

## Proceedings of the 2<sup>nd</sup> Apex Committee Meeting held On 12<sup>th</sup> November, 2013

The list of the members who attended the meeting is given in Annexure -1.

1. At the outset, the Chairman welcomed the participating members and initiated discussion on the regular meeting agenda.
2. Regarding the Agenda No 3, the Secretary, Environment and Ecology, Department of Forests, Environment and Ecology, informed the Chair that in view of the discussion with the Chief Secretary in the meeting held on 11.11.2013, issue relating to contempt petition No 1336/2013 filed by the Environment Support Group, Bangalore before the Hon'ble High Court of Karnataka, is settled as necessary actions have already been taken.
3. The Chief Executive Officer and Member Secretary, Apex Committee presented the details regarding the actions taken on the proceedings of the 1<sup>st</sup> Apex Committee Meeting held on 10.05.2013, and the Committee accepted the action taken.

Sl.No.	Resolution of the meeting held on 10.05.2013	Action Taken
a	The Chair requested the CEO, LDA to prepare District wise list of lakes in Karnataka.	<p>To bring out the list of lakes in Karnataka, formats have been sent to all the Deputy Commissioners of the State to send the list of lakes in their respective jurisdiction. So far, reports from 13 Deputy Commissioners have been received, as and when the reports from all the Deputy Commissioners are received, they shall be placed before the Apex Committee.</p> <p>LDA has made use of Bhoomi software and also procured village maps pertaining to Bangalore Urban, Bangalore Rural and Ramanagar districts from the Survey, Settlement and Land Record Department to generate data base on Lakes.</p> <p>The Committee noted the action taken.</p>

b	<p>Sri S. Rajanaik, DDLR, Bangalore Urban informed that there are 497 lakes as per Revenue Akarband records in Bangalore Urban District excluding BBMP and BDA area. The Chair observed that the number of lakes in Bangalore Urban District itself differ in the records of LDA and DDLR, and directed the DDLR to visit LDA's office in the afternoon of this day and reconcile the figures.</p>	<p>Sri. S. Rajanaik, DDLR, Bangalore Urban has been reminded of the resolution passed in the last meeting but his action is not forthcoming.</p> <p>The Committee noted the action taken.</p>
c	<p>The Chair directed the concerned Tahashildar to stick on to the assurance given to BDA and not to leave any encroachment un-evicted.</p>	<p>Certification of survey sketches, issue of encroachment eviction notices and eviction orders by the Tahashildar have not been received from the Revenue Department and both the Deputy Commissioner and the Tahashildar have been officially reminded.</p> <p>The Committee noted the action taken.</p>
d	<p>The Chair directed the Revenue Department to fix the boundary of Arkere lake at the earliest and a certificate thereof may be issued to the BDA for further necessary action.</p>	<p>The LDA reminded the Deputy Commissioner, Bangalore Urban and Tahashildar concerned to bestow their special efforts to fix the boundary of Arakere lake and issue certificate thereof to the BDA for further necessary action, however, action taken thereof is yet to be received.</p> <p>The Committee noted the action taken.</p>
e	<p>The BDA officer also informed that 13 lakes have been comprehensively developed and the Chair requested the CEO, LDA, to have these inspected and report with photographic evidences.</p> <p>On the issue of siltation of lakes the BDA officer informed that silt removed from the lake is used</p>	<p>So far 7 lakes have been inspected by the officers of the LDA and the remaining lakes shall be inspected shortly and a comprehensive report shall be placed before the Committee in the next meeting.</p> <p>The Committee noted the action taken.</p>

	for construction of islands and lake bunds and the rest is disposed off. It was also informed that scientific de-weeding is being carried every year as part of annual maintenance. The Chair requested CEO, LDA to inspect the developed lakes and satisfy himself.	
f	The Chair also opined that “buffer area” may be defined and inserted in Section 2 of the proposed KLDA Bill.	As suggested in the 1 <sup>st</sup> Apex Committee Meeting, a draft definition for “Buffer area” has been submitted to the Secretary, E&E, to be included in the KLDA Draft Bill.  The Committee noted the action taken.

4. As suggested by the Principal Secretary, FEE, it was resolved that concerned Additional Deputy Commissioner, (HQ) shall be the nodal officer and assigned with the special task of overseeing and expediting the process of certification of survey sketches, issue of encroachment eviction notices and eviction orders by the Tahashildar as time bound programme with a number of lake specific target to be fixed and achieved.

**(Action: DC, Bangalore Urban, Additional Deputy Commissioner and concerned Tahashildar)**

5. The Chair, informed the Committee that as commitment was given to the Hon’ble High Court of Karnataka, therefore, it is mandatory for the concerned Deputy Commissioner and the Tahashildar to take action as directed by the Hon’ble Court as time bound programme with specific target to be fixed and achieved.

**(Action: DC, Bangalore Urban and concerned Tahashildar)**

6. The representative of the BDA informed the Committee that there are 123 lakes under its custody, out of which 53 lakes are free of encroachment and have already been fenced. It was also informed to the Committee that there are 64 lakes for which certification of the survey sketches and eviction orders need to be issued by the Revenue Department. The BDA also informed the Committee that out of 64 lakes, 33 lakes are being taken up for development. It was, therefore, resolved that

eviction notices have to be issued by the Revenue Department latest by the end of June 2014.

**(Action: DC, Bangalore Urban and concerned Tahashildar)**

7. On the suggestion of the Principal Secretary to Govt., FEE, the Committee directed the BDA officials to submit the above list of 53 lakes which are free of encroachment along with their sketch maps, boundary description including chakbandi to the CEO, LDA to be posted in its website immediately.

