroaching upon a portion of the lake area in Survey No. 3 (lake) of Kembathahalli Village. As per the present survey and revenue records, Survey No. 3 is originally classified as a lake, and accordingly, the survey sketch has been prepared and submitted.

With regard to the subject land, the concerned Deputy Tahsildar and Revenue Inspector states that Survey No. 99 of Kembathahalli Village has been subdivided into Survey Nos. 99/1, 99/2, 99/3, and 99/4, and as per Akarband records, it is classified as dry (khushki) land and recorded as a patta land. The names of the khatedars have been recorded in handwritten RTCs from the year 1969–70 up to 2011–12. Thereafter, as per the Final Notification No. UDD/10/MNX/2002 dated 04.03.2002, the entire extent has been acquired by the Bangalore Development Authority, and accordingly, the khata has been entered in the name of BDA in the present pahani records. It is also observed during inspection that BDA has formed layouts and allotted sites, and development has taken place on the ground. This factual report has been submitted.

Therefore, it is submitted for kind consideration that as per the original records of Survey No. 99 of Kembathahalli Village, including Tippani, Atlas, Second Reclassification, and Akarband, the land is not a lake but a private patta land. Since the entire extent has been acquired by the BDA and converted into residential sites, the question of encroachment in respect of Survey No. 99 does not arise. The information along with the sketch is submitted for your kind perusal and necessary action in the matter.

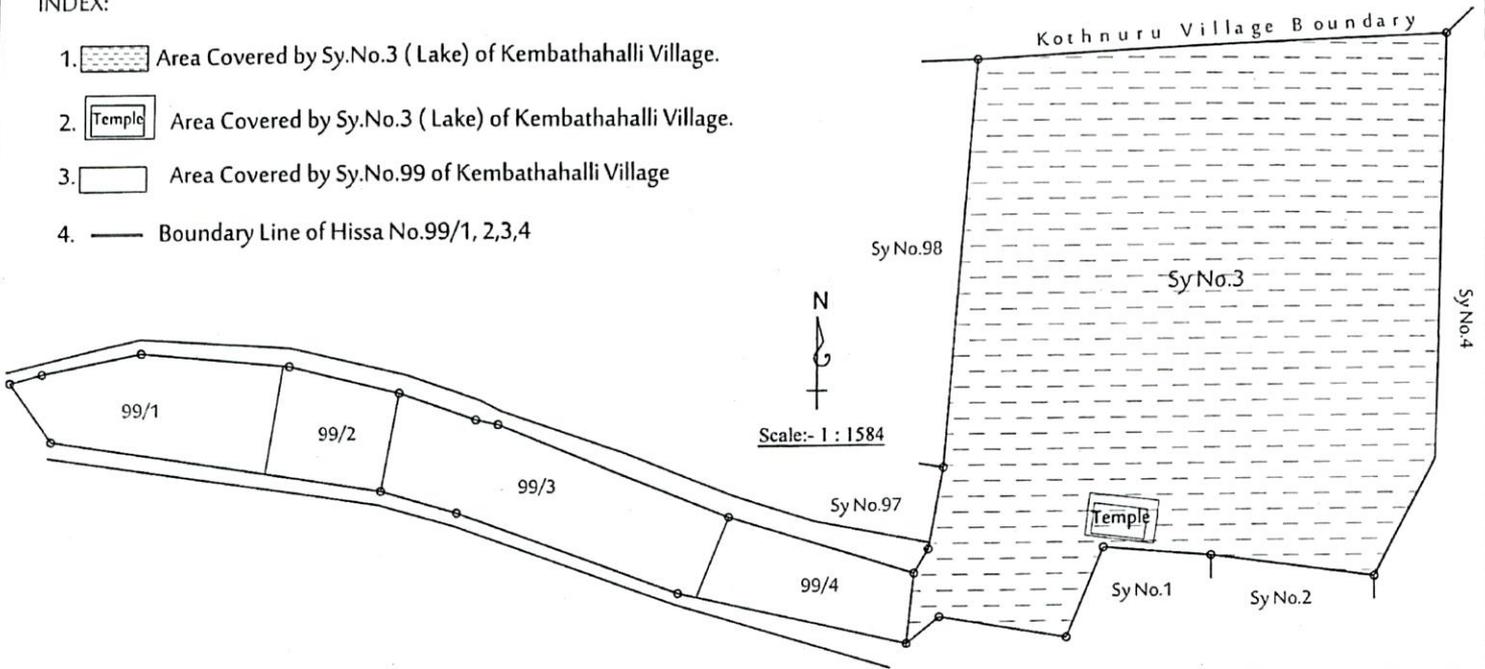

Your's Faithfully,
JAGADEESHA G
DEPUTY COMMISSIONER
Deputy Commissioner,
Bengaluru Urban District,
Bengaluru.

