

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION NO. 114/2024**

IN THE MATTER OF:

Ravi. V.

...APPLICANT

Versus

State of Karnataka

...RESPONDENTS

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Filed by



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Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH, CHENNAI
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**REPORT ON BEHALF OF RESPONDENT NO. 4 (DEPUTY
COMMISSIONER, BENGALURU URBAN DISTRICT)**

MOST RESPECTFULLY SHOWETH:

1. That the instant case pertains to encroachment into the buffer zone of a storm water drain in Survey No. 46/3, 46/2 and 46/3(p), situated in Kothihosahally, Ward No. 8, Kodigehalli, Bengaluru Urban District.
2. It is submitted that in the Joint Committee Report dated 11.09.2024 filed by the Karnataka State Pollution Control Board, it was provided that Revenue Department along with BBMP shall verify the particulars of the storm water drain and the applicable buffer zone. In this regard, it is submitted as follows:
 - a. The engineers who were present at the time of measurement have informed that the buffer zone of the said stream is 5 meters, and no buildings have been constructed in the said area.
 - b. As per the Akarband records of Survey No. 46/2 and 46/3 of Kotihosahalli Village, the owners of the aforesaid property are

holding lands and are entered in the Khushki column. In Survey No. 46/2, the total extent is 1-37 acres/guntas, out of which 00-03 guntas relating to the stream is "B" *kharab*, and the remaining extent is 1-34 acres/guntas. In Survey No. 46/3, the total extent is 1-13 acres/guntas, out of which 00-07 guntas relating to the stream is "B" *kharab*, and the remaining extent is 1-06 acres/guntas. As per the second re-classification records, the measurement relating to the stream has been entered in Survey No. 46/2 and 46/3.

- c. In Survey No. 46/2 and 46/3, there exists *kharab* land relating to the stream, and as per the present land position, the said *kharab* land is open, however, it has been found that in some places compound walls have been constructed, and that roads, drains to the extent of 300 square feet, and gates have been installed.
- d. The proposed lands in Survey No. 46/2 and 46/3 of Kotihosahalli Village, Yelahanka Hobli, are holding lands and fall within the jurisdiction of BBMP Ward No. 8. As per the current year pahani, in Survey No. 46/2, the names Ramadev s/o Mahalakshamma, Shailendra s/o Mahalakshamma, Jayadeva s/o Mahalakshamma are jointly recorded for an extent of 1-34, vide MR No. 1/2011-12 dated 30/03/2012, and in Survey No. 46/3, the names Ramadev s/o Mahalakshamma, Jayadeva s/o Mahalakshamma, and Shailendra s/o Mahalakshamma are jointly recorded for an extent of 1-06 acres/guntas as per MR No. 1/2019-20 dated 20/08/2019, and it has been reported that the khata has been recorded accordingly.

e. Therefore, as per the surveyor's measurement with regard to the *kharab* land and buffer zone relating to the stream in Survey No. 46/2 and 46/3 of Kotihosahalli Village, Yelahanka Hobli, it has been reported that some portions are covered, and compound walls, gates, road and drain exist.

f. The details of encroachment ascertained at the concerned storm water drain are as follows:

S. No.	Sy No.	Extent of Encroachment	Nature of Encroachment	Name of encroacher	Remarks
1.	46/2	2.15 Guntas	Covered with Soil	Occupants/holders of Sy No. 46/2 – <ul style="list-style-type: none"> • Ramadeva s/o Mahalakshamma; • Shailendra B. s/o Mahalakshamma; • Jayadeva s/o Mahalakshamma 	In Survey No. 46/2, an extent of 03 Guntas is recorded as <i>kharab</i> land pertaining to drain
		0.01 Guntas	Compound Wall		
2.	46/3	6.09 Guntas	Covered with soil	Occupants/holders of Survey No. 46/3 – <ul style="list-style-type: none"> • Ramadeva s/o Mahalakshamma • Jayadeva s/o Mahalakshamma • Shailendra s/o Mahalakshamma 	In Survey No. 46/3 an extent of 7 Guntas is recorded a land pertaining to drain
		0.01 Guntas	Gate		
		0.04 Guntas	Road and Channel		
		0.01 Guntas	Compound Wall		
		0.01 Guntas	Compound Wall		

3. True Copy of letter dated 14.01.2026, addressed by Tahsildar, Yelahanka Taluk, Yelahanka, Bengaluru, to the answering respondent is annexed herewith as **Annexure R-1**.

4. It is submitted that since the since the lands in questions are under BBMP/GBA jurisdiction, hence the encroachment has to be removed by the BBMP/GBA .

5. The aforesaid information is hence placed on record for the consideration of this Hon'ble Tribunal. The answering Respondent shall be duty-bound to implement and execute any order passed by this Hon'ble Tribunal.


Deputy Commissioner
Bangalore District
Respondent No. 4
Deputy Commissioner
Bangalore
Deputy Commissioner
Bangalore Urban District

Filed by


Darpan KM
Standing Counsel
State of Karnataka

Date: 28.01.2026

Annexure R-1

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GOVERNMENT OF KARNATAKA
Office of The Tahshildar, Mini Vidhanasoudha,
Yelahanka Taluk, Bengaluru

NO: NCR(Y)/CR/45/23-24

Date:14.01.2026

The Deputy Commissioner
Bengaluru Urban District,
Bengaluru.

