

2009

Namma Metro – A Study



Chinmay

Centre for Budget & Policy Studies

C B P S

Centre for Budget and Policy Studies

Foreword

The Centre for Budget and Policy Studies has been examining government accounts to unravel the real priorities behind government policies. All governments make all kinds of promises. To keep a promise they must raise and spend money. This information is contained in budgets. What a government does, as opposed to what it says it is doing, can be gleaned from this source. But while a budget tells how money is raised [by taxes] and where it is spent, it does not tell us if the money is spent well or wisely. That requires detailed information on how projects and programmes are decided upon and audit to see how they are spent. These are complex issues of political economy.

The cost of the Bangalore Metro has been stated to be 6000 crores of rupees, but it is likely to be much more. This money has come from taxes we pay to the union, the state and the city corporation. It also has a loan component from a foreign agency. And it addresses a major issue in the city. There is little doubt that Bangalore needs a mass transit system; it should have got one twenty years ago.

Chinmay has documented the protest against the alignment of the Bangalore Metro in the Jayanagar area of Bangalore in mid 2009. He has attended many meetings, met many persons involved, and read the documents available. He has done a remarkable job of presenting an impartial record of what happened. This record merits careful study by all who wish to make an impact on the way large projects are designed and implemented in the country.

The report, while detailed and informative, leaves many questions open. How was the Namma Metro designed? Why was the original plan, approved in 2004, confined to the boundaries of the Bangalore of 1981? The north point was Yeshwantpur, near the Indian Institute of Science, and the south point was near Rajalakshmi Nursing Home in Jayanagar. By 2004, the city had grown many kilometers on both these sides. The government claimed to have had public consultations. In some formal way this may be true, but the spirit of consultation—meetings in convenient locations, at convenient times, with advance notice and an open agenda—were probably not held. Again, what was the role of the local government--the Bangalore Mahanagar Palike which is an elected city government? Of course it has few powers, but even then it was not consulted. By the time of implementation, its term had expired, a new Bruhat Bangalore Mahanagar Palike had been formed, but no elections had been held. To ignore local government in such a large project does not seem wise, to say the least. This is nothing new in India. The civil society is right in saying that proper consultations were not held. Had they been held properly, much of this could have been sorted out.

During the protests, it emerged that the alignment that was being protested against was not what was recommended as the optimal one by the Detailed Project Report. Why was the optimal route not accepted? How was it changed? Who was responsible? There are no answers to these questions. The secrecy with which the State functions is undesirable. Openness would have done away with the need for such democratic—yet fruitless—protests that waste the time of many people.

There is also the problem in civil society. When the first protests were made in Chinmaya Mission Hospital Road, before construction began, it was an isolated voice. It raised important issues, but they fought a lone battle. Those who led the protest later in Jayanagar knew about the Metro and its alignment, but they kept quiet. Why not join forces and make it a city issue that requires answers? Later when they protest the alignment along Nanda Road, there was no one to come to their aid. They began the protest after construction began; it was too late. The BMRCL which was responsible for construction could not take up the issues raised, which fall into the domain of the Government. Wrong time, wrong target.

When it is clear that the city needs a metro, and when there are sophisticated studies, clearance by an environmental group with credible membership, loud protests and moral sentiments can get nowhere, as Chinmay shows. The protesting groups had no alternative to offer. When asked for details on other options, they refused to provide them, saying the BMRCL must do so. The protest lost credibility fairly fast.

The final protest—a shraddh ceremony—also probably did little to get them sympathy. This mock brahminical ritual—must have alienated more people.

This report brings out the context in which protests take place in India. This is probably typical of many others. There is a core of truth in the issue raised. There is secrecy in government functioning and decision making that provides a foundation for discontent. But there is also a lack of participation, of preparation, of a reasoned argument in the protests.

I hope this case study will help us understand the role of civil society better, and also help us to form coalitions in which the gaps identified can be filled so that in future, public participation in decision making is more fruitful.

Vinod Vyasulu
Director

Acknowledgements

At the very outset, I would like to thank Dr. Vinod Vyasulu for allowing me to work with CBPS on this topic, for continuously guiding me in my research and for fine-tuning the draft document. I would also like to thank Dr. Poornima Vyasulu, for encouraging me to take up this topic for research, Dr. Shashikala Sitaram, for comments on a previous draft and meticulous analysis and pointers on the final draft and everyone else at CBPS for their support. Thanks are also due to Mr. Leo Saldanha of Environment Support Group, Vinay Sreenivasa and Kanishka of Hasiru Usiru for sparing their time while providing me valuable information.

*Chinmay**

** About the Author*

Chinmay is a second year Business Management student pursuing his B.B.M degree from Christ University, Bangalore. For his internship with CBPS in the summer of 2009, his research was on the documentation of the protests against the metro alignment on C.M.H Road, in Lalbagh and on Nanda Theatre Road Bangalore which culminated in the present paper.

