

2 February 2017

1. The Additional Chief Secretary – Forests, Ecology & Environment
Government of Karnataka
4th Floor, M.S. Building, Dr. Ambedkar Veedhi,
Bangalore – 560 001
2. The Chairman
Karnataka State Pollution Control Board
Church Street,
Bangalore – 560 001
3. The Chief Wildlife Warden
Karnataka Forest Department
2nd Floor, Aranya Bhavan
18th Cross Malleswaram,
Bangalore – 560 003
4. The Director – Mines & Geology
Government of Karnataka

Sirs:

Sub: Gross Contempt of various Orders of the Hon'ble Supreme Court and High Court of Karnataka due to continued Stone Quarrying and Crushing in the ESZ of Bannerghatta National Park

- Ref: 1. Order of the Hon'ble High Court of Karnataka in WP 17078 /1997
2. Order of the Hon'ble Supreme Court in WP 460 / 2004
 3. Order of the Hon'ble Supreme Court in IA No.3/2011 in CA No. 7041 & 7043/2001
 4. Order of the Hon'ble High Court of Karnataka in WP 14209/2008
 5. OM No.1-20/2014/WL(Pt) dt 1.5.2015 r/w OM No. J-11013/41/2006-IA.II(I) dt.2.12.2009 regarding consideration of development projects located within 10 km of National Park and Sanctuaries – reg
 6. ESZ Notification dt. 15.06.2016

The signatories to this memorandum wish to present as under:

That as the statutory authorities under the Environment (Protection) Act, 1986 and the Wildlife (Protection) Act, 1972 and related State Laws, you are well aware of the specific directions

contained of various Court Orders referred at (1) to (4) above. The authorities listed at (1) and (3) of this letter are also well aware of OM referred at (5) and the Notification referred at (6) above.

That, vide the said Orders of the Hon'ble Supreme Court and Hon'ble High Court, you are either singly and/or collectively duty bound to inter alia implement and comply with specific directions pertaining to:

- Notification and protection of Eco-sensitive Zones (ESZs) around National Parks and Sanctuaries;
- Stoppage of stone quarrying and crushing activity within a specified distance of public property / structures as specified;
- Review and initiation of action on non-forestry activity in elephant habitats and corridors;
- Ensuring that project proponents seeking land (within 10 km of National Parks where the final ESZ notification has not been issued) submit application for wildlife clearance to the Standing Committee of the NBWL before coming for environmental clearance; and
- Review of land use on the periphery of forests falling within the elephant habitat and corridor and take requisite steps for its conservation and preservation.

That there has been gross failure to implement and comply with the said directions which is established by the fact that stone quarrying and crushing is going on unchecked within the ESZ and elephant corridor of Bannerghatta National Park. That the ESZ notification referred at (6) specifies all stone quarrying and crushing is a 'Prohibited Activity' in order to comply with the said Orders of the Hon'ble Supreme Court.

That this amounts to gross contempt of the said directions of the Hon'ble Supreme Court and Hon'ble High Court of Karnataka and violations of established legal procedure as mandated by law.

It appears that attempts are being made to dilute the ESZ notification by further reducing the width. This, if allowed, will be extremely detrimental to conservation of Bannerghatta NP.

In view of the above irrefutable facts and circumstances on the ground, we request you to urgently:

- i. Scrutinize all records and cancel the Environmental Clearance, if granted;
- ii. Conduct an immediate and surprise inspection of the said area and ensure stoppage of all stone quarrying and crushing activity within the ESZ;
- iii. Order a high level enquiry against officials and others responsible if Environmental Clearance has been granted based on false data and in violation of various directions of the the Hon'ble Supreme Court, Hon'ble High Court of Karnataka and established legal procedure and initiate stern action;
- iv. Ensure that the ESZ notification dt.15th June, 2016 is not diluted in any way and
- v. Initiate all steps to ensure full and effective implementation of all the directions of the Hon'ble Supreme Court and Hon'ble High Court of Karnataka in the said cases in a time bound manner.

Thank you for your immediate consideration.

Sincerely,

- 1.
- 2.
3.