

**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: 18.08.2025**

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

IN THE MATTER OF:

Jagan Kumar. J, Bengaluru

...Applicant

Versus

The Deputy Commissioner, Bengaluru and Ors

...Respondents

**REPORT ON BEHALF OF RESPONDENT NO. 8**

MOST RESPECTFULLY SHOWETH:

1. That the instant report is being filed in accordance with the order dated 03.04.2025 passed by this Hon'ble Tribunal in the instant application ("**the said Order**").
2. It is submitted that the following clarification is provided by the Respondent No. 8 herein in pursuance of the said Order:
  - i) The nala on the north side of Sy. No. 11 is considered as the primary nala. A colour-coded sketch of the primary nala in Sy. No. 11 issued by the Deputy Director of Town Planning, BDA, is annexed herewith as **Annexure R-1 and R-1A**.
  - ii) As per the zoning regulation, i.e. BBMP Revised Master Plan, 2015, ("**the Zoning Regulations**") applicable to the local planning area of Bangalore approved by the Government of Karnataka vide GO UDD 540 BEM AA SE 2004, dated

*Shanusharajameth*

Engineer Member

25.06.2007, in note under Rule No. 4.12.2 (ii), a buffer of width 50 m measured from the center of the drain on either side is to be maintained, and the same is reflected in the colour-coded sketch. A copy of the relevant extract of BBMP Revised Master Plan, 2015, is annexed herewith as **Annexure R-2**.

iii) In the construction being carried out by the project proponent in the instant case, there is no encroachment into the buffer zone of the water body. However, there is a temple present in the buffer zone of the water body, which is unauthorised and has to be removed, as per Rule 4.12.2 (ii) of the Zoning Regulations.

iv) Since the temple comes within the jurisdiction of the BBMP, the BBMP has to carry out the removal of the temple

3. It is hence submitted that this Hon'ble Tribunal may be pleased to direct the BBMP to remove the unauthorised encroachment, i.e. the temple, from the buffer zone.

4. This report is thus submitted for consideration by this Hon'ble Tribunal.

*Shanharajwark*

**Engineer Member**

**Bangalore Development Authority  
Bangalore**

Filed by

*Darpan KM*  
*Asst*

**Darpan KM  
Standing Counsel  
State of Karnataka**

**Date: 18.08.2025**

Village - Belathur and Kadugodi Hobli - 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 northern portion 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

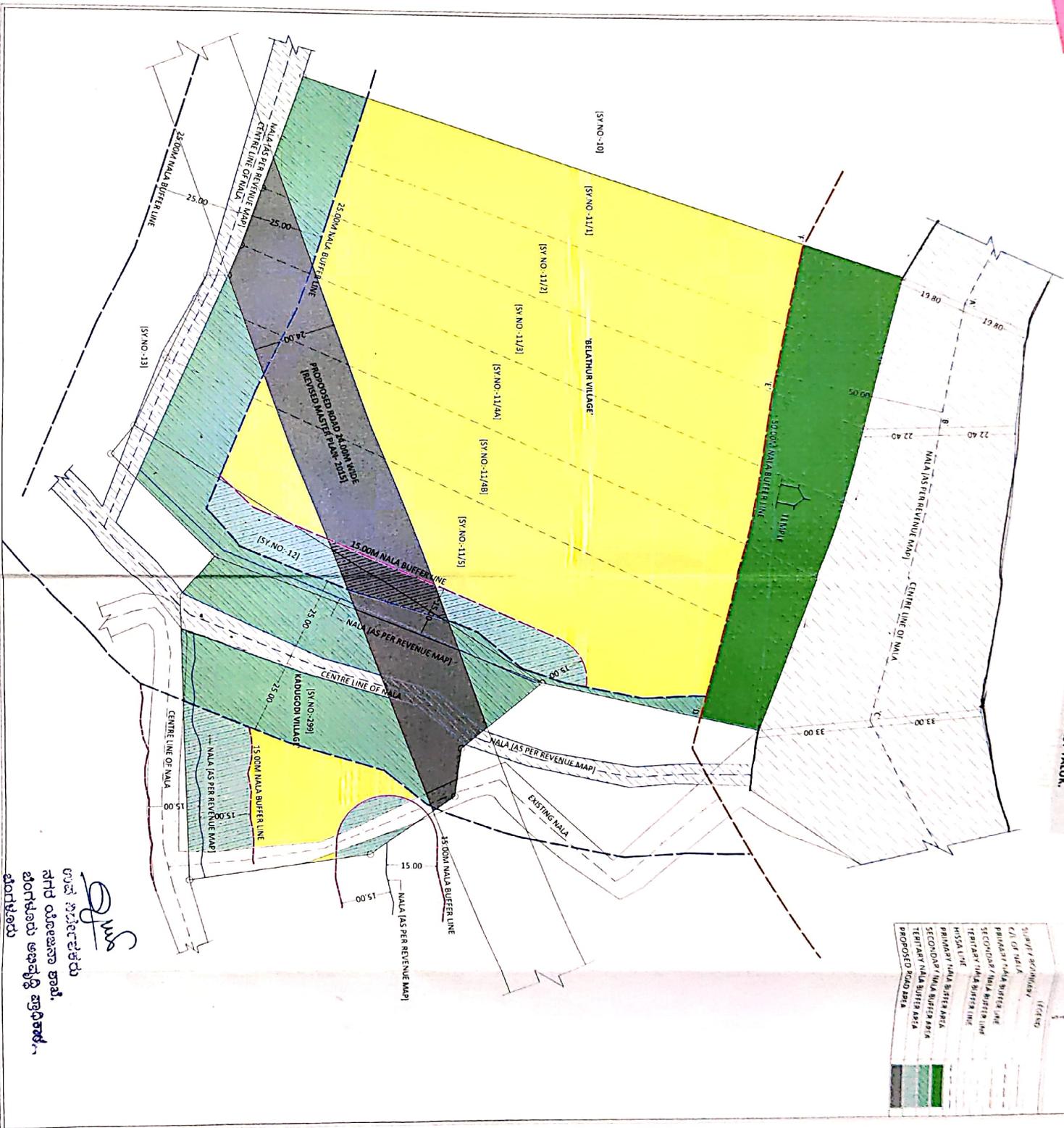
Sd/-  
Assistant Director of Land records  
Bangalore East Taluk  
Krishnarajapura

