

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION NO. 36/2023**

IN THE MATTER OF:

Jagan Kumar J.

...APPLICANT

Versus

The Deputy Commissioner, Bengaluru and ors

...RESPONDENTS

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Date: 02.04.2025

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REPORT ON BEHALF OF RESPONDENT NO. 8 (BDA)

MOST RESPECTFULLY SHOWETH:

1. That the instant report is being filed to place on record the findings pursuant to spot inspection dated 07.11.2024 carried out by the answering Respondent.
2. The answering Respondent was *suo moto* impleaded by this Hon'ble Tribunal vide order dated 13.09.2024. Pursuant to the same, a team of the following officials was constituted to carry out the inspection:
 - i. Technical Assistant to the District Commissioner and Deputy Director of Land Records, Bangalore Urban District, Bangalore;
 - ii. Sub-Divisional Officer, Bangalore North Division, Revenue Bhavan Bangalore;
 - iii. Assistant Director of Land Records, Bangalore East Taluk, KR Puram, Bangalore;
 - iv. Tahsildar, Bangalore East Taluk, KR Puram, Bangalore;
 - v. Executive Engineer, BDA to conduct the Joint Inspection of the said portion on 07.11.2024;
 - vi. The Executive Engineer, Lake Division, BBMP, Bangalore;
 - vii. Executive Engineer, Eastern Division, BENAPRA
3. Accordingly, Joint inspection was carried out by the above officials on 07.11.2024, excluding the Executive Engineer, BBMP Division.

4. Presently, the land in question *i.e.* Survey No. 11 of Bangalore East Taluk, Bidarahalli Hobli, Bellathur Village and Survey No. 299 of Kadugodi village come under BBMP jurisdiction.
5. As per the survey records, in Sy No. 11 of Belathur village, 0-05 guntas of Nala *Kharab* exists. As per the survey records, a public road is formed in the *kharab* portion in sub divided portion of Sy. No. 11/4B, 11/5. As per the present site conditions, the drain *kharab* in the mid portion of Sy No. 11, 13 and 20 of Belathur village, a public road is formed.
6. As per *Akharband* in Sy No. 299 of Kadugodi, no *kharab* exists, however, in southern portion of Sy No. 299, there exists a drain having length of 70m, and width of 1.60m, amounting to an extent of 0-01 gunta exists. In Sy No. 299, there is no drain or government *kharab*. As per the present site conditions, there is flow of water in the drain. In southern eastern portion of Sy No. 299, a stream exists and there is no *kharab* land as per survey records.
7. In the northern portion of Sy No. 11 marked as '*ABCDEFA*' in the survey sketch, a 50m buffer portion exists as directed by this Hon'ble Tribunal's order dated 04.05.2016 in OA No. 222/2014 and there is no development in this portion.

8. As per the sketch, in the northern portion of Sy No. 11/4A, 11/4B, 11/5 there is a stream and the layout is formed leaving the buffer from the survey boundary. The site is vacant in the buffer zone of Sy No. 11/1, 11/2. A temple of 11x11 feet exists in the buffer zone.
9. In letter no. Encroachment (East)/CR/08/24-25 dated 31.12.2024, the Thasildar, Bangalore East Taluk has given the report enclosing the sketch wherein Sy No. 11/1, 11/2 of buffer portion is vacant and including the details of drain and encroachment of drain in buffer zone in Sy No. 11/1,2,3,4A,4B,5 and Sy No. 299 of Kadugodi village. True copy sketch prepared by the Thasildar, Bangalore East Taluk is annexed herewith as **Annexure R-1**.
10. The above information is hence placed on record for this Hon'ble Tribunal's consideration.


COMMISSIONER
Bangalore Development Authority
For Bangalore Development Authority

Filed By

Darpan KM
Standing Counsel
State of Karnataka

Date:02.04.2025

Annexure R-1

Village - Belathur and Kadugodi Holmi - Bidarahalli Taluk - Bengaluru East
 Map of Belathur Village Re. Sy. No. 11/1, 2, 3, 4A, 4B, 5 and Kadugodi Sy. No. 299 Kaluve



The above map has been prepared as per the Letter dated 04.11.2024 bearing No. BDA/KA/(EAST)/700/24-25 issued by the Executive Engineer, East Division, Bangalore Development Authority, Bangalore and Notification issued by the Assistant Director of Land Records, bearing No.B.SURVEY.L(EAST) OTHERS/ /24-25 in the presence of the Tahshildar and Engineer's of the Bangalore Development Authority.

1. In Re Sy. No. 11, as per 2nd Reclass documents there is kharab land measuring 0-05 guntas in the canal land. As per the phodi, the kharab land is marked ■ in this colour in Sy. No. 11/4B, 11/5. Currently there is a public road constructed in the canal land.
2. Sy No. 11 and Sy. No. 13 and 20, situated at Belattur Village, there is a kharab land in the canal land in the middle and it is marked = in this colour, currently road is constructed.
3. There is no kharab in Sy. No. 299 as per Akarband. As per 2nd Reclass, there is a canal of 0-01 guntas measuring 70.0 meters long and 1.60 meters wide on the southern side of Sy. No. 299. The said canal is marked ~ in this colour. There is no canal or government kharab land in Sy. No. 299. The said canal is flowing in the exact measurement of the land. The land marked □ in this colour, there is a small stream passing through from Southern to Eastern side in Sy. No. 299 and there is no kharab as per the documents.
4. The area marked as ABCDEFA in the northern side of Re.Sy.No. 11, the area which is Haddige Hidida Nala(Government canal)from the middle is the 50.0 meter buffer zone area of the buffer zone as indicated in the NGT regulations. The said area is not developed. In the northemportion of Sy. No. 11/4A, 11/4B, 11/5 there is a small stream which is not Haddige Hidida Nala (Government canal) and from the border of the said small stream, the layout has been formed by leaving the buffer. There is temple measuring 11 x 11 feet. The temple comes in the buffer zone area.
5. The buffer zone marked ■ in this colour in Sy. No. 11/1, 11/2 which is an open space.

Sd/-
Tashildar
Bangalore East Taluk
Krishnarajapura

Sd/-
Executive Engineer
East Division
B.D.A Bangalore

Sd/-
Assistant Director of Land records
Bangalore East Taluk
Krishnarajapura

Sd/-
Assistant Commissioner
Bangalore North Sub -
Division, Bengaluru

Sd/-
Land Surveyor
Bangalore East Taluk
Krishnarajapura