

20th July 2016

His Excellency Shri Vajubhai Vala
Governor of Karnataka
Raj Bhavan Road, Bangalore – 560 001

SUB: The Karnataka Urban Development Authorities (Amendment) Bill, 2016 – sincere and fervent request to deny assent

Hon'ble His Excellency,

Citizens of Karnataka woke up to some shocking news today. It appears that a bill entitled “**Karnataka Urban Development Authorities (Amendment) Bill 2016**” was hastily tabled by the Government in the assembly on 18 July, 2016 and declared passed without debate.

What the bill aims to achieve is to further reduce the perilously low lung space already available to the hapless citizens of cities across the State. With one stroke of a pen, the Government aims to restrict open spaces to just 10 % of the total layout area instead of the existing 15 %.

Rushing through a bill amidst bedlam in the assembly without a single minute spent on debate makes the entire motivation behind this legislation suspect. In a democratic system such as ours, those in power derive their legitimacy from the informed consent of the governed. There is no evidence that the opinion of the people or the people's representatives at any level – be it in Parliament, in the State Assembly or in the Municipalities concerned, were taken into account.

Newspaper reports suggest that bills to amend the Karnataka Municipal Corporations, Act, 1976 and the Bangalore Development Authority, Act, 1976 along similar lines are ready to be introduced which will make the changes applicable to Bengaluru and other Municipal Corporations in Karnataka.

Your Excellency will be aware of the increasing linkages between disappearing lung spaces in large urban cities and the proliferation of health risks to the citizens in the form of increasing particulate pollution, urban heat island effect that raises temperatures and a resultant all round drop in the quality of life. The only people who would gain in this sorry spectacle would appear to be the building lobby.

In a path breaking judgement in [WP 4677/1985, \(M.C. Mehta Vs. Union of India & Ors.\)](#) the Hon'ble Supreme Court of India opined that large scale infringement of environmental protections amounted to an infringement of the fundamental rights accorded to citizens under the Constitution of India. The same principle has been reiterated time and time again by our judiciary at various levels. For instance, the High Court of Karnataka, in its judgement in [WA 5252/1997 \(Anand Social Edn Society \(AVM\) Vs. S.G. Hegde & Ors.\)](#) relating to open spaces in the Koramangala area of Bengaluru, had directed Bangalore Development

Authority (BDA) to ensure no further public spaces are allotted to uses other than parks or playgrounds.

We beseech you to exercise your powers as the first citizen of this state to strike a blow for the suffering citizens of the State by declining to sign this odious piece of legislation which deserves to go down in infamy as a classic example of anti-people legislation. It is only fair that this legislation be returned to the Government with a clear directive to conduct public hearings on this issue and let the matter be thoroughly debated instead of rushing this through the legislature in a furtive manner.

In anticipation of a pro-active response, we remain

Yours faithfully



Sridhar Pabbisetty
CEO
Namma Bengaluru Foundation



N S Mukunda
Secretary
BRACE



D S Rajshekar
Treasurer
BRACE



T Vidhyadhar
Member
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Nitin Sheshadri
Member
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CC:

- 1. Shri Siddaramaiah**
Hon'ble Chief Minister of Karnataka
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- 2. Shri Rajeev Chandrasekhar**
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