

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**

**SOUTHERN ZONE, CHENNAI**

**O.A.NO.236 OF 2024 (SZ)**

BETWEEN:

Suo moto proceedings initiated  
Based on news item titled "Over  
2000 Citizens oppose felling of  
33000 trees for Bengaluru  
Suburban Railway Project Report"  
appearing in the Hindustan Times  
dated 11.06.2024

PETITIONER

AND:

Bruhat Bengaluru Mahanagara Palike  
And Others

RESPONDENTS

**INDEX TO THE TYPSET FILED BY THE 1<sup>st</sup> RESPONDENT**

<b>Sl.No</b>	<b>DESCRIPTION</b>	<b>Pg.No.</b>
1.	Report/Response Filed By The 1 <sup>st</sup> Respondent	1 - 10

Certified that the above documents are the true copies of the original.

Dated at Chennai on this the 23<sup>rd</sup> day of January 2025



Counsel for the 1<sup>st</sup> Respondent

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**RESPONSE OF RESPONDENT NO.1 BBMP TO THE SUO MOTO**

**PROCEEDINGS INITIATED BY THE APPLICANT**

Respondent No.1 most respectfully submits as under:

1. The present application was registered suo-motu by the Hon'ble National Green Tribunal on the basis of the news item titled "Over 2000 citizens oppose felling of 33000 trees for Bengaluru Suburban Railway Project Report" appearing in the Hindustan Times dated 11.06.2024 by this Hon'ble Tribunal. This Hon'ble Tribunal in the order dated 11.07.2024 has observed that the article dated 11.06.2024 alleges that while the project is a significant step towards reducing dependence on private vehicles and enhancing sustainable mobility, the sheer number of trees proposed to be felled will have adverse consequences on the city and that the same indicates violation of the provisions of the Forest Conservation Act, 1980 and the Environment Protection Act, 1986. It is submitted that Respondent No.1 has not violated the provisions of Forest Conservation Act, 1980 and the Environment Protection Act, 1986 and hence the present application is liable to be dismissed.
2. Around 04 applications for removal trees for the Bengaluru Sub - Urban Rail Project, that are coming within Project Area are submitted by KRIDE. As stated by KRIDE, the

removal of trees is important for implementation of BSRP project as the population of Bengaluru has been growing faster and there has been a phenomenal increase in number of vehicles as well in the recent past due to rising household incomes. In the absence of adequate public transport system, people are using personalized modes which are not only leading to congestion on limited road network but also increasing environmental pollution. They informed that an average citizen of Bengaluru spends more than 240 hours stuck in traffic every year (Source: K-RIDE DPR and Social Impact Assessment and Environment Impact Assessment (SIAEIA) Report). Such delays result in loss of productivity, reduced ambient air quality, reduced quality of life, and increased costs for services and goods. Further BSRP is a new Suburban Railway Project envisaging construction of 4 dedicated Rail Corridors in a period of 6 years. It will link Bengaluru to its Satellite Townships, Suburbs, Surrounding Areas and provide a Mass Rail Based Rapid Transit System.

Due to the increasing population of Bengaluru city and inadequate public transport system, residents of Bengaluru are resorting to personalized modes of transport which is leading to congestion in movement of vehicles and also environment pollution. Hence to overcome these issues, Ministry of Railways sanctioned the Bengaluru Suburban Railway Project (BSRP). BSRP envisages construction of 4 dedicated rail corridors in a period of 6 years. The said corridors would link Bengaluru to its satellite townships, suburbs, surrounding areas and provide a mass rail based rapid transit system.

The BSRP corridors are being constructed along with the existing Indian Railway alignment. The total length of suburban rail is 159.360 kms. The details of the four corridors are enunciated as under:

- Corridor 1: KSR Bengaluru City to Devanahalli (47.380kms)
- Corridor 2: Baiyappanahalli Terminal to Chikkabanavara (28.720kms)
- Corridor 3: Kengeri to Whitefield (35.52kms)
- Corridor 4: Heelalige to Rajanukunte (47.74kms)

Apart from the 4 corridors, BSRP also include construction of two depots namely:

- Soladevanahalli depot
- Devanahalli depot (adjoining Akkupete and Bommavara villages)



3. Procedure: The details of the project proposals/applications submitted to Tree Officer/DCF, BBMP and their status are mentioned below:

Sl. No.	Name of the proposal/project	Details of Official Memorandum (OM) issued	No. of trees for retention	No. of trees for translocation	No. of trees for felling	Total Trees
1.	BSRP, Corridor 02 extending from Baiyappanahalli Railway Station to Chikkabanawara Railway Station (roadside trees) Respondent No. 1's jurisdiction  Application No. and Date KRIDE/BSRP/TREE AUCTION/04 dtd. 18.10.2021	OM 01: DCF/PR-1642/ 2022-23 dated 27.12.2022	315	58	268	641
2.	BSRP, Corridor 02, Package 01 extending from Baiyappanahalli Railway Station to Lottegollahalli Railway Station (trees standing inside properties)  Application No. and Date KRIDE/BSRP/TREE AUCTION/Corr-2/08 dtd. 04.07.2022	OM 02: DCF/PR-1932/ 2022-23 dated 24.02.2023	123	73	1234	1430
5.	Railway Doubling Project extending from Yeshwanthpur Railway Station to Channasandra Railway Station  Application No. and Date KRIDE/BYPL- HSRA/DL/TREE AUCTION/32 dtd. 16.07.2021	OM DCF/PR-2019/ 2022-23 dtd. 15.03.2023	-	38	698	736
3.	BSRP, Corridor 02, Package 02 extending from Lottegollahalli Railway Station to Chikkabanawara Railway Station (trees standing inside properties)  Application No. and Date KRIDE/BSRP/TREE AUCTION/Corr-2/12 dtd. 27.07.2022 &	OM 03: DCF/PR-2042/ 2022-23 dated 17.03.2023	135	47	596	778

	KRIDE/BSRP/TREE AUCTION/Corr-2/18 dtd. 30.08.2022					
4.	Design and Construction of Elevated Viaduct of Length 8.027 Kms and AT Grade Section of Length 17.551 Kms Additional Project, Extending from Benniganahalli Railway Station to Chikkabanavara Railway Station  Application No. and Date KRIDE/BSRP/C- 2/BBMP/055, /002/& /008 dtd. 17.10.2023; 30.01.2024 & 07.05.2024	OM 04: DCF/PR -356/ 2024-25 dated 29.05.2024	493	89	699	1281
	<b>Total</b>		<b>1066</b>	<b>305</b>	<b>3495</b>	<b>4866</b>

4. Process of Applications:

- i. The applications submitted to the Tree Officer/DCF, BBMP for removal of trees were processed in pursuance to the stipulated procedure as per Sections 8 (2) and 8 (3) KPT Act 1976 and as per the process elucidated in the Memorandum of Procedure submitted to the Hon'ble High Court of Karnataka during December 2020.
- ii. The Tree Officer issued Public Notices and invited objections/suggestions from the Public in pursuance to KPT Act, 1976 as per Section 8 (3) (vii) of the Karnataka Preservation of Trees Act, 1976 (Henceforth referred as KPT Act)..
- iii. The proceedings of the Tree Officer were drawn regarding consideration of the objections/suggestions received from the public.
- iv. The Tree Assessment Forms in Template 2 with Part I containing tree details were prepared by Range Forest Officer and Part II containing preliminary assessment of tree was prepared by the Tree Officer for each of the trees.
- v. As a next step forward, the Tree Officer submitted his preliminary review pertaining to the application/proposal along with his findings on the objections/suggestions received and report on assessment of trees to the TEC.
- vi. The TEC reviewed the applications, findings on the objections/suggestions in response to Public Notices and preliminary assessment of trees as done by Tree Officer/DCF, were placed before the TEC in the Meeting. The objections/suggestions received in response to the public notices and the findings of the Tree Officer/DCF, and his proceedings will be perused systematically by the TEC



- vii. The TEC then decided to verify the preliminary assessment of trees done by the Tree Officer/DCF, BBMP and for that purpose intended to visit the Project Areas for detailed field inspection.
- viii. The field inspection for assessment of these proposal trees standing in the project area for the proposed projects was carried out. The detailed methodology for trees assessments as described in the TEC Report was meticulously followed.
- ix. Consequently the Tree Expert Committee (TEC) comprising of Experts from the domains of Environment, Science, Technology and concerned field which was constituted on the directions of the Hon'ble High Court by the Government of Karnataka, carried out the detailed field inspection and the assessment of each and every tree were done meticulously as per the process and norms as described in full in the TEC Report related to the Project.
- x. After completion the field inspection on the specified dates, the TEC met to review its findings and assessment and further to formulate its recommendations and prepare the Reports.
- xi. The TEC had discussions with the Proponent Agency authorities regarding execution and construction activities without removal of trees and identifying the trees which can be retained-on-site with respect to alignment, design and plan. As per field inspection, out of the total trees, some trees were identified to be considered for retention-on-site as they were not getting affected by the developmental/constructional activities
- xii. Further the remaining trees were suggested either for translocation or felling as they are standing within the proposed following physical features of the Project as per the Proponent Agency documents. Since the trees are standing right in the construction zone and hindering the project activities, their removal becomes inevitable.
- xiii. The next step was to identify trees for translocation. It assessed the suitability of each of these trees. In doing so, the TEC considered the following conditions, in addition to verification of the tree health / tree defects, etc., as recorded in the Template-2 Part-I.
  - i. Proximity of tree to building structures, trunks proximity to the cement / concrete or tarred surface so as to examine the feasibility of extraction of root-ball of appropriate size;
  - ii. The natural characteristics and aspects of species viz., ecologically and economically important species; species that could provide food (nectar, pollen, seeds and fruits) and nesting sources (materials and site) to various fauna.
- iii. The trees having below mentioned characteristics do not qualify for translocation.



- iv. Trees having multi-forked trunk, major wounds on the trunk, debarking, physical damage on the bark, scar due to fire, damage (girdling), rotting due to fungal infection (fruiting bodies of fungus, rotten core, hollowness) or pest infestation (presence of holes and frass as evidence of insect infestation), and dead / dried major branches, etc..
- xiv. Taking into consideration the above mentioned assessment attributes, the TEC identified trees at the said project areas which are found suitable for translocation
- xv. After having completed the above assessment of trees at the project area, the Committee will also inspect the location/area which will be identified by the Proponent Agency for translocation of trees and recommended by the Tree Officer as proposed areas for translocation of trees.
- xvi. The Committee will review the soil test analysis report of the above proposed translocation Site as prepared by Department of Soil Science and Agricultural Chemistry, UAS, GKVK, Bangalore with the inference and recommended by the Tree Officer and DCF, BBMP.
- xvii. The Committee remarked and recommended the locations as found suitable for translocation of trees duly following the translocation guidelines formulated by UAS, Bengaluru.
- xviii. Recommendations of TEC: The TEC carried out a thorough and multipronged scrutiny of all the trees to make its recommendations regarding:
- a) Trees which could be saved by retaining on-site as it is;
  - b) Trees which should be translocated depending upon their general condition as assessed and ecological importance, in the event of (a) above not being possible;
  - c) Trees recommended for removal in the event of (a) and (b) not being possible including the trees which are silviculturally matured, softwood trees and trees suffering from defects /damages.
- xix. The summary of recommendations of the Committee based on the remarks was drawn.

In finalizing its report, the TEC has been guided by the process highlighted in Step-8 of the MOP, namely:

- a. Meticulous scrutiny of recommendations made by the Tree Officer in compliance to the MOP;



- b. Intense Field inspection of the KRIDE project area to assess each and every tree and record the status of tree and recommendation for its on-site retention/translocation/felling.
- c. Field Inspection of the proposed translocation areas.
- xx. Subsequently the TEC forwarded its Report along with required Annexures/Enclosures to the Tree Officer/DCF, BBMP.
- xxi. The Tree Officer/DCF, BBMP after perusal of TEC's Report issued Official Memorandum to the Applicant, Proponent Agency, Bengaluru.
5. As per the Section 10 of KPT Act 1976, which provides that where any tree has fallen or destroyed due to force of nature or other natural causes, requires to plant a tree or trees in place of the tree so fallen or destroyed.
6. In lieu of the trees translocated, felled trees, 10 healthy and heighted saplings have to be planted. The saplings have to be planted as per forestry practices and maintained for a minimum period of three years. Photographs and proper documentation has to be there for saplings/seedlings planted.
7. The details of the Compensatory Afforestation carried out for the Official Memorandum issued are enclosed as annexure. Further the details have also been uploaded in the Official Website of the Office of Tree Officer/DCF, BBMP viz., [https://site.bbmp.gov.in/departmentwebsites/Forest%20 Department/downloads.html](https://site.bbmp.gov.in/departmentwebsites/Forest%20Department/downloads.html).
8. The details of the translocation trees are mentioned below:

Sl. No.	Name of the Proposal/ project	No. of Translocation trees	Translocation site	Works carried out by KRIDE
1.	BSRP, Corridor 02 Extending from Baiyappanahalli to Chikkabanawara	58	<ul style="list-style-type: none"> <li>The Location Site No. 03 is situated near to the newly constructed badminton court, at Yeshwanthpur Railway Colony, Opposite to Treatment plant, Bengaluru. The Location Site No. 07 is situated close to the boundary wall of the Kendriya Vidyalaya playground at Yeshwanthpur, Bengaluru. = 17 trees translocated</li> <li>The Location Site No. 08 is the vacant area between Yeshwanthpur Railway quarters and the boundary wall of the Railway Colony at Yeshwanthpur, Bengaluru.</li> <li>The Location Site No. 09 is the fenced area diagonally opposite to the Kendriya Vidyalaya playground at Yeshwanthpur, Bengaluru.</li> </ul>	Out of the 58 trees; 17 trees have been translocated 41 trees are yet to be translocated

2.	BSRP, Corridor 02, Package 01 Extending from Baiyappanahalli Railway Station to Lottegollahalli Railway Station	73	The Location Site No. 03 which is situated near the newly constructed Badminton Court, at Yeshwanthpur Railway Colony, Opposite to Treatment Plant, Bengaluru. = 11 trees translocated	Out of the 73 trees; 11 trees have been translocated 62 trees are yet to be translocated
3.	BSRP, Corridor 02, Package 02 Extending from Lottegollahalli Railway Station to Chikkabanawara	47	The Location Site No. 03 which is situated near the newly constructed Badminton Court, at Yeshwanthpur Railway Colony, Opposite to Treatment Plant, Bengaluru. 33 trees translocated	Out of the 47 trees 33 trees have been translocated 14 trees are yet to be translocated
4.	Design and Construction of Elevated Viaduct of Length 8.027 Kms and AT Grade Section of Length 17.551 Kms Additional Project, Extending from Benniganahalli Railway Station to Chikkabanawara Railway Station	89	Location 1: Vacant Railway land available near RR College, Chikkabanawara, Bengaluru  Location 2: Vacant area available inside campus of CQAE, Jalahalli, Bengaluru	Implementation Order awaited by Hon'ble High Court of Karnataka
	<b>Total</b>	<b>267</b>		
5.	Railway Doubling Project extending from Yeshwanthpur Railway Station to Channasandra Railway Station	38	The Location Site No. 03 which is situated near the newly constructed Badminton Court, at Yeshwanthpur Railway Colony, Opposite to Treatment Plant, Bengaluru	Translocation process in progress
	<b>Total</b>	<b>305</b>		

9. The details of the Compensatory Afforestation are mentioned below:

Sl. No.	Name of the Proposal/project	No. of TP trees	No. of Felling trees	No. of trees for Compensatory Afforestation	Compensatory Location and Coordinates	Works Carried out by BBMP Forest wing
6.	BSRP, Corridor 02 Extending from Baiyappanahalli to Chikkabanawara	58	268	3260	GKVK, Yelahanka 13.092195 77.56898	Planting of 3260 saplings completed
7.	BSRP, Corridor 02, Package 01 Extending from Baiyappanahalli Railway Station	73	1234	13190	Roadside plantings at 1. Peenya Industrial area, Dasarahalli, Bengaluru	Planting of 13190 saplings completed

	to Lottegollahalli Railway Station				13.023167; 77.512705 2. Chokkasandra, Bengaluru 13.02219; 7730314 3. Rajagopalanagar, Bengaluru 13.013197; 77.508642	
8.	BSRP, Corridor 02, Package 02 Extending from Lottegollahalli Railway Station to Chikkabanawara	47	596	9890	Roadside plant at Nice Road, Bengaluru. 12.90586; 77.467896 Nice Road, Gottigere, Bengaluru 12.850131; 77.583586	Planting of 9890 saplings completed
					Compensatory Roadside Plantations at the following areas. 1. Gobbalala Main Road to Anjanapura Circle 1000 Plants – No. 3757	Work in Progress
9.	Design and Construction of Elevated Viaduct of Length 8.027 Kms and AT Grade Section of Length 17.551 Kms Additional Project, Extending from Benniganahalli Railway Station to Chikkabanavara Railway Station	89	699	7880	2. East Zone, Pulikeshinagar, Hebbala and Shivajinagara constituency. 1000 Plants – No. 3763 3. CRPF Campus, Yelahanka zone 1000 Plants – No. 3765 1000 Plants – No. 3766 4. HAL & Kittaganuru to Bharathalli Road 1000 Plants – No. 3767 5. Medahalli Road side 1000 Plants – No. 3766 6. Vijanapura Roadside 1000 Plants – No. 3769 7. Mahadevapura Roadside 1000 Plants – No. 3770	Work in Progress Work in Progress Work in Progress Work in Progress Work in Progress Work in Progress
	<b>Total</b>	<b>267</b>	<b>2797</b>	<b>34220</b>		

10.	Railway Doubling Project extending from Yeshwanthpur Railway Station to Channasandra Railway Station	38	698	7420	CRPF, Yelahanka 13.123282; 77.569885	Planting of 7420 saplings completed
	<b>Total</b>	<b>305</b>	<b>3495</b>	<b>41640</b>		

10. In view of the foregoing, it is amply clear that Respondent No.1 has not violated the Forest Conservation Act, 1980 and the Environment Protection Act, 1986. Further, necessary and effective afforestation measures are undertaken with respect to the trees being removed and translocated in the ratio 1:10 by BBMP on behalf of Respondent No.2. Therefore, the present application is liable to be dismissed.

WHEREFORE, it is prayed that this Hon'ble Tribunal may be pleased to dismiss the application in the interest of justice and equity.

CHENNAI

DATE:

RESPONDENT NO.1

ADVOCATE FOR RESPONDENT NO.1

  
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**T.V. SEKAR (MS/143/80)  
COUNSEL FOR THE 1<sup>ST</sup> RESPONDENT  
9381059010**