**(Action: Commissioner, BDA, CEO, LDA)**

8. The CCF, BBMP informed the Committee that there are 55 lakes under the BBMP out of which 39 lakes are free of encroachment; however, encroachments are recorded in 16 lakes. He also informed that out of 53 lakes, development in respect of 29 lakes are either completed or under progress. He further informed that DPRs for 2 lakes are being prepared and 53 acres of encroachment have been evicted. It was also informed by him that 5 lakes are being maintained by the local Resident Welfare Association (RWA). He also requested for certified sketch maps and eviction orders to be issued by the Revenue Department and copies of the same to be handed over to the custodians of the lakes, so as to proceed with the eviction process.

**(Action: DC, Bangalore Urban and concerned Tahashildar)**

9. The Committee also directed both the BDA and BBMP to prioritize and list out 64 lakes and 16 lakes respectively, in the order of “easiness” of eviction and provide the names of the first 5 lakes in the above order to the concerned Deputy Commissioner and Tahashildar to be tackled within a fixed timeframe.

**(Action: DC, Bangalore Urban, Commissioner BDA, Commissioner BBMP and concerned Tahashildar)**

10. The Committee directed the CCF, BBMP to bring out the details of the expenditure incurred and maintenance and also the works carried out relating to 5 lakes being maintained by the RWA.

**(Action: CCF, BBMP)**

11. The Addl. PCCF of KFD informed the Committee that there are 5 lakes under the KFD. He also informed the Committee that all the lakes are free of encroachment except about 1A-28G of encroachment in Madivala lake for which the Department

is taking appropriate action to evict. The Committee resolved that urgent action should be taken to evict the encroachment.

**(Action: Addl. PCCF (Land Records), KFD)**

12. CEO, LDA informed the Committee that there are 4 lakes under the custody of LDA. Out of these, 3 lakes viz., Hebbal lake, Nagawara lake and Vengaihanakere lake are being maintained under PPP model. In respect of Agara lake it was informed to the Committee that the development of this lake is under active consideration by the Government.

13. The Committee observed that proper co-ordination for management of Agara and Madivala lakes are necessary as they are intricately related.

**(Action: CEO, LDA and Addl. PCCF (Land Records), KFD)**

14. The Committee observed and suggested to the custodians of the lakes that the maintenance of lakes should be on sustainable basis in perpetuity. Therefore, the custodians of the lakes are directed to prepare DPRs for maintenance and management of lakes under their custody containing details of provision for public access, amenities, men, machine and materials with financial proposition. The DPRs should be prepared within a specified timeframe and submitted to the LDA for Technical opinion and approval. It was also resolved that post development maintenance of lakes shall be part and parcel of the original DPR in future.

**(Action: Commissioner BDA and Commissioner BBMP)**

15. The Committee desired and requested the Commissioner, Survey Settlement and Land Records to depute at least two surveyors for the time being to carryout the survey exercise and fix the boundary on the ground of lakes under the custody of various organizations. In this regard, all the custodians of lakes are directed to submit prioritized list of lakes to be surveyed to the Commissioner of Survey Settlement and Land Records. It was also resolved that necessary fee required for the said survey works is to be paid to the Survey Settlement and Land Records department by the departments in custody of the lakes.

**(Action: Commissioner SSLR, Commissioner BDA, Commissioner BBMP, LDA and KFD)**

16. The Committee observed that the attendance of the Commissioners of BBMP and BDA in the Apex Committee meeting shall be mandatory.

**(Action: Commissioner BBMP and Commissioner BDA)**

17. The Committee resolved that the Deputy Commissioner, Bangalore Urban District and the Commissioner, Survey Settlement and Land Records to be included as Members of the Apex Committee.
18. It was also resolved that jurisdictions of the custodians of lakes to be extended to 30 m from the periphery of the lake so as to ensure that there is no unauthorized construction in this buffer area, if required complaint may be filed before the BMTF for necessary action.

**(Action: BBMP, BDA, LDA, KFD and All the DCs)**

19. It was also decided that any petitions relating to lakes should be submitted to the jurisdictional lower executive committees before an appeal petition is filed before the Apex Committee.
20. It was also resolved that the Commissioner of Police shall be relieved of being the Member of the Apex Committee.
21. The Chief Conservator of Forests, BBMP informed the Committee that in both the preambles of GOs issued by the Revenue Department dated 02.05.2013 and the Urban Development Department dated 18.09.2013, though it has been mentioned that “ 6. *The Commissioner of BBMP shall be responsible for the proper maintenance and development of the lakes within the BBMP area.*” but the Commissioner, BBMP has not been empowered to convene meeting for the lakes within the BBMP areas irrespective of ownership. He suggested that the necessary corrigendum may be issued in respect of GO issued by the Urban Development Department dated 18.09.2013, thereby constituting a Committee with Commissioner BBMP as Chairman to look into the matters relating to lakes within the BBMP areas irrespective ownership. The Committee accepted the proposal and requested the Principal Secretary, Urban Development Department to issue necessary corrigendum to that effect. The CCF, BBMP also informed the Committee that survey of rajakaluves are under progress and so far 43 surveyors are being engaged for the purpose.

**(Action: Principal Secretary, UDD)**

22. It is resolve that names of all those lakes which are free from encroachment be uploaded in LDA website.

23. The proceedings of the 2<sup>nd</sup> Apex Committee Meeting shall be uploaded in the website.

**(Action: CEO, LDA)**

24. The Committee also resolved that all the concerned departments shall submit their agenda to the Member Convener, Apex Committee to be discussed in the Apex Committee meetings, well in advance.

**(Action: BDA, BBMP, LDA, KFD, DC Bangalore Urban and Commissioner SSLR)**

The meeting concluded with a vote of thanks.

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