

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE BENCH, CHENNAI  
ORIGINAL APPLICATION NO. 56/2025**

**IN THE MATTER OF:**

Babajan

...APPLICANT

Versus

Union of India and Ors.

...RESPONDENTS

**INDEX**

<b>S. No.</b>	<b>Document</b>	<b>Pages</b>
1.	Report on behalf of Respondent No. 4 (Bangalore Development Authority)	1-6
2.	<b><u>Annexure R-1</u></b> True Copy of report dated 02.12.2022 furnished by Hon'ble Justice AV Chandrashekar Committee	7-15
3.	<b><u>Annexure R-2</u></b> True Copy of order dated 06.12.2022 passed by the Hon'ble Supreme Court of India in Miscellaneous Application Nos. 1614-1616/2019 in C.A. Nos. 7661-63/2018	16-22

Filed by



**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: 31.12.2025

Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE BENCH, CHENNAI  
ORIGINAL APPLICATION NO. 56/2025**

**IN THE MATTER OF:**

Babajan

...APPLICANT

Versus

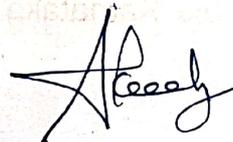
Union of India and Ors.

...RESPONDENTS

**REPORT ON BEHALF OF RESPONDENT NO. 4 (BANGALORE  
DEVELOPMENT AUTHORITY)**

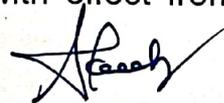
**MOST RESPECTFULLY SHOWETH:**

1. That the instant Original Application has been filed alleging construction in the buffer zone of the Byalakere Lake situated in Bengaluru Urban District. In the said application, the applicant has alleged stated that developmental activities are being carried out which are not permissible in the buffer zone of water body.
2. In this regard, it is submitted as follows:
3. It is submitted that the BDA is forming a new residential Layout in about 3,837 acre of land in 17 villages of Bangalore North Taluka called as "*Dr. Shivaram Karanth Layout*", which is being implemented for the larger public interest and public welfare ("*the said layout*"). This layout scheme has been approved by Government of Karnataka in G.O. No. UDD/553/MNX/2018 Dtd: 29.10.2018. Major roads of this layout were tentatively planned in the Revised Master Plan-2015 of Bengaluru City. It is to state that the Revised Master Plan-2015 of



Bengaluru City was approved by Government of Karnataka in G.O. No. UDD/540/BEM.AA.SE/2004 DTD: 22.06.2007. The alignment plan of RMP roads were shown in the approved Revised Master Plan-2015. The alignment plan of major RMP roads in Byalakere village were shown in approved Drawing No. 3.05-Byalakere.

4. The Applicant has alleged that BDA is carrying out developmental works in or around Byalakere lake buffer zone. It is submitted that as per the approved Revised Master Plan-2015 of Bengaluru City, the alignment plan of 45m wide RMP Road from Byalakere village to Byalakere Palyawas planned through Byalakere Gramathana → Byalakere Sy. No. 148 → Sy. No. 119 → Sy. No. 118 → Sy. No. 93 → Sy. No. 117 etc. This road alignment was in congested builtup area of Byalakere village.
5. It is submitted that the Hon'ble Supreme Court by an order dated 3.12.2020 is has constituted a Three Member Committee headed by Hon'ble Justice A.V. Chandrashekar to oversee several aspects of problems that arose on the formation of the said Layout and to address the legality of constructions within the layout. The Committee was formed in December 2020 with Justice A.V. Chandrashekar as its Chairman and former DGP S.T. Ramesh and former BDA Commissioner Jayakar Jerome as members (**'the said Committee'**).
6. The Committee undertook the exercise of redressal of several problems, as was directed by the Hon'ble Supreme Court, and submitted its reports to the Hon'ble Supreme Court. The Committee's work was monitored by the Hon'ble Supreme Court till 31.12.2023. But, the Hon'ble Supreme Court by its order has delegated the matter to the Hon'ble Karnataka High Court with effect from 01.01.2024.