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

Sd/-  
Land Surveyor  
Bangalore East Taluk  
Krishnarajapura

# Annexure R-1A

SKETCH SHOWING AT SY NO.: 11/1, 11/2, 11/3, 11/4A, 11/4B, 11/5 & 12 OF BELATHUR VILLAGE & SY NO.: 299 OF KADUGODI VILLAGE, BIDARAHALLI HOBLI, BANGALORE EAST TALUK.



Symbol / Color	Description
Blue dashed line	Survey boundary
Red dashed line	Centre line of NALA
Green shaded area	Primary NALA buffer line
Yellow shaded area	Secondary NALA buffer line
Blue hatched area	Tertiary NALA buffer line
Black hatched area	Hissa line
Red hatched area	Primary NALA buffer area
Blue hatched area	Secondary NALA buffer area
White area	Tertiary NALA buffer area
Black line	Proposed road area

  
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 ನಗರ ಯೋಜನಾ ಶಾಖೆ,  
 ಚಿರಟಕುರು ಅಭಿವೃದ್ಧಿ ಪ್ರಾಧಿಕಾರ,  
 ಚಿರಟಕುರು

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**4.12 PARK AND OPEN SPACE (P)****4.12.1) Description**

The natural and man made features meant for environmental conservation and preservation, including water bodies, forests and drains; parks, playgrounds, burial grounds and crematoria.

**4.12.2) Regulations****i) Permissible land uses:**

- i. Uses permissible include: Sports grounds, stadium, playgrounds, parks, swimming pools, cemeteries, garden land and crematoria.
- ii. Uses permissible under special circumstances by the authority: Open air theatres, indoor recreational uses, dwelling for watch and ward, sports clubs, libraries, milk booths, HOPCOMS, the area of such use shall not exceed 5% of the total area and shall not be more than G+ 1 floor in any case.
- iii. Setbacks for the above will be decided by the Authority taking into account the surrounding development and traffic scenario in that area.

**ii) Valley/ drain**

Within the demarcated buffer for the valley the following uses are allowed:

- i. Sewerage Treatment Plants and Water treatment plants
- ii. Roads, pathways, formation of drains, culverts, bridges, etc which will not obstruct the water course, run offs, channels.
- iii. In case of water bodies a 30.0 m buffer of 'no development zone' is to be maintained around the lake (as per revenue records) with exception of activities associated with lake and this buffer may be taken into account for reservation of park while sanctioning plans.
- iv. If the valley portion is a part of the layout/ development plan, then that part of the valley zone could be taken into account for reservation of parks and open spaces both in development plan and under subdivision regulations subject to fulfilling section 17 of KTCP Act, 1961 and sec 32 of BDA Act, 1976.
- v. Any land falling within the valley for which permission has been accorded either by the Authority or Government, and then such permission shall be valid irrespective of the land use classification in the RMP 2015. Fresh permissions for developments shall not be accorded in valley zone.

**NOTE:**

**Drains:** The drains have been categorized into 3 types namely primary, secondary and tertiary. These drains will have a buffer of 50, 25 and 15m (measured from the centre of the drain) respectively on either side. These classifications have been used for the drains newly identified while finalizing the RMP 2015. In case the buffer has not been marked due to cartographical error for any of the above types of drains, then based on the revenue records buffer shall be insisted in all such cases without referring the land use plan while according approval for building/development/ layout plan. Permissions in sensitive areas earmarked on the land use plan shall be considered only by the planning Authority.