

**BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI**

ORIGINAL APPLICATION NO. 182 OF 2025

Bengaluru Praja Vedike and 2 others Limited

.....Applicants

Vs.

State of Karnataka and 6 others,

.....Respondents

**INDEX TO TYPED SET OF PAPERS FILED ON BEHALF OF THE
6TH RESPONDENT**

#	<u>DATE</u>	<u>PARTICULARS</u>	<u>PAGE NO:</u>
1.	-	Counter Affidavit	1 - 10
ANNEXURES			
1.	24.03.2025	Letter for Consideration of Imposed Penalty	11 - 12
2.	-	Vakalat	13 - 14

The above documents are certified to be true copies of their respective originals.

Dated at Chennai on this the 29th day of April, 2026.


COUNSEL FOR PETITIONER

**BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI
ORIGINAL APPLICATION NO. 182 OF 2025**

Bengaluru Praja Vedike, And 2 Others ... Applicants

Versus

1.State of Karnataka And 6 Others ... Respondents

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 6,
RODIC CONSULTANTS PVT. LTD**

MOST RESPECTFULLY SHOWETH

I, S.T. Ravishankar, S/o Late S. Thimmappa, aged about 57 years, presently working as Vice President (Environment and Sustainability) at Rodic Consultants Pvt. Ltd., having its office at #91, Richmond Ruby, Level 3, Langford Gardens, Richmond Road, Bengaluru 560025 Respondent No. 6 herein, do hereby solemnly affirm and state as under:

1. That I am the Authorised Representative on behalf of Respondent No. 6 and I am conversant with the facts and circumstances of the present application and as such am duly authorised and competent to swear this affidavit.
2. At the outset and without prejudice to the submissions made herein, Respondent No.6 denies every allegation, averment and/or any submission made by the Applicants against Respondent No.6 except those which are a matter of record and/or expressly admitted hereinunder. Nothing herein shall be deemed to be an admission by the Respondent No.6 unless specifically admitted herein.



Ravishankar

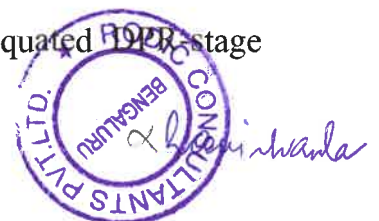
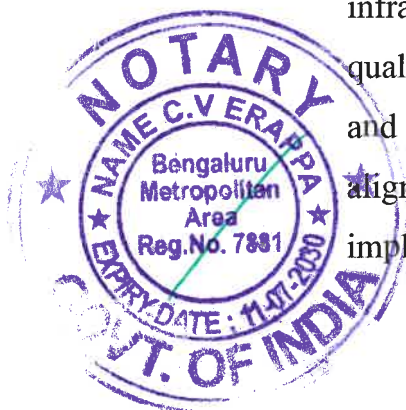


3. Moreover, it may be relevant to note that the very same issue is presently sub judice before the High Court of Karnataka at Bengaluru in W.P. (C) No. 28664 of 2025, titled Dr. Adikesavalu Ravindra v. State of Karnataka & Ors. It is therefore respectfully submitted that since an identical issue is pending consideration before the Hon'ble High Court, judicial propriety warrants that this Hon'ble Tribunal refrains from proceeding with the matter.
4. Without prejudice to the aforesaid, it is submitted that the present Original Application is not only misconceived both in fact and in law, but also based on speculative apprehensions and incomplete appreciation of the project framework, and is therefore liable to be dismissed at the threshold. The Applicants have proceeded on generalized assertions without placing any cogent technical material to substantiate the serious allegations made against the Respondents. The Application, in essence, seeks to substitute expert technical evaluation with conjecture, which is impermissible in proceedings of the present nature.
5. It is respectfully submitted that Respondent No. 6 was engaged through a duly notified, transparent and competitive tender process for preparation of the Detailed Project Report (DPR). The scope of work entrusted to the answering Respondent was confined to preparation of a DPR in accordance with the Terms of Reference, applicable standards, and established engineering practices. The DPR has been prepared independently, based on scientific methodology, technical inputs, and accepted planning principles, and cannot be challenged on vague or unsubstantiated grounds.
6. The project originates from the broader objective of addressing congestion along the North-South corridor of Bengaluru, identified as a critical bottleneck under the Comprehensive Mobility Plan (CMP) 2020).



Respondent No. 7, a specialised consultant, conducted detailed studies and submitted a feasibility report recommending tunnel corridors integrated with existing elevated corridors, including connectivity between Esteem Mall to Kempegowda International Airport and Silk Board to Electronic City. The tunnel option emerged from this structured assessment and was not predetermined. The feasibility process also included public consultation initiatives such as the “Brand Bengaluru” programme and the “Sugama Sanchara Bengaluru” vertical, through which stakeholder inputs were actively considered.

7. The allegation that the project is arbitrary, pre-determined, or politically motivated is emphatically denied. The project has its genesis in the broader objective of addressing persistent traffic congestion in Bengaluru, particularly along the North–South corridor, which has long been identified as a critical mobility bottleneck. The feasibility study undertaken by a specialised consultant identified the necessity of augmenting capacity along this corridor, and the tunnel option emerged as one of the technically viable solutions. The decision-making process involved multiple stakeholders, technical evaluations, and policy considerations, and cannot be reduced to a simplistic narrative of arbitrariness.
8. The contention that the DPR has been prepared in undue haste and suffers from material deficiencies is without merit and hence deserve no consideration. The DPR was submitted by the answering Respondent on 10.02.2025 and therefore was completed within the contractual timeline, which is consistent with the nature and scale of corridor-level infrastructure projects. The timeline does not indicate any compromise in quality or diligence. It is submitted that a DPR is, by definition, a planning and pre-execution document, intended to assess feasibility, identify alignment options, and provide a conceptual and technical framework for implementation. The Applicants have erroneously equated DPR stage

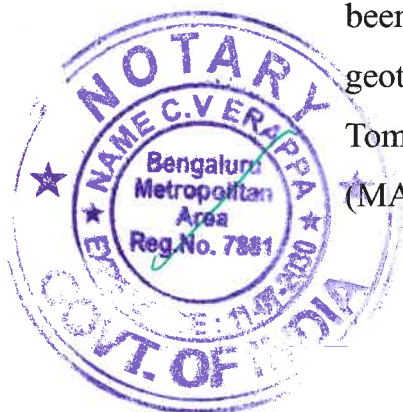


outputs with execution-stage requirements, which reflects a fundamental misunderstanding of project development processes.

9. It is further submitted that the DPR incorporates comprehensive technical inputs, including traffic modelling, corridor analysis, geometric design considerations, and geotechnical and drainage assessments. The Applicants have not produced any expert material to demonstrate any deviation from accepted engineering practice. The traffic modelling has been undertaken using accepted methodologies and is based on available data, demand projections, and future growth scenarios. Such modelling is inherently predictive and scenario-based, and is intended to evaluate relative improvements in traffic flow, travel time, and network efficiency. The DPR does not claim absolute elimination of congestion but assesses corridor-level benefits, which is consistent with standard practice in urban transport planning.

10. The allegation that the DPR contains factual inaccuracies or lacks credibility is denied as baseless and misconceived. It is submitted that a minor compilation error in the executive summary was identified and addressed, and an appropriate penalty was imposed as a corrective measure. Such isolated clerical issues cannot be construed as undermining the overall integrity of a comprehensive technical document. The substantive analysis, methodology, and conclusions of the DPR remain unaffected and continue to be valid.

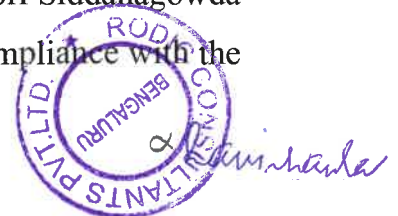
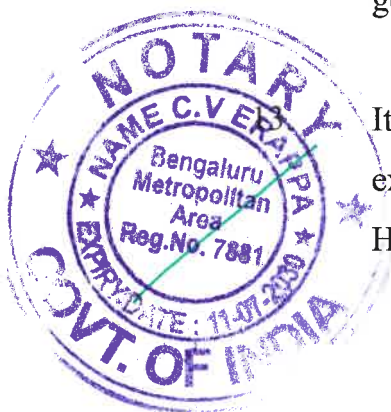
11. The Applicants' contention that essential studies relating to geology, hydrology, flood risk, biodiversity, and environmental impacts have not been undertaken is incorrect and hence denied. The DPR incorporates geotechnical and geophysical investigations, including Seismic Refraction Tomography (SRT) and Multichannel Analysis of Surface Waves (MASW), conducted in accordance with IRC: SP:91-2019 and IS: 17883-



2022. These studies provide preliminary but essential inputs regarding subsurface conditions and informed feasibility and alignment decisions. Detailed and specialised seismic investigations are typically undertaken at a later stage, depending on the tunnelling methodology proposed, such as NATM or TBM, during detailed engineering and execution. In established engineering practice, advanced site-specific studies are conducted only after the alignment and construction methodology are finalised, as part of the subsequent phases of project development. The Applicants' insistence on completion of all such studies at the DPR stage is misplaced and contrary to standard industry practice. It is denied that biodiversity or environmental considerations have been ignored. The DPR addresses environmental aspects relevant to the planning stage. It is clarified that the enumeration of trees within the corridor alignment has been completed and the number is specified in the Executive summary of EIA. Further, "Technical Schedule E, Section 2(b) of the bid document specifies that the responsibility for issue of permission for felling of trees rests with the user agency/State Government.

12. It is also denied that the DPR fails to consider environmental implications or that it omits critical risk assessments. The DPR addresses environmental considerations relevant to the planning stage and incorporates design features intended to mitigate potential impacts. The allegation that the project poses an inherent risk of flooding is unfounded. Tunnel infrastructure of the present nature is designed as an impervious system with integrated drainage and water management mechanisms. Such systems are routinely implemented in urban infrastructure projects and are governed by established engineering standards.

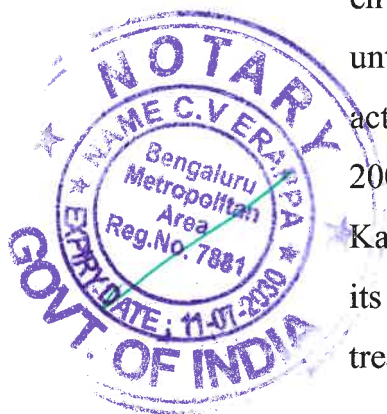
It is submitted that the Detailed Project Report was duly placed before and examined by a Technical Expert Committee headed by Sri Siddanagowda Heggareddy, Executive Director, BMRCL, and upon compliance with the



observations and recommendations of the said Committee, the project was subjected to further scrutiny by the competent authorities and thereafter approved by the State Cabinet. The approval was granted only after due technical reviews and evaluation at multiple levels, thereby evidencing a structured and rigorous decision-making process. The project, being a significant infrastructure initiative aimed at addressing long-standing traffic congestion in Bengaluru, has accordingly progressed in accordance with such approvals.

14. With respect to the allegation regarding the “Executive Summary of the Draft Detailed Project Report” containing a reference to a Maharashtra project, it is further submitted that the same was an inadvertent compilation error, which was duly identified by the concerned Authority. As a corrective and cautionary measure, a penalty of INR 5,00,000 was imposed upon the answering Respondent to ensure greater diligence in documentation and to maintain professional standards. The said error was promptly acknowledged by the answering Respondent and does not in any manner affect the substantive findings or technical integrity of the DPR. Further, it is denied that a penalty of INR 10,00,000 was imposed for additional errors. A true copy of the letter 24.03.2025 sent by the answering Respondent to Bruhat Bengaluru Mahanagara Palike is annexed herewith as Annexure-A.

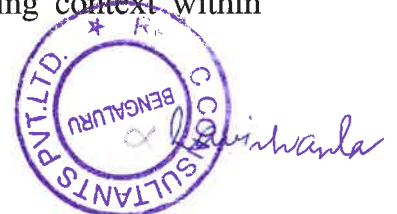
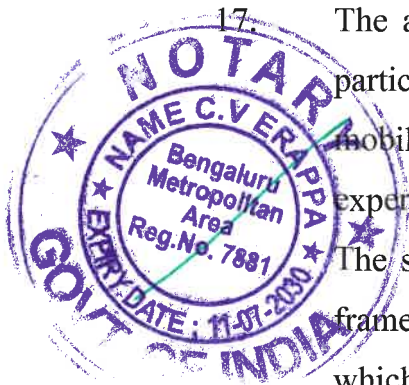
15. The contention that the project has been advanced in violation of environmental laws, particularly the EIA Notification, 2006, is wholly untenable. The proposed tunnel project is an underground infrastructure activity that does not fall within the Schedule of the EIA Notification, 2006. Accordingly, prior Environmental Clearance is not required. The Karnataka State Environment Impact Assessment Authority (SEIAA), vide its communication dated 26.11.2024, clarified that the project is to be treated as a road project and assessed under highway provisions. As the



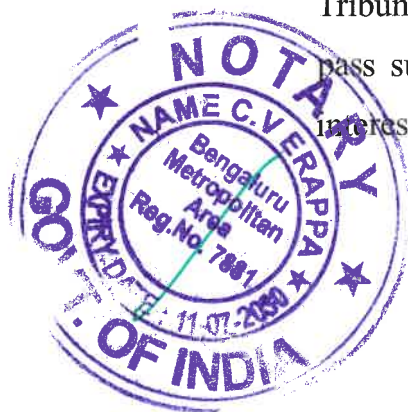
length is below 100 km, the project is exempt from prior Environmental Clearance. The said determination is based on the nature and classification of the project and is fully consistent with the regulatory framework. Further, in the counter affidavit dated 15.12.2025 filed by Respondent No. 4, it has elaborated upon the non-applicability of the EIA Notification. The Applicants' attempt to artificially classify the project under categories that are not applicable is misconceived. The competent authority having applied its mind to the nature of the project has arrived at a reasoned conclusion, which cannot be lightly interfered with.

16. The traffic modelling in the DPR is scenario-based and aligned with the operational classification of the facility. It evaluates corridor-level improvements rather than guaranteeing elimination of congestion. The modelling reflects demand projections, long-term planning inputs, and accepted methodologies. It cannot be equated with certainty. The restriction of two-wheelers and auto-rickshaws is consistent with established safety practices for high-speed tunnel infrastructure. Such classification ensures safety, efficiency, and optimal functioning. The DPR does not claim universal congestion elimination but assesses travel time savings, traffic redistribution, and improved network efficiency. The project is expected to reduce travel time between Hebbal and Silk Board from approximately 90 minutes to about 35 minutes, resulting in reduced fuel consumption, emissions, and vehicle operating costs.

17. The allegation that the planning process lacked transparency or public participation is also denied. The project forms part of a broader urban mobility strategy and has been informed by multiple inputs, including expert consultancy, feasibility analysis, and public engagement initiatives. The suggestion that the project was introduced without any supporting framework is incorrect and ignores the wider planning context within which it has been conceived.



18. The allegation that the tunnel is vulnerable to flooding is unfounded. The tunnel is designed as an impervious structure with integrated drainage systems in accordance with established engineering standards. The project is expected to improve traffic flow, reduce idling time, and consequently lower emissions, thereby contributing positively to the urban environment.
19. The apprehensions regarding adverse environmental impacts, including increased emissions, groundwater depletion, and ecological harm, are speculative and unsupported by empirical evidence. On the contrary, the project is designed to facilitate smoother traffic flow, reduce idling time, and improve travel efficiency, which are expected to result in reduced fuel consumption and emissions. The projected reduction in travel time along the corridor demonstrates tangible public benefits and aligns with broader objectives of urban mobility and efficiency.
20. In sum, the Applicants have failed to demonstrate any illegality, procedural impropriety, or environmental non-compliance in the preparation of the DPR or the planning of the project. The challenge mounted is based on conjecture and does not meet the threshold required for interference by this Hon'ble Tribunal in matters involving technical and policy considerations.
21. In view of the above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the Original Application with costs and pass such further orders as this Hon'ble Tribunal may deem fit in the interest of justice.



Signature

22. The Respondent respectfully craves leave of this Hon'ble Tribunal to file such additional affidavits, documents, or written submissions as may be necessary for proper adjudication of the present matter, and as may be permitted by this Hon'ble Tribunal.



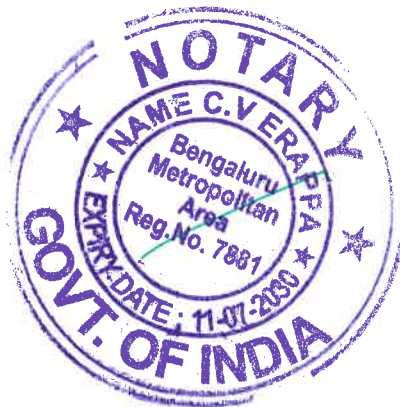
DEPONENT

VERIFICATION

I, the aforementioned Deponent do hereby declare on this 17th day of April 2026, at Bengaluru, that the contents of the affidavit are true to my knowledge derived from records and nothing material has been concealed therefrom.



DEPONENT



SWORN TO BEFORE ME

C.V. Earappa
C.V. EARAPPA B.Com, LL B,
ADVOCATE
41/8, 9th Cross, Gangappa Building,
Kalkere Main Road, R.M.Nagar,
BENGALURU-560 016

20 APR 2026

**BEFORE THE NATIONAL GREEN
TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI**

O. A. NO. 182 OF 2025

Bengaluru Praja Vedike and 2 others Limited
.....Applicants

Vs.

State of Karnataka and 6 others,
.....Respondents

**COUNTER AFFIDAVIT FILED ON
BEHALF OF 6TH RESPONDENT**

M/s. SAMAGRA LAW

AJITH CR (K/2137/1999)
NISHANT MENON (D/1173-R/1998)
JHUM JHUM SARKAR (D/2772-B/1999)
RADHALAKSHMI R (D/1453/2014)
PARANAVA CHARAN MG (3190/2014)
KOBINATH V (7823/2021)

COUNSEL FOR PETITIONER

Ph - 8667237649



1412

Annexure A
Page 1 of 2
ENGINEERING.PASSION

HBT-1640-HO-LTR-2025/0060

Dated 24.03.2025

To

Executive Engineer,
Infra Div- RI
Bruhat Bengaluru Mahanagara Palike
Bengaluru, Karnataka-560002

Subject: Consultancy services for preparation of DPR for the work of Construction of Underground Vehicular Tunnel from Hebbal Esteem mall junction to Silk Board KSRP junction. **Reg-Consideration of Imposed Penalty**

- Ref.: (1) LOA- EE/INFRA DIV-RI/PR/75/2024-25 on 25.07.2024
(2) WO- EE/INFRA DIV-RI/WO/01/2024-25 on 12.08.2024
(3) HBT-1640-HO-LTR-2024/0017 dated 24.09.2024
(4) HBT-1640-HO-LTR-2025/0054 on 10.02.2025
(5) HBT-1640-HO-LTR-2024/0017 dated 24.09.2024
(6) HBT-1640-HO-LTR-2025/0042 dated 07.01.2025
(7) HBT-1640-HO-LTR-2025/0043 dated 07.01.2025
(8) HBT-1640-HO-LTR-2025/0044 dated 08.01.2025
(9) HBT-1640-HO-LTR-2025/0049 dated 16.01.2025
(10) EE/Road Infra-R1/PR/215/2024-25 dated 13.01.2025
(11) EE/Road Infra-R1/PR/2566/2024-25 dated 22.01.2025
(12) HBT-1640-HO-LTR-2025/0053 Dated 04.02.2025
(13) BBMP/EE(InfraDiv)/PR/215/2024-25 dated 4.2.2025
(14) HBT-1640-HO-LTR-2025/0055 dated 10.02.2025

Dear Sir,

We would like to draw your attention to your letter cited under reference (13), wherein a penalty of Rs. 10.0 Lakh has been imposed on the DPR Consultant due to delay in submission of DPR. We kindly request you to relook at the said imposition of penalty since the delay was not attributable to us. We are herewith highlighting the various reasons which caused the delay in submission of DPR. In a meeting dated 28th January 2025 headed by Honorable Deputy Chief Minister-Karnataka, it was decided that the submission of DPR is to be targeted on or before 3rd February 2025.

Following the submission of draft DPR, numerous meetings were held with the Employer and different stakeholders to deliberate upon the proposal. As a result of these discussions, a number of revisions were made to the tunnel alignment. In addition, deliberations had been organized by BCG on behalf of Employer with the prospective participants in the bidding for the project predominantly focussing on feasibility of packages, mode of tendering, requirement of financing, viability gap funding etc. It was also decided by the Employer to undertake a comparison with other similar tunnel projects, currently under execution in Mumbai in respect of the cost of TBM tunnelling. Feedback from the above outlined activities were incorporated in the revised submissions.

Further, to streamline the Final DPR submission, Team Rodic had requested a meeting with the Employer to clarify the various important technical aspects vide letter under reference (8). In line of that, the meeting held on 15th & 16th January 2025 the revisions were incorporated in the DPR. In the meeting it was highlighted by the DPR consultant regarding approval of alignment, intervention by the Employer to coordinate an expedited meeting with BMRCL, approval on packaging to minimize interface, methodology adopted for geological and geotechnical studies,

11



1413

Annexure A
Page 2 of 2
ENGINEERING.PASSION

issues related with Draft Contract Agreement and Request for Proposal documents. Moreover, a request letter was given to client vide letter under reference (9).

In response to the request letter cited in previous paragraph, a letter has been received from your office under reference (11) where in alignment was approved. Further, it was instructed in the letter that all the necessary investigations have to be completed before submitting the Final Report. It is pertinent to mention that Geotechnical Investigation team were already mobilized at site and after approval of alignment, the number of teams were increased to complete multiple locations within the timeframe. Being an urban area, the permission to proceed with Geotechnical Investigation (bore holes) was required from various agencies.

After incorporating all the comments and suggestions, the DPR consultant has submitted the Final DPR vide letter under reference (14).

We have outlined the various reasons which caused the delay in submission of the DPR and we herewith respectfully request the Authority to kindly reconsider the imposed penalty, as the DPR Consultant has submitted the DPR. We are and will be available for any support required by the Employer for successful conclusion of the Project. We remain committed to ensuring the highest standards of accuracy and compliance in our submissions.

We look forward to your positive consideration of our request. Kindly let us know, if any further clarifications or supporting documents are required.

Thanking You and Assuring our best services always.

For Rodric Consultants Pvt. Ltd.

Mr. Mohit Sinha
(Authorized Signatory)

Copy To : The Engineer in Chief BBMP- for kind information's

12

BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI
ORIGINAL APPLICATION NO. 182 OF 2025

Bengaluru Praja Vedike, And 2 Others

... Applicants

Versus

1.State of Karnataka And 6 Others

...Respondents

We, Rodic Consultants Pvt. Ltd, represented by its authorized signatory Mr. S.T. Ravishankar, Respondent No. 6 in the above Application do hereby appoint and retain M/s. AJITH C.R., NISHANT MENON, JHUM JHUM SARKAR, RADHALAKSHMI R, PRANAVA CHARAN M.G, KOBINATH V, ADVOCATES to appear for me/us in the above Application and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or the receipt to any moneys that may be payable to me /us in the said Application and also in appeal under section 15 of the letters patent and application for leave to the Supreme court of India and in all applications for review judgment.

Kobinath 7823/2021
Vani Daniel
MAH/6476/2006

I Certify that the contents of this Vakalat were read out and explained in English in my presence to the executants who appeared perfectly to understand the same and made his/her/their signature in my presence



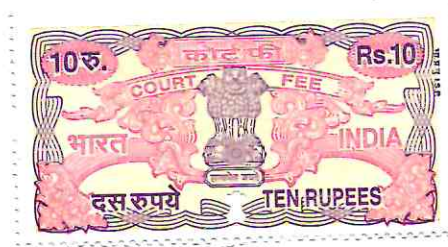
Rodic Consultants Pvt Ltd.
#91, Richmond Ruby, level 3,
Langford Gardens, Richmond Road,
Bengaluru 560 025

Executed before me on this the 17th day of April, 2026

ACCEPTED:
ADVOCATE, MADRAS

COUNSEL FOR RESPONDENT NO. 6

The address for services of all notices and processes is that of the Counsel M/s. Samagra Law, 2nd Floor, Cinthamani House, No.48, Raja Bather Street, T. Nagar, Chennai 600 017.



**BEFORE THE NATIONAL GREEN
TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI
ORIGINAL APPLICATION NO. 182 OF 2025**

Bengaluru Praja Vedike, And 2 Others
.....Applicants

Vs.

1.State of Karnataka And 6 Others
.....Respondents

VAKALAT

M/S. SAMAGRA LAW

AJITH C.R. (K/2137/1999)
NISHANT MENON (D/1173-R/1998)
JHUM JHUM SARKAR (D/2772-B/1999)
RADHALAKSHMI R. (D/1453/2014)
PRANAVA CHARAN M.G.(3190/2014)
KOBINATH V (7823/2021)

COUNSEL FOR PETITIONER

Ph No: 9790902338

**BEFORE THE NATIONAL GREEN
TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI**

O. A. NO. 182 OF 2025

Bengaluru Praja Vedike and 2 others Limited
.....Applicants

Vs.

State of Karnataka and 6 others,
.....Respondents

**INDEX TO TYPED SET OF PAPERS
FILED ON BEHALF OF THE
6TH RESPONDENT**

M/s. SAMAGRA LAW

AJITH CR (K/2137/1999)
NISHANT MENON (D/1173-R/1998)
JHUM JHUM SARKAR (D/2772-B/1999)
RADHALAKSHMI R (D/1453/2014)
PARANAVA CHARAN MG (3190/2014)
KOBINATH V (7823/2021)

COUNSEL FOR PETITIONER

Ph – 8667237649