Thereafter, the Hon'ble High Court through a special Division Bench is monitoring issues related to the said layout. The Hon'ble High Court is now actively involved in monitoring the project and ensuring the implementation of previous court orders.

7. It is submitted that as per the approved Master Plan, the alignment of RMP road near Byalakere Lake was passing through the Grama Thana and built up congested areas of Byalakere village, requiring large scale demolition and rehabilitation of existing buildings. This practical difficulty in formation of RMP road was examined by the said Committee which has discussed the subject matter of the 12 RMP roads of the said Layout in it's 30<sup>th</sup> meeting held on 02.12.2022. The Committee has recommended for approval of an alternative by-pass alignment for 12 RMP roads, including RMP Road in Byalakere village so as to avoid existing built up congested areas and also to prevent road alignment in grama thana area. Relevant Extract of the 30<sup>th</sup> report of Justice A.V. Chandrashekar Committee is as under:

**Before the Hon'ble Supreme Court of India**

**No. JCC/195/2022-23**

**Date: 02.12.2022**

**May it please your Lordships**

**Thirtieth Report**

**Sub: Buildings in Dr. K ShivaramKaranth Layout – reg.**

**Ref: Judgement dated: 3.12.2020 of Hon'ble Supreme Court of India- Hon'ble Justice S Abdul Nazeer and Hon'ble Justice Sanjiv Khanna in Misc. Application Nos. 1614-1616 of 2019 in Misc. Application Nos. 1346-1348 of 2019 in Civil Appeal Nos. 7661-7663 of 2018 between BDA and another Vs. State of Karnataka and Others**

1. Adverting to the above subject, the Committee is placing it's Thirtieth Repor:

2. ....



14. xxxxxxxxxxxxxx

**15. REVISED MASTER PLAN, 2015**

The Master Plan which is in force today is commonly referred to as Revised Master Plan, 2015. It has come into effect from 25.06.2007.

16. The Master plan prescribes the land use pattern, circulation pattern, zoning pattern and so forth including road connectivity. These roads are referred to as the Revised Master Plan Roads. While the roads are only indicative in nature, as per Section 12 of the Karnataka Town & Country Planning Act, 1961, even these roads which are indicative in nature cannot be modified without Government approval as per Section 12 of the Karnataka Town and Country Planning Act, 1961.

**17. For preparing the Layout Plan for Dr. K Shivaram Karanth Layout, atleast in 12 locations, the RMP Roads pass through buildings, through Grama Thana and congested area which existed prior to the Master Plan coming into force. Taking these factors into consideration, the BDA has re-engineered these roads in these locations.**

**18. In view of the above, Your Lordships may please accord approval where these roads have been re-engineered, as obtaining approval of Government would be time consuming.**

Sd/-

Dr. ST Ramesh

Member, JCC

Sd/-

Jayakar Jerome

Member, JCC

Sd/-

Justice AV Chandrashekar

Chairman, JCC

8. True Copy of report dated 02.12.2022 furnished by Hon'ble Justice AV Chandrashekar Committee is annexed herewith as **Annexure R-1.**



9. The Hon'ble Supreme Court by way of Order 06.12.2022 in Miscellaneous Application Nos. 1614-1616/2019 in C.A. Nos. 7661-63/2018 has accepted the above proposal of the said Committees' 30<sup>th</sup> report. Relevant extract of the said order is as under:

**Thirtieth Report**

...

*14. The suggestions made by the Justice A.V. Chandrashekar Committee in paragraphs 14, 15, 16, 17 and 18 are accepted.*

...

