

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಅಪಜೀ 13 ಇಎಎ 2008 (ಭಾಗ)

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,
ಬಹುಮಹಡಿ ಕಟ್ಟಡ,
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 18.12.2013.

ಇಂದ,

ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿ,
(ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ)
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ.

R.P.A.D

ಇವರಿಗೆ,

1. ✓ Environment Support Group
1572, 36th Cross,
100 Feet Ring Road,
Banashankari II Stage,
Bangalore - 560 070.
2. Mr. Leo F. Saldanha,
No. 1, Pearl Gardens,
Vajarahalli, Kanakapura Road,
Bangalore - 560 062.

ಮಾನ್ಯರೇ,

ವಿಷಯ: Contempt Petition No. 1336/2013 ಕ್ಕೆ ಮಾಹಿತಿಯನ್ನು
ಒದಗಿಸುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ಸರ್ಕಾರಿ ವಕೀಲರ ಪತ್ರ ದಿನಾಂಕ: 12.12.2013.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಿತ ಪತ್ರವನ್ನು ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ.
ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ದಿನಾಂಕ: 05.12.2013ರಂದು CCC No. 1336/2013ರನ್ನು
ವಿಲೇಗೊಳಿಸಿತ್ತು, W.P. No. 817/2008ರ ಪ್ರಕರಣಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಿನಾಂಕ: 11.04.2012ರ
ಆದೇಶದಂತೆ ಅನುಪಾಲನಾ ವರದಿಯನ್ನು CCC No. 1336/2013ರ ಅರ್ಜಿದಾರರಿಗೆ ನೀಡುವಂತೆ
ಆದೇಶಿಸಿರುತ್ತದೆ.

ಅದರಂತೆ, ಕಂದಾಯ ಇಲಾಖೆ ಹಾಗೂ ನಗರಾಭಿವೃದ್ಧಿ ಇಲಾಖೆಯವರು ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ
ಆದೇಶದಂತೆ ಸಮಿತಿಗಳನ್ನು ರಚಿಸಿದ್ದು, ಅದರ ಪ್ರತಿಯನ್ನು ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ ಆದೇಶದಂತೆ
ಈ ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ ಕಳುಹಿಸಿಕೊಡಲು ನಾನು ನಿರ್ದೇಶಿಸಲ್ಪಟ್ಟಿದ್ದೇನೆ.

ತಮ್ಮ ನಂಬುಗೆಯ,

ಶ್ರೀ. ಕೆ.ಎಚ್. ಅನಸೂಯಮ್ಮ (ಜಿ.ಹೆಚ್.ಅನಸೂಯಮ್ಮ) 18/12/13

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ

(ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ)

ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿಶಾಸ್ತ್ರ ಇಲಾಖೆ.

ಆ

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
GOVERNMENT OF KARNATAKA

ಕ್ರಮಾಂಕ

NO.

Sri S.V.Ranganath,
Chief Secretary to Government,
Vidhana Soudha,
Bangalore-560 001.

TO

ಅಡ್ವೋಕೇಟ್ ಜನರಲ್‌ರವರ ಕಛೇರಿ
ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ ಕಟ್ಟಡ
ಬೆಂಗಳೂರು - 560 001

OFFICE OF THE ADVOCATE GENERAL
HIGH COURT BUILDING
BANGALORE - 560 001

ದಿನಾಂಕ DATED.....

12.12.2013

ಮಾನ್ಯರೆ,
SIR,

SUB:C.C.C. No. 1336 of 2013 & 1401 of 2013 (Civil) on the file of High Court of Karnataka at Bangalore - Environment Support Group, Bangalore & another vs. Sri S.V.Ranganath, Chief Secretary to Government, Bangalore.

Ref: This office letter dated 05.12.2013.

-X-X-X-

In furtherance of the letter dated 05.12.2013 and after going through the order sheet in the above case, it is found that on 05.12.2013, the Hon'ble Court (C.H.No.2) has passed the order by dropping the above proceedings and directing the Accused to comply the order in W.P.No.817/2008 dated 11.4.2012 by granting a week's time for the said compliance. The compliance order has to be communicated to the Complainants herein and to all other concerned.

This is for your information and needful action.

Yours faithfully,

12/12/13

ಕೌಶಿಕ್ ಮುಖರ್ಜಿ
ಸರ್ಕಾರದ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ

(A.K. VASANTH)

ADDL. GOVT. ADVOCATE

AKV/1212/BG/1212

12/12

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub: Constitution of an Apex Committee at the State Level to oversee and supervise the maintenance and development of lakes/tanks etc-reg.

