

Report pertaining to the OA No 115/2019 in NGT court

On last Hearing dated 18-19-2020 pertaining to Original Appeal No 115/20019, the Hon'ble National Green Tribunal has directed the BBMP to further remedial action be taken by the BBMP in accordance with law and to File report of status before the next date of haring and mentioned that the BBMP will be at liberty to co-ordinate with other concerned authorities.

On dated 10-01-2020 a letter was sent to Executive Engineer, Bescom Shivajinagar Division by this office vide Letter No AEE/BTP/SD/151/2020-21 to take immediate and urgent steps in implementing CEA Measures relating to safety & Electric supply) Regulations 2010 and requested to report back, so that the BBMP would take issues of removal of hutments, Public Buildings exists below the High Tension Line. But the BBMP has not received any information nor reply from the Bescom.

In Hon'ble Supreme Court Yuvraj Jangid & others Residents of Anam Enclave Ashwathnagar Thanisandra filed a civil appeal No 2757/2020 in which the Hon'ble Supreme court has passed an order on dated 05-07-2020 that, **As the Appeal filed against an interlocutory order, we are of the opinion that the appellants should be granted liberty to approach the Tribunal seeking a modification of the order dated 09-01-2020 which was passed in their absence. "In the meanwhile no coercive action should be taken against the appellants."**

Only grievance pointed out by the applicant in supreme court in civil appeal No 2757/2020 is that they have not been heard by the BBMP so that they could explain that they are not encroachers. On Dated 29-01-2021 Joint Commissioner, Yelahanka Zone BBMP Bangalore along with Assistant Executive Engineer, (Bescom) Nagawara Sub Division, Bangalore and Assistant Executive Engineer Byatarayanpura sub Division, BBMP visited the Appellant layout Anam Enclave , Ashwathnagar Thanisandra Bangalore on their request in which area the High

Tension Line passes and heard their grievances. They have also submitted the Representation to the Joint commissioner, Yelahanka zone BBMP on dated 04-01-2021. In representation the residents and appellants said that **"Anam Enclave Layout of Aswathnagar Thanisandra is an Authorised DC converted layout and not situated on Revenue or Govt. land. The layout formed prior to the formation of BBMP and there is no environment violation or encroachment of SWD, Lakes water bodies. The Aman Enclave layout has maintained the Horizontal Clearance from HTL as per the Rules specified in CEA notification 2010 clause 37(3)(i) & the Indian Electricity Rules 1956 Rule No 80(2)© Both which are states that the Horizontal clearance and Vertical clearance applicable. The KPTCL which was notified on Feb 2019 that the vertical clearance does not apply. But the layout constructed prior to 2019. The HT lines in Ashwathnagar Thanisandra was laid down probable 40 years back when the population of Thanisandra was very less. According to the 2011 Census the population of Thanisandra is more than 71000 and requested to direct the KPTCL Authority to undertake the work of convert the existing 220 KV HT line to underground cable system or to convert the HT line into Monopole design so as to reduce the risk of loss of life and property.**

The KPTCL has published a correction Notification on 7th Feb 2019 as per Central Electricity Authority (Measures relating to safety & Electric supply) Regulations 2010 regarding Lifting of Vertical clearance and mentioned the applicable horizontal clearance under various capacity High Tension lines. As it is notified on 7th Feb 2019, the Buildings constructed prior to the 7th Feb 2019 under/ near the High Tension Lines **may applicable both Horizontal as well as Vertical clearance.** In this circumstances by considering both Horizontal and Vertical clearance, the buildings constructed after KPTCL Notification 7th Feb 2019 were only **-2 commissioned** under 66 KV HT line and **none commissioned** under 220 KV HT Line.

Therefore as per the request and representation of the Anam Enclave Residents and Appellant again a Letter sent to Executive Engineer, KPTCL TL&SS Division, Hoodi-Bangalore as well as Executive Engineer, Bescom Shivajinagar Division Bangalore through this office vide letter No : AEE/BBMP/BTP/SD/443-444/2020-21 on dated: 16-02-2021 to verify once again the **applicable Horizontal clearance and Vertical clearance as per CEA Rules 2010** to the buildings *shops*, sheds constructed under/ near 220KV and 660 KV High Tension lines in Aswathnagar Thanisandra of ward No 06 BBMP and report. The report is awaited from the both Bescom and KPTCL Department to take further action accordance with law by the BBMP.

25.05.21 *16/2/2021*
Assistant Executive Engineer
Byataraynpura Sub Division,
BBMP, Bangalore