*31. All the pending applications stands closed.*

10. True Copy of order dated 06.12.2022 passed by the Hon'ble Supreme Court of India in Miscellaneous Application Nos. 1614-1616/2019 in C.A. Nos. 7661-63/2018 is annexed herewith as **Annexure R-2**.
11. Hence, the alternative alignment of all the 12 RMP roads which was accepted by the Hon'ble Supreme Court was subsequently incorporated in Layout Plans of Dr. Shivaram Karanth Layout and the same has been approved by BDA.
12. It is humbly submitted that BDA is carrying out layout developmental work in Dr. Shivaram Karanth Layout as per the directions and approvals issued by the Hon'ble Supreme Court. The Hon'ble Supreme Court thereafter transferred the matter to the Hon'ble High Court of Karnataka at Bengaluru, wherein a Learned Division Bench of the Hon'ble High is monitoring the issues pertaining to the said layout under W.A. No. 252/2017 (and connected matters).



13. It is submitted that the layout development work in Byalakere village is being carried out as per the directions issued by Hon'ble Supreme Court and Hon'ble High Court of Karnataka. In view of the above, it is submitted that the same that the instant Application may be dismissed.



**For Bangalore Development Authority**  
**Executive Engineer**  
**Respondent No. 4**  
Dr. K. Shivarama Kranth Layout Division  
Bangalore Development Authority  
Bengaluru

**Date: 31.12.2025**

**Filed By**



**Darpan KM**  
**Standing Counsel**  
**State of Karnataka**



# Annexure R-1

7

## JUSTICE A.V. CHANDRASHEKAR COMMITTEE

Appointed by Hon'ble Supreme Court of India  
Vide Order Dated 03-12-2020

B.D.A. Head Office Premises, T. Chowdaiah Road,  
Kumara Park West, Bangalore - 560020.  
Phone : 080-23442273 / 23442274  
23368615 / 23445005 / EXTN : 288

No. AVCC/

Date :

**BEFORE THE HON'BLE SUPREME COURT OF INDIA**

**Date: 02-12-2022**

**No.JCC/ 195 /2022-23**

**MAY IT PLEASE YOUR LORDSHIPS**

**THIRTIETH REPORT**

**Sub:- Buildings in Dr.K. Shivaram Karanth Layout**  
**- reg.**

**Ref:- Judgment dated 3rd December 2020 of the  
Hon'ble Supreme Court of India- Hon'ble  
Justice S.Abdul Nazeer and Hon'ble Justice  
Sanjiv Khanna in Misc. Application Nos. 1614-  
1616 of 2019 in Misc. Application Nos.1346-  
1348 of 2019 in Civil Appeal Nos. 7661-7663  
of 2018 between BDA and another Vs. State  
of Karnataka and Others.**

---

1. Adverting to the above subject, the Committee is placing its  
**THIRTIETH REPORT.**

2. In compliance with your Lordships Order dated 16-11-2022,  
a copy of the 25<sup>th</sup> Report along with the enclosures has been furnished  
to the Commissioner, B.D.A., on 17-11-2022. We, therefore, request  
that the **25<sup>th</sup> Report may please be accepted and approved.**



### **CANCELLATION OF APPROVAL**

3. In our earlier Reports we had recommended and your Lordships were kind enough to approve regularization of certain buildings. On a re-assessment by way of detailed survey, it has now been found that some of these cases which have been approved fall in Lake Buffer Zone, Nala Buffer Zone and Revised Master Plan Roads (RMP).

**4. Your Lordships may therefore be pleased to withdraw the approval accorded. The details of these cases may please be seen at Annexure "W".**

### **CONDITIONAL APPROVAL**

5. In the course of a detailed survey referred to para 3 supra, there are a few buildings which fall marginally/partially in the alignment of the Revised Master Plan Roads. The Town Planning Wing of the BDA has reported that while a major portion/substantial portion of the buildings may be regularised, only what is partially required for the Revised Master Plan Roads need not be regularised. The details of these buildings may please be seen in Annexure- "X".

