

**Before the Hon'ble Empowered Committee Constituted per
interim direction of Hon'ble High Court of Karnataka
in
Writ Petition (PIL) No. 7107/2008
Petitioners Interim Application No. 5/2008**

Bengaluru, 08 December 2008

**To:
The Chairperson and Members
Empowered Committee Constituted in WP No 7107/2008
C/o Bruhat Bengaluru Mahanagara Palike
Bengaluru**

**Submitted by:
Petitioners in WP No. 7107/2008**

Dear Sir/Madam:

Enclosed is a copy of letter No. EE-2/RW/BBMP/PR/79/08-09 dated 01 December 2008 apparently issued by Executive Engineer, No. 2, Road Widening Division, BBMP (Respondent -6) and addressed to the 3rd Petitioner and is self-explanatory.

Per the order of the Hon'ble Lok Adalat of 19 November 2008 pursuant to the direction of the Hon'ble High Court of Karnataka in WP No. 7107/2008 (PIL), the pending applications of the Petitioners ought to be disposed off by the Hon'ble Empowered Committee by way of a reasoned order.

The pending applications of the Petitioners, in particular Petitioners' Interim Applications 1 to 5, establish that the ongoing road widening programmes are in blatant violation of the Karnataka Town and Country Planning Act, among other legislations.

When such matters are pending before the Hon'ble Committee for due consideration and disposal, it is a matter of great concern to us that Respondent - 6 and his subordinates are issuing letters, such as the one enclosed, which exposes their contempt for the confidence reposed by the Hon'ble High Court in this Hon'ble Committee, and its capacity to deal with the issues latent therein.

When the matter has been seized of by this Hon'ble Committee which is considering the Petitioners' Interim Applications seeking for stay of the ongoing civil works and tree felling relating to road widening, the action of the officials concerned has the effect of interfering with the decision making process and undermining the authority of this Committee. Further, if this letter is indeed issued legitimately, then it amounts to Contempt of Court.

Hence,

- A) We urge this Committee to take suitable steps to initiate action as is deemed appropriate against all the officers involved in the issuance of this letter, and in particular the following:
- 1) Mr. Jyothirmalingam, IAS, Principal Secretary, Dept. Of Urban Development, Government of Karnataka
 - 2) Dr. S. Subramanya, IAS, Commissioner, Bruhat Bengaluru Mahanagara Palike
 - 3) Executive Engineer, No. 2, Road Widening Division, BBMP
- B) Issue appropriate directions to all concerned that unless and until this Hon'ble Committee decides, no statements should be made by concerned officials which may prejudice the decision making process.

Bhargavi S. Rao
Trustee
Environment Support Group
Petitioner - 1

Leo F. Saldanha
Party in person
Petitioner - 2

Kathyayini Chamaraj
Executive Trustee
CIVIC Bangalore
Petitioner - 3