

24th November 2015

To all those it may concern

Nil Statutory Public Consultation before Planning of Bangalore Metro:

During the preparatory phase of the Bangalore Metro plans (2003-2005), there was little or no discussion with the public at large about the project, its need, its impacts, etc. In fact, most statutory requirements to consult the public were flagrantly violated. This precipitated a situation where those directly impacted by loss of property and livelihoods were caught by surprise and had to take to the streets asserting their Right to be heard before a decision was taken. Their untiring efforts to convince the Government that building a Metro, if needed, can also be done humanely and with due consultation and transparency, fell largely on deaf ears. They suffered.

The possibility of finding far more effective and less expensive public transport modes, that could immediately remedy the public transport crisis in Bangalore, while also making the city functional, was also comprehensively ignored. There were then efforts to convince the Government that the Metro alignments could be so designed as to cause least impact on life and livelihoods, on public spaces, on parks and open spaces, on the city's form and structure, its functionality, etc. There were debates organised by various public forums, to which Metro officials came. But rarely did anything they promised in public translate into action later. *Not one Statutory Hearing was held as required per the Karnataka Town and Country Planning Act, 1961.*

Major goof ups and losses in Phase I of the Bangalore Metro:

The building of Phase I of the Bangalore Metro has been characterised by various technical problems several of which were forewarned, but ignored. As a result there have been massive cost-overruns. The 42 kms section estimated to cost Rs. 5,000 crores in 2005, is now likely to cost over Rs. 14,000 crores, and is yet far from complete. Besides, the city has paid dearly, both in terms of economic losses, loss of form and structure, and also loss of trees. One only hopes that the Phase I of the Metro gets done fast so that the city can return to a modicum of functionality.

Ritual Consultations, but only about felling of Trees?

It appears Bangalore Metro does not want to learn from the many mistakes it committed while implementing Phase I. In what appears to be an attempt to ritually consult the public, the BBMP Tree Officer called for a meeting in Sadashivanagar on 17th November 2015 seeking public feedback on the proposed felling of 313 very old and giant trees (the vestigial remains of the living heritage of Bangalore, 190 trees on Kanakapura Road and 123 trees on Mysore Road) for constructing further phases of the Metro. Barely a day's notice was given, so there was only the participation of the 1 individual from the "public".

Bowing to widespread public protests over such ritualistic organisation of Hearings, the meeting was postponed and it is now called again at the same venue at **3 pm on 24th November 2015,**

Tuesday at IPP Conference Hall, Malleshwaram 16th Cross (Near Chowdaiah Memorial Hall) on Tuesday, 24th November 2015. The notice calling for this meeting issues an ominous threat that this will be "the last meeting, and no more meeting will be convened in this regard under any circumstances. The matter will be discussed and decided in the meeting". There is no statutory authority for any agency of the Government to issue such a threat to the public, not when no information has been priorly shared, and especially not when the meeting is held 20 kms. from the impact zones.

Flagrant violation of law and directions of the Karnataka High Court:

There are several problems with this meeting. While this is about felling of trees, the question arises if this decision can at all be taken when the Bangalore Metro and various other agencies are flagrantly violating the due process of public consultation and statutory clearances relating to land use changes as mandated in the Karnataka Town and Country Planning Act, 1961. When this issue was raised before the Hon'ble Karnataka High Court in a PIL ([W.P. No.13241/2009, Environment Support Group and ors. vs Bangalore Metro and ors.](#)) prior to the inception of the Phase I of the Bangalore Metro, it took a while for the case to reach the final stage of Hearing. By then the Metro construction had begun overlooking almost all concerns that were raised. The Principal Bench of the Karnataka High Court [decided the matter](#) on 16th November 2010 when it found that it could do little about the Phase I of the project as construction had already begun. However, the Court held that the violations could not be sustained in the future expansion of the Metro, and held that:

"if a direction is issued to the State Government, as also, the Bangalore Development Authority to ensure that in future, in case they desire to change the land use, as has been depicted in the master plan, the competent authority shall follow the procedural mandate depicted in Section 14-A of the Karnataka Town and Country Planning Act, 1961 And likewise in case of making a town planning scheme, the State Government, as also the Bangalore Development Authority shall comply with the procedure contained in Sections 29, 30, 31, 32 and 34 of the Karnataka Town and Country Planning Act, 1961"

"(n)eedless to mention, that in case of violation of direction issued by this Court, based on statement made to this Court, the concerned officer/official shall be held responsible, for his having disobeyed the order passed by this Court, as also, the prescribed mandate of law". (emphasis supplied)

This decision was never challenged by Bangalore Metro, and is thus binding on them and all other agencies involved. Till date this direction of the High Court has also not been complied with. Thus Bangalore Metro Chief and various other officials of other implementing agencies, are guilty of Contempt of Court for actively engaging in investing public monies without precedent statutory clearances.