- Read:** 1. Orders of the Hon'ble High Court of Karnataka on 11.04.2012 in Writ Petition No.817/2008 Nos.13590/2009, 31343/1995, 18030/2005 and 6036/2006.
2. Government Order No.RD 23 LGP 2013 dated:02-05-2013.
3. U.O.Note No.apaji 13 eaa 2008 dated:06-11-2013 of the Under Secretary to Government, Environment and Ecology Dept.
4. Government Order No. RD 365 LGP 2013 dated:29-11-2013.
5. The Additional Government Advocate letter Dated:05.11.2013 and 27.11.2013
6. The Addl. Government Advocate letter dated:05-12-2013 in C.C.C. No.1336/2013 before the Hon'ble High Court of Karnataka.

Preamble:

In the context of the directions of the Hon'ble High Court of Karnataka read at (1) above, an Apex Committee and District Level Committees was constituted for proper maintenance, development and protection of lakes and tanks in Bangalore Metropolitan area, Municipal and Taluk areas in Government Order read at (2) above.

In the U.O.Note dated:06-11-2013 read at (3) above, Environment and Ecology Department has requested to modify the Apex Committee. Further, the Government Advocate in his letter dated:05.11.2013 and 27.11.2013 referred at (5) above suggested the Government to modify the Government order and to reconstitute the Apex Committee in consonance with the directions of the Hon'ble Court at para 10 of its order dated:11.04.2012 in W.P.No.817/2008.

In the circumstance explained above the earlier Government Orders read at Sl.No. (2) & (4) is to be withdrawn. Hence this order.

GOVERNMENT ORDER NO.RD 365 LGP 2013,
BANGALORE DATED 09.12.2013

In conformity with the directions of the Hon'ble High Court of Karnataka while withdrawing its earlier order read at Sl.No.(2) and (4) above, Government are pleased to constitute the Apex Committee for proper maintenance, development and protection of lakes and tanks in Bangalore Metropolitan area as mentioned below:

- | | | |
|---|---|---------------------|
| 1. The Principal Secretary to Government,
Revenue Department . | - | Chairman |
| 2. Member Secretary, State Legal Services Authority - | | Member |
| 3. The CEO, Lake Development Authority | - | Member
Secretary |

The Apex Committee shall entertain complaints and give proper directions to the concerned Committees for maintenance and development of lakes as directed by the Hon'ble High Court of Karnataka.

By order and in the name of the
Governor of Karnataka


(UMADEVI)

Under Secretary to Government,
Revenue Department (Land Grants-1).

To:

The Gazetteer, Karnataka Gazette with a request to publish in the Gazette and supply 500 copies to the Revenue Department, M.S. Building, Bangalore.

Copy to:

1. The Principal Secretary to Government, Revenue Department.
2. The Principal Secretary to Government, Forest, Ecology and Environment Department.
3. The Principal Secretary to Government, Urban Development Department.

4. The Secretary to Government (Ecology & Environment), Forest, Ecology and Environment Department.
 5. The Addl. Government Advocate, Office of the Advocate General, High Court Building, Bangalore.
 6. The Member Secretary, State Legal Services Authority.
 7. The CEO, Lake Development Authority.
 8. All the Deputy Commissioners.
 9. The Commissioner, BBMP, Bangalore.
 10. The Commissioner, BDA, Bangalore.
 11. All the Commissioners of City Municipal Corporation/
Municipality.
 12. All the Chief Executive Officers of Zilla Panchayats.
 13. All the Conservator of Forest/ Deputy Conservator of Forest.
 14. All the Superintendent of Police.
 15. All the District Environmental Officers
Commissioner.
 16. All the Executive Engineers, ZP
 17. All the Executive Engineers, Irrigation Department.
 18. The P.S. to the Chief Secretary to Government, Vidhana Soudha.
 19. Office copy/Guard file
- Through
concerned
Deputy

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Subject: Constitution of Committees for Bangalore Metropolitan Area and City Municipal Corporation Area to oversee and supervise the maintenance and development of lakes/tanks etc-reg.

Read: 1. Orders of the Hon'ble High Court of Karnataka on 11-04-2012 in Writ Petition Nos. 817/2008 C/W-13690/2009, 31343/1995, 18030/2005 and 6036/2006.

2. GO No. RD 23 LGP 2013, Dated: 02-05-2013.

Preamble:

The Hon'ble High Court of Karnataka in a batch of writ petitions as read at (1) above, has observed that it is the mandatory obligation of the State on the principle of doctrine of trust to preserve and maintain the lakes in good condition. The State in its endeavor has been taking steps for the preservation and maintenance of lakes.

