

September 20, 2016

To,

The Commissioner,  
Bruhat Bengaluru Mahanagara Palike  
BBMP Head office,  
Hudson Circle,  
Bangalore-560002

*Handwritten signature and date 29/9/16*

Dear Sir,

**Sub: Unauthorised, Illegal and haphazard commercialization of Bengaluru**

Namma Bengaluru Foundation is an organization working towards making Bengaluru a model city, with well-planned infrastructure, well laid out neighborhood community models and people-driven governance measures. NBF aims to be the voice of the people; a voice that needs to be heard in order for Bengaluru to become a truly Global City.

We along with 17 Resident Welfare and Associations and 3 individuals are writing to bring to your attention a matter of grave concern (one which is causing immense hardship and inconvenience to scores of Bangaloreans) and requesting you to take immediate action against the offenders.

In the recent past, Bengaluru has faced a tremendous inflow of people and businesses which has led to rapid expansion of the city. This has led to a multifold increase in various commercial activities in the city.

However, it is a matter of concern that many of the businesses have failed to adhere to the laws/local bye laws while setting up their concerns and carrying on their commercial activities in complete disregard to the applicable statutes/ master plans/ zoning regulations/ bye laws etc. In fact, it is seen that in many cases, commercial activities are being carried on with impunity in purely residential areas / residential zones without securing the basic permissions from the Municipal Authorities while in many others, permissions have been obtained by misrepresentation / suppression of material facts.

These above mentioned actions of the various businesses has resulted in nullifying the various steps taken by the Development Authorities / Municipal Authorities / Courts of law for planned development/growth of the city and is causing immense strain on the infrastructure of the city especially those of residential areas that were meant to cater to the residential needs of the community and not built for handling the strain which commercial activities entail.

In many cases, it is also noticed that even when violations of the various laws are brought to the notice of the authorities concerned, they turn a blind eye and do not act on the Complaint. This has encouraged the persons who are carrying on the above mentioned activities and has resulted in more persons engaging in the same.

We understand that as provided under S. 14 of the Karnataka Town & Country Planning Act, 1961 ("**KTCP Act**"), every land use, every change in land use and every development in the area covered by the Revised Master Plan – 2015 ("**RMP 2015**") shall conform to the provisions of the KTCP Act and the RMP 2015.

The Government of Karnataka vide Notification No. UDD 105 MNJ 2008 dated 20/03/2015 ("**2015 notification**") has amended the RMP – 2015 as per the undertaking given in W.P. No. 3676/2008 before the High Court of Karnataka. As per the said notification –

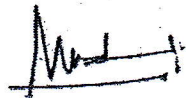
1. No commercial activity of whatsoever nature shall be allowed in residential main and residential mixed zones in the three rings, viz, Ring No. 1, Ring No. 2 and Ring No. 3 if road width is less than 40 feet.
2. The ancillary usage shall be permitted in residential main and residential mixed zones in Ring No. 1 and Ring No. 2 upto 20% of the built up area or 50 sq mts whichever is lower provided the width of the road is above 40 feet.
3. In Ring No. 3, the ancillary usages may be permitted as the main use in residential main and in residential mixed zones if the plot size is more than 1000 sq. mts., having a frontage of 10 mts. Or more and if the width of the road is more than 60 feet.

However, it is seen that in complete violation of the above mentioned provisions of the KTCP Act, the Zoning Regulations of the RMP 2015 and the 2015 notification, there is a rampant commercialization of residential areas in Bengaluru. This is not only illegal and contrary to the KTCP Act, the RMP 2015, the 2015 Notification and the BBMP Building Bye Laws but is also resulting in parking issues, drainage issues, water shortages, increased sound and air pollution and other hardships to the residents. In fact, many of the businesses are also carrying out their activities without obtaining the requisite trade licenses/health licenses required under the Karnataka Municipal Corporations Act, 1976 ("**KMC Act**").

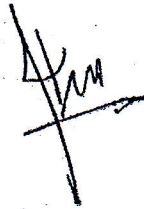
On various occasions, we have brought these violations to the notice of the concerned officials but note that they have failed to take any action and have failed to shut down the businesses being carried out illegally. Despite sufficient powers being granted under the KTCP Act and the KMC Act to the municipal authorities and despite the violations being prima facie evident, no action is being taken. In fact, the statutes even provide for criminal prosecution of offenders but it is hardly ever used by the authorities. This has resulted in a mushrooming of such activities in residential areas and unless strict notice of the said illegalities are taken and action to shut down such businesses is taken; the situation will only worsen.

It is expected in the interests of society at large that every municipal officer and servant has to discharge his official duties with the utmost diligence and expediency. Any willful or intentional delay or negligence in discharge of his/her duty is a dereliction of duty and he /she should be made liable for appropriate disciplinary action under the relevant

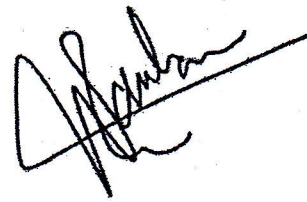




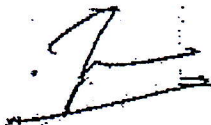
C M Subbaiah  
NERWA



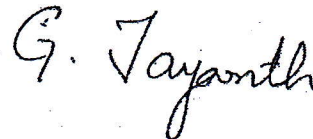
George Thomas K  
6<sup>th</sup> Block Koramangala



Nitin Kaulavkar  
HAL – II Stage RWA



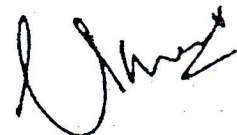
Vijayan Menon  
ST Bed RWA



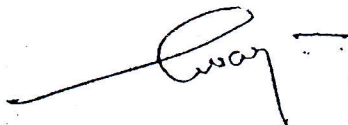
G Jayanth  
CWA HRBR 2<sup>nd</sup> Block



Gopi Krishnaswamy  
HAL 3<sup>rd</sup> Stage Tax payers & Residents Association



Vikram Mulki  
Decora



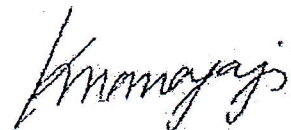
Swarna V  
Indiranagar 1<sup>st</sup> Stage League RWA



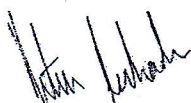
Praveen Sundaram  
Indiranagar 2<sup>nd</sup> Stage League



Sneha Nandihal  
BM Kaval Residents Welfare Association



Somayaji K V R  
JP Nagara 4<sup>th</sup> Phase Dollars Layout RWA

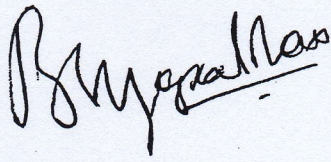


Nitin Sheshadri  
Koramanagala RWA

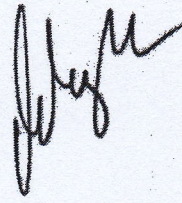


Praful Pillay  
6<sup>th</sup> Block Koramangala





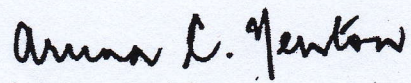
B R Gopal Rao  
Malleswaram Residents Welfare Association



Rajesh Ramar  
6<sup>th</sup> Block Koramangala



Ajeeth Jagannath  
KFB – RWA



Aruna C Newton  
HAL 2<sup>nd</sup> Stage CIVIC Amenities & Cultural Association