Table of Contents

1. Introduction	8
1.1. <i>Objective of the Study</i>	8
1.2. <i>Limitations of the Study</i>	8
2. Background: Namma Metro	9
2.1. <i>Benefits of the Metro</i>	10
2.2. <i>Limitations of the Metro</i>	10
3. Break-up of Funds	11
4. Issues Relating to Planning of the Metro	11
4.1. <i>Chinmaya Mission Hospital Road Alignment</i>	11
4.2. <i>Lalbagh and Nanda Theatre Road Stretch Alignment</i>	12
5. Stakeholders Involved	13
5.1. <i>Bruhat Bengaluru Mahanagara Palike</i>	13
5.2. <i>Bangalore Metro Rail Corporation Limited</i>	13
5.3. <i>Civic Bodies</i>	14
5.3.1. <i>Hasiru Usiru</i>	14
5.3.2. <i>Environment Support Group</i>	14
5.3.3. <i>Maraa</i>	15
5.3.4. <i>Sanmathi</i>	15
6. Summary	24

Table of Figures

A Map of Phase One of the Metro Alignment	8
C.M.H Road	10
Lalbagh	10
Nanda Theatre Road	11
Hasiru Usiru Padayatra on 21/04/09	14
Flyer 1	15
Flyer 2	16
A map of the alternatives suggested by ESG and HU	17
Shraadh Ceremony organized by Sanmathi and Hasiru Usiru	18
Baiyappanahalli Station	19
Deepanjali Nagar Station	20
Lalbagh Station	20

List of Abbreviations

Abbreviation	Description
BBMP	Bruhat Bengaluru Mahanagara Palike
BMRCL	Bangalore Metro Rail Corporation Limited
CMH	Chinmaya Mission Hospital
DPR	Detailed Project Report
ESG	Environment Support Group
GOI	Government of India
GOK	Government of Karnataka
HU	Hasiru Usiru
IFS	Indian Forest Service
KSCA	Karnataka State Cricket Association
KR Road	Krishna Rajendra Road
MG Road	Mahatma Gandhi Road
NGO	Non- Governmental Organization
PIL	Public Interest Litigation

1. Introduction

Bangalore is one of the most developed cities in India. The city being at 3000 ft above sea level has an excellent climatic condition that had always attracted people from pan-India and has been traditionally known as a Pensioners' Paradise. Additionally, the city has been recognized globally as the technology hub of India leading to a large number of multinational companies setting up their business operation. Consequently, it has a large, growing population saturating the existing traffic system. That has resulted in the need for another mode of local transport - a mass rapid transportation system that can result in decongesting city's road network. A metro rail system was found to be the most suitable solution, and the Government therefore set up the Bangalore Metro Rail Corporation Limited (BMRCL) to plan and implement the project. BMRCL has drawn up a plan to implement phase-I of the project as North-South and East-West corridors with stretches named *Reach 1, 2, 3 and 4*. The *reach 1* stretch of the East-West Corridor is between Byappanahalli terminus and Cricket Stadium (KSCA) and passes through Chinmaya Mission Hospital (C.M.H) Road in Indiranagar and M.G. Road in Cantonment area. Similarly *reach 4* of the North-South corridor is between Majestic and Puttenahalli passing through Lalbagh and Nanda Theatre Road. All these tracks on *reach 1* and *reach 4* have fully grown trees on both sides of the designated track route putting out a lush green canopy all along.

This metro project has been designed in such a way that it requires chopping and destroying many trees and some private properties along both *Reach 1* and *Reach 4* stretches. The metro rail also occupies a small portion of Lalbagh which is a botanical garden in Bangalore. It was initially a private garden made by Hyder Ali one of the most famous rulers of Old Mysore in 1760. It is now public land and is under the department of horticulture, Karnataka. Its wide range of flora has earned it a place in the gardens of the world. It is regarded as one of the best gardens in the East for its layout, maintenance, scientific treasures and scenic beauty. Its environment is such that it attracts many people for morning and evening walks. The decision of the government and BMRCL to occupy this land of heritage and sentimental value has angered the public. This has resulted in extensive protest by the public in an attempt to force BMRCL to re-align the tracks to limit such destruction of environment.

1.1. Objective of the Study

The main objective is to study and record the details of the Bangalore Metro and the public response to the track alignment on Chinmaya Mission Hospital (C.M.H) Road and also on the Rashtriya Vidyalaya (RV) Road and Nanda Theatre Road stretch.

1.2. Limitations of the Study

- Information discussed in this report may not be complete as some information remains inaccessible.

- Constant discussions and updating of information has made it difficult to keep track of all events related to this issue.

