



CIRCULAR REGARDING ILLEGAL CONSTRUCTIONS ON BUFFER ZONES

The Government of Karnataka (The Urban Development Department) issued a circular dated 11.08.2021 (**the circular**) in light of the decision of the Hon'ble High Court of Karnataka dated 14.07.2021 in W.P. No. 38401/2014 with respect to constructions on lake buffer zones.

The circular, relying on the decision of the High Court, has ordered that all illegal buildings and structures built on buffer zones – 30 meters from the boundaries of lakes and other water bodies.

DEFINITION OF “TANKS”

The definition of tanks under Section 2(1)(g) of the Karnataka Tank Conservation and Development Authority Act, 2014 –

““Tank” or “Ponds” or “Lake” means an inland water-body irrespective of whether it contains water or not, **but mentioned in revenue records** as sarkari kere, kharab kere, kunte, katte or by any other name and includes the peripheral catchment areas (Rajakaluve) main feeder inlet and other inlets, bunds, weirs, sluices, draft channels, outlets and the main channels of drainages to and fro; but does not include,- Medium Irrigation tanks which has command area more than 2000 Hectors and above.”

This means that even man made canals, bunds, weirs, and sluices would be covered under the above definition. Further, the boundaries of the waterbodies would be taken as per the revenue records even if the lakes do not contain water anymore.

Therefore, any structure or building constructed within 30 metres of any waterbody falling under the above definition would be liable to be demolished under the circular.

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