To put it another way, the decision of felling trees can only be taken if the Project sought prior land use changes as per the Karnataka Town and Country Planning Act. Bangalore Metro and Bangalore Development Authority have not as yet initiated steps seeking public consent for

securing such clearances for Phase II of the project. Clearly, therefore, they are fundamentally violating the law and contemptuously disobeying categorical directions of the Karnataka High Court.

Its NOT only about trees. It's about upholding the Honour of the Court; making Democracy work:

So it is not only about trees. Yes, trees do matter immensely in a city which has lost most of its tree cover in the past two decades. But the decision to fell them or not, can only be taken after the Phase II of the Metro is cleared in accordance with law as specifically directed by the Karnataka High Court. Since Bangalore Metro has not followed this statutory procedure, the entire exercise of holding the hearing about felling of trees is *void ab initio*, for it is violative of the law and absolutely contemptuous of the honour and dignity of the High Court of Karnataka. Unless, this callous disregard for procedures contained in law and continuing Contempt of Court is immediately corrected, individual officers will be held accountable for Contempt of Court.

Way forward:

The correct way forward for Bangalore Metro would be to first comply with procedures of the Karnataka Town and Country Planning Act, be transparent in their decision making by at least conducting the minimal public consultations on the overall project (not just the tree felling) as mandated in law, by putting out all its proposed plans in the public domain and first securing the necessary clearances for land use changes and budgetary approval. Only then can Bangalore Metro move forward to secure permissions felling of trees, if at all found necessary.

Endorsed by

1. Leo Saldanha
Environment Support Group
1572, Ring Road
Banashankari II Stage
Bangalore 560070
Tel: 91-80-26713560~61
Email: leo@esgindia.org
2. Bhargavi. S. Rao
Environment Support Group
1572, Ring Road
Banashankari II Stage
Bangalore 560070
Tel: 91-80-26713560~61
Email: bhargavi@esgindia.org
3. Shashikala
shadrishya@yahoo.com
4. Davis George Thomas
davis@esgindia.org
5. Nikhita.L
nikhita@esgindia.org
6. Vinay Sreenivasa
No. 122/4, Infantry road,
Bangalore-560001
7. Kishen Das
2065 Oakland Rd
San Jose , CA 95131 , USA
kishen.das@gmail.com
8. C N Kumar
18, 4th Cross, 1st block Jayanagar,

- Bangalore 560011
9. Pradeep Esteves
79 5th Street, Bank Avenue,
Babusapalya, Bengaluru 560043
e-mail:pradeepsteves@gmail.com
10. Rajesh Shah
163 Laughing Waters
Varthur Road
Bangalore 560066
shahrv@gmail.com
11. Dwijendra Nath Guru
593 Dundubhi
24 th Cross
Banashankari 2nd Stage
Bengaluru 560070
dnguru@gmail.com
12. Deepa Mohan
mohandeepa@gmail.com
13. Abhayraj Naik
Visiting Faculty, Azim Premji University,
Bangalore
abhayraj.naik@apu.edu.in
14. Arun S Padaki
G8, Goodearth Malhar Footprint
Behing RR Medical College, Kambipura
Mysore Road, Kengeri,
Bangalore 560060
15. Nirupama Sarma,
20 Nanjappa Road, Shantinagar,
Bangalore 560027
nirupama.sarma@gmail.com
16. Prem nivas
premnivas96@gmail.com
17. D T DEVARE
A-102, Natasha Golf View,
Ring Road, Domlur,
- Bangalore 560071
Tel: 25357656/ 41147102
devare@vsnl.com
18. Ashwin Kumar
ashwnp@gmail.com
19. Ashwin Venkatesh
ashwin.venkatesh83@gmail.com
20. Maanavi reddy
maan.reddy@gmail.com
21. Parvathy Nair,Gagrats,
12th Floor, Nirmal,
Nariman Point,
Mumbai- 400 021
22. Raghunandan Hegde,
Srinagar, Bangalore
23. Madhurya Balan
#B2 Pioneer Residency
New Thippasandra
HAL III Stage
24. Mohammed Rafiq
Address : #885, 31-Cross, tilaknagar,
Bangalore - 560041
Email I'd : naturesmate@gmail. Com
25. Sumathy Nagendra
98866 53376
26. Sundar Muthanna
sundermuthanna@yahoo.com
98453 28128
Bangalore
27. Ravi Rajpal
ravirajpalr@gmail.com
28. Sumeet
sumeetsony@yahoo.co.in
29. Gurumoorthy M
#207, Maangalya Prosper Apt
JP Nagar 9th Phase,