However, in order to have an integrated and coordinated maintenance and management of the lakes; the Hon'ble Court has directed as follows:

1. Survey of lakes and tanks in Karnataka have to be undertaken by demarcating the boundaries and to make proper fencing.
2. The unauthorized construction within 30 meters of peripheral lake area have to be removed.
3. Removal of silt as also, scientific de-weeding for the rejuvenation of some of the tanks and proper embankments have to be done periodically.
4. Flow of sewerage water into lakes and tanks have to be stopped. The channels, which feed the lakes, have to be properly protected and maintained.
5. The forest department shall undertake to plant the trees and saplings in the buffer area of the lake.
6. The Commissioner of BBMP shall be responsible for the proper maintenance and development of the lakes within the BBMP area.
7. For the Bangalore Metropolitan Area, the Commissioner, Bangalore Development Authority, the Chief executive Officer, Lake Development Authority and Deputy Conservator of Forest shall be the Committee for proper maintenance and development lakes in Bangalore Metropolitan area.
8. In respect of City Municipal Corporation, the Deputy Commissioner of District, the commissioner of City Municipal Corporation and Commissioner of Urban Development Authority shall be the Committee responsible for proper maintenance and development of lakes within the City municipal Corporation area.

9. In respect of Municipal areas. The Deputy Commissioner of District Commissioner of Municipality and District Water Resource officer shall be the members of Committee and they shall be responsible for proper maintenance and development of lakes situate in for municipal and taluk areas.
10. There shall be an Apex Committee consisting of Principal Secretary, Department of Revenue, Chief Executive Officer, Lake Development Authority and Member Secretary of State Legal Services Authority who shall oversee and supervise the maintenance of lakes by above stated committees. The above stated committees shall send quarterly report about the maintenance and development of lakes to the apex committee, which shall supervise the development and maintenance of lakes. The Apex committee can also entertain complaints and give proper directions to concerned committees for proper maintenance and development of lakes.

Accordingly the Revenue Department vide order dated 02-05-2013 read at (2) above has constituted an Apex Committee and the district level Committee. Therefore the Government has decided to constitute Committees for the Bangalore Metropolitan Area and City Municipal Corporation area. Hence the following order.

GOVERNMENT ORDER NO: UDD 148 MNJ 2013,
BANGALORE DATED: 18-09-2013

In compliance of the directions of the Hon'ble High Court of Karnataka as explained in the preamble above Government are pleased to constitute a committee for proper maintenance and development of lakes and tanks in Bangalore Metropolitan area as detailed below;

Commissioner,
Bangalore Development Authority : Chairman

Chief Executive Officer,
Lake Development Authority. : Member

Deputy conservator of Forest Bangalore
Urban District : Member

In respect of City Municipal Corporations there shall be a committee with the following members to oversee, proper maintenance and development of lakes and tanks in within the City Municipal Corporation area

Deputy Commissioner, of the Concerned District	: Chairman
Commissioner of the Concerned City Municipal Corporations	: Member
Commissioner of the Concerned Urban Development Authorities.	: Member

The above committees should entertain complaints and adhered the directions issued by the apex committee for maintenance and development of lakes as directed by the Hon'ble High Court of Karnataka.

By order and in the name of the
Government of Karnataka


(N. Gopalaiah)

Under Secretary to Government
Urban Development Department(BBMP)

To:

The Gazetteer, Karnataka Gazette with a request to publish in the extraordinary Gazette and supply 500 Copies to the Urban Development Department.

Copy To:

1. The Accountant General of Karnataka, Bangalore.
2. The Principal Secretary to Hon'ble Chief Minister, Vidhana Souhda.
3. The Principal Secretary to Government Revenue Department.
4. The Principal Secretary to Forest, Ecology and environment Department.
5. The Secretary to Government (Ecology and Environment) Forest, Ecology and Environment Department.
6. The Member Secretary, State Legal Services Authority. High Court of Karnataka, Bangalore.
7. The Commissioner, BBMP, Bangalore.
8. The Commissioner, BDA, Bangalore.
9. All the Deputy Commissioners of the State.
10. All The Commissioners City Municipal Corporations of the state.
11. All the Commissioners, Urban Development Authorities of the State.
12. The Chief Executive Officer lake Development Authority, Bangalore.
13. The Deputy conservator of Forest Bangalore Urban District, Bangalore.
14. PS to Principal Secretary to Government, Urban Development Dpt.
15. PS to Secretary to Government, Urban Development Dpt.
16. PA to Addl. Secretary/Deputy Secretary 1 & 2, UDD.
17. SGF/Departmental Web site/ spare Copies.