

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

**O.A No. 182 of 2025**

Bengaluru Praja Vedike,  
And 2 Others

... Applicants

Vs.

1.State of Karnataka  
And 6 Others

... Respondents

**Counter Affidavit filed by MoEF&CC -4<sup>th</sup> Respondent**

Dated at Chennai this the 15<sup>th</sup> day of December 2025.



**Counsel for Respondent-4 (MoEF & CC)**

**Sai Srujan Tayi**

No. 319 (Old No. 155), Linghi Chetty Street,  
George Town, Chennai – 600 001.

Contact No: 98414 41438

Mail ID: sai@girisai.com

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN  
BENCH, CHENNAI**

**ORIGINAL APPLICATION NO. 182 OF 2025**

**IN THE MATTER OF:**

Bengaluru Praja Vedika & Ors.

...Applicant

Versus

Union of India & Ors.

... Respondents

**COUNTER AFFIDAVIT ON BEHALF OF THE MINISTRY OF  
ENVIRONMENT, FOREST AND CLIMATE CHANGE.**

**MOST RESPECTFULLY SHOWETH:**

I, Dr. R. Sridhar, currently working as Scientist "D" at the Ministry of Environment, Forest and Climate Change (MoEF&CC), Bengaluru, do hereby solemnly affirm and state as under:

1. That I, in my official capacity in the Ministry of Environment, Forest and Climate Change, in the above mentioned matter, am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.

  
**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बंगलूर - 560034  
Kendhya Sadan, Koramangala, Bengaluru - 560034

2. That, the Applicant in the Original Application, has stated that the Government of Karnataka has announced the Bengaluru Twin Tunnel Road Project in May 2024 without any credible technical assessment or support under the Comprehensive Mobility Plan, and advanced the proposal despite two failed Expressions of Interest.
3. That, the Applicant has further stated that the State Cabinet approved a 16.74 km twin-tube tunnel on 22.05.2025, created a Special Purpose Vehicle named Bangalore Smart Infrastructure Ltd., and caused the Detailed Project Report to be prepared within an unduly short period, which, according to the Applicant, contains factual errors, incomplete annexures and lacks essential studies such as geological, hydrological, flood-risk, biodiversity and tree enumeration assessments.
4. That, the Applicant has also averred that the traffic modelling is defective, that the proposed alignment passes through ecologically sensitive and legally protected areas, and that the project poses risks of groundwater depletion, soil instability and aggravated flooding.
5. That, the Applicant has further stated that the Respondents have bypassed the mandatory EIA process, avoided public consultation, and relied on the fact that tunnels are not separately listed under the EIA Notification, 2006, to evade environmental clearance.



**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बेंगलूरु - 560034  
Kendriya Sadan, Koramangala, Bengaluru - 560034

6. That, the answering Respondent respectfully submits that under the Environment (Protection) Act, 1986, the Ministry has issued various notifications, guidelines, and policy directions concerning afforestation, environmental safeguards, and mitigation measures in linear infrastructure projects. The development and maintenance of green belts alongside highways is a recognised environmental best practice, and the Ministry fully supports its implementation through applicable statutory frameworks.
7. That, under clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (hereinafter "1986 Act"), the Central Government is empowered to make rules for the purpose of protecting and improving the environment. In exercise of such powers, the answering Respondent had issued the Notification no. S.O. 1533(E) dated 14th September, 2006 which requires certain projects to obtain prior Environmental Clearance ("EC") before any construction work in case of new projects or expansion and modernization of existing projects or activities. The Schedule to the Notification details the categories or Projects or Activities which require prior environmental clearance.
8. That, all Projects and Activities are broadly categorized into two categories - Category "A" and Category "B", based on the spatial extent of potential impacts and potential impacts on human health and natural and manmade

**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बेंगलूरु - 560034  
Kendriya Sadan, Koramangala, Bengaluru - 560034

resources. All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, require prior environmental clearance from the Central Government in the Ministry of Environment, Forest and Climate Change (MoEF&CC) and all projects or activities included as Category 'B' in the Schedule require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA).

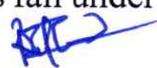
9. That, in exercise of the powers conferred upon the Central Government under sub section (3) of section 3 of the Environment (Protection) Act, 1986 and in accordance with the procedures specified in the EIA Notification, 2006, SEIAAs have been constituted in different States/UTs to discharge the functions of the regulatory authorities for the respective States/UTs. It is humbly submitted that State Environment Impact Assessment Authority (SEIAA) Karnataka, is a regulatory authority in the instant matter.
10. That, the answering Respondent, in this regard humbly submits that under the Schedule to the EIA Notification, 2006, as amended, relating to the list of activities requiring prior Environmental Clearance, Highways are

  
डॉ. आर. श्रीधर / Dr. R. Sridhar  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बेंगलूर - 560034  
Kendriya Sadan, Koramangala, Bengaluru - 560034

covered under entry 7(f) of Clause (7) of the said Schedule and, the same is reproduced below:-

| (1)  | Project or Activity | Category with threshold limit  |   | Conditions if any  |
|------|---------------------|--|---|--|
|      |                     | A  | B   |  |
| (1)  | (2)                 | (3)  | (4)   | (5)  |
| 7    |                     | Physical Infrastructure including Environmental Services   |   |  |
| 7(f) | Highways            | i. New National Highways; and<br>ii. Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignment and 60 m on re-alignment or by-passes | i. All New State High ways projects;<br>ii. State Highway expansion projects in hilly terrain (above 1000 m AMSL) and/or ecologically sensitive areas | General Condition shall apply<br><br>Note:<br>Highways include Expressways |

10. It is humbly submitted that, under the provisions of the EIA Notification, 2006, linear infrastructure projects including highways fall under entry 7(f)

  
**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
 संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
 MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
 भारत सरकार / Government of India  
 क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
 केन्द्रीय सदन, कोरमंगला, बेंगलूरु - 560034  
 Kendriya Sadan, Koramangala, Bengaluru - 560034

- of the Schedule, and are subject to prior Environmental Clearance (EC) either from the Ministry or the respective State Level Environment Impact Assessment Authority (SEIAA), depending on the category of the project. Environmental Management Plans (EMPs) submitted at the time of appraisal include mandatory greenbelt development and plantation along project corridors, as one of the mitigation measures.
11. That the answering Respondent respectfully submits that the EIA Notification, 2006 does not contain any standalone provision prescribing Environmental Clearance specifically for the activity of constructing an underground tunnel by itself. The Schedule to the Notification lists projects and activities that require prior EC, and tunnels as an independent category do not form part of the said Schedule.
12. That an underground tunnel becomes subject to prior Environmental Clearance only when it forms an integral part of a project or activity expressly listed in the Schedule, such as a highway covered under Entry 7(f). Therefore, there is no separate or independent requirement of prior EC exclusively for the construction of a tunnel under the EIA Notification, 2006.
13. In light of the above, the answering Respondent respectfully submits that the EIA Notification, 2006 does not prescribe any independent requirement

  
**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बेंगलूरु - 560034  
Kendriya Sadan, Koramangala, Bengaluru - 560034

for obtaining Environmental Clearance exclusively for the construction of an underground tunnel. The mandate of prior EC applies only when the tunnel is part of a project expressly listed in the Schedule, such as highways under Entry 7(f). In the absence of any statutory provision for granting EC to a tunnel as a standalone activity, no question arises of a separate or isolated EC for the tunnel component. The submissions made herein may kindly be taken on record, and this Hon'ble Tribunal may pass such orders as may be deemed appropriate in the facts and circumstances of the case.

14. The answering Respondent craves liberty to file additional information, if any, till *pendente lite*.

  
**DEPONENT**

**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बंगलूरु - 560034  
Kendriya Sadan, Koramangala, Bengaluru - 560034

### VERIFICATION

I, the aforementioned Deponent do hereby declare on this 3<sup>rd</sup> day of December 2025, at Bengaluru, that the contents of the affidavit are true to my knowledge and belief and nothing material has been concealed therefrom.

  
**DEPONENT**

**डॉ. आर. श्रीधर / Dr. R. Sridhar**  
संयुक्त निदेशक / वैज्ञानिक 'डी' / Joint Director / Scientist 'D'  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
भारत सरकार / Government of India  
क्षेत्रीय कार्यालय (दक्षिणी क्षेत्र) / Regional Office (Southern Zone)  
केन्द्रीय सदन, कोरमंगला, बंगलूरु - 560034  
Kendriya Sadan, Koramangala, Bengaluru - 560034