**6. In view of the above, the buildings in Annexure-"X" may be regularised subject to the condition that what is partially**

*Je*

**required for the Revised Master Plan Roads is handed over to the BDA for which the land owners would be compensated as per the land acquisition process.**

**7. Development Plan in Sy.Nos.66(P) 70(P) measuring 13 acres 12.62 guntas of Avalahally village, Yelahanka Hobli, Bengaluru North Taluk – First Report dated 9-7-2021.**

In the Report referred to above, it is indicated that the Development Plan was approved for 13 acres 12.62 guntas. On a re-examination by the Town Planning Wing, it is now found that approval was given initially for 14 acres 05 guntas and fees of Rs.71,70,680/- has also been collected. However, the land owner thereafter sought a modification of this Development Plan stating that he will utilise 13 acres 12.62 guntas and retain the remaining 32.38 guntas for future development. **In view of this, order dated 5-5-2021 may please be modified directing the BDA not to acquire 32.38 guntas of land in Sy.No.70 of Avalahalli village.**

#### **8. LAND ACQUISITION**

In the 24<sup>th</sup> and 26<sup>th</sup> Report, JCC had pointed out the irregularities that have taken place in the passing of Awards specifically disobedience of the order dated 5-5-2021 and also

*Oh*

provisions of the Land Acquisition Act. The JCC has now observed a further **54** irregularities. It will be ensured that the BDA rectifies these awards in terms of para 5 of Order dated 16-11-2022.

#### **9. ISSUE OF REGULARISATION CERTIFICATES.**

Consequent to the posting of a regular Secretary to the BDA, the issue of Regularisation Certificates has commenced. Till date, **1516** Regularisation Certificates have been issued.

#### **10. REGULARISATION OF BUILDINGS**

This Report may kindly be considered as part and parcel of the Third Report dated 10.11.2021 and perused in that background. Your Lordships may specifically peruse the adjudication criteria in paragraph No.24 of the Third Report dated 10.11.2021 which is excerpted below:

##### **“ Adjudication Criteria**

*24. At the time of adjudication by the JCC certain parameters were agreed upon. This was to ensure uniformity in decision making and consequent recommendation to the Hon'ble Supreme Court as to which cases may be regularised. Among others, the important criteria was :*

- a) A building should be in existence on notified land;*
- b) The ownership of the building should be established;*
- c) The Applicant and his relationship/ ownership of the building should be established.*



d) *Once a building has received electricity connection, a meter is installed. The meter therefore, forms a basis for identifying individual properties, residential/ commercial. A building may have multiple units. Each of these units would have a separate meter. In such cases, the individual units in these buildings are invariably rented out . At times, the ownership of such individual units may also be different. Therefore, the electricity meter has been taken as the basis to treat the building as a unit to decide whether it should be regularized or not.*

e) *Any one of the 17 documents ( **Annexure- A**) to prove the building has come up before the cut off date. This document among others would include sanction plan or /and permission to construct or /and property tax paid receipt or /and, electricity connection indicating the date the electricity was serviced."*

**11. In the light of what has already been stated and taking all the factors into consideration, the JCC in this Report recommends regularization of total 205 (two hundred and five Buildings only) in Annexure-L 125 buildings Sl.No.2248 to 2285, Annexure-M 38 buildings Sl.2378 to 2502 , Annexure-N 15 buildings Sl.No.343 to 357, Annexure-AN 14 buildings Sl. No.1 to 14 and Annexure-X 13 buildings Sl.No.1 to 13 in all total 205 buildings (two hundred and five buildings only).**



**12. The J.C.C. further recommends that the BDA be directed:**

**(a) To issue Regularization Certificates to the applicants under the supervision of JCC - Annexure-L 125 buildings Sl.No.2248 to 2285, Annexure-M 38 buildings Sl.2378 to 2502, Annexure-N 15 buildings Sl.No.343 to 357, Annexure-AN 14 buildings Sl. No.1 to 14 and Annexure-X 13 buildings Sl.No.1 to 13, in all total 205 buildings (two hundred and five buildings only).**