2. Background: Namma Metro

Bangalore Metro also known as Namma Metro is a project started by the Government of India and Government of Karnataka as a new and economical mode of transport in Bangalore. The metro will run on electricity. The purpose behind this is to make mass transportation eco friendly. The government thus encourages the public to use this mode of transport. This transport facility would cost about 1.5 times that of Bangalore Metropolitan Transport Corporation thus making it affordable to all middle class citizens. The estimated cost of this project was rupees 6395 crores.

The Bangalore Metro weaves through the bustling commercial and residential areas of the city. The first phase of Bangalore Metro, consisting of two corridors of double line electrified, will cover a total of 42.30 km. The East-West corridor will be 18.10 km. long, starting from Byappanahalli and terminating at Mysore Road terminal, going via Old Madras Road, Indiranagar, C.M.H. Road, Ulsoor, Trinity Circle, M.G. Road, Cricket Stadium, Vidhana Soudha, Central College, Majestic, City Railway Station, Magadi Road, Hosahalli, Vijayanagar and Deepanjali Nagar.

The 24.20 km. North-South corridor will begin at Hesarghatta Road Terminal and terminate at Puttenahalli going via Mahalakshmi, Rajajinagar, Kuvempu Road, Malleswaram, Swastik, Majestic, Chikpet, City Market, K.R. Road, Lalbagh, South End Circle, Jayanagar and Puttenahalli.

Out of the 42.30 km., 8.822 km. will be underground near City Railway Station, Vidhana Soudha, Majestic and City Market and most of the rest will be elevated.

To construct a metro of this size, trees have to be felled and parks will have to be destroyed. In certain areas private property will also have to be acquired. A map of the alignment of phase 1 of the metro is indicative of this.



A Map of Phase One of the Metro Alignment¹

(The line in red indicates the underground portion of the metro whereas the blue line indicates an overhead metro rail)

2.1. Benefits of the Metro mode of transportation

- Faster mode of transport at reasonable prices
- Safer and more comfortable mode of transport
- Better connectivity within the city
- Greater frequency hence making it more convenient for the commuter
- Traffic decongestion at several busy intersections
- Environment friendly transport facility

All this signifies development.

2.2. Limitations of the Metro mode of transportation

- Loss of parks and trees which could increase pollution levels
- Loss of private property in certain areas
- Noise pollution in places where metro goes overhead
- Users would mainly be people of the middle class although there may be a few exceptions.
- Possibility of vendors causing chaos at metro stations

¹ Source: BMRCL website www.bmrc.co.in

3. Break-up of Funds

As per approval of GOI in their letter dated 11 May 2006, the total project outlay envisaged is Rs. 6395 crore, which is proposed to be financed by way of Equity, Subordinate debt and senior term debt as per the pattern given in the table.

A table showing the expenditure of the government.²

Particulars	GOI	GOK	Total
1. Equity	959.25 (15%)	959.25 (15%)	1918.50 (30%)
2. Subordinate debt	639.50(10%)	959.25 (15%)	1598.75 (25%)
3. Sub-total (1+2)	1598.75(25%)	1918.50 (30%)	3517.25 (55%)
4.Senior Term debt			2877.75 (45%)
Grand Total			6395.00 (100%)

Note: A **subordinate debt** is a debt which ranks after all other debts and a **senior term debt** also known as long term debt is a loan taken against the collateral value of property.

According to sources the cost of construction has now been increased to approximately Rs. 9000 crore in the same proportion.

4. Issues Relating to the Planning of the Metro

There are two stretches of the metro which the public finds inconvenient namely

4.1. Chinmaya Mission Hospital Road Alignment Issue

An alignment of the metro that people find inconvenient is on C.M.H Road of *reach 1*. Mr. Imtiaz who owns property on this road and fighting this case in court says that a lot of trees have been felled and this alignment is not suitable as private property could be destroyed. He says that Old Madras Road would be a better alignment. The judgment of the case was heard after vacation and the alignment was not changed.

² Source: BMRCL website www.bmrc.co.in



C.M.H Road³

4.2. Lalbagh and Nanda Theatre Road Stretch Alignment Issue

The metro alignment on this stretch is a major cause for concern as it involves felling of many trees (the exact number of trees is not known although according to sources the Detailed Project Report (DPR) gives a figure of 323 trees. (However this number has not been confirmed). A detailed description of the problem on this stretch is given below.



Lalbagh⁴

³ Source: Bangalore.citizenmatters.in

⁴ Source: The Hindu website (www.thehindu.com)



Nanda Theatre Road⁵

5. Stakeholders Involved

There are five stakeholders involved namely the Government of Karnataka, Government of India, BBMP, BMRCL and the public out of which the major stakeholders are the BBMP, BMRCL and the public. The Government of Karnataka and Government of India as of now have no plans of changing the alignment.