Sir/Madam,

- Sub : Regarding Encroachment in the canal and bufferzone in Survey no.46/3, 46/2 and 46/3(p) lands of Kothihosahalli Village, Yelahanka Hobli, Yelahanka Taluk.
- Ref : 1. Your Office letter no.Enf(Y)/CR/25-26, dated:09.12.2025.
2. Original Application No.114 of 2024 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai.
3. Letter No.ADLR(Y)/NGT/01/25-26, dated 03.01.2026.
4. Letter No.NCR(CR)/23/25-26 of the Deputy Tahshildar/Revenue Inspector, Yelahanka-3.

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With reference to the subject mentioned above, in respect of "B" kharab land, rajakaluve and buffer lands situated in Survey No. 46/2 and 46/3 of Kothihosahalli Village, Yelahanka Hobli, Yelahanka Taluk, a case has been filed in Original Application No. 114 of 2024 (SZ) before the National Green Tribunal, Southern Zone, Chennai, regarding encroachment. In this regard, the Hon'ble Court has directed to submit a detailed report along with records on or before the next date of hearing. Accordingly, to submit a detailed report in respect of the said case before the Hon'ble Court, as instructed in the reference (1) letter, the map has been obtained from the office of the Assistant Director of Land Records, and the report has been obtained from the concerned Deputy Tahsildar / Revenue Inspector.

In the map submitted by the surveyor, the details of encroachment have been identified, and the details regarding encroachment of the rajakaluve (stream) are as follows.

Sl. No.	Sy. No.	As Identified in Sketch	Encroachment Extent (A/G)	Nature of Encroachment	Encroacher name	Remarks	
1	46/2	G-H	0.02.15	Covered with soil	Occupants/Holders of Survey No.46/2	In Survey No.46/2, an extent of 0-03 guntas is recorded as Kharab land pertaining to the drain	
2			0.00.01	Compound wall			
3	46/3		0.06.09	Covered with soil	Occupants/Holders of Survey No.46/3	In Survey No.46/3, an extent of 0-07 guntas is recorded as Kharab land pertaining to the drain	
4			A-B	0.00.01			Gate
5			I	0.00.04			Road and Channel
6			E-F	0.00.01			Compound wall
7			C-D	0.00.01			Compound wall

The details regarding encroachment of the buffer zone of the stream are as follows.

The engineers who were present at the time of measurement have informed that the buffer zone of the said stream is 5 meters, and accordingly the same has been marked in the map, and no buildings have been constructed in the said area.

As per the Akarband records of Survey No. 46/2 and 46/3 of Kotihosahalli Village, they are holding lands and are entered in the Khushi column. In Survey No. 46/2, the total extent is 1-37 acres/guntas, out of which 00-03 guntas relating to the stream is "B" kharab, and the remaining extent is 1-34 acres/guntas; and in Survey No. 46/3, the total extent is 1-13 acres/guntas, out of which 00-07 guntas relating to the stream is "B" kharab, and the remaining extent is 1-06 acres/guntas. As per the second re-

classification records, the measurement relating to the stream has been entered in Survey No. 46/2 and 46/3.

In Survey No. 46/2 and 46/3, there exists kharab land relating to the stream, and as per the present land position, the said kharab land is open, however, it has been found that in some places compound walls have been constructed, road and drain to the extent of 300 square feet, and gates have been installed, and it has been reported by the surveyor by marking in the map that no buildings have been constructed within the stream area.

The proposed lands in Survey No. 46/2 and 46/3 of Kotihosahalli Village, Yelahanka Hobli, are holding lands and fall within the jurisdiction of BBMP Ward No. 8. As per the current year pahani, in Survey No. 46/2, the names Ramadeva s/o Mahalakshamma, Shailendra B. s/o Mahalakshamma, Jayadeva s/o Mahalakshamma are recorded for an extent of 1-34, vide MR No. 2/2011-12 dated 30/03/2012, and in Survey No. 46/3, the names Ramadeva s/o Mahalakshamma, Jayadeva s/o Mahalakshamma, Shailendra s/o Mahalakshamma are jointly recorded for an extent of 1-06 acres/guntas as per MR No. 1/2019-20 dated 20/08/2019, and it has been reported that the khata has been recorded accordingly.

Therefore, as per the surveyor's measurement and marking in the map with regard to the kharab land and buffer zone relating to the stream in Survey No. 46/2 and 46/3 of Kotihosahalli Village, Yelahanka Hobli, it has been reported that some portions are covered, and compound walls, gates, road and drain exist, and accordingly, the map, report of the Deputy Tahsildar / Revenue Inspector, and the current year pahani are enclosed and the factual position is submitted for kind perusal

Yours faithfully

Sd/-

Tahsildar, Yelahanka Taluk
Yelahanka,
Bengaluru.