*(b) To determine and collect Betterment Levy as per the provisions of the BDA Act, 1976.*

*(c) To integrate these buildings into the Dr.K. Shivaram Karanth layout.*

*(d) To give wide publicity to this order electronically, digitally and by other means necessary.*

*(e) While regularizing Industries/Factories the area of beneficial enjoyment/setbacks shall be as per the Zoning Regulation of the Revised Master Plan 2015.*

*(f) While regularizing residential and commercial buildings, the beneficial enjoyment/setbacks will be as per the BDA Zoning Regulations.*



### **13. BUILDING REGULARISATIONS AS PER NEW NOTIFICATION**

In the light of Your Lordships order, the BDA has notified additional 245 acres 16 guntas of land. The JCC has been receiving applications from owners of buildings in these newly notified areas. After scrutiny, the JCC recommends regularization of 14 buildings, the details of which are at Annexure "AN". The criteria adopted and the conditions to be imposed are as per para 5.

### **14. OUT OF BOUNDS**

On scrutiny, it has been found that a number of applications need not be considered because they have been classified as "**Out of bounds**", namely, they are either duplicate applications, no enclosures, not notified lands, vacant sites, no Occupancy Certificate and vacant sites purchased post 3-8-2018. **These need not be considered by Your Lordships** and the details are at Annexures – "**O**", "**P**", "**Q**", "**R**", "**S**" and "**V**". Apart from this, there are number of applications which have been further classified as "**Out of bounds**" namely, Buffer Zone, Buffer Lake, Buffer Nala, Buffer Kharab, RMP Roads, Tank Bed, structures on approved layouts, Institutions already approved, insufficient documents and all documents post 2018. The details may please be seen at Annexures – "**AA**", "**AB**", "**AC**", "**AD**", "**AG**", "**AI**", "**AK**", "**AL**" and "**AM**". These cases also need not be considered by Your Lordships.

### **15. REVISED MASTER PLAN, 2015**

The Master Plan which is in force today is commonly referred to as Revised Master Plan, 2015. It has come into effect from 25-6-2007.

**16.** The Master Plan prescribes the land use pattern, circulation pattern, zoning pattern and so forth including road connectivity. These roads are referred to as the Revised Master Plan Roads. While the roads are only indicative in nature, as per Section 12 of the Karnataka Town & Country Planning Act, 1961, even these roads which are indicative in nature cannot be modified without Government approval as per Section 12 of the Karnataka Town and Country Planning Act, 1961.

**17.** For preparing the Layout Plan for Dr.K.Shivaram Karanth Layout, at least in 12 locations the RMP Roads pass through buildings, through Gram Thana and congested areas which existed prior to the Master Plan coming into force. Taking these factors into consideration, the BDA has re-engineered these roads in these locations.

**18. In view of the above, Your Lordships may please accord approval where these roads have been re-engineered, as obtaining approval of Government would be time consuming.**

**19. Green Valley Apartment – Sy.No.5, measuring 0.17 ½ Gunta, Ganigarahally village, Yeshwanthpura Hobly, Bengaluru North Taluk.**

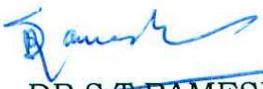
A representation dated 28-11-2022 has been received from the President and Secretary of Green Valley Apartment Owners Welfare



Association requesting the JCC to recommend deletion of their apartment from the land acquisition.

**20.** The Deputy Commissioner, Bangalore Urban, has accorded approval for conversion of 1 acre 04.12 gunta vide Order dated 21-2-2015. Subsequently, the property developer viz., M/s Indradhanush Properties Pvt.Ltd., obtained the plan approval for ground + 3 floors consisting of 48 residential flats from Somashettyhally Village Panchayat on 13-4-2015.

