

For immediate Release – Update on Open Drain PIL

Accountability and Criminal punishment for Negligent Official sought by NBF

Bangalore, Jan 10, 2020: Today during the hearing of Open Drain PIL at the Karnataka High Court, the affidavit tendered by the State, states that the contractor responsible for the mishap which led to the death of the child has entered into an out of court settlement with the parents of the deceased. Namma Bengaluru Foundation (one of the petitioner) has sought that honourable High Court for action to be initiated against the errant official, which will be considered by the Hon'ble Court, at the next date of hearing i.e. 18.02.2020.

The Urban Development Department (further to High Court's direction) had filed an affidavit, updating the work in progress across various municipal corporations. The Court recommended that the UDD must direct all the local bodies to take up chain link fencing of open drains throughout the State, in terms of the earlier orders passed by the Hon'ble Court and adjourned the case for 3 weeks.

It is to be noted that, in the previous hearings we had highlighted to the Hon'ble Court that even though compensation has been granted by the State, no enquiry has been undertaken to affix responsibility on the negligent officials. We further submitted that as per the affidavit tendered by BBMP, it has been declared that BBMP will cover open drains, as and when funds are available. We submitted that BBMP cannot by-pass its mandatory municipal functions by using the ruse of lack of funds. Accordingly, BBMP had filed an affidavit, on a previous date that chain link fencing will be completed by September, 2020.

About the PIL

Namma Bengaluru Foundation on October 9, 2014 had filed a writ petition (**WP No. 47875 of 2014 | Open Drains PIL**) against the lack of accountability of various parastatal agencies that led to the death of nine-year-old Geetha Lakshmi in an uncovered storm water drain. The PIL has sought directions to the Urban Development Department and the Commissioner of the BBMP to prepare a comprehensive, time bound action plan for safety and security mechanisms for civic services like storm water drains and electricity supply. ***The petition has also sought directives to the state government to prosecute negligent Public officials, whose failure to carry out their statutory duties results in loss of life and limb.***

About Namma Bengaluru Foundation:

Namma Bengaluru Foundation is an NGO that works determinedly to Protect Bengaluru and the rights of its citizens and Neighbourhoods. It works through advocacy, partnership and activism for a better Bengaluru. The foundation acts as a platform for citizens to participate in the city's planning and governance, to fight corruption and ensure accountability of public money and government assets.

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