5.1. Bruhat Bengaluru Mahanagara Palike (BBMP)

The trees of Lalbagh have made way for the metro; however the tree officer Mr. Venkateshappa has said that he has not passed any orders for the felling of trees in Lalbagh. The BBMP has booked the BMRCL for the felling of trees in this area but then again most of the trees felled are eucalyptus trees for which the BMRCL does not require the permission of the tree officer.

5.2. Bangalore Metro Rail Corporation Limited (BMRCL)

Bangalore Metro Rail Corporation Limited is a Government Company implementing Bangalore Metro Rail Project. The BMRCL after being appointed by the government is constructing the metro as commissioned. They have been booked by the BBMP for the felling of trees without an order from the tree officer. They have also been accused of hiring child labourers for the construction on Nanda Theatre Road. However they hold the contractor responsible and refuse to take the responsibility for this action. Protestors say that the BMRCL has not shared information with the public which is one of the main causes of the protest. A member of the Hasiru Usiru Mr. Vinay Sreenivasa says that when he asked the BMRCL for a soft copy of the Detailed Project Report (DPR), they said that it was not available and a hard copy was made available to them after several requests. The Managing Director of BMRCL Mr. N.

⁵ Source: ariseindia.blog

Sivasailam attended a protest organized by the Hasiru Usiru organization and answered a few questions put forward by the public. The answers did not satisfy them. The BMRCL is now following government instructions and will continue to do so until and unless there is a change in alignment. 14

Some details of the project are available on the BMRCL website.

5.3. Civic Bodies

As pointed out earlier, there are two stretches of the metro that have turned out to be problems for the public namely C.M.H Road and Lalbagh and Nanda Theatre Road stretch.

The protests can further be classified as follows:

Against the Metro Construction on Nanda Theatre Road and Lalbagh Stretch

A number of NGOs stand against the decision of the government to construct the metro along R.V road where the metro station would come up in Lalbagh. The construction of this station would mean that a part of Lalbagh would have to be occupied and many trees have already been felled. The overhead metro will then go onto Nanda Theatre Road where again a large number of trees will have to be felled and will have to make way for it. The percentage of Lalbagh that is going to be acquired for the metro would be approximately 0.2%; however this has not been confirmed.

The following civic bodies are involved in the protests

5.3.1. Hasiru Usiru (HU)

Hasiru Usiru is a network of concerned citizens of Bangalore who want Bangalore to live up to its "Garden City" epithet and are concerned about the conservation of public commons, open spaces and greenery. Since 1998, Hasiru Usiru has served as a platform to explore various approaches to resolve urban challenges, through meetings, workshops, awareness campaigns, and public interest litigations. A key concern has been to develop sensitivity among implementing agencies involved in urban infrastructure development towards the role of the public in decision making, and to ensure that projects are developed in conformance with law, and equitable benefits to all sections of society⁶.

5.3.2. Environment Support Group (ESG)

Environment Support Group (ESG) is an independent not-for-profit non-governmental organization, founded in 1996 and registered as a Public Charitable Trust in 1998. Its main functions involve research, training, campaign support, and advocacy on a variety of environmental and social justice issues. ESG is amongst the foremost proponents in India for the reform of environmental decision making processes urging that the same be made more participatory and environmentally and socially just. ESG initiated or supported campaigns have been largely successful despite the nature of the issues being

⁶ Source: Hasiru Usiru website www.hasiruousiru.org

highly controversial and politically sensitive with national-level implications. In acknowledgement of its influencing role, ESG's services have been sought by a variety of regional, national and international agencies.

Environment Support Group is an openly structured organization that has achieved high levels of participation in its activities from its Full Time Staff, Trustees, Volunteers and Advisory Panel⁷.

They have been successful in organizing protests on a large scale and getting media coverage.

5.3.3. Maraa

Maraa means 'tree' in Kannada, the local language of Karnataka. They are a group who are interested in doing anything which is related to media, creative arts, and even personal expression. They support the Environment Support Group and Hasiru Usiru.

5.3.4. Sanmathi

Sanmathi is an association formed by a group of women who want to save all parks and Lalbagh for their children. Ladies of Sanmathi are not willing to trade their children's health for any activity whether the activities are for development or otherwise.

The Residents of Jayanagar and Other Affected Citizens

Although some people stand in favor of the construction of the metro as it signifies development, there are a few people who are against this project as it leads to the degradation of the environment. This is caused by the felling of trees in certain areas. This has angered the public and led to a series of protests.

The Hasiru Usiru NGO along with the **Environment Support Group** has started these protests and has public support to a certain extent which was seen at the protests. Another NGO, **Maraa** has also joined them in their protests. They also have the support of **Sanmathi**, a group of women who want to save parks for their children. There have been a few protests. The picture below was taken during one such protest. They say that if a part of Lalbagh and other green spaces are being acquired for the metro now, there is no guarantee that they will not do it again for other projects. There are other concerns such as traffic problems outside Lalbagh as there is going to be a metro station constructed at that site. One more problem stated by environmental activists is that none of the metro stations provide for a car parking facility except at terminals. A **human chain** was formed as a sign of protest followed by the **protest march** from **South End Circle** in Jayanagar to **Lalbagh West Gate** where many flyers were distributed.

⁷ Source: ESG website www.esgindia.org



Hasiru Usiru Padayatra on 21/04/09

SAVE LAKSHMAN RAO PARK! SAVE LALBAGH!



Let's convince the Chief Minister,
TOGETHER.
Come in **LARGE** numbers.

9th May, 2009, 8:00-9:00 am,
Nanda Road, 32nd Cross Junction

*It IS possible to build Namma Metro
WITHOUT
destroying Lal Bagh
and Lakshman Rao Park.*

Know Your Metro
The Detailed Project Report (DPR) of the Bangalore Metro confirms that the current Southern alignment was chosen because of 'easy availability of 'Government Land'. Such 'Government Land' includes the park along K.P. Road (destroyed last year), Lalbagh (currently being destroyed), and Lakshman Rao Parks (soon to be destroyed). **323 trees on this stretch will be cut!**

But is a public park Government land? Or public land?
The DPR reports that large areas of Lakshman Rao Park are required for electric sub-stations, trains to travel through, transition area for malls, parking spaces, bus and auto stands.

The DPR admits that metro is not 'financially viable', so to recover costs, a residential suburb will soon become a bustling commercial zone. This will happen everywhere the Metro train runs.

**Let's reclaim our Parks, let's make it truly NAMMA Metro.
Make a choice and make its effects last a lifetime.**

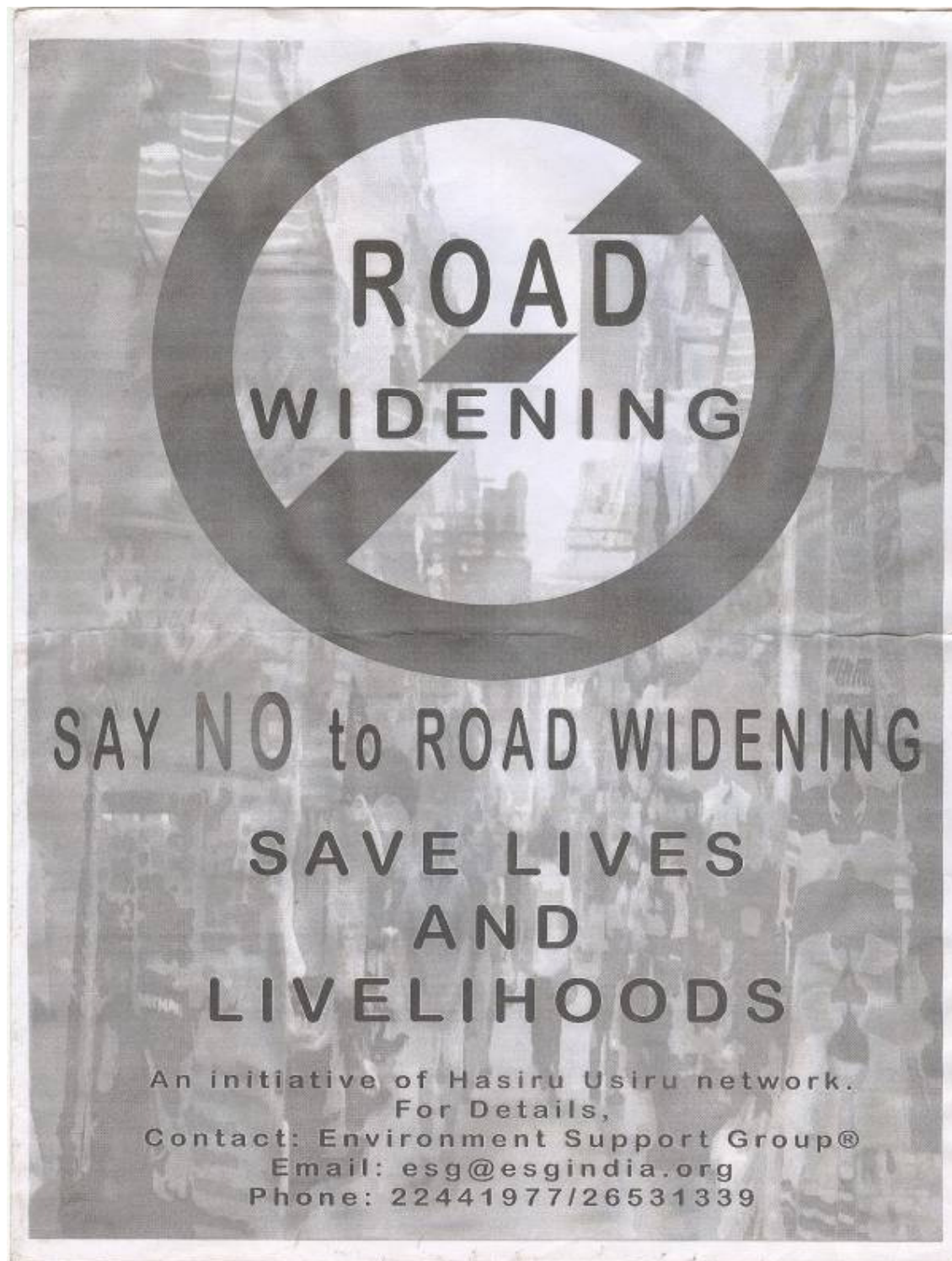
Hasiru Usiru - 98802 63974 : email: hj.bangalore@gmail.com : www.hasirugroup.org
 Maras - 41488264 : email: info@maras.in : www.maras.in
 Environment Support Group : esp@espindia.org : www.espindia.org
 L.R.Park Walkers association - 3449826805 : Seemathi - 973122824

Send your number to 9902535473 for sms updates; Join hasirugroup@yahoo.com for email updates

Co-ordinated by Maras, Seemathi, Hasiru Usiru, Environment Support Group and Lakshman Rao Park Walkers Association

Flyer 1⁸

⁸ Source: A scanned copy of the flyers issued to the public at the protests



Flyer 2⁹

Another **protest march** saw protestors walking from **Lalbagh West Gate** to **Nanda Theatre Road**. A week later a workshop was held as a public awareness program. The Hasiru Usiru volunteers shared information from the Detailed Project Report (DPR) acquired from the BMRCL with great difficulty which gives a detailed description of the metro plan. They said that the public is being violated

⁹ Source: A scanned copy of the flyers issued to the public at the protests

of its right to information as the BMRCL does not let the public in on its plans. They discussed alternative routes for the metro which have already been mentioned in the DPR. The first route being straight down K.R Road to Banashankari without touching Nanda Theatre Road or Lalbagh. Another route suggested was from K.R road taking a turn towards Jayanagar complex on Patalamma Temple Road (transit station). It skips Nanda Theatre Road altogether and goes to 9th main. The third is to go underground.

A map of the alternatives suggested by ESG and HU.¹⁰

(The dotted line indicates option 1 and the broken line indicates option 2
The straight line indicates the current alignment)



There are obvious alternatives to the southern alignment of the metro.

Option 1: No zigzag, straight on K.R. Road to the Banashankari

Option 2: On K.R. Road the metro line takes a turn toward the Jayanagar complex on Patalamma Devasthanam road [transit station]. It skips Nanda road altogether and goes on 9th Main.

The metro can go underground where space is a constraint and over ground other places.

The day after the workshop, members of HU along with the residents of Jayanagar assembled at Lalbagh when they heard that the trees at Lalbagh were being felled. They started hugging the trees as a sign of protest thus preventing further felling. The members of Hasiru Usiru had a meeting with Mr. Krishna Bhat the Deputy Commissioner of Police Bangalore South and Mr. Ramesh Chandra, Assistant Commissioner of Police, Jayanagar to protect public property and trees from such illegal activities. They believe that the Chief Minister Mr. Yedyurappa has been wrongly advised on this issue and has thus taken this stand. Hasiru Usiru has an advocate Mr. Sunil Dutt Yadav who supports their cause and claims that what the BMRCL is doing is illegal. They have managed to

¹⁰ Source: A presentation made for the workshop conducted by ESG to keep the public informed about the metro project.

get a lot of media coverage through their protests. They have managed to get a little over 3500 online petition signatures. A Public Interest Litigation (PIL) was filed in the High Court on May 13, 2009. A gist of the PIL is included in Annexure - I.

On hearing the presentations from both sides on 21 May 2009, the High Court considered it inappropriate to interfere with the project and refused to stay the on-going work. That was a big disappointment to the protesting groups.

After this Hasiru Usiru along with Sanmathi organized a mock **shraadh (cremation) ceremony** for the trees of Nanda Theatre Road. A picture showing the shraadh ceremony has been attached below.



Shraadh Ceremony organized by Sanmathi and Hasiru Usiru

It is rumored that some of the protestors including women have received serious threats to their lives.

Major General S.G Vombatkere, a retired army officer supports Environment Support Group. At a meeting he said that in the long term interest of the state there should be no cutting of trees at all and doing compensatory planting is not the answer although it is better than doing nothing at all. He also says that the carbon footprint of the city should be looked at before constructing a project of this magnitude and social justice should be done by consulting the public before implementing it.

In Favor of the Metro Construction on Nanda Theatre Road and Lalbagh Stretch

The **Federation of Jayanagar Residents Association** supports the metro construction on this stretch. They have put up banners saying that they want the metro on Nanda Theatre Road. They organized a public discussion with the Managing Director of BMRCL and the residents of Jayanagar who had gathered there and decided to make a compromise. They agreed to the current alignment

on the condition that the BMRCL would plant trees elsewhere after felling the trees on the Lalbagh and Nanda Theatre Road stretch; however they represent a minority of the residents of Jayanagar. This may lead to an argument within the resident community of this area. A case has been filed by the protestors against the secretary of this association as he was not willing to cooperate with the organizations involved in the protests. The case has been filed by the members of ESG and HU.

Artist’s impression of a few metro stations as per the BMRCL website gallery



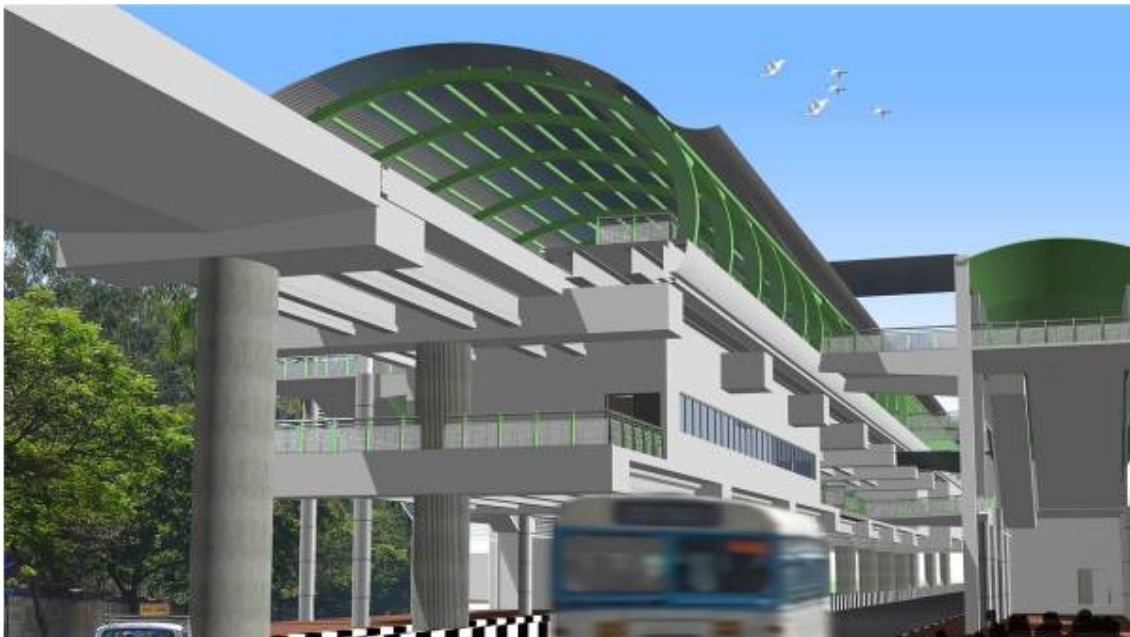
Baiyappanahalli Station¹¹



Deepanjali Nagar Station¹²

¹¹ Source: BMRCL website www.bmrc.co.in

¹² Source: BMRCL website www.bmrc.co.in



Lalbagh Station¹³

Members of the ESG who are doing a detailed study of the project say that the stations shown above will not be constructed in the manner shown; instead asbestos sheets will be used to build the roofs of the stations and these designs may not be used.

6. Summary

The traffic congestion has been a perennial problem in Bangalore and the road linked development has reached the brim. Bangalore metro has been a long awaited project envisaged by the government to provide mass rapid transportation to the citizens of Bangalore and to ease the congestion on the roads.

The BMRCL, after being appointed to implement the project 'Namma Metro' has developed a project design that will require chopping of fully grown trees in many stretches of the Phase-I project corridors. That has attracted widespread resistance in some sections of the four initial reaches of the metro now under implementation, and also encountered serious criticism by the public for environmental destructive planning that would bring down thousands of fully grown trees. The controversy of the metro stretch on C.M.H Road and another on Lalbagh and Nanda Theatre Road has drawn the attention of the media. The media has helped the protesting groups to mobilize support from the public. After a number of protests and online petition signatures ESG and HU filed a PIL in the High Court, but the court however has refused to stay the on-going project in Lalbagh and on Nanda Theatre Road while admitting the PIL. The Federation of Jayanagar Residents Association supports the government's decision of constructing the metro on this stretch as per the planned alignment. Also, rumours have it that the protestors have been threatened to stop their protests. A police case has been filed against the secretary of the Association mentioned above in relation to threats received by the protestors.

¹³ Source: BMRCL website www.bmrc.co.in

During the protests, it also emerged that the alignment that was being protested against was not what was the optimal in the Detailed Project Report (DPR). It puzzles why the optimal route was not accepted for implementation? There appears to be many gaps between the DPR and the project implementation on ground. One wonders if there would be any professional deficiency in the system that will be delivered as a public utility. 23

This development Vs environment preservation controversy and the project planners have to deal with this more holistically than what is being done now, with appropriate public sensitivity. Mr. Yellappa Reddy, environmentalist and an ex-officer of the Indian Forest Service (IFS) who was the Environment Impact Assessment and Monitoring Committee chairman of Namma Metro submitted his resignation alleging that he had been kept in the dark about the environmental initiatives undertaken by the BMRCL. As published in Deccan Herald, in his resignation letter, addressed to BMRCL Chairman N Sivasailam, Reddy claimed the five-member expert committee constituted to examine the implications of the project on the city environment has not been convened even once during the past two years, though thousands of trees are being felled, to make way for the project. "If I as chairman of the committee have not been informed about the environment initiatives undertaken, what will be the plight of the people", he stated in his letter¹⁴.

The C.M.H Road alignment case relating to building demolition has been unresolved even as of date although the court has permitted BMRCL to proceed with the work. The affected public has been knocking on the doors of justice periodically on some issue or the other.

There is also the problem in civil society. Initially the protests in C.M.H Road issue, before construction began, were an isolated voice. It raised important issues, but they fought a lone battle without involving the public at large. Those who led the protest in Jayanagar knew about the Metro and its alignment earlier, but were quiet initially. Later when they protested against the alignment along Nanda Road, not many came to their aid. They began the protest after the construction began; it was then too late and the High Court refused to stay the work. The BMRCL which was responsible for construction could not take up the larger issues raised, which required the Government attention. There were, therefore, many mis-matches and mis-timings.

Building a metro is without a doubt an essential aspect of a growing city like Bangalore but there should be an end to the periodic conflicts and fights between the public and the agencies set up by the government. The government may also consider forming a project-public committee that would include the representatives of the environmental NGOs, the committee should present the views and disagreements, if any, at the project planning stage itself than at the implementation stage.

¹⁴ Source: Deccan Herald Sunday 25th October 2009

Annexure – I: PIL Case Facts:

“Environment Support Group, Leo F. Saldanha and Hasiru Usiru have filed a PIL in the Hon’ble High Court of Karnataka challenging the Govt. ordinance and notifications relating to Lalbagh land transfer to Namma Metro. Hon’ble Justices N. K. Patil and V. Jagannathan constituting a Division Bench (on vacation) heard the PIL and ordered notices on the Respondents to appear in the matter during its hearing on 21 May 2009.

The case presents the facts that:

- 1) The Ordinance issued by His Excellency the Governor of Karnataka on 22 November 2008 alienating a portion of Lalbagh (for Metro) and Indira Gandhi Musical Fountain Park in Cubbon Park limits (for road widening) has lapsed as the Government of Karnataka failed to get an assent to a Bill to replace the Ordinance when the Legislature met subsequently.
- 2) Prior to the issuance of the Ordinance, i.e. on 20 November 2008, the Karnataka Industrial Area Development Board issued a Sec 28 (1) Notification for acquisition of a portion of Lalbagh for the Metro.
- 3) That even when the Ordinance has lapsed, the Government proceeded to issue an Order to Horticulture Dept to alienate 1135 sq metres of Lalbagh for Metro. This portion was to be sold by Horticulture Department to BMRCL, which in turn can put it to any use that it deems fit in future.

Presenting the case, Counsel Sunil Dutt Yadav argued that the entire alignment through R. V Road is in blatant violation of the Karnataka Town and Country Planning Act, which the Hon’ble High Court in PIL WP 7107/2008 (Environment Support Group and ors, vs. State of Karnataka and ors.) has held must be strictly complied with along with the Karnataka Preservation of Trees Act. In the instant case, trees have been felled inside Lalbagh in blatant violation of these laws. A document of the Horticulture Department was produced to reveal that no permission has been taken prior to felling trees inside Lalbagh. And similarly no notification has at all been issued in conformance with the KTCP Act or Government Parks Act to set aside portions of Lalbagh, Lakshman Rao Park and K. R. Road for the Metro and its stations, and similarly from the Fountain Park for BBMP. If such is the case inside some of the most protected parks in the State, the fate of other such spaces in other parts of the State can only be imagined.

When the Court queried the Respondents for compliance, BMRCL was not able to demonstrate such. Taking note of the earlier stay order against felling of trees directed by the Court in PIL No 12954-12957/2009, the Court ordered the case to be listed for hearing again on 21 May 2009. To the prayer for extension of the stay against tree felling, the Division Bench explicitly stated that tree felling could not be undertaken as there was an undertaking to that effect from the Respondents, and they would not violate such an undertaking to the Court¹⁵.

¹⁵ Source: An e-mail communication from Mr. Leo Saldanha of ESG to the public. A copy of the entire PIL is also available on the Hasiru Usiru website mentioned earlier.