Village : Kembathahalli Hobli : Uttarahalli Taluk : Bengaluru South District : Bengaluru Urban

Sketch & Report Related to Sy.99 & Temple In Question as per the order passed by Hon'ble The National Green Tribunal, Southern zone, Chennai in Original Application Number 132 of 2023(SZ) [Earlier O.A.No.312 of 2022 (PB) (LPI)]on 13-01-2026

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1.  Area Covered by Sy.No.3 (Lake) of Kembathahalli Village.
2.  Area Covered by Sy.No.3 (Lake) of Kembathahalli Village.
3.  Area Covered by Sy.No.99 of Kembathahalli Village
4.  Boundary Line of Hissa No.99/1, 2,3,4



This Sketch & Report is Prepared after Field Inspection done on 20-03-2026 along with concerned officials of revenue department (O/o Tashildar, B'south Taluk) and Assistant Engineer of Bengaluru Development Authority (B.D.A), Bengaluru as per the instructions given by Deputy Commissioner of Bengaluru urban District & submitted in compliance of order passed by order passed by Hon'ble The National Green Tribunal, Southern zone, Chennai in Original Application Number 132 of 2023(SZ) [Earlier O.A.No.312 of 2022 (PB) (LPI)]on 13-01-2026

Field Inspection Report:

AS per the order passed by Hon'ble The National Green Tribunal, Southern zone, Chennai in Original Application Number 132 of 2023 (SZ) on 13-01-2026, Three instructions were given in the order portion in paragraph No.1,2 & 3 - for these instructions field findings were stated as below.

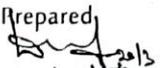
For Paragraph:1, it is submitted that sy.no.99 is not a waterbody as per survey documents and Record of Rights maintained with Revenue Department. Basically Sy.No.99 is a Private Land Measuring 01A-38G (Including 0A-02G Kharab) as per Akarbandh Maintained in Survey Department. Further Sy.No.99 was divided into Hissa No's 99/1, 99/2, 99/3 & 99/4. All these Hissa no's of Sy.No.99 were later acquired & developed for a Residential Layout by B.D.A, allottees of these residential sites many of them constructed houses in respective sites.

For Kind Note :Related to Demarcating Sy.No.99 as Waer Body in "DISHAANK" Mobile app.sy.no.99 marked as water body need to be rectified in dishaank app with respect to survey documents. and a "Disclaimer" was also mentioned for publics in that mobile application as below:

"The digital boundaries shown in the app may not exactly match to the land boundaries, on the ground. These boundaries are notional which can be used for relating the location of land and its adjacent parcels and can't be used for any legal purpose or measurements. While care is taken to ensure that the villages and survey numbers mentioned are correctly related to Bhoomi database, there are possibilities of mismatch. Hence, any disputes / corrections noted need to be brought to the notice of SSLR and get it rectified, separately.

For Paragraph :2, it is submitted that as per the available survey documents of sy.no.99 like tippani , atlas, 2nd reclassification tippani & akarbandh , sy.no.99 of Kembathahalli village is not a water body & it is a private land and presently Acquired & Developed by BDA. Hence the demarcation of entire area of sy.no.99 as encroachment does not arise.

For Paragraph :3, it is submitted that "The Temple" in question is found to be in Encroached portion of sy.no.3(Lake) of Kembathahalli Village. Basically The said Sy.No.3 is a Lake as per Survey & Revenue Documents.

Prepared

 Assistant Director of Land Records
 Bangalore South Taluk,
 Bangalore.


 20/03/2026
 Tahsildar
 Bangalore South Taluk
 Bangalore