**21.** The builder has sold all the apartments and it is the apartment purchasers who are residing there and formed an association. This property comes in the newly notified area. Notwithstanding the fact that the apartment block exists, this Survey Number has been included in the Preliminary Notification dated 23-8-2022 and Final Notification dated 21-10-2022. **This apartment block merits regularization. However, Regularisation Certificate will be issued on production of the Occupancy Certificate.**

  
 DR.S.T.RAMESH  
 MEMBER  
**Dr. S.T. Ramesh, IPS (R)**  
**Member, JCC**

  
 JAYAKAR JEROME  
 MEMBER  
**Jayakar Jerome, IAS (R)**  
**Member, JCC**

  
 JUS A.V.CHANDRASHEKAR  
 CHAIRMAN  
**Jus. A.V. Chandrashekar**  
**Chairman, JCC**

ITEM NO.302

COURT NO.3

SECTION IV-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS****Miscellaneous Application Nos.1614-1616/2019**  
**in C.A. Nos. 7661-7663/2018****BANGALORE DEVELOPMENT AUTHORITY & ANR.****Petitioner(s)****VERSUS****STATE OF KARNATAKA & ORS.****Respondent(s)****(IA No. 108796/2022 - APPROPRIATE ORDERS/DIRECTIONS****IA. No. 163190/2022 - Application for permission to file**  
**Impleadment****IA No. 163191/2022 - APPLICATION FOR IMPLEADMENT****IA No.163203/2022 - APPLICATION FOR DIRECTION****IA No.163205/2022 - APPLICATION FOR EXEMPTION FROM FILING O.T.****IA D.No. 189165/2022 - APPLICATION FOR IMPLEADMENT****IA D.No.189166/2022 - APPLICATION FOR DIRECTIONS****IA.D.No.189167/2022 APPLICATION FOR EXEMPTION FROM FILING O.T.)****Date : 06-12-2022 These matters were called on for hearing today.****CORAM :****HON'BLE MR. JUSTICE S. ABDUL NAZEER****HON'BLE MR. JUSTICE SANJIV KHANNA****For Petitioner(s)****Mr. S.K.Kulkarni,Adv.**  
**Mr. M.Gireesh Kumar,Adv.**  
**Mr. Ankur S. Kulkarni, AOR**  
**Ms. Uditha Chakarvarthy,Adv.****For Respondent(s)****Mr. V. N. Raghupathy, AOR**  
  
**Mr. Anand Sanjay M.Nuli,Adv.**  
**Mr. Dharam Singh,Adv.**  
**Mr. Suraj Kaushik,Adv.**  
**Mr. Nanda Kumar,Adv.**  
**Mr. S.Shiva Swaroop,Adv.**  
**For M/S. Nuli & Nuli, AOR**  
  
**Mr. D. K. Devesh, AOR**  
  
**Mr. Durga Dutt, AOR**  
**Ms. Anjul Dwivedi,Adv.**  
**Mr. Ajay Kumar,Adv.**  
**Mr. Vinod Kumar Singh,Adv.****Mr. Vikram Hegde, AOR**

Mr. Gautam Bharadwaj, Adv.  
 Ms. Manvi Bhandari, Adv.  
 Mr. Ashwin Kumar D.S., Adv.  
 Ms. Surbhi Mehta, AOR

Mr. Nikhil Mehra, Adv.  
 Mr. Karan Bharihoke, AOR  
 Mr. Ramnesh Kumar Sahu, Adv.

**UPON hearing the counsel the Court made the following  
 O R D E R**

- (1) We have heard learned counsel for the parties and Mr. Anand Sanjay M. Nuli, learned counsel appearing for the Justice A.V. Chandrashekar Committee.
- (2) Bangalore Development Authority has not filed any objections to the **Twenty-Fifth Report** dated 09.11.2022 sent by the Justice A.V. Chandrashekar Committee. The **Twenty-Fifth Report** is accepted accordingly.
- (3) We have also perused **Twenty-Ninth** and **Thirtieth Reports** both dated 02.12.2022 sent by the Justice A.V. Chandrashekar Committee.

**Twenty Ninth Report**

- (4) For the reasons set out in this Report, BDA is directed not to acquire land in Sy.No.7/1 measuring 1 acre 18 guntas, Sy. No.7/2 measuring 27 guntas, Sy. No.7/3 measuring 13 guntas and Sy. No.9/2 measuring 2 acres 39 guntas, totally measuring 5 acres 17 guntas of Kempanahally Village, Yelahanka Hobli, Bengaluru North Taluk, bounded on East by: Remaining land in Sy. No.9/2 and land in Sy. No.12, West by: Remaining land in Sy. No.9/1 and Sy. No.1 and Gramathana, North by: Land in Sy. No.2, Sy. No.5 and Sy. No.8 and South by: Road. The land acquisition proceedings in respect of these lands are hereby quashed.

(5) The Justice A.V. Chandrashekar Committee is requested to furnish a copy of this Report to the Commissioner, BDA.

### **Thirtieth Report**

(6) For the reasons set out in paragraphs 3 and 4 of this Report, the approval granted for regularization of certain buildings as per Annexure-“W” is hereby withdrawn.

(7) For the reasons set out in paragraphs 5 and 6 of this Report, we direct the BDA to regularize the buildings described in Annexure-“X” subject to the conditions that what is partially required for the Revised Master Plan Roads shall be handed over to the BDA for which the land owners be compensated in accordance with law.

(8) For the reasons set out in paragraph 7 of the Report, earlier Order dated 05.05.2021 stands modified and the BDA is directed not to acquire 32.38 guntas of land in Sy. No.70 of Avalahalli Village, Yelahanka Hobli, Bengaluru North Taluk.

(9) In paragraphs 10, 11 and 12 of the Report, the Justice A.V. Chandrashekar Committee has recommended regularization of total 205 buildings contained in Annexure-L 125 buildings Sl.No.2248 to 2285, Annexure-M 38 buildings Sl. No.2378 to 2502, Annexure-N 15 buildings Sl. No.343 to 357, Annexure-AN 14 buildings Sl. No.1 to 14 and Annexure-X 13 buildings Sl.No.1 to 13.

(10) For the reasons stated therein these buildings are required to be regularized in terms of our Order dated 03.12.2020.

(11) We direct the BDA to regularize the buildings specified in Annexure-L Sl.No.2248 to 2285, Annexure-M Sl. No.2378 to 2502, Annexure-N Sl. No.343 to 357,

Annexure-AN Sl. No.1 to 14 and Annexure-X Sl.No.1 to 13. which are made part and parcel of this order. We direct the BDA not to acquire or take possession of the land/buildings specified in Annexure-L Sl.No.2248 to 2285, Annexure-M Sl. No.2378 to 2502, Annexure-N Sl. No.343 to 357, Annexure-AN Sl. No.1 to 14 and Annexure-X Sl.No.1 to 13 subject to the conditions indicated in our Order dated 03.12.2020 and paragraph '12' of the **Thirtieth Report**. However, betterment tax may be levied at a later stage.

(12) The Justice A.V. Chandrashekar Committee, for the purpose of record, will hand over a copy of the **Thirtieth Report** along with Annexure-L Sl.No.2248 to 2285, Annexure-M Sl. No.2378 to 2502, Annexure-N Sl. No.343 to 357, Annexure-AN Sl. No.1 to 14 and Annexure-X Sl.No.1 to 13 to the Commissioner of BDA.

(13) The Commissioner of BDA is directed to issue regularization certificates to the concerned applicants in a transparent manner under the supervision of the Justice A.V. Chandrashekar Committee as early as possible.

(14) The suggestions made by the Justice A.V. Chandrashekar Committee in paragraphs 14, 15, 16, 17 and 18 are accepted.

(15) For the reasons set out in paragraphs 19, 20 and 21, BDA is directed to regularize the 48 residential flats built by M/s. Indradhanush Properties Pvt. Ltd. on the land bearing Sy.No.5, measuring 0.17 ½ Gunta, Ganigarahally Village, Yeshwanthpura Hobly, Bengaluru North Taluk. However, regularization certificate will be issued only on production of occupancy certificate.

I.A.No(s).163190/2022 & 163191/2022 –Applicant(s) : Smt. Nagalakshmi & Ors.  
I.A.No(s).163203/2022 & 163205/2022 –Applicant(s) : Smt. Nagalakshmi & Ors.

(16) We have heard learned counsel for the parties and also perused the factual report (**Twenty-Seventh Report**) sent by the Justice A.V. Chandrashekar Committee.

(17) We do not find any merit in these applications which are accordingly dismissed.

I.A.D.No(s).189165/2022; 189166/2022 & 189167/2022 –Applicant(s) : Smt. Padmavathamma

(18) We have heard learned counsel for the applicant and also learned counsel for the BDA.

(19) It is hereby clarified that there is no bar for the BDA to consider allotment of sites to the land owners whose lands have been acquired under 40:60 scheme or incentive sites for voluntary surrender of lands or allotment of alternative sites in lieu of acquisition of revenue sites either in the same lay-out for which their lands/sites have been acquired or in a subsequently formed lay-out.

(20) There is also no bar for the BDA to consider allotment of sites in accordance with Rule 11-A of the Bangalore Development Authority (Allotment of Sites) (Amendment) Rules, 2003 by adhering to the conditions mentioned therein.

(21) However, BDA shall not allot sites carved out of the recovered properties in the developed layouts. BDA shall form sites in the recovered properties in the developed layouts and auction these sites in accordance with law unless it intends to retain the said land/sites for its own purpose.

(22) BDA at its own discretion may auction intermediary/stray sites in its developed layouts.

(23) To the above extent, the conditions contained in paragraph (7) of the Order dated 26.10.2021 stands modified.

(24) The Cancellation Deed dated 09.11.2022 executed by the applicant- Smt. Padmavathamma in favour of the BDA in respect of Site No.467, 2<sup>nd</sup> Block, Sir M. Vishweshwaraiah layout (Annexure A-17 to the paper book of I.A.), is hereby quashed. BDA is directed to restore this site in favour of the applicant- Smt. Padmavathamma forthwith.

(25) I.A.D No(s).189165/2022; 189166/2022 & 189167/2022 are disposed of accordingly.

**Status Report dated 03.12.2022 filed by the Commissioner of the BDA**

(26) We have perused the above Status Report and noted the contents therein.

(27) For the reasons stated in paragraphs 7 and 8 of this Report, the action taken by the BDA to entrust the work to M/s. Navigem Data Pvt. Ltd. is approved.

(28) Justice A.V. Chandrashekar Committee is permitted to extend the time for receiving applications from the revenue site-holders for allotment of alternative sites.

(29) We have held vide our order dated 02.11.2022 that the buildings in existence in the lands notified vide preliminary notification dated 23.08.2022 and final notification dated 21.10.2022, for the formation of Dr. Shivaram Karanth Layout, as on the date of preliminary notification dated 23.08.2022 are also required to be regularized on the same terms and conditions as being done as per the order dated 03.12.2020. The

Commissioner of BDA is directed to regularize these buildings in terms of the recommendations which may be made by the Justice A.V. Chandrashekar Committee without reference to this Court.

(30) The Commissioner, BDA, is also directed to allot alternative sites to the applicants whose revenue sites have been acquired for the formation of Dr. Shivaram Karanth Layout in accordance with the report of the former District Judges Committee constituted as per our order dated 05.05.2021.

(31) All the pending application(s) stands closed.

**(NEELAM GULATI)**  
**AR-CUM-PS**

**(ANITA MALHOTRA)**  
**AR-CUM-PS**

**(KAMLESH RAWAT)**  
**COURT MASTER**