

**Before the Hon'ble Empowered Committee on
Bengaluru Roads**

**Constituted per interim direction of
Hon'ble High Court of Karnataka**

In

**Writ Petition (PIL) No. 7107/2008
Bengaluru 560002**

Petitioners Interim Application No. 1/2008

Bengaluru, 23 July 2008

In. Re.: Making of interim arrangement with respect to felling of trees and road widening

Sir/Madam,

The Hon'ble High Court of Karnataka in its interim order dated 28 June 2008 in WP (PIL) No. 7107/2008 has conferred power to the above said committee at para 8 as follows:

"The above Committee constituted by the 6th respondent would pass such orders as are necessary by taking into consideration all the suggestions that may be offered by the above newly added members as proposed by both the petitioners and 6th respondent's counsel keeping in mind the various legal grounds urged in the Petition and also to see that the sustainable developmental works are carried out to widen the roads in the City in the larger interest of public." The further observation conferring power to make interim arrangements is found at Page 10 Para 3, which is as follows:

"The parties are at liberty to request the Committee for an interim arrangement with regard to widening of the roads and the felling and replanting of trees in urban area where the widening of the roads work is launched and executed."

Obligation is also imposed that the "Committee constituted by respondent No. 6 under the Statute are duty bound to take into consideration the views of the public before any developmental works is to be undertaken keeping in view the public interest. It is needless to mention that the suggestion, if any, by the public would necessarily have to be considered, provided they are in true larger public

interest, within the realm of law and in furtherance of sustainable developmental works to be carried on by the Statutory Authorities.” (emphasis supplied)

There is also a further obligation to “hear the parties” which would include the Petitioners. The observations at Para 9 (1) of the interim order which are relevant are as follows:

“The Committee would hear the parties, the Committee constituted by the 6th respondent to which we have directed to include the name of 6 persons suggested as above and such state officials are required, to determine the issues regarding the widening of roads, the felling of trees and also trees replanting in the city as required under Section 8 (5) of the Karnataka Preservation of Tree Act, 1976”.

PRAYER

In the light of the above observations, this Hon’ble Committee is called upon to make an interim arrangement as regards 1) Tree Felling and b) Widening of roads, as follows:

- a) The ongoing felling of trees across Bengaluru pursuant to the orders annexed at **Annexures AT (series)** in WP No. 7107/2008 shall be deferred till such time any decision is taken by this Committee with respect to the road widening process as envisaged in the orders annexed to the said petition at **Annexure AR (series)**.
- b) No tree felling or road widening civil works can be executed unless the said proposal is placed before the Committee to take a decision in accordance with the directions issued by the Hon’ble High Court of Karnataka in the aforementioned WP.

Thanking you for your cooperation and support.

Yours sincerely

For Petitioner – 1
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