

**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. 6/2008

Bengaluru, 10 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:

We applaud the decision of the Hon'ble Empowered Committee to have evolved the Draft Terms of Reference (TOR) for the functioning of this Committee based on submissions made by Members and Petitioners. Once the TOR is finalised, we hope that this process will lead us to a long term and productive result in progressive management of traffic, evolving public transportation systems and ensuring the safety of the public at large, in particular the weaker sections of society.

We believe such progressive steps would also ensure that the charm and greenery of the city will be retained while protecting the rights and livelihoods of many who are directly or indirectly affected by the projects proposed by agencies that come under the purview of the PIL in WP 7107/2008. We further applaud the "promise" of the Hon'ble Chairman that all the projects, current and prospective, that come under the purview of the legal grounds in the PIL (WP 7107/2008) will be implemented only in compliance with law as directed by the Hon'ble High Court of Karnataka in its interim order dated 28th June 2008.

In this regard, we draw reference to our Interim Application-5 where we have raised serious concerns over the manner in which the Respondent - 6 (Bruhat Bengaluru Mahanagara Palike) and Respondent - 2 (Department of Urban Development) are acting in variance of the Hon'ble Court's directives and urge the Committee to take action as prayed for and uphold the rule of law.

In our oral submissions today, we have established the importance of ensuring that projects are implemented in full conformance with the Karnataka Town and Country Planning Act and this is not in dispute. Considering which, we submit that the proposal of Respondent 6 to widen Sheshadri Road must and should comply with the provisions of the Karnataka Town and Country Planning Act, the Karnataka Preservation of Trees Act, the Karnataka Municipal Corporation Act, the applicable policies evolved by the Government of India, etc. as directed by the Hon'ble Court.

The Hon'ble Chairman elicited opinion of the members with respect to the proposal to widen Sheshadri Road and there was no consensus. In such a situation it is our submission that per direction of the Hon'ble High Court of Karnataka this case must be referred to the Hon'ble Lok Adalat for appropriate resolution.

We also submit that our pending Interim Applications will be decided upon and that this Hon'ble Committee would pass orders in its next meeting on 17th December 2008.

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

Sunil Dutt Yadav
Advocate for Petitioner 1 and 3