- Anjanapura
Off Kanakapura Road
Bangalore 560062
mguru.aid@gmail.com
30. M.Venkatesh
73/3,Rangarao Road
Shankarpuram
Bangalore
venkateshm@yahoo.com
31. Pratap Antony
Passive activist.Active pacifist
Flat 7 - Block 5 Rukmini Devi Colony
West Marredpally, Secunderabad
500026, India
Phone: 91 40 27803161
32. S V Gopal
9986117910
33. Chetana Ganesh
1/2, S-3,rohini classic apts
1st cross, behind food world
amarjyoti layout
sanjaynagar
blr-94
34. Srikant Kapuganti
#679, 29th Main,
Corporation Colony,
Jayanagar 9th Block,
Bengalooru - 560 069.
35. Name: Dr K Uma
Address: Flat C, Saraswathy Apts, 16th
Cross, 14th Main, Malleswaram,
Bangalore – 560055
umak235@gmail.com
36. Srivatsa M Rao
#92,,Mallehapalya,
Bangalore -5600075
37. SUPARNA GANGULY
- NO. 302, BRIGADE LAVELLE 1
7TH CROSS, LAVELLE ROAD
BANGALORE – 560001
suparnaganguly@gmail.com
38. Amitava Bhattacharjee
L-203 Mantri Woodlands
Arekere, Bannerghatta Road
Bangalore 560076 India
Tel: +91 (80) 5121 5197
amit3@hotmail.com
39. Mallikarjun.L.S.
32,8th Mian Road,RMV Extension,
Sadashivnagar,Begnluru-560 080.
mallik.ls@gamil.com
40. Usha Rao
B 1 White Oak Apt, 35 D Costa Layout
1st Cross
Cooke Town Bangalore 560084
Former Resident teacher of Valley School
Kanakapura Road.
41. C. T. Kurien
F-205 Raheja Residency
Koramangala 3rd Block
Bengaluru 560 034
42. Dwraakanathdm Md
dwarakanathdm@gmail.com
43. Adithya Pradyumna
1, 1st Cross, HAL 3rd Stage, New
Thippasandra Main Road
Bangalore 560075
adithya.pradyumna@gmail.com
44. Ayonam Ray
#331, 1st Floor, 7th Cross, Ferns City,
Doddanakundi, Marathahalli Outer Ring
Road, Bengaluru - 560037
ayonam@gmail.com
+91-98456-67483
45. Harini Nagendra

- 81 Rainbow Residency
Sarjapur Road, Junnasandra
Bangalore 560035
harini.nagendra@gmail.com
46. Gautam Sonti
003 Savoy, 3 Coles Road,
Fraser Town, Bangalore 560005
9880713335
47. Pruthvi M
[E-mail:bhoomi.pruthvi@gmail.com](mailto:bhoomi.pruthvi@gmail.com)
Contact Number:9738818867
Address: #258 Chinnappa Building 1st
Block Peenya Bangalore
48. Ashok Shrimali
Secretary General
Mines Mineral And People
Mobile Number 09825023180
Email Id shrimalia15@gmail.com
49. Hema Ramakrishna:
Cricket House Apartments, No. 34, 16th
Cross, Malleswaram,
Bengaluru 560055.
hema.ramakrishna@gmail.com
50. S. Gopal
B 304 Renaissance Rainbow
Kundalahalli
Brookefields,Bangalore 560 037
51. Sumati Surya
A302 Vaishnavi Splendour,
RMV II 560094
sumatisurya@gmail.com
52. Jaidip KT
ktjaidip@gmail.com
108 Rachanamada Road, Off Kanakapura
Road, Near Valley School
Thatguni, Bangalore 560082
53. P SRINIVAS
SOIL, No.2, 2nd Cross,
Annayappa Block, Kumara Park West,
Seshadripuram, Bangalore 560 020.
Mobile: +919483467779
54. Dharma Somashekar
dsomashekar@hotmail.com
1188, 3rd cross 26th main 1st phase
J P Nagar Bangalore 560078
55. S. Ananthanarayanan
Address: C-511, Sena Vihar,
Kammanahalli Main Road, Kalyan Nagar,
Bengaluru 560043.
Phone: 99021 68703
Email: anarayanan@gmail.com
56. Sudha Narasimhachar
HIG 1212, 8th B Cross
Yelahanka Satellite Town
Bangalore- 560064
wordsofsudha@gmail.com
57. Chandra Ravikumar
chandravikumar@hotmail.com
Tel. 22447578
No. 5, 5th Main, 4th Block, Jayanagar,
Bangalore – 560011
58. Ashish Peter
87ashishpeter@gmail.com
59. Divith Savarkar
divith.savarkar@gmail.com
60. Aditi surendran
aditisurendra@gmail.com
61. Shruthi Kalvani
Address : 1/2, 1st floor, Sarvapriya Vihar,
New Delhi, 110016
E mail: shruti.kalvani@gmail.com
62. Preet Pankil Shah
A/302 Abhiyaan Apartments, B/h St.
Xaviers High School Loyola Hall,
Naranpura, Ahmedabad - 380013,
Gujarat.

preetpshah28@gmail.com

63. Saraswathy Ganapathy
697 15th Cross Road
Bangalore 560078
saras.kg@gmail.com

64. sitara Thomas
Sitarathomas12@gmail.com

65. Harshini Kapoor
harshinikapz@hotmail.com

66. Diana
dreadlocksdiana@gmail.com

67. Veena Chalam
Abhilasha, First Floor,
21/26 Craig Park Layout
Bangalore 560 001

68. Rufina Dsouza
rufinapatriciadsouza@gmail.com

69. kushal Nga. R. Nichani
Kushal7137@yahoo.co.in

70. Cheryl Bragg
Cheryl@esgindia.org

71. Nishanth S.Miranda
nsmiranda751@gmail.com

72. Akarsh Sudershan
15.akarsh@gmail.com

73. Tejaswi Shetty
tesjaswi.1287@gmail.com

74. Vishanth Kothari
vishant.k89@gmail.com

75. Sarah Isreal
sarah.isreal07@gmail.com

76. Aishwarya Arun

ash.arun@gmail.com

77. Mathew John
mathewnote531@gmail.com

78. Sheshadri. Ramaswamy
sheshatree@gmail.com

79. Ramana Gowra
20 Sankey Road cross
Bangalore – 560052
ramang@rocketmail.com

80. Praveen Kulkarni
#6, 6th Main , KHM Block,
Bangalore

81. Chetana Ganesh
1/2, S-3,rohini classic apts
1st cross, behind food world
amarjyoti layout
sanjaynagar
blr-94
chetuh@yahoo.com

82. Chatrasal Singh
chatsalsingh@gmail.com

83. Maithri Mai
maith.r@gmail.com

84. Rosemary Vishwanath
rosemary.vishwanath

85. Tessa Thomas t
essyachamma@gmail.com

86. G Viswanath
gvish59@gmail.com

87. Sridhar raman
sidhar.raman@gmail.com

88. Ashok Urs
print.tulipprint@gmail.com

89. Preethi
preethiravi777@gmail.com

90. Shylaja Varma
Shyvarma@gmail.com

91. Usha Rao
ugreentara@gmail.com

92. Siddhant
lifeline2@gmail.com

93. P.RamyaBala
ramyabalap@gmail.com

94. Ashok Halku(signature)

95. Surya Prakash Reddy
suryaprakashreddy1950@gmail.com

96. M.s.Venkatesh Pramod
msrp1234@gmail.com

97. Mallikarjun L.S
mallik.ls@gmail.com

98. Deepak
deep.srin@gmail.com

99. Prajval Shastri
prajval.shastri@gmail.com

100. Anupama M
R3, Abhinitha Vijay Enclave No 119, 6th
Main Postal Colony, Sanjaynagar,
Bangalore - 560 094
9740338000

101. Shantha
samvedha.sha@gmail.com

102. A.Bhanu
bhanu1963@gmail.com

103. Padma Ashok
padmaashok@gmail.com

104. Mohammed Rafi